

# Council Meeting

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## Agenda

**Tuesday, 22 July 2025**

Civic Centre, 15 Anderson Street, Lilydale  
and via Videoconference

## Information for Councillors and the community

### ACKNOWLEDGEMENT OF COUNTRY



Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nation peoples as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

We proudly share custodianship to care for Country together.

### COUNCIL VISION

Whether you live here or visit, you will see how much we care for country, how inclusive and connected our communities are, and how sustainable balanced growth makes this the best place in the world.

### VALUE OF HISTORY

We acknowledge that history shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.

### COUNCILLOR COMMITMENT

We'll be truthful, represent the community's needs, be positive and responsive and always strive to do better.

### OUR COUNCILLORS

**Billanook Ward:** Tim Heenan  
**Chandler Ward:** Gareth Ward  
**Chirnside Ward:** Richard Higgins  
**Lyster Ward:** Peter McIlwain  
**Melba Ward:** Mitch Mazzarella

**O'Shannassy Ward:** Jim Child  
**Ryrie Ward:** Fiona McAllister  
**Streeton Ward:** Jeff Marriott  
**Walling Ward:** Len Cox

### CHIEF EXECUTIVE OFFICER & DIRECTORS

**Chief Executive Officer,** Tammi Rose  
**Director Built Environment & Infrastructure,** Hjalmar Philipp  
**Director Communities,** Leanne Hurst

**Director Corporate Services,** Vincenzo Lombardi  
**Director Planning and Sustainable Futures,** Kath McClusky

### GOVERNANCE RULES

All Council and Delegated Committee meetings are to be conducted in accordance with Council's Governance Rules, which can be viewed at: <https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules>

### PUBLIC PARTICIPATION IN MEETINGS

Members of the community can participate in Council meetings in any of the following ways:

- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.



For further information about how to participate in a Council meeting, please visit: <https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

## **LIVE STREAMING AND RECORDING OF MEETINGS**

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Opinions or statements made during the course of a meeting are those of the particular individuals. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming or recording of meetings. While Council will use its best endeavours to ensure the live stream and Council's website are functioning, technical issues may arise which may result in Council temporarily adjourning the meeting or, if the issue cannot be resolved, adjourning the meeting to another date and time to be determined.

A person in attendance at the meeting must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the Chair.

The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council.

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## **EVACUATION PROCEDURES**

In the case of an emergency during a meeting held at the Civic Centre, 15 Anderson Street, Lilydale, you should follow the directions given by staff and evacuate the building using the nearest available exit. You should congregate at the assembly point at Hardy Street car park.

## **CONTACT US**

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## Agenda

1. **COUNCIL MEETING OPENED** 6
2. **ACKNOWLEDGEMENT OF COUNTRY** 7
3. **INTRODUCTION OF MEMBERS PRESENT** 8
4. **APOLOGIES AND LEAVE OF ABSENCE** 9
5. **DISCLOSURE OF CONFLICTS OF INTEREST** 10

*In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

6. **MAYORAL ANNOUNCEMENTS** 11
7. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS** 12
8. **QUESTIONS AND SUBMISSIONS FROM THE PUBLIC** 13

*In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

9. **PETITIONS** 14

*In accordance with Chapter 3, Rule 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

10. **BUSINESS PAPER**

Planning and Sustainable Futures

- 10.1 YR-2024/269 - 7 Ryrie Street, Healesville 15 - 250
- 10.2 Amendment C212 Monbulk Township Submissions and Adoption Request for Panel 251 - 303

## Agenda

### 11. COUNCILLOR MOTIONS

*In accordance with Chapter 3, Division 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

- 11.1 Commemoration of the 80th Anniversary of the Hiroshima and Nagasaki Bombings - Cr McIlwain 304

### 12. ITEMS THROUGH THE CHAIR 305

### 13. REPORTS FROM DELEGATES 306

### 14. DOCUMENTS FOR SIGNING AND SEALING 307

*In accordance with Clause 87 of the Meeting Procedures and Use of Common Seal Local Law 2015, as prescribed by Section 14(2)(c) of the Local Government Act 2020.*

### 15. INFORMAL MEETING OF COUNCILLORS 308 - 312

### 16. URGENT BUSINESS 313

*In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

### 17. CONFIDENTIAL ITEMS 314

*In accordance with section 66(2)(a) of the Local Government Act 2020.*

### 18. DATE OF NEXT MEETING 315 - 316

## **YARRA RANGES COUNCIL**

**AGENDA FOR THE 628<sup>TH</sup> COUNCIL MEETING TO BE HELD ON TUESDAY  
22 JULY 2025 COMMENCING AT 7.00PM IN COUNCIL CHAMBER, CIVIC  
CENTRE, ANDERSON STREET, LILYDALE AND VIA VIDEOCONFERENCE**

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### **1. MEETING OPENED**

## 2. ACKNOWLEDGEMENT OF COUNTRY



Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nation peoples as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

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### **3. INTRODUCTION OF MEMBERS PRESENT**

#### **OUR COUNCILLORS**

Billanook Ward: Tim Heenan

Chandler Ward: Gareth Ward

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Chief Executive Officer, Tammi Rose

Director Built Environment & Infrastructure, Hjalmar Philipp

Director Communities, Leanne Hurst

Director Corporate Services, Vincenzo Lombardi

Director Planning & Sustainable Futures, Kath McClusky

**4. APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies received prior to the commencement of this meeting.

## 5. CONFLICTS OF INTEREST

*In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

*The Local Government Act 2020 defines two categories of conflict of interest:*

- *a general conflict of interest, which is defined as "...a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty", and*
- *a material conflict of interest, which is defined as "...a relevant person has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss incurred (a) directly or indirectly; or (b) in a pecuniary or non-pecuniary form."*

*In accordance with section 130 of the Local Government Act 2020, a conflict of interest must be disclosed in the manner required by the Governance Rules and the relevant person must exclude themselves from the decision-making process.*

No Conflicts of Interest have been received prior to the Agenda being printed.



**6. MAYORAL ANNOUNCEMENTS**

**7. CONFIRMATION OF MINUTES**

**RECOMMENDATION**

***That the Minutes of the Council Meeting held Tuesday 8 July 2025 as circulated, be confirmed.***

## **8. QUESTIONS AND SUBMISSIONS FROM THE PUBLIC**

*In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

A person may make a submission to Council on matters that are not listed on the Agenda. A submission may be on any matter except if it:

- (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- (b) is substantially the same as a submission made to a Council meeting in the preceding 12 months;
- (c) relates to confidential information as defined under the Act;
- (d) relates to the personal hardship of any resident or ratepayer; or
- (e) relates to any other matter which the Council considers would prejudice the Council or any person.

### **QUESTIONS TO COUNCIL**

There were no Questions to Council from the public received prior to the Agenda being printed.

### **SUBMISSIONS TO COUNCIL**

#### **Access to Mountain Bike Tracks**

Ivor Wolstencroft wishes to present a proposal to allow Walker and Wheelchair Access to Mountain Bike tracks.

#### **White Dog Hotel Heritage Facade**

Robert Hall wishes to present regarding the Heritage Facade of the White Dog Hotel, Lilydale.

## 9. PETITIONS

*In accordance with Chapter 3, Rules 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

A person may submit a petition to Council on matters that are not listed on the Agenda. Every petition or joint letter submitted to Council must:

- a) identify a 'Lead Petitioner' who Council can correspond with;
- b) be legible and in permanent writing;
- c) be clear and state on each page the matter and action sought from Council. Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter;
- d) not be derogatory, defamatory or objectionable in language or nature;
- e) not relate to matters outside the powers of Council; and
- f) clearly state the names and addresses of at least seven (7) people who live, work, study or do business in the Municipal district.

There were no Petitions received prior to the Agenda being printed.

**YR-2024/269 - 7 Ryrie Street, Healesville - Planning Report****APPLICATION DETAILS**

<b>Site Address</b>	7 Ryrie Street, Healesville
<b>Application No.</b>	YR-2024/269
<b>Proposal</b>	Buildings and works to construct a second dwelling, construct a carport to existing dwelling, two lot subdivision and removal of vegetation.
<b>Existing Use</b>	Dwelling
<b>Applicant</b>	Paul Meenks
<b>Zone</b>	Clause 32.09 - Neighbourhood Residential Zone Schedule 2
<b>Overlays</b>	Clause 44.06 - Bushfire Management Overlay Schedule 1 (BMO1) Clause 43.02 - Design and Development Overlay Schedule 6 (DDO6) Clause 42.03 - Significant Landscape Overlay Schedule 22 (SLO22)
<b>Particular Provisions</b>	Clause 52.06 – Carparking Clause 53.18 – Stormwater Management in Urban Development Clause 55 – Two or more dwellings on a lot and residential buildings. Clause 56 – Residential Subdivision
<b>Objections</b>	28 (includes two petitions with the same signatories)
<b>Encumbrances on Title (Covenants/Section 173 Agreements)</b>	No
<b>Reason for Council Decision</b>	More than 10 objections
<b>Ward</b>	Ryrie

## SUMMARY

The proposal is for buildings and works to construct a two storey dwelling at the rear of existing dwelling on the land, construct a new carport for the existing dwelling, a two-lot subdivision and removal of vegetation. The proposed dwelling is a three (3) bedroom with two carparking spaces to be provided.

The application has undertaken multiple design amendments with subsequent multiple public notification processing. The application received twenty-eight (28) objections submissions. The key concerns raised relate to overdevelopment, loss of amenity, tree removal, height and scale, overlooking, possible AirB&B/short term accommodation use, parking and traffic and inaccuracies on the development plans.

Overall, the proposed development achieves an acceptable response to the relevant planning policies including the Planning Policy Framework, Zone, Overlays and provisions of the Yarra Ranges Planning Scheme.

## RECOMMENDATION

***That Council resolve to approve Planning Application YR-2024/269 for buildings and works to construct a second dwelling, construct a carport for the existing dwelling, two lot subdivision and removal of vegetation at 7 Ryrie Street, Healesville and issue a Notice of Decision to Grant a Permit subject to the conditions in Attachment 1 to the report.***

## DISCLOSURE OF CONFLICT OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## CULTURAL HERITAGE SIGNIFICANCE

The application has been checked against the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007 (Vic)* as to the need for a *Cultural Heritage Management Plan (CHMP)*. It has been assessed that a CHMP is not required.

## EXTRACTIVE INDUSTRY

The site is not located within 500m of an extractive industry.

## HUMAN RIGHTS CONSIDERATION

The application has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Yarra Ranges Planning Scheme), reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

## ENCUMBRANCES ON TITLE

There are no encumbrances on the Certificate of Title.

## SITE LOCATION AND DESCRIPTION

The subject site is addressed at 7 Ryrie Street, Healesville, and formally known as (Crown Allotment 16 Section E township of Healesville, Parish of Gracedale). The subject site is located approximately 45 metres north of Harker Street and 145 metres from High Street to the south, on the western side of Ryrie Street (**Error! Reference source not found.**).



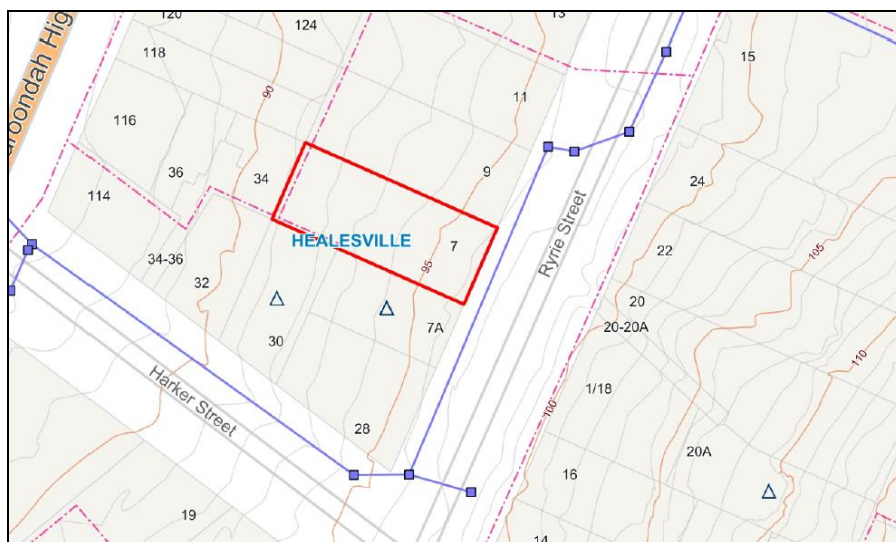
**Figure 1- Aerial image**

Key features of the site are as follows:

- The total combined site area is approximately 1,022 square metres.
- The site is currently developed with a single detached dwelling with vehicle access from Ryrie Street.



- The land slopes downward from east to west, from Ryrie Street to the rear of the property.
- The site is connected to reticulated sewer and drainage infrastructure, located within the Ryrie Street Road reserve directly in front of the site (Figure 2).
- A two-metre wide Metropolitan Melbourne Water Board easement (Instrument No. N974446V) is located along the southern and western boundaries. While the instrument does not specify a purpose, a sewer line is known to exist within this easement.



**Figure 2 – Drainage and Sewer locations**

Figures 3 and 4 provide context for the views to the site and surrounds.



Street view of subject site





Street view looking south-west (subject site on right of image)



Street view looking south-east (opposite subject site)





Street view looking north (subject site located to the right)



Street view looking north-west further along Ryrie Street (subject site nearby to the south-west)





Street view looking south-west (subject site nearby to the right)



Street view looking north (subject site to right)



Street view looking south-west (opposite side of Harker Street nearby subject site)

**Figure 3 – Eight (8) views from Ryrie Street**

## **SURROUNDING AREA**

The immediately surrounding area is residential, with a mix of single and double storey dwelling built form on a single lot and some emerging examples of old housing stock on similar sized lots to the subject site, converted into multi-unit residential developments. Figures 1 (above) and 4 (below) demonstrate the presence of multi-unit residential development within the immediate residential area.

The subject site adjoins the following properties:

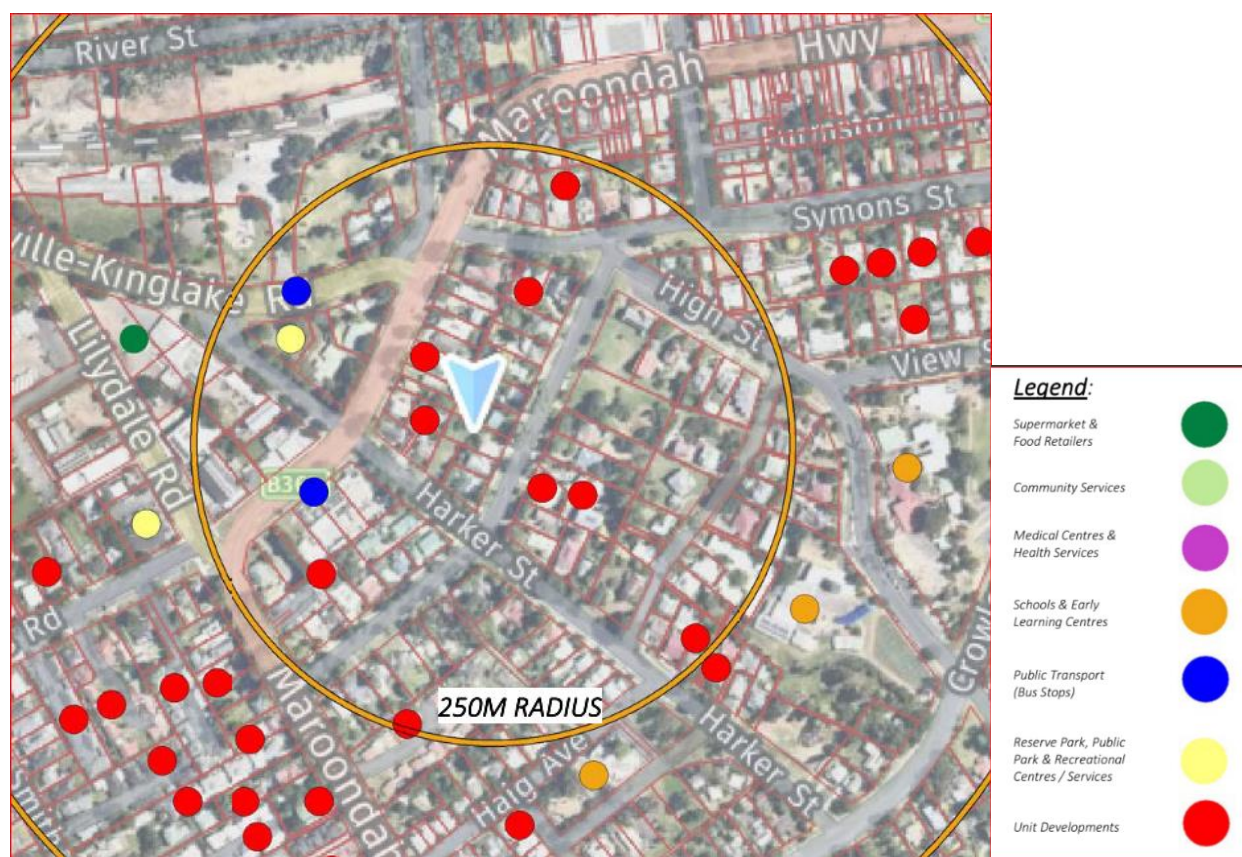
<b>North:</b>	<ul style="list-style-type: none"> <li>9 Ryrie Street, which is developed with a single storey weatherboard dwelling with a single access off Ryrie Street and no front fence</li> </ul>
<b>East (opposite):</b>	<ul style="list-style-type: none"> <li>18 Ryrie Street is a unit development with two (2) single storey dwellings with a central access off Ryrie Street and no front fence</li> <li>20 Ryrie Street is a double storey dwelling with an access off Ryrie Street and a well vegetated frontage</li> <li>20A Ryrie Street is a single storey dwelling with an access off Ryrie Street and no front fence</li> </ul>
<b>South:</b>	<ul style="list-style-type: none"> <li>7A Ryrie Street is developed with a single storey, brick dwelling, with a single access off Ryrie Street, low level front</li> </ul>



	<p>fence</p> <ul style="list-style-type: none"> <li>30 Harker Street is currently under construction to establish a single storey dwelling with a single access off Harker Street</li> </ul>
<b>West:</b>	<ul style="list-style-type: none"> <li>32 Harker Street is developed with a single storey dwelling, brick dwelling with a low-level front fence and access off Harker Street</li> <li>34 Harker Street is developed with a single storey dwelling with a common property access off Harker Street</li> <li>118 Maroondah Highway is developed with a single storey dwelling with a carport in the frontage and low-level front fence and has a central access off Maroondah Highway</li> </ul>

Beyond residential development area, there are notable community and commercial services of interest within proximity to the subject site. These are as follows:

- Healesville Walk Shopping Centre – 750 metres north-east
- Healesville Primary School – 300 metres east
- St Brigid's Catholic Primary School – 300 metres east
- Apex Park – 250 metres west
- Healesville Tourist Railway Station – 300 metres northwest.
- Healesville Town Centre – 400 metres northeast



**Figure 4 - Unit Developments in the area (Red Dots)**

## PROPOSAL

The application seeks to construct a second dwelling to the rear of an existing dwelling, construct a carport to existing dwelling, removal of vegetation (one tree) and a two-lot subdivision.

The development plans (Attachment 3) include:

- Full Set Development Plans
- Primary Development Plans
- Landscape Plan
- Tree Protection Plan
- Subdivision Plan.

The following tables outline key attributes.

**Table 1. Summary of proposed development**

Attributes	Unit 1 (existing)	Unit 2 (proposed)
<b>Storeys</b>	Single	Double
<b>Front setback</b>	5.47 metres	N/A
<b>Maximum height of dwelling</b>	4.6 metres	7.48 metres
<b>Bedrooms</b>	One (1)	Three (3)
<b>Car parking</b>	Single carport	Single garage and parking space
<b>Details of proposal attributes for each dwelling</b>		
<b>Proposed additions to existing dwelling</b>	Single space carport	
<b>Proposed Dwelling Floor Plan Layout</b>	<p><b>Ground Floor</b></p> <ul style="list-style-type: none"> <li>• Single garage</li> <li>• Single car space</li> <li>• Open plan kitchen, meals and living room and deck off the living room</li> <li>• Separate lounge with deck and bathroom</li> <li>• Powder room</li> <li>• Laundry</li> </ul> <p><b>First floor</b></p> <ul style="list-style-type: none"> <li>• Master bedroom and ensuite</li> <li>• Two (2) bedrooms</li> <li>• Bathroom</li> <li>• Powder room</li> </ul>	

**External materials and finishes for new dwelling**

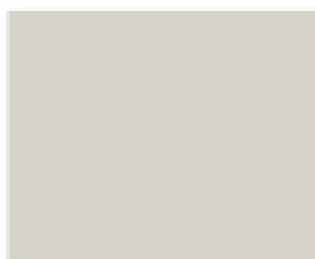
**Roofing -**



**Roof Sheeting**

*Steel sheet corrugated profile with colorbond "windspray" Finish.*

**Wall Cladding -**



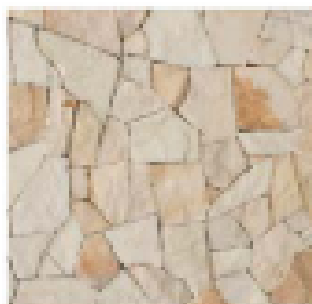
**Dulux "Feathersoft"**

*James hardie Linea Wall Cladding with Feathersoft paint finish.*



**Timber Cladding**

*Vertical Timber cladding.*



**Sandstone Cladding**

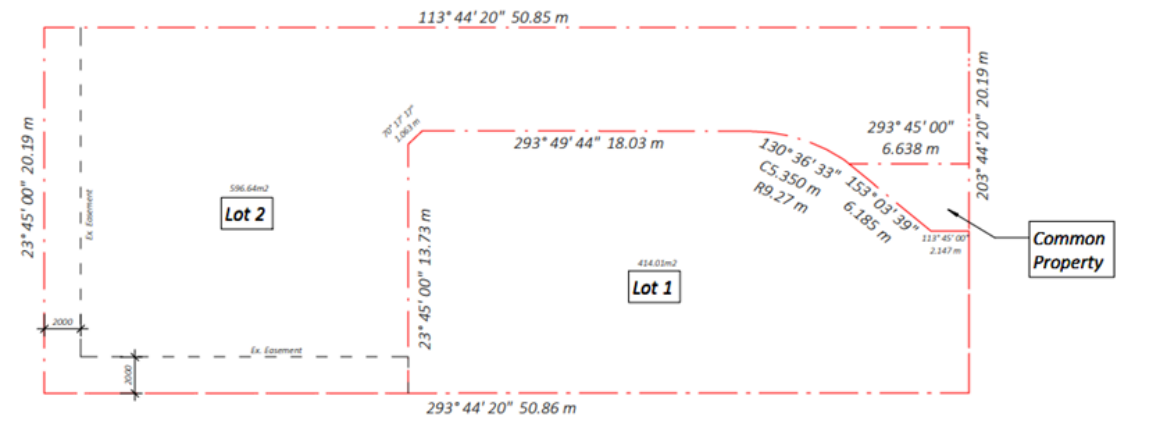
*Sandstone wall cladding.*

**Window Frames -**



**Timber Window Frames**

*Timber framed windows with vivid white trims.*

Other details	
<b>Site coverage (buildings)</b>	Overall development has a site coverage of 26.4 percent - <ul style="list-style-type: none"> <li>Proposed Lot 1 – 29.9 percent</li> <li>Proposed Lot 2 – 25.2 percent</li> </ul>
<b>Permeability (garden area)</b>	Overall development - 73.6 percent (26.4 percent impervious) <ul style="list-style-type: none"> <li>Proposed Lot 1 - 70.1 percent (29.9 percent impervious)</li> <li>Proposed Lot 2 - 74.8 percent (25.2 percent impervious)</li> </ul>
<b>Garden area</b>	531 square metres or 51.9 percent (minimum required is 35 percent)
<b>Front fence details</b>	Existing front fence to be kept
<b>Vehicle access</b>	Existing access to be utilised for both dwellings
<b>Common property area</b>	15.6 square metres (comprising internal accessway)
<b>Waste bin storage</b>	Four (4) bins for each dwelling
<b>External storage</b>	Six (6) cubic metres for each dwelling
<b>Waste collection</b>	Council
Subdivision Configuration (Attachment 3).	
 <p>The diagram illustrates the subdivision configuration for a property. It shows two lots, Lot 1 and Lot 2, and a Common Property area. Lot 1 is located on the right side of the property, with an area of 414.01m². Lot 2 is located on the left side, with an area of 596.64m². The Common Property area is located between the two lots, with an area of 11.35 square metres. The diagram includes various dimensions and bearings for the boundaries of the lots and the common property. Key dimensions include 113° 44' 20" 50.85 m, 293° 49' 44" 18.03 m, 293° 45' 00" 6.638 m, 203° 44' 20" 20.19 m, 293° 44' 20" 50.86 m, 23° 45' 00" 20.19 m, 23° 45' 00" 13.73 m, 130° 36' 33" C5.350 m R9.27 m, 153° 09' 39" 6.185 m, 113° 45' 00" 2.147 m, 20° 12' 12" 1.061 m, 2000, and 2000. The diagram also shows existing easements (Ex. Easement) and a common property area.</p>	
<b>Lot 1 (existing dwelling)</b>	<b>Area: 414.01 sqm</b>
<b>Lot 2 (proposed dwelling)</b>	<b>Area: 596.64 sqm</b>
<b>Common Property</b>	<b>11.35 square metres</b>



### Vegetation retention and removal:

A total of thirty-one (31) trees were assessed for the development. Of these, there are 30 trees on site and one Council tree (Tree number 1) on the road reserve. Of all the trees to be removed only one tree requires a planning permit, see below:

- Tree 5 (tree fern) requires a planning permit for its removal under the Significant Landscape Overlay. However, it's removal is contested as it can be transplanted and retained, and this has been secured by way of condition to this effect.
- Eleven (11) trees are protected by the Significant Landscape Overlay. Of these eleven (11) trees, ten (10) will remain viable – tree numbers 1, (which is the street tree) 9, 12, 17, 20, 22, 24, 25, 30, and 31.
- Twenty (20) trees do not need a planning permit to be removed, as they meet one of the exemption criteria, which are:
  - Does not meet the minimum dimensions (Diameter at Breast Height – DBH less than 16 centimetres) identified in the relevant overlay or general provision.
  - Considered weed species; or
  - Located within two metres (2m) of an existing building.
  - Or within four metres (4m) of a fence line built before September 10, 2009
- The following trees are exempt for one or more of these reasons –
  - Trees 2 – 4, 6 - 8, 10, 11, 13 - 16, 18, 19, 21, 23, 26 - 29.

The table below details all trees on site, including those being retained and removed and which trees require a permit to be removed:

Tree	Name	Retained/ Removed	Permit required for removal (Y/N)
1	<i>Eucalyptus camphoras</i> (Mountain Swamp Gum) - Native	Retained	Council Street Tree
2	<i>Jacaranda mimosifolia</i> (Jacaranda) - Exotic	Removed	Meet one of the exemption criteria
3	<i>Acacia floribunda</i> (Gossamer Wattle) -Native	Removed	Meet one of the exemption criteria
4	<i>Pleroma granulosum</i> (Laisandra) - Exotic	Removed	Meet one of the exemption criteria
5	<i>Dicksonia antartica</i> (Soft Tree Fern) - Native	Relocated (by condition)	Yes – to be transplanted
6	<i>Grevillea sp.</i> (Grevillea)	Removed	Meet one of the exemption criteria
7	<i>Callistemon viminalis</i> (Weeping Bottlebrush) -	Removed	Meet one of the exemption criteria

Tree	Name	Retained/ Removed	Permit required for removal (Y/N)
	<i>Native</i>		
8	<i>Pittosporum tenuifolium</i> (Kohuhu)- <i>Exotic</i>	Retained	Meet one of the exemption criteria
9	<i>Acer palmatum</i> (Japanese Maple) - <i>Exotic</i>	Retained	Provided that driveway is constructed above the existing grade using permeable materials
10	<i>Camellia japonica</i> (Camellia) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
11	<i>Camellia japonica</i> (Camellia) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
12	<i>Brachychiton populneus</i> (Kurrajong) - <i>Native</i>	Retained	Provided that driveway is constructed above the existing grade using permeable materials
13	<i>Acer palmatum</i> (Japanese Maple) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
14	<i>Syzygium paniculatum</i> (Magenta Cherry) - <i>Native</i>	Removed	Meet one of the exemption criteria
15	<i>Acer palmatum</i> (Japanese Maple) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
16	<i>Arbutus unedo</i> (Irish Strawberry Tree) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
17	<i>Fagus sylvatica</i> ( <i>European Beech</i> ) - <i>Exotic</i>	Retained	
18	<i>Coprosma repens</i> (Mirror Bush) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
19	<i>Laurus nobilis</i> (Bay Laurel) <i>Exotic</i>	Removed	Meet one of the exemption criteria
20	<i>Quercus palustris</i> ( <i>Pin Oak</i> ) - <i>Exotic</i>	Retained	
21	<i>Betula pendula</i> (Silver Birch) - <i>Exotic</i>	Removed	Meet one of the exemption criteria
22	<i>Callistemon salignus</i> ( <i>Willow Bottlebrush</i> ) - <i>Native</i>	Retained	
23	<i>Melaleuca squarossa</i> (Scented Paperbark) - <i>Native</i>	Removed	Meet one of the exemption criteria
24	<i>Callistemon Viminalis</i> ( <i>Weeping Bottlebrush</i> ) - <i>Native</i>	Retained	
25	<i>Callistemon citrinus</i>	Retained	

Tree	Name	Retained/ Removed	Permit required for removal (Y/N)
	(Crimson Bottlebrush) - Native		
26	<i>Frazinus Augustifolia</i> (Claret Ash)- Native	Removed	Meet one of the exemption criteria – Weed
27	<i>Melaleuca ericifolia</i> (Swamp Paperbark) - Native	Removed	Meet one of the exemption criteria
28	<i>Eucalyptus lehmannii</i> (Bushy Yate) - Native	Removed	Meet one of the exemption criteria
29	<i>Banksia ericifolia</i> (Heath- leaved Banksia) - Native	Removed	Meet one of the exemption criteria
30	<i>Callistemon citrinus</i> (Crimson Bottlebrush) - Native	Retained	
31	<i>Melaleuca linariifolia</i> (Snow in Summer) - Native	Retained	

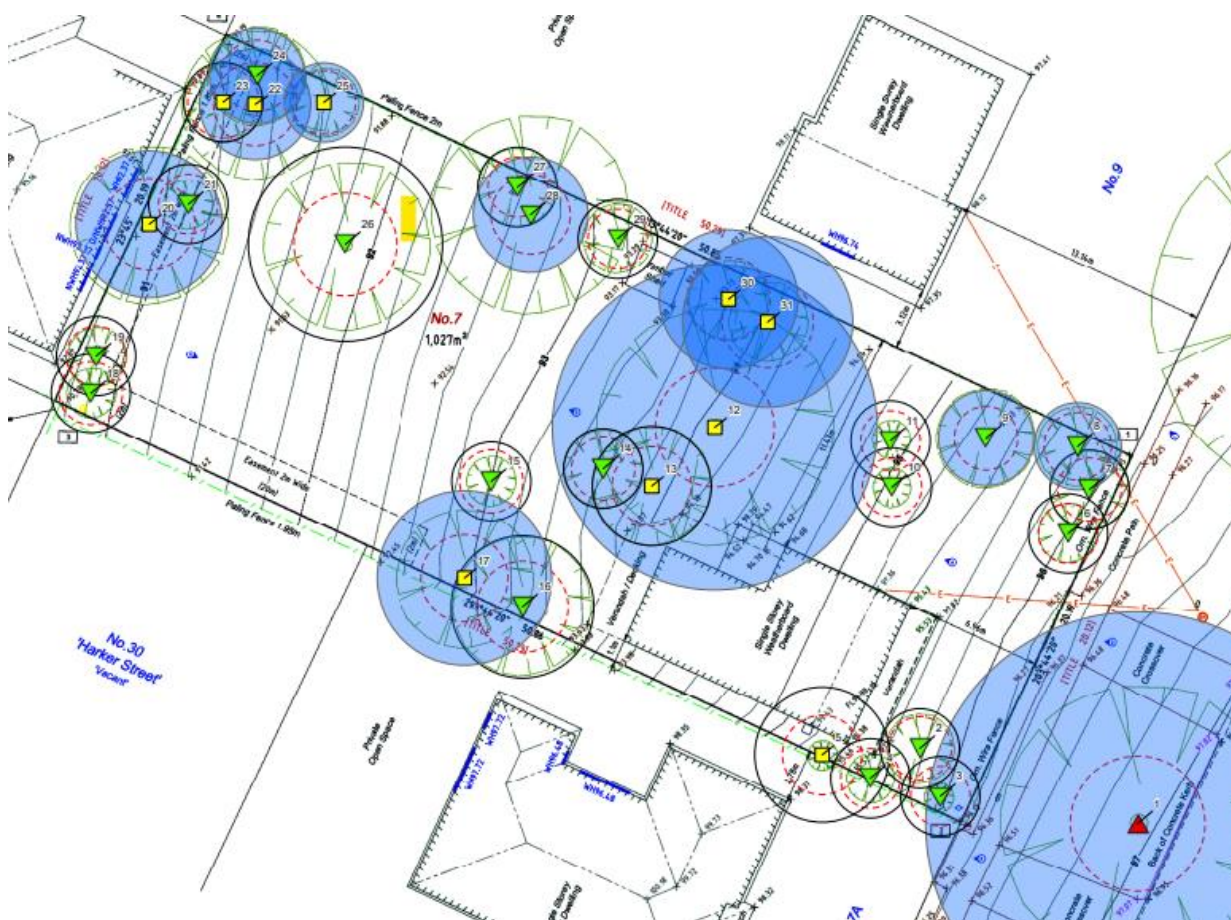


Figure 5: Tree Protection Plan (refer to Attachment 6 for further details)

Figure 5 shows the tree protection for Trees 9, 12, 30 and 31 for the driveway access which will be conditioned for retention if driveway is constructed above the existing grade using permeable materials. The tree protection plan needs to be updated to reflect Tree 28 as being exempt from a permit.

## HISTORY

<b>Planning permits</b>	Nil
<b>VCAT History</b>	Nil

## PLANNING CONTROLS AND PERMIT TRIGGERS

<b>Zoning:</b>	<p>Clause 32.07 - Neighbourhood Residential Zone (NRZ)</p> <ul style="list-style-type: none"> <li>• Clause 32.09-7 - A permit is required for the construction of two or more dwellings on a lot</li> <li>• Clause 32.09-7 - A permit is required to extend a dwelling if there are two or more dwellings on a lot.</li> <li>• Clause 32.09-3 - A permit is required to subdivide land</li> </ul>
<b>Overlay:</b>	<p>Clause 42.03 - Significant Landscape Overlay (SLO 22)</p> <ul style="list-style-type: none"> <li>• Clause 42.03-2 - A permit is required to remove, destroy or lop any vegetation specified in a schedule to the SLO22.</li> <li>• Clause 42.03-2 - A permit is required to construct a building or construct or carry out works (works within 4m of a substantial tree).</li> <li>• A planning permit is not required provided the height of the building is below 7.5 metres (this proposal is 7.48m)</li> </ul> <p>Clause 44.06 - Bushfire Management Overlay (BMO)</p> <ul style="list-style-type: none"> <li>• Clause 44.06-2 - A permit is required for a building or construct of carry out works associated with Accommodation (Dwelling)</li> <li>• Clause 44.06-2 - A permit is required to subdivide land.</li> </ul> <p>Clause 43.02 - Design and Development Overlay (DDO6)</p> <ul style="list-style-type: none"> <li>• Clause 43.02-3 - A permit is required to subdivide land.</li> </ul>
<b>Start Planning Policy:</b>	Clause 02.03 Settlement, Housing, Strategic Framework Plan
<b>Local Planning Policy:</b>	<p>Clause 11.01-1S Settlement</p> <p>Clause 11.01-1L-02 Healesville</p>

	Clause 12.05-2S Landscapes Clause 13.02 Bushfire Clause 15.01 Urban Design and Building Design Clause 15.01 Residential Subdivision Design and Neighbourhood Character Clause 16.01 Housing Supply, Incremental Change Areas and Affordability
<b>Clause 51.03 – Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan</b>	Not applicable
<b>Particular Provisions</b>	Clause 52.06 Car Parking Clause 55 Two or more dwellings on a lot and residential buildings. Clause 56 Residential Subdivision
<b>Other Requirements:</b>	Clause 65 – Decision guidelines

For further information on the planning controls refer to Attachment 2.

## PUBLIC NOTIFICATION AND CONSULTATION

### *Internal Referrals*

This application was referred to appropriate business units within Council for advice on particular matters.

The following is a summary of the relevant advice:

Department	Summary of Response	Conditions required
<b>Engineering (Traffic)</b>	No objection, subject to conditions. <u>Comments:</u> Revisions to plans for carport internal dimensions, vehicle crossing width notations, and standard construction and maintenance conditions.	Refer to conditions 1f, 1g, 1h, 1i, 22, 24, and 25 in Attachment 1 which will include requirements for minor revisions to plans for carport internal dimensions, vehicle crossing width, and notations, standard construction and maintenance conditions.

Department	Summary of Response	Conditions required
<b>Engineering (Stormwater)</b>	<p>No objection, subject to conditions.</p> <p><u>Comments:</u></p> <p>Upgrade outfall drainage from the site to the Council pit in Harker Street, provision of Stormwater Drainage Engineering Plans, detention system, and general construction and maintenance requirements.</p>	<p>Refer to conditions 1a, 16, 17, 18, 26, 27, 28, 29, 30, 40, 41, 42, 43, 44, 45, 46 and 51 in Attachment 1 which will include requirements for upgrading of outfall drainage from the site, provision of Stormwater Drainage Engineering Plans, detention system, and general construction and maintenance requirements.</p>
<b>Arborist</b>	<p>No objection, subject to conditions.</p> <p><u>Comments:</u></p> <p>Provide tree protection in the form of permeable paving constructed above grade for trees 9, 12, 30 and 31, Tree 5 tree fern transplantation, installation of services requirements, tree protection fencing, street trees not to be damaged, and specified tree removal approval.</p>	<p>Refer to conditions 1i, 1j, 9, 10, 11, 15, 24 and 31 in Attachment 1 which will include requirements for provision of tree protection in the form of permeable paving constructed above grade for Trees 9, 12, 30 and 31, Tree 5 tree fern transplantation, installation of services requirements, tree protection fencing, street trees not to be damaged requirement, and specified tree removal approval.</p>
<b>Strategic Planning</b>	<p>The Housing Strategy identifies Healesville as an increased change area – <i>Activity Centre Type – Large Neighbourhood Activity Centre</i> where the objectives are to –</p> <ul style="list-style-type: none"> <li>• Encourage the development of medium density housing types in residential areas with good walking access to the townships of Mount Evelyn, Yarra Junction, Healesville and Yarra Glen.</li> <li>• Provide opportunities for ageing in</li> </ul>	Nil

Department	Summary of Response	Conditions required
	<p>place and downsizing for residents of Mount Evelyn, Yarra Junction, Healesville and Yarra Glen, and their outlying rural-residential areas.</p> <ul style="list-style-type: none"> <li>• Encourage a design response that emphasises restricted site cover, landscape values and planting opportunities.</li> <li>• Ensure design responds appropriately to the valued character of Yarra Ranges' distinctive neighbourhoods.</li> <li>• Encourage more affordable housing outcomes.</li> <li>• Encourage the planning and provision of physical and social infrastructure.</li> </ul> <p><u>Comment:</u></p> <p>This proposal meets each of these objectives to ensure additional housing is located within good walking distance to township. In this case the site is approximately 150 metres from the main commercial area of Healesville.</p>	

### **External Referrals**

This application was referred to the following statutory referral authority for bushfire matters given the application is for more than one dwelling on a lot. Following is a summary of the relevant advice:

Referral Authority	Consent Summary of Response	Summary of Conditions
Country Fire Authority (CFA) as a recommending referral authority	<p>No objection, subject to conditions.</p> <p><u>Comments:</u></p> <p>CFA consents to proposal and requests that the mandatory conditions as required under Clause 44.06-5 of the Yarra Ranges Planning Scheme for the building and works as well as</p>	<p>Refer to conditions 1e, 1f, 1k, 32, and 33 which will include requirements for:</p> <ul style="list-style-type: none"> <li>• An amended Bushfire Management Plan to include clumping for Trees 12, 30 and 31.</li> <li>• The entering into a Section 173 Agreement for bushfire protection for Lot 2 only</li> </ul>

	subdivision be included on a permit should it be issued.	(standard when sharing firefighting water tank requirements for the site) and subsequent endorsement of Bushfire Management Plan.
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### ***Public Notification***

Notification of the application was undertaken by:

- ☒- Placing of one (1) sign on the land for a minimum of 14 days
- ☒- Mailing notices to owners and occupiers of adjoining and/or nearby properties
- ☒- Placing the proposal on Council's website for a minimum of 14 days

Notice was given on three (3) separate occasions due to the application being amended each time on:

- **3 October 2024:** Twenty-three (23) Objections
- **16 January 2025** (re-advertised) – One (1) new objection
- **6 March 2025** - Four (4) new objections

Following the first notification period, there were changes made to the application in response. The changes re-notified in the 16 January 2025 notice were:

- **Roof Pitch Adjustment:** The roof pitch was reduced from 27 degrees to 25.5 degrees.
- **Amended Notations:** Notations on sheet P004 were updated to better reflect the dimensions and conditions of neighbouring properties.
- **Dimension Updates:** Dimensions on sheet P014 were amended to correspond with the reduced roof pitch.
- **Elevation Update:** A new elevation was added to sheet P016, for comparison of the maximum height of the proposed dwelling to the existing neighbouring dwellings.
- **Shadowing Area Adjustment:** The area of additional shadowing was revised on sheet P019 to account for the reduced roof height.
- **Street Name Correction:** The street name on sheets P026, P027, and P028 was corrected to show the accurate street name.
- Spot elevations were included.

Further changes below were made to the application for the 6 March 2025 re-advertised proposal. These were:

- **South elevation:** Recessed upper floors over garage and changed cladding treatment to upper walls.

### ***Objections and Grounds***

A total of twenty-eight (28) objections were received. The grounds of objection are summarised as:



- Overdevelopment of the site
- Bulk and scale
- Tree removal
- Neighbourhood character
- Visual impacts
- Overlooking
- Use of the land as an Air BnB
- Crossover construction
- Reduction of on street parking
- Inaccuracies of plans.

A response to each of the grounds of objection has been provided in Section 9 of this report.

## **ASSESSMENT/ KEY ISSUES**

The proposal has been assessed against the applicable Planning Policy Provisions, Clause 32.09 Neighbourhood Residential Zone, Clause 42.03 Significant Landscape Overlay, Clause 43.02 Design and Development Overlay, Clause 44.06 Bushfire Management Overlay, Clause 52.06 Car Parking, Clause 55 ResCode and Decision Guidelines of Clause 65.01 of the Yarra Ranges Planning Scheme.

The proposal is an acceptable planning response to the relative planning objectives. In particular, the proposal satisfactory meets the provisions of Clause 11.01-1L (Healesville Residential Strategies), and Neighbourhood Character 15.01-1S, and achieves a full compliance with Clause 55 (ResCode) design standards, including all numerical standards.

### ***Clause 55 - Procedural Matter***

It is important to note that this application was lodged before the gazettal of the new Townhouse and Low-Rise Code on 6 March 2025, under Amendment VC267. This application meets the technical requirements of this new clause.

However, as any multi-unit applications lodged before 6 March 2025 must be assessed the application against the under the former Clause 55 Rescode provisions, this application has been considered against the original Clause 55 requirements.

## **PLANNING POLICY**

The proposed development introduces a modest increase in built form and housing density on a relatively large lot size of 1022 square metres, strategically located within walking distance of the Healesville Town Centre, primary schools, and outdoor recreational facilities.

This aligns with the objectives of the planning policy including Healesville Structure Plan, zones, and overlay, which supports incremental housing growth in residential areas well-served by community amenities.

### **Settlement**

The site is located within Large Neighbourhood Activity Centre, Healesville under Clause 02-03 (*Settlement*) where the role of an Activity Centre Hierarchy as identified for Healesville refers to – *“Land within and adjoining these centres is generally an appropriate location for additional housing”* in an ‘Incremental Change Area’.

The recommendations of the *Yarra Ranges Council Housing Strategy 2024* and the *Healesville Structure Plan 2016* for Healesville area are now reflected in the Planning Scheme in Clause 02-03 as mentioned above and supported by the Strategic team in their referral for this proposal.

### **Housing Supply**

Housing supply policy is applicable to this site and is found within the Local Planning Policy at Clause 16.01-1L and the Neighbourhood Residential Zone. These policies provide guidance in direction of new residential development within residential areas and within and adjoining activity centres.

The objectives are in line with the *Residential Framework Plan*. The proposal is in an *Incremental Change Area* where the strategy is to:

- *Retain a predominantly low residential density in areas identified as Incremental Change Areas in the map to this clause.*
- *Support additional housing that is consistent with the existing character of the neighbourhood in areas with access to services.*
- *Accommodate incremental development in identified locations within metropolitan residential areas and in rural and foothill townships.*

The new three (3) bedroom dwelling on a smaller lot provides additional housing choice to the local area, which is consistent with these strategies.

This is reinforced in Clause 1501-4R - *Healthy neighbourhoods* – the strategy is to –

*Create a city of 20-minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20-minute walk, cycle or local public transport trip from their home.*

This site is a 10-minute walk to the main centre of Healesville and is a highly desirable outcome in achieving neighbourhoods that foster healthy and active living and community wellbeing.

### **Neighbourhood Character**

The proposal appropriately achieves the desired outcomes in urban design and neighbourhood character principles outlined in Clause 15.01-1S (*Urban Design*) Clause 15.01-2S (*Building Design*), and 15.01-5S (*Neighbourhood Character*). The development architectural styling and features, varied setbacks from boundary,

upper floor recession around building, varied pitched roof form, and use good use of natural, muted toned and durable materials applied across the façade contribute positively to enhance local urban character and public realm.

*Planning Practice Note 43: Understanding Neighbourhood Character* (DELWP, January 2018) makes it clear that respecting character does not mean preventing change. It states that the neighbourhood character standard is not intended to result in the replication of existing building stock or stop change. See Attachment 8.

A recent VCAT decision *Victor v Yarra Ranges SC [2025] VCAT 257* for 4 Clive Court, Mooroolbark, see Attachment 9, the member was satisfied -

*“that the proposal is consistent with the existing neighbourhood character. The creation of one additional dwelling on a lot as proposed will not in any obvious sense, be an unreasonable character outcome. Given the irregular shaped allotment, the proposed double storey dwelling, will be set back from all site boundaries to comply with clause 55 (side and rear set backs), with the exception of the garage built on the boundary. The wall on the boundary is not out of character with the prevailing neighbourhood character, it is single storey and responds to clause 55. This ensures that there are no unreasonable building bulk or sense of enclosure when viewed from the adjoining properties. Further, I am satisfied that the proposal is consistent with the purpose and decision guidelines of the NRZ. The proposal will provide the opportunity for a modest residential development which is encourage by NRZ”*

This proposal also involves a two-storey dwelling situated behind a single-storey dwelling at the front of the site. Similar to the current proposal, the Tribunal member previously identified several consistent planning considerations which this proposal meets as well:

- *“It is an established residential area, lots vary in shape and size, with varying dwellings contained within the allotments.*
- *The proposed dwelling will be built behind the existing dwelling and will continue to address Clive Court as a single dwelling allotment.*
- *The irregular shaped allotment can accommodate the additional dwelling, utilising the existing cross-over, creating a shared driveway. This arrangement will not impact the streetscape character.*
- *Except for the garage, built on the boundary, the proposed dwelling is setback from all site boundaries, consistent with its neighbours and the backyard realm. VCAT Reference No. P550/2024 Page 10 of 20*
- *The proposed dwelling is appropriately articulated, with varying setbacks and varying roof form, with a built form responding to the existing neighbourhood character. There are no sheer walls.*
- *The proposed dwelling will be built behind the existing dwelling, therefore retaining all elements of the front setback.”*

The above planning consideration are supported by the assessment below for this application as discussed in relation to siting, built form and building height.

### ***Siting***

The proposed siting of a new dwelling at the rear of the existing dwelling is consistent with emerging development patterns within the local area and is an acceptable design response. These pattern arrangements are commonplace under this zone, particularly in areas strategically identified for incremental net housing increase.

The Significant Landscape Overlay (Schedule 22) states the total building footprint should not occupy more than 30 percent of the site and the total hard surface area (impervious surfaces) should not exceed 50 percent of the site. This is achieved.

Retaining the existing front dwelling, with minor modifications to include a new covered car parking space within the front setback, is considered acceptable. This approach provides opportunity for an additional house, and the location of the existing dwelling close to the front boundary allows for good access to the rear, maximizing the usability and flexibility of the remaining site area, supporting future planning opportunities with minimal disruption. This proposed development is similar to the unit development of the site at 34-36 Harker Street albeit single storey.

### ***Built form and height***

The proposal seeks to introduce a double storey-built form, to area already comprising a mix of double and single storey-built form.

The proposed height is 7.48 metres, which is below the maximum height allowed under the of zone of nine (9) metres, and below the height of 7.5 metres set out in the Significant Landscape Overlay Schedule 22.

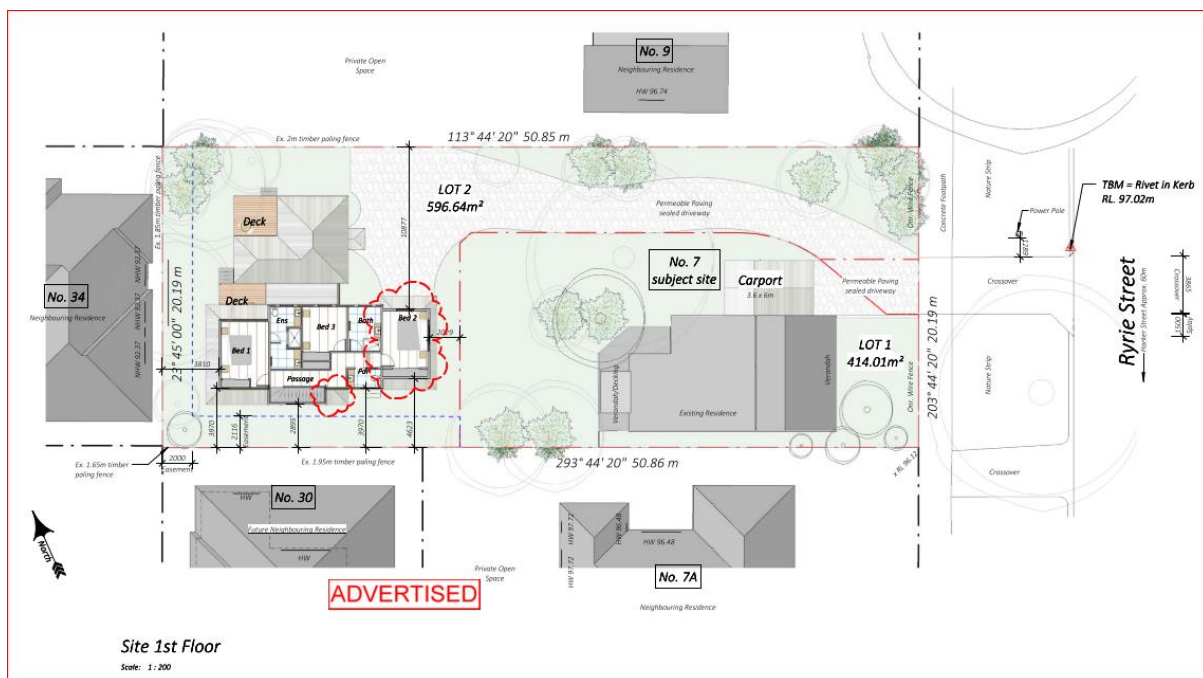
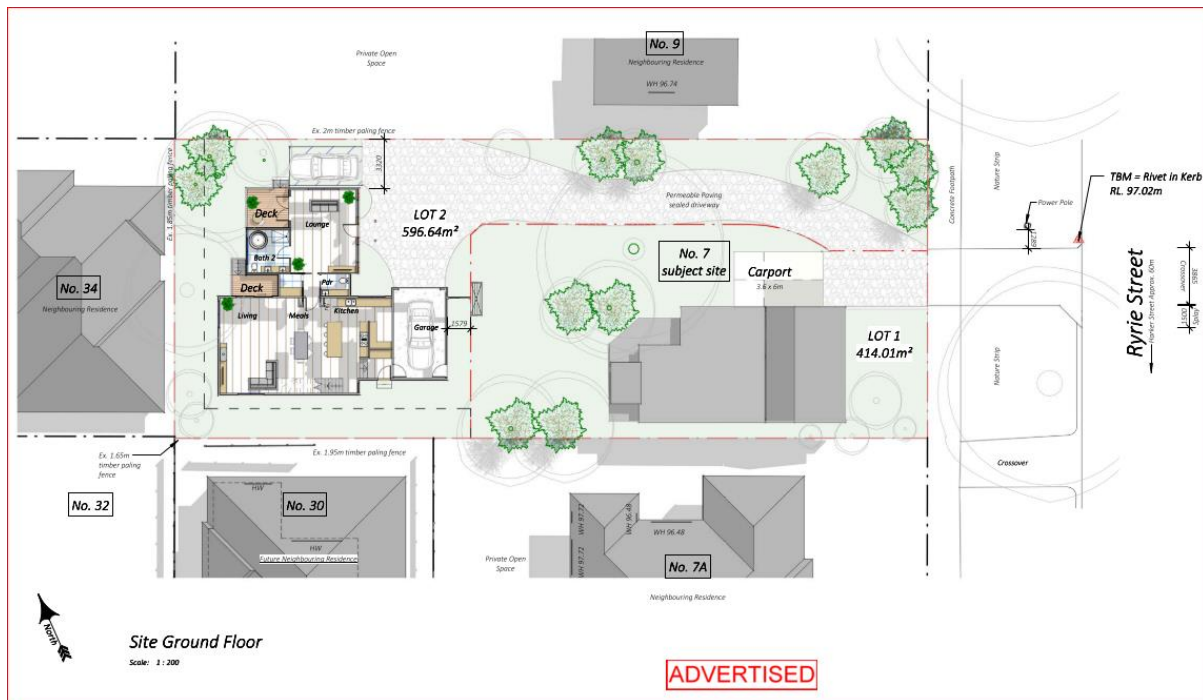
Two-storey built form in this area is acceptable. The area is developed with single storey-built form, with some examples of double-storey development.

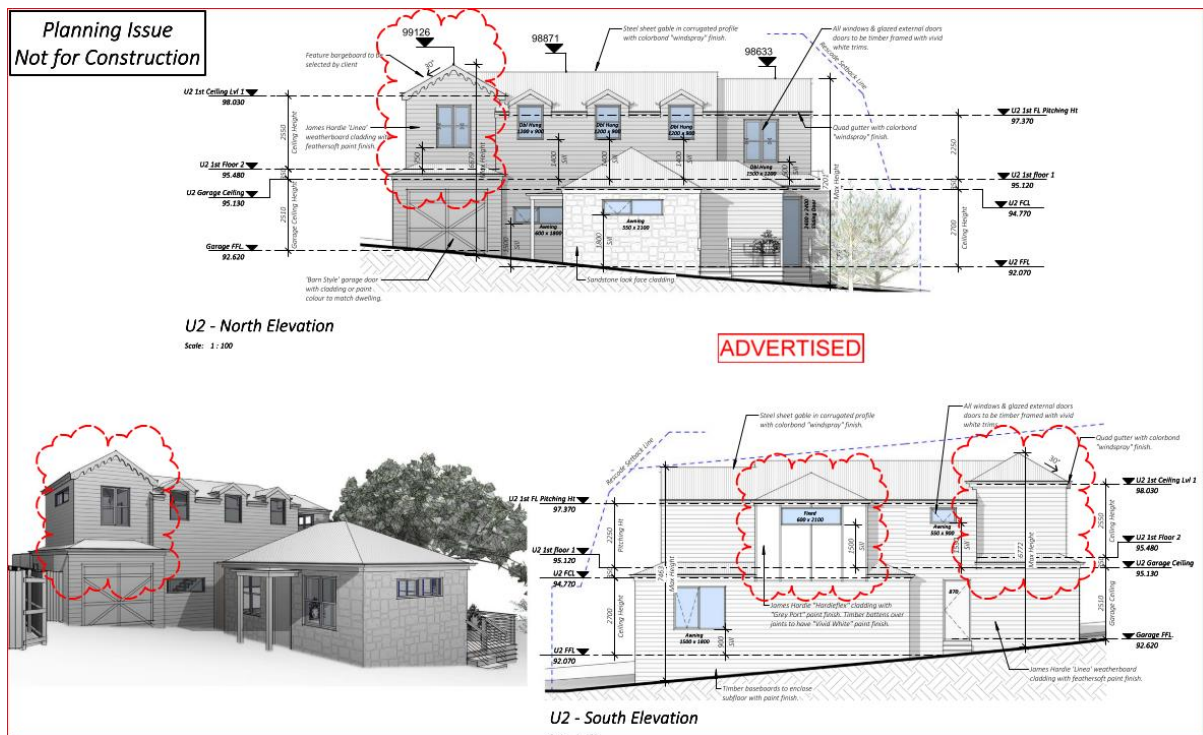
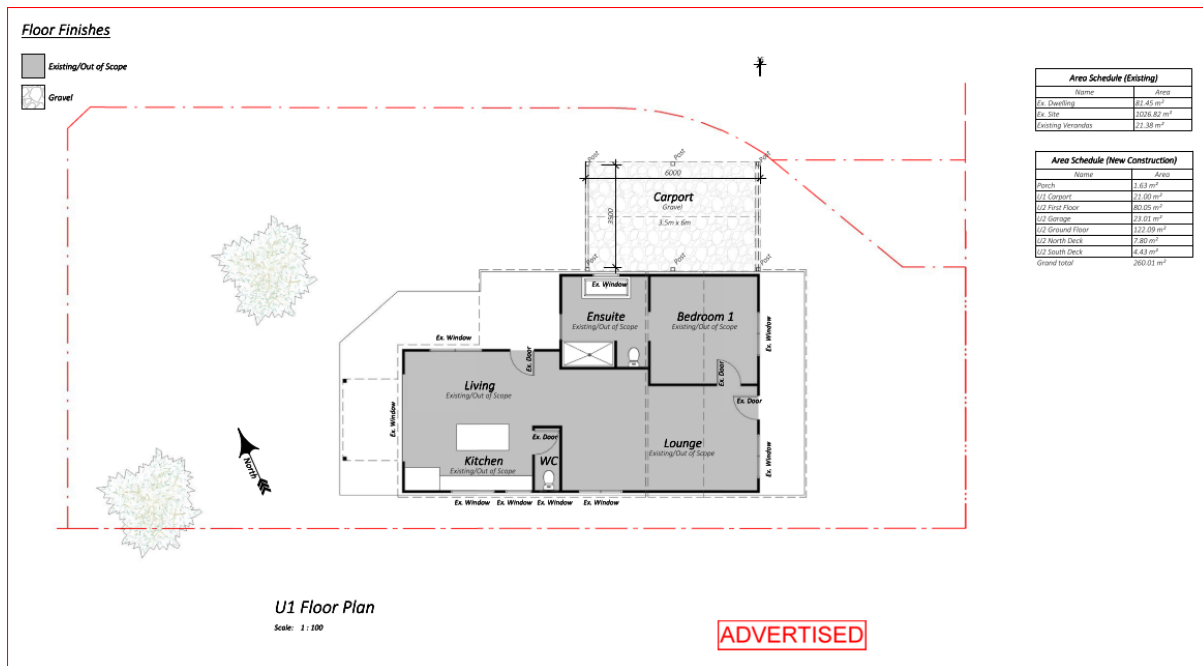
The new dwelling design delivers a contemporary architectural outcome that provide a blend of modern design which modern references to existing dominant neighbourhood character features to overall contribute positively and ingrate the into built form landscape character.

Some of key design attributes of mention are:

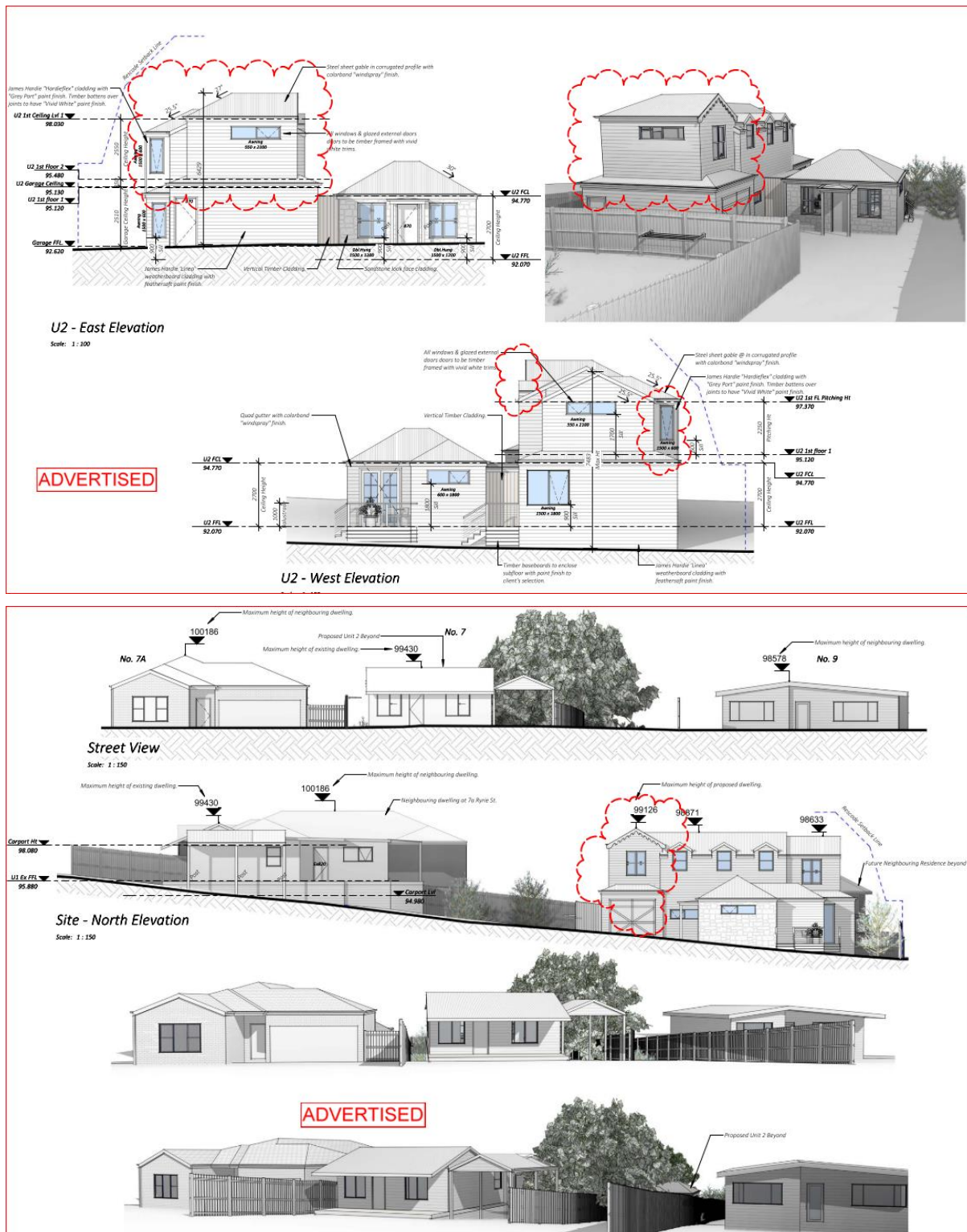
- pitched roof form of 25.5 degrees with feature gable ends
- mute earthy toned external materials applied in alternation for visual interest
- generous upper floor articulation all around
- minimised overshadowing to adjoining properties
- designed to carefully interface with neighbours to prevent overlooking
- sufficient car parking and vehicle manoeuvrability.

The planning scheme envisages a changing and emerging character which can be a mixture of single and double storey-built form to support an incremental increase in housing choice in this residential area.









**Figure 6 - Unit Developments Latest Exhibited Plans and Elevations**

### ***Mandatory design requirements***

The proposal achieves the mandatory minimum garden area provision and no more than maximum building height under the zone:

	Requires	Lot 1 Provides	Lot 2 Provides	Complies
Garden Area	Mandatory minimum 35 percent	35.8 percent	44.4 percent	Yes
Building Height	Building height allowance of 7.5 metres (maximum 2 storeys)	4.1 metres	7.48 metres (two storeys)	Yes

### ***SIGNIFICANT LANDSCAPE OVERLAY - VEGETATION REMOVAL AND RETENTION-***

A detailed outline of the vegetation to be retained and removed has been included in the proposal section of this report.

Subject to conditions, it is considered the extent of vegetation removal is appropriate. There is only one protected tree that requires planning approval to be removed (tree 5 to be replanted onsite), and replacement planting will be appropriate to ensure revegetation of the site, including relocation of this tree required by condition. The extent of removal is acceptable to achieve a balanced outcome to support development as allowed by the planning controls, subject to relandscaping to ensure a long term positive outcome for the land and the surrounds.

Tree 5 triggers a planning permit for removal is a protected native tree fern that can be transplanted within the site. This has been secured by relevant permit condition 1j, 14f, and 24 in Attachment 1.

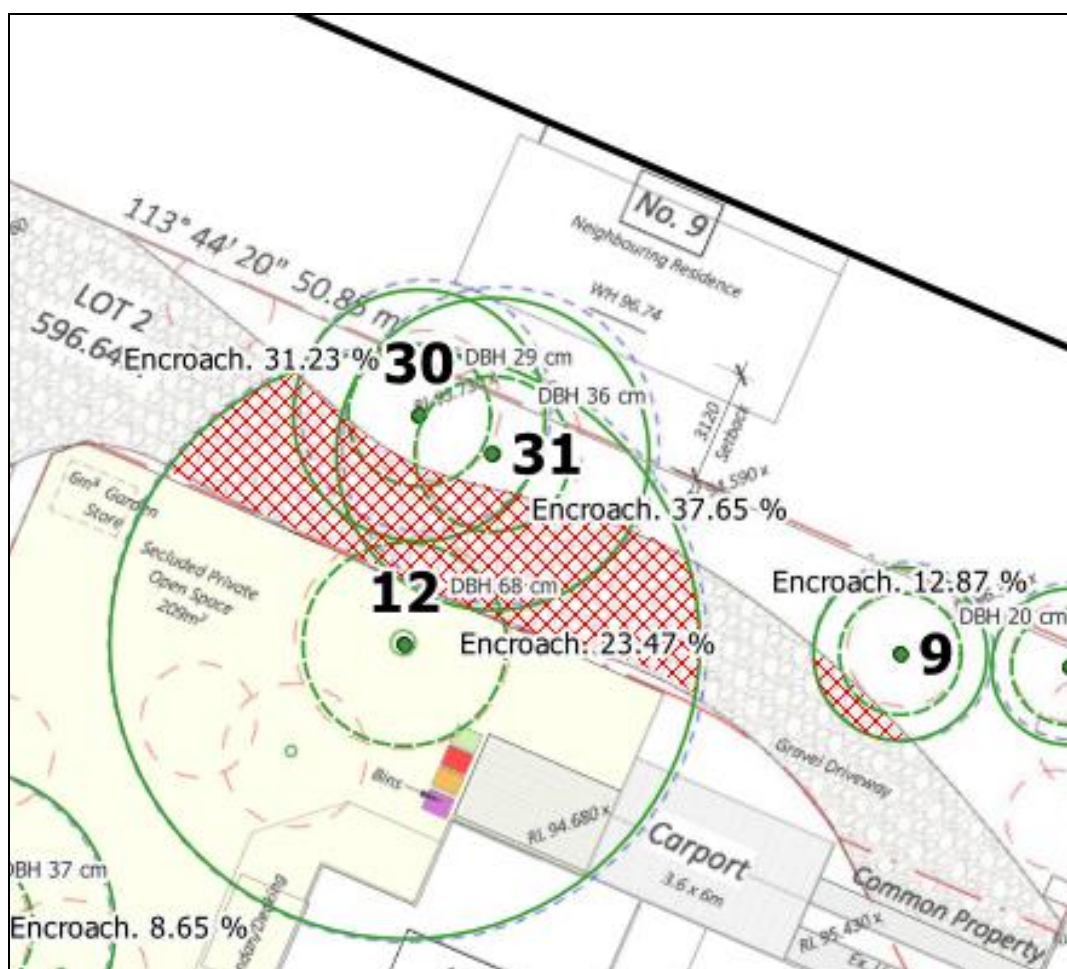
It is considered that the removal of vegetation that is exempt from requiring permission is acceptable, as they are either:

- A weed species.
- Do not meet the minimum dimensions as outlined in the Significant Landscape Overlay.
- Are within two metres of the existing dwelling and therefore do not require a permit to be removed.
- Or are within four metres of a fence line built before 10 September 2009.

There are no planning grounds to refuse the application based on the loss of these 20 trees.

In addition, there are four trees (Trees 9, 12, 30 and 31) in proximity to the internal driveway, which can be retained with appropriate construction techniques (Figure 7). If it was not possible to retain these trees, they would be considered lost, however Condition 1i, 14 and 24 secures the retention and protection of these trees.





**Figure 7 – Driveway alignment and retention of Trees 9, 12, 30 and 31**

The application is accompanied by a Concept Landscape Plan (Attachment 3.2) which shows appropriate landscaping opportunities between the dwellings, and in the front, side and rear setbacks. A revised landscape plan required by Condition 14 will ensure that landscaping is reintroduced onto the land to provide a positive landscape response as a result of the development.

It is considered that the vegetation removal, retention and re-landscaping is acceptable when assessed against the Significant Landscape Overlay and it is appropriate to support the development.

Appropriate landscaping as part of the development will reintroduce appropriate species, in locations that will result in an overall improvement of landscaping contribution as required by the Significant Landscape Overlay.

### ***DESIGN AND DEVELOPMENT OVERLAY – SUBDIVISION PATTERN***

The subdivision pattern is commonly found in emerging housing developments as identified in the surrounds section of this report.

The purpose of the Design and Development Overlay is to identify areas which are affected by specific requirements relating to the design and built form of new development.

The permit requirements relate to subdivision only as there is no buildings and works trigger, given the development meet the requirements, as:

- The total area of the site covered by buildings does not exceed 30 percent.
- The total area of site covered by impervious surfaces (including buildings) does not exceed 50 percent.

Having regard to subdivision, a permit is required to subdivide land, and must meet the following (as relevant) requirements:

- *When subdividing a lot into two lots with an existing dwelling, lots of less than 500m<sup>2</sup> can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following site coverage requirements:*
  - *The total area of each lot covered by buildings must not exceed 30 percent;*
  - *The total area of each lot covered by impervious surfaces (including buildings) must not exceed 50 percent.*

The total area of each lot covered by buildings is less than 30 percent (Lot 1: 29.9 percent and Lot 2: 24.6 percent).

The total area of each lot covered by impervious surfaces (including buildings) is great than 50 percent (Lot 1: 70.1 percent and Lot 2: 74.82 percent).

This complies with the provision.

The proposal subdivision achieves the decision guidelines requirements within schedule to the overlay. The subdivision achieves the requirements for site coverage in that the site coverage is less than thirty (30) percent for both proposed lots.

### **BUSHFIRE MANAGEMENT OVERLAY**

Bushfire planning strategy prioritises human life, with the Yarra Ranges Planning Scheme applying rigorous controls through the Bushfire Management Overlay – clause 44.06 as well as 13.02, and Clause 53.02- Bushfire Planning to manage bushfire risks in at-risk areas such as Healesville. The development falls under Clause 53.02's Pathway 2 assessment for multiple dwellings on a lot and was referred to the CFA, which conditionally supported the permit subject to water supply, vegetation management, and access requirements.

A Bushfire Management Statement has been prepared for the proposed development (Attachment 7). The site is within a Landscape Type 2 with moderate bushfire risk.

The risk is mitigated by sufficient separation from vegetation, BAL-12.5 construction, and defensible space within 50 metres or the property boundary. The design meets Approved Measures 2.1–4.1, including access to sealed roads and compliance with emergency service access standards. Static water supply requirements are met subject to conditions to correct the alignment of the plan with the Bushfire Management Plan 10,000 litre tank requirement. The proposed siting avoids vegetation removal for defensible space requirements. CFA confirmed via follow up verbal confirmation that clumping for the purposes of considering grouping of

specified trees as one single canopy can be considered via condition of any approval given it was considered but not specified in their referral response.

The proposal meets the objectives and mandatory standards of Clause 53.02, with appropriate defendable space, vegetation management, water supply, and access provisions ensuring acceptable bushfire risk and resilience in an urban, low-threat vegetation setting.

### **VEHICLE ACCESS AND CAR PARKING**

Table 1 at Clause 52.06-5 sets out the car parking requirements that apply to a use listed within the table.

The car parking provision complies with the statutory requirement:

<b>Dwelling</b>	<b>Number of Bedrooms</b>	<b>Number of Parking Spaces Required</b>	<b>Number of Parking Spaces Provided</b>
Existing Dwelling	1	1	1
Proposed Dwelling	3	2	2

### ***Vehicle Access to Ryrie Street***

The proposed driveway and vehicle crossing have been designed in accordance with the design standards of Clause 52.06. The development plans under Attachment 3 demonstrate the proposed concrete driveway is shown to be a minimum of three (3) metres wide, with an internal radius of four (4) metres and incorporates a gradient (incline down towards the rear of the site) of nearly one in ten (10 percent).

Council's Traffic Engineering Department have confirmed the proposed internal access arrangements and access to Ryrie Street is satisfactory subject to minor conditions (Conditions 1 and 22 in Attachment 1).

The proposal demonstrates access can be provided in accordance with Clause 52.06 and the relevant design standards.

### ***Clause 55 – Two or More Dwellings on a Lot and Residential Buildings***

Under the provisions of the Neighbourhood Residential Zone, the proposal must meet the requirements of Clause 55 (Rescode). The application has been assessed against these provisions and found to be compliant subject to the inclusion of information which can be conditioned on a permit. The Officers assessment against the requirements of Clause 55 confirms the application meets the provision. The Clause 55 Assessment can be found at Attachment 5.

### **RESPONSE TO SUBMITTERS CONCERNS**

Each of the objector concerns are discussed and responded to in detail below:

<b>Grounds of Objection</b>	<b>Officer Response and assessment</b>
<p><b>Overdevelopment of the site</b></p> <p><b>Neighbourhood character</b></p>	<p>Submitters raised concerns that the proposed second dwelling is too large for the rear yard context and is an overdevelopment of the site characterised by a visually bulky design with insufficient setbacks.</p> <p>As discussed in this report, neighbourhood character is not intended to result in the replication of existing building stock or stop change, this proposal dwelling is appropriately articulated, with varying setbacks and varying roof form, with a built form responding to the existing neighbourhood character. There are no sheer walls. The proposed double storey dwelling will be set back from all site boundaries to comply with clause 55 (side and rear setbacks), and the building height meets the 7.5 metres as required by the Significant Landscape Overlay.</p> <p>The proposal will provide the opportunity for a modest residential development which is encourage by the zone.</p> <p>In addition, the Neighbourhood Residential Zone allows and foreshadows an incremental change to the area, and it is considered this development response introduces a measured and appropriate incremental change to the area.</p>
<p><b>Visual Impacts</b></p> <p><b>Bulk and scale</b></p>	<p>As previously discussed within this report and above section, the double storey dwelling features is a modern design incorporating hip and gable roof forms, in a partially articulated rectangular building form with an adjoined single storey component. These are similar forms in the surrounding area and is an acceptable outcome in a two-storey built form.</p> <p>The dwelling complies with the standards of ResCode, there are other examples of infill development. There are no policies that require any upper floor to be of a particular size and the side and rear setbacks are compliant.</p> <p>The designer has reduced the visual bulk by reducing some of the side setbacks to create articulation in some of the facades, such as the south, north and west facades, those being the most sensitive. This is a balanced outcome based on planning policy.</p> <p>The building height at 7.48 metres is considered appropriate for a double storey dwelling and the brown coloured textured finishes of Colorbond roofing, James Hardy and Timber cladded walls comprise an appropriate external finish.</p>
<p><b>Tree removal</b></p>	<p>Despite some on-site tree removal not requiring a permit and as noted within this report, only one (1) tree requires</p>

Grounds of Objection	Officer Response and assessment
	<p>planning permission for their removal, however, this tree will be replanted onsite.</p> <p>Whilst 20 trees are to be removed, they do not trigger a Planning Permit as they are a mixture of exotic species or a weed species or do not have a diameter breast height of greater than 16cm, for example, camelias, Japanese maples.</p> <p>This is not excessive, and on balance the removal of these trees is considered reasonable to support the development of the site for a second dwelling.</p>
<b>Overlooking</b>	<p>As discussed within this report, a full and complete assessment of all windows within the development finds there are no instances of unreasonable overlooking because windows are either designed with highlight windows or are beyond the nine (9) metre threshold distance to affect overlooking, or do not have to comply (such as bathroom or stairwell windows).</p>
<b>Use of the land as an Air BnB</b>	<p>This is not a relevant planning consideration as the use of the dwelling as an Air BnB (short-stay accommodation), or any other form of tenure, is not regulated under the planning scheme.</p>
<b>Crossover construction</b>	<p>The crossover widening is to occur on the south side in front of the subject site and will not impact neighbouring properties.</p>
<b>Reduction of on street parking</b>	<p>There will be no loss of existing on-street car parking as the existing crossing is to be widened by less than a metre.</p> <p>The required car parking has been provided in accordance with the car parking requirements of Clause 52.06.</p>
<b>Inaccuracies of plans</b>	<p>The applicant has addressed the inaccuracies on plans in the initial amendment received and this is also reflected in the latest set of exhibited plans.</p>

## CONCLUSION

This application has demonstrated that it meets the requirements of the Yarra Ranges Planning Scheme. The proposal achieves the strategic intent for Healesville in terms of the *Healesville Structure Plan 2016* which informs the Policy consideration under 11.01-1L-02 in that the development is an incremental change proposal that is convenient walking distance to services and provides a development that is suitable to the changing needs of the community.

The proposal achieves an appropriate design outcome responding to the existing neighbourhood character of the surrounding area, and the site is suitably located in proximity to surrounding community and commercial services. In relation to neighbourhood character, the development reflects incremental change and complies with the amenity assessment contained in ResCode. It is not expected that the proposal would lead to any unreasonable impacts. It is also considered that the proposal will have a minimal impact upon the parking and traffic conditions in the area.

The development application has been assessed in accordance with Section 60(1) of the *Planning and Environment Act 1987* and all relevant instruments and policies. The proposal is consistent with the objectives of State and Local Planning Policies and the relevant zone and overlay provisions of the Yarra Ranges Planning Scheme.

As such, it is recommended that Council resolve to approve a planning permit and a Notice of Decision to Grant a Planning Permit be issued.

## ATTACHMENTS

1. Permit Conditions
2. Planning Scheme Policies
3. Full Set Development Plans
  - 3.1 Development Plans
  - 3.2 Landscape Plan
  - 3.3 Tree Protection Plan
  - 3.4 Subdivision Plan
4. Planning Report
5. Clause 55 Assessment
6. Arborist Report
7. Bushfire Management Plan
8. Planning Practice Note 43: Understanding Neighbourhood Character (DELWP, January 2018)
9. VCAT decision *Victor v Yarra Ranges SC [2025] VCAT 257* for 4 Clive Court, Mooroolbark

CONDITIONS	
Application	YR-2024/269
Address of the land	7 Ryrie Street, Healesville
Proposal	Buildings and works to construct a second dwelling, construct a carport to existing dwelling, two lot subdivision and removal of vegetation
<b>Planning Scheme Clause</b>	<b>Matter for which the permit has been granted</b>
Clause 32.09-7 (NRZ)	Construction of two or more dwellings on a lot. Construction or extension of two or more dwellings on a lot.
Clause 32.09-3 (NRZ)	A permit is required to subdivide land
Clause 42.03-2 (SLO 22)	A permit is required to remove, destroy or lop any vegetation. A permit is required to construct a building or construct or carry out works (works within 4m of a substantial tree).
Clause 43.02-3 (DDO6)	A permit is required to subdivide land.
Clause 44.06-2 (BMO)	A permit is required for a building or construct of carry out works associated with Accommodation (Dwelling) A permit is required to subdivide land

### Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application (Meeks Ink Design, dated 05/03/2024 and identified as Sheets: P001, P005, P007, P008, P009, P010, P011, P012, P013, P014, P015, P017, P018, P035 and P036 – 15 Sheets) but amended to show the following:
  - a) Drainage plan details for the 52 metres of outfall drainage required. The outfall drain is to be a minimum of 200mm in diameter and constructed to Council standards and satisfaction. Outfall drainage will

require sufficiently wide drainage easements in favour of council wherever required.

- b) The Lounge room window on the north façade, and the northern, and southern most windows on the east façade of the proposed dwelling treated with double glazing to prevent the transmission of sound and their sill height raised to 1.5 metres.
- c) All windows shown correctly on Sheets P009 and P010.
- d) East elevation showing the Bed 2 high sill window dimension above floor level.
- e) Site plan consistent with the Bushfire Management Plan details for the water tank location and size. A minimum of 10,000L is to be detailed. The tank must be shown have a connection point publicly accessible within 4 metres of the accessway.
- f) Accessway widened to 3.5 metres for CFA and emergency vehicle access and clear of encroachments for at least 0.5 metres on either side (allowing 4.0 metres clear in total).
- g) Internal dimensions for carports and garages must be shown and in accordance with the requirements of Clause 52.06 of the Yarra Ranges Planning Scheme.
- h) Dimension vehicle crossing width to Ryrie Street and include notation that 'Splays must be provided for the existing (to be widened) vehicle crossing in accordance with Yarra Ranges Council Standard Drawing SD/C1 – Vehicle crossing for Barrier Kerbs.'
- i) The notation 'Gravel driveway' must be removed and replaced with 'Sealed driveway' and the notation 'Existing unsealed brick driveway removed and replaced with a new sealed driveway' (except where permeable paving is required around Tree Protection Zones. In this instance, a notation and plan edits to be provided that details permeable paving in the Tree Protection Zones that fall inside the accessway for Trees #9, 12, 30 and 31.
- j) Amended arborist report showing
  - Tree #5 being retained and transplanted within the development and update site plan showing the transplanted location of Tree #5.
  - Tree #23 as exempt from a permit
  - Tree protection plan amended to show Tree #28 as being exempt/removed
- k) Amended Tree Protection Plan to clearly outline trees to be removed and trees to be retained, using a separate colour for retention and separate colour for removal. Trees #17, 20 & 25 must remain on site and form part of the Tree Protection Plan.
- l) Amended Bushfire Management Plan which includes the clumping of Trees #12, 30 and 31.
- m) A landscape plan in accordance with Condition 14.



- n) Site plan P009 detailing the bin locations, outdoor storage, clothes lines and water tanks.

### **General Conditions**

2. The development as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.
3. All waste water must be discharged into a reticulated sewerage system to the satisfaction of the relevant water authority.
4. Council's assets must not be altered or damaged in any way except with the prior written consent of the responsible authority.
5. The development must be managed so that the amenity of the area is not detrimentally affected including through the:
  - a) Transportation of materials, goods or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.
  - d) Presence of vermin.
6. All development and works throughout the construction of the development must be undertaken in a way not allowing soil erosion and any exposed areas of soil must be stabilised to stop soil erosion to the satisfaction of the responsible authority.
7. Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.
8. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
9. The existing street tree(s) must not be removed or damaged to the satisfaction of the responsible authority.
10. All underground service pipes/conduits including storm water and sewerage must be diverted around the Tree Protection Zone (TPZ) of any retained tree, or bored underneath with a minimum cover of 600mm to top of pipe/conduit from natural ground surface to the satisfaction of the responsible authority. All pits, holes, joints and tees associated with the installation of services must be located outside the TPZ, or the project arborist must demonstrate works in the TPZ will not impact viable tree retention to the satisfaction of the responsible authority.

11. The proposed removal of trees #2–4, 6, 7, 10, 11, 13–16, 18, 19, 21, 23, and 26–29 do not require a permit. All other trees must be retained to the satisfaction of the Responsible Authority.
12. The Council works as required by this permit must be maintained in good condition and repair by the developer for a period of three months from the date of practical completion to the satisfaction of the Responsible Authority.

### **Prior to Commencement of Works**

13. Before the development starts, all persons undertaking the development or works on the site must be advised of all relevant permit conditions and associated statutory requirements or approvals applying to the land.
14. Before the development starts, an amended Landscape Plan to the satisfaction of the responsible authority and prepared by a suitably qualified person must be submitted to and approved by the responsible authority. When approved, the Landscape Plan will be endorsed and will then form part of the permit. The plan must be drawn to scale, fully dimensioned and a digital copy must be provided. The plan must (be generally in accordance with the plan (prepared by Aj Arboriculture, dated September 2023) but amended to) show:
  - a) Correct and clear identification of trees being retained and trees being removed and in compliance with Condition 1(j).
  - b) A survey (including botanical names, trunk location, trunk diameter and canopy spread) of all existing vegetation. The survey must clearly mark existing vegetation to be retained and removed. The survey must also include any street trees.
  - c) Buildings and trees (including botanical names, trunk location, trunk diameter and canopy spread) on neighbouring properties where the Tree Protection Zones of such trees fall within the subject site as calculated in accordance with Australian Standard 4970-2009 or its successor.
  - d) Details of surface finishes of pathways and driveways.
  - e) Tree protection measures and permeable Driveway construction (at grade) details and notations for Trees #9, 12, 30 and 31.
  - f) The new location of transplanted Tree #5.
  - g) Removal of the proposed canopy tree (*Acacia pycnantha*) within the side yard area in along the south side boundary for a more fire prone area appropriate planting in accordance with the Bushfire Management Plan for vegetation.
  - h) All proposed plantings must be able to meet the requirements of the Bushfire Management Plan
  - i) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity,

and quantities of each plant. All species selected must be to the satisfaction of the responsible authority.

- j) Landscaping and planting within all open areas of the site including:
  - i. Landscaping and bushfire appropriate planting on both sides of each driveway and around the internal driveway.
  - ii. Landscaped areas must be planted with shrub and groundcover species capable of achieving a minimum density of at least **85** per cent coverage 12 months after planting in accordance with Council's Landscaping Guidelines.
  - iii. The use of recyclable practices and if irrigation is to be provided it must not use potable water.
  - iv. Any planting within an easement must utilise species suitable for planting within easements and must have a natural growing height of no more than 5 metres.
  - v. All garden beds adjoining turf or gravel surfaces must have hard garden edging.
  - vi. 1200mm organic mulch diameter around any retained or proposed trees in lawn areas.
  - vii. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
  - viii. The location of any tree other protection zones and protection measures including for street trees accurately drawn to scale, labelled and notations referring to any endorsed Tree Management and Protection Plan, or Arboricultural Report.

15. Before the development starts, temporary fencing must be erected around any tree shown for retention on the endorsed plans to define a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority and must:

- a) Exclude access and construction activity within the TPZs assessed in the Arborist Report (*by Ajarboriculture, September 2023*). If trees have not been assessed, the TPZ is a circle with a radius equal to 12 times the trunk diameter measured at 1.4 m above ground level, and
- b) Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 for temporary fencing and hoardings, and
- c) Not extend beyond the site boundaries except into roadside reserve and/or nature strip areas. Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath, and
- d) Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.

Temporary fencing can be modified to accommodate encroachment into the TPZ of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only.

16. Before the development starts, Development Stormwater Drainage Engineering Plans and Computations must be submitted to, and approved by, the Responsible Authority. Development Stormwater Drainage Engineering Plans and Computations must be in line with all the requirements of the approved point of discharge certificate.  
<https://www.yarraranges.vic.gov.au/Development/Roads-drains/Applications-and-permits/Submit-stormwater-drainage-and-computations>
17. Prior to the approval of engineering construction plans an inspection/surveillance fee to the value of \$500 or 2.5% of the estimated cost of all Council works required by this permit, whichever is greater must be paid to the Responsible Authority.
18. Prior to the approval of engineering construction plans an inspection/surveillance fee to the value of \$500 or 2.5% of the estimated cost of all Council works required by this permit, whichever is greater must be paid to the Responsible Authority.
19. Prior to the approval of engineering construction plans, a maintenance bond to the value of \$5000 or 5% of all Council works, whichever is greater, as required by this permit, must be paid to the Responsible Authority.
20. Tree-fern (tree number #5) must be transplanted as follows:
  - a) Tree-ferns must be transplanted during cooler periods (preferably autumn or winter).
  - b) Careful excavation to preserve the root ball.
  - c) The relocation site must be a cool sheltered area.
  - d) The new site needs a hole dug to a depth of 50 cm (for trees with a height of greater than 2m) to allow for adequate stability.
  - e) The hole needs to be 2 times the width of the root ball to allow backfill with soil rich in organic matter. Water tree-ferns into their new position. Over the coming months, particularly over summer, water from the top to the base of the trunk to assist establishment.

### **Prior to Occupation of the Development**

21. Before the development is occupied, the development must provide external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. The external lighting must be located, designed, directed, shielded and baffled and thereafter maintained, to the satisfaction of the responsible authority.
22. Before the development is occupied, or by such later date as approved in writing by the responsible authority, all new boundary fences must be

constructed to a height of not less than 1.8 metres or to the height specified on the endorsed plans along the side and rear property boundaries to the satisfaction of the responsible authority.

23. Before the development is occupied, or by such later date as approved in writing by the responsible authority, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
24. Before the development is occupied, the following development must be carried out and completed to the satisfaction of the responsible authority:
  - a) The areas set aside for car parking and access lanes on the endorsed plan have been:
    - i. Be fully constructed, sealed, drained and delineated
    - ii. The existing vehicle crossing in Ryrie Street must be splayed and suitable kerb to layback transition shall be provided in accordance with *Yarra Ranges Council Standard Drawing SD/C1 – Vehicle crossing for Barrier Kerbs*.
    - iii. All Council assets and nature strip shall be reinstated to the satisfaction of the responsible authority.
  - b) All landscaping works have been completed in accordance with the endorsed plan.
  - c) The land must be cleared of all excess, unused building materials or debris.
25. Before the development is occupied or by such later date with the prior written consent of the responsible authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
26. Before the development is occupied, the driveway within the Tree Protection Zone (TPZ) of trees #9, 12, 30 and 31 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within the TPZ, except for scraping the surface up to 30mm deep to remove surface organics and/or debris.
27. Before the development is occupied, the parking areas and vehicular access ways shown on the endorsed plan must be fully constructed, sealed, drained and delineated to the satisfaction of the Responsible Authority.
28. Before the development is occupied, piped drainage must be constructed to drain all impervious areas incorporating Water Sensitive Urban Design features, to the satisfaction of the Responsible Authority.
29. Before the development is occupied, a detention system, must be constructed/installed to drain all impervious areas, to the satisfaction of the Responsible Authority.

30. Before the development is occupied, all civil works within the site, including detention system must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.
31. Before the development is occupied, piped Council outfall drainage must be constructed to the satisfaction of the Responsible Authority.
32. Prior to an Off Maintenance inspection and subsequent return of the maintenance bond, "As Constructed" plans of all Council works together with a CCTV footage and report in accordance with the Water Services Association of Australia (WSA) 05-2008 2.2 Code of Practice, of the full length of all Council piped drainage, must be submitted to, and approved by, the Responsible Authority.

#### **Country Fire Authority (CFA) condition**

33. The Bushfire Management Plan (BMP) prepared by Beacon Ecology, Version 2, Dated 3 May 2024 must be endorsed by the Responsible Authority, be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and must not be altered unless agreed to in writing by CFA and the Responsible Authority.
34. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained at all times to the satisfaction of the responsible authority and the relevant fire authority.

#### **Subdivision**

35. The subdivision layout must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.
36. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
37. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.



38. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
39. The owner of the land must enter into an agreement with:
- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
40. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:
- a lot that will not be used for, or include, a dwelling; or
  - a lot that contains an existing dwelling or apartment; or
  - a lot where a permit has been granted for a dwelling or apartment on the land in the lot.

This condition continues to have force and effect after a statement of compliance under the *Subdivision Act 1988* has been issued and the subdivision authorised by this permit has been completed.

### **Prior to a Statement of Compliance**

41. Prior to a Statement of Compliance being issued, piped drainage must be constructed to drain all lots and all impervious areas incorporating Water Sensitive Urban Design features, to the satisfaction of the Responsible Authority.
42. Prior to Statement of Compliance being issued, the construction of all civil works within the site, including detention system must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.
43. Prior to a Statement of Compliance being issued a stormwater detention system must be constructed to control all surface runoff from the subdivision

to ensure the maximum discharge from the property does not exceed the existing discharge, to the satisfaction of the Responsible Authority.

44. Prior to a Statement of Compliance being issued, Development Stormwater Drainage Engineering Plans and Computations must be submitted to, and approved by, the Responsible Authority. Development Stormwater Drainage Engineering Plans and Computations must be in line with all the requirements of the approved point of discharge certificate.

<https://www.yarraranges.vic.gov.au/Development/Roads-drains/Applications-and-permits/Submit-stormwater-drainage-and-computations>

45. Prior to the approval of engineering construction plans an inspection/surveillance fee to the value of \$500 or 2.5% of the estimated cost of all Council works required by this permit, whichever is greater must be paid to the Responsible Authority.
46. Prior to the approval of Development Stormwater Drainage Engineering Plans, a maintenance bond to the value of \$5000 or 5% of all Council works, whichever is greater, as required by this permit, must be paid to the Responsible Authority.
47. Prior to a Statement of Compliance being issued the owner/developer must demonstrate to the satisfaction of the Responsible Authority that stormwater runoff exiting the site has been designed and constructed to meet the current best practice performance objectives for stormwater quality, as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) as follows:
- 80% retention of the typical annual load of suspended solids;
  - 70% reduction of the typical annual load of gross pollutants;
  - 45% retention of the typical annual load of total phosphorous; and
  - 45% retention of the typical annual load of total nitrogen.
48. Prior to a Statement of Compliance being issued, the owner of the land must enter into an agreement under section 173 of the *Planning and Environment Act 1987* with the responsible authority. The agreement must provide for:
- a) The development of the subject land in accordance with the endorsed plans and conditions of Planning Permit YR-2024/269, unless further written consent is obtained from the Responsible Authority.
  - b) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Yarra Ranges Planning Scheme.

- c) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
- d) State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
- e) Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Scheme.

*“A building or works consistent with an agreement under section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5”.*

This agreement must be registered on the title to the land in accordance with section 181 of the *Planning and Environment Act 1987*. The owner must pay the responsible authority's costs to prepare, review, execute and register the section 173 agreement.

- 49. Prior to a Statement of Compliance being issued, any alterations to the existing dwelling including overhanging eaves as shown on the endorsed plans of planning permit YR-2024/269 must be carried out and completed to the satisfaction of the responsible authority.
- 50. Prior to a Statement of Compliance being issued, all common facilities such as mailboxes and common meters (gas and electricity meters) must be located within the common property to the satisfaction of the responsible authority.
- 51. Prior to a Statement of Compliance being issued for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 52. Prior to a Statement of Compliance being issued, the owner/developer must demonstrate to the satisfaction of the Responsible Authority that stormwater runoff exiting the site has been designed and constructed to meet the current best practice performance objectives for stormwater quality, as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) as follows:
  - 80% retention of the typical annual load of suspended solids;

- 70% reduction of the typical annual load of gross pollutants;
- 45% retention of the typical annual load of total phosphorous; and
- 45% retention of the typical annual load of total nitrogen.

In lieu of meeting all of the above stormwater quality objectives the owner/developer must demonstrate to the satisfaction of the Responsible Authority that it has nevertheless achieved the intended outcomes of Clause 56.07-4 of the Planning Scheme in accordance with relevant Practice Notes.

53. This permit will expire if:

- a) The development is not started within **two years** of the date of this permit; or
- b) The subdivision is not certified within **two years** of the date of this permit; or
- c) The development is not completed within **four years** of the date of this permit; or
- d) The subdivision is not completed within **five years** from the date of certification.

#### **Development**

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit of the commencement date.

An extension of time to complete the development or a stage of the development may be requested if:

- The request for an extension of time is made within 12 months after the permit expires; and
- The development or stage started lawfully before the permit expired.

#### **Subdivision**

Where the subdivision is to be developed in stages, the time specified to start the first stage is two years from the date of this permit. The time specified to start any subsequent stage is up to five years from the date of certification of the previous stage and the time specified to complete each stage is five years from the date of certification.

The responsible authority may extend the commencement periods referred to if a request is made in writing before the permit expires or within six months after the expiry date.

## NOTES:

1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this or any other Act, Regulation or Local Law.
2. The owner and/or developer must ensure all relevant permits have been obtained before the use and or development starts.
3. Building works approved under this planning permit must not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2006*.
4. A subdivision approved under a planning permit does not constitute the certification of a Plan of Subdivision. A separate application should be made by a licensed land surveyor.
5. The starting of a subdivision is regarded by section 68(3A) of the *Planning and Environment Act 1987* as the certification of a plan under section 6 of the *Subdivision Act 1988*. Completion is regarded as registration of the subdivision.
6. For further information with regard to the Telecommunications Conditions above, please refer to Advisory Note 49 – Telecommunications Services & Facilities in Subdivisions available from the Victorian State Government.
7. This planning permit does not provide authorisation to enter or start works over the property of Council; such authorisations must be independently sought from Council.
8. Prior to the commencement of any works affecting or involving Shire roads or drains, Asset Protection and/or Road Reserve/Easement Works permit(s) are required. An application for a permit can be obtained at the Shire of Yarra Ranges Community Links.
9. The management of Stormwater is to be in accordance with the Approved Point of Stormwater Discharge. Please apply for Approved Point of Stormwater Discharge through Council's webpage.  
<https://www.yarraranges.vic.gov.au/Property/Roads-drainsfootpaths/Stormwater-drainage>

10. The Council works as required by this permit must be maintained in good condition and repair by the developer for a period of twelve months from the date of practical completion to the satisfaction of the Responsible Authority.
11. Prior to an Off Maintenance inspection and subsequent return of the maintenance bond, "As Constructed" plans of all Council works together with a CCTV footage and report in accordance with the Water Services Association of Australia (WSA) 05-2008 2.2 Code of Practice, of the full length of all Council piped drainage, must be submitted to, and approved by, the Responsible Authority.

12. **CFA - Certification and Statement of Compliance**

CFA consents under Section 9 of the Subdivision Act 1988 to the Certification of the Plan of Subdivision. CFA does not want the Plan of Subdivision for this planning permit application referred under Section 8 of the Subdivision Act 1988.

CFA also consents to the Statement of Compliance for Subdivision under the Subdivision Act 1988.



## **Yarra Ranges Planning Scheme**

### **Municipal Planning Strategy**

#### **Clause 02.03-1 Settlement**

- Built Environment and Heritage
- Scenic landscapes are a key contributor to the identity of Yarra Ranges and unsympathetically designed new development can detract from these landscapes.
- The identity and rural town character of many Yarra Ranges settlements is enhanced by their location in a rural landscape setting and distinct separation from other urban areas. The quality and presentation of buildings and public places in Yarra Ranges' activity centres also plays a significant role in creating a sense of place for local communities.
- Much of the building stock in Yarra Ranges comprises modest buildings constructed before the introduction of environmentally sustainable design concepts.
- The future built form of development will adopt environmentally sustainable design principles, be accessible to people of all abilities, respect heritage places and will reinforce the valued characteristics of their surroundings.
- Yarra Ranges' diversity of heritage buildings and places reflect its origins and contributes to its identity. There is a need to protect the important elements of this heritage to nurture greater community awareness and appreciation of Yarra Ranges' past.
- Council's strategic directions for the built environment and heritage are to:
  - Protect and respect sensitive environments, significant landscapes and cultural and natural heritage.
  - Incorporate best practice environmental design to contribute to sustainable building form.
  - Encourage development that contributes to a sense of place and adds to the character and identity of the distinct localities in Yarra Ranges.

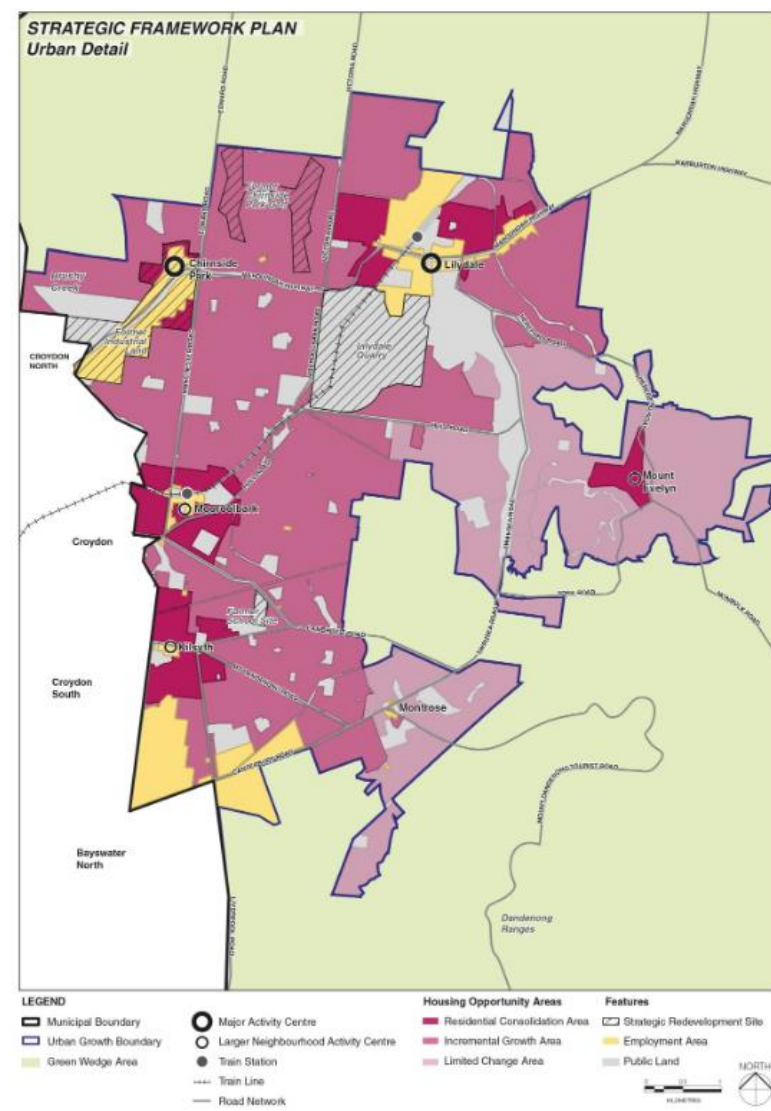
#### **Clause 02.03-6 Housing**

- The combination of Yarra Ranges' attractive environment and its location on the fringe of Melbourne will result in ongoing pressures for additional and more intensive development.
- Although there are latent pressures to expand urban development into the Green Wedge there is sufficient capacity within established urban areas and key strategic redevelopment sites to accommodate future housing and employment opportunities.
- The concentration of additional housing development in identified consolidation areas (refer Residential Framework Plan to Clause 16.01-1L) based on established activity centres will improve housing diversity, increase the proportion of housing with convenient access to services, and reduce pressures for change in other neighbourhoods.
- There is a limited diversity of housing stock to meet the needs of changing demography.
- More diverse and adaptable housing stock will be required to meet community needs including affordable housing, housing that is accessible to people with disabilities and a range of specialised housing types to cater for the growing number of older people that provides opportunities for them to continue living within or close to their local community.
- Council's strategic directions for housing are to:
  - Support residential growth, increased densities and housing diversity in the consolidation areas of the major activity centres.

- Support diverse housing on key redevelopment sites and combined lots that are close to community services, local employment and public transport.
- Support affordable housing in new developments in consolidation areas and other locations with access to town centres, commercial and community facilities.
- Contain residential subdivision within the existing Urban Growth Boundary.
- Discourage housing in locations that would increase the potential for land use conflicts and adverse impacts on landscape amenity or the environment.
- Support aged care accommodation in locations that meet the needs of an ageing population.

## Clause 02.04-2 Strategic Framework Plan

### Strategic Framework Plan – Urban



## Planning Policy Framework

### Clause 11.01-1S Settlement

#### Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

#### Strategies

- Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
- Plan for development and investment opportunities along existing and planned transport infrastructure.
- Encourage a form and density of settlements that supports healthy, active and sustainable transport.
- Promote and capitalise on opportunities for urban renewal and infill redevelopment.
- Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.
- Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

### Clause 11.01-1L-01 Settlement

#### Strategies

- Cluster businesses, community facilities and housing within activity centres.
- Support residential infill development in the consolidation areas of large neighbourhood activity centres or where appropriate to the role of the town or suburb consistent with Table 2 to Clause 2.03-1.

Activity Centre Type	Role
Large Neighbourhood Activity Centres Belgrave, <b>Healesville</b> , Kilsyth, Monbulk, Mooroolbark, Mount Evelyn, Seville, Yarra Glen, Yarra Junction	<p>Smaller in floor space terms than Major Activities Centres, these centres have a retail mix that is focussed on convenience and grocery shopping. They also provide a range of community services to the surrounding communities.</p> <p>Some of these centres, which serve a catchment that extends into the rural hinterland, perform a significant role in the provision of community and civic services, with some also providing a range of facilities and services for tourists.</p> <p>Land within and adjoining these centres is generally an appropriate location for additional housing.</p>

Figure 1 - Table 2 - Yarra Ranges Activity Centre Hierarchy

### 11.01-1L-02 Healesville

This policy applies to land contained in the Healesville District Map and the Healesville Town Centre Map to this clause.

### **Built form strategies**

- Encourage development that makes a positive contribution by respecting the existing scale, building form, height and significant trees within the town centre.
- Encourage an improved interface between the town centre development on the northern side of Maroondah Highway and the carparking areas adjacent to River Street.
- Support activation of retail frontages on commercial land along Maroondah Highway within the town centre.
- Construct roads, footpaths and trails in materials that reflect Healesville's rural character.

### **Residential strategies**

- Locate residential development within the urban growth boundary of Healesville.
- Locate higher density residential development close to the Healesville town centre.
- Support subdivision within the Urban Growth Boundary in suitable locations in Healesville to provide for a modest increase in residential lots.
- Support development that respects the existing residential character.
- Maintain a transition of lot sizes at the interface of rural and residential development to minimise land use conflicts.

## **Clause 12.05-2S Landscapes**

### Objective

To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

### Strategies

- Ensure significant landscape areas such as forests, the bays and coastlines are protected.
- Ensure development does not detract from the natural qualities of significant landscape areas.
- Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.
- Recognise the natural landscape for its aesthetic value and as a fully functioning system.
- Ensure important natural features are protected and enhanced.

## **Clause 13.02 Bushfire**

### Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

### Strategies

#### **Protection of human life**

- Give priority to the protection of human life by:
- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

## **Clause 15.01-1S Urban Design**

### Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

### Strategies

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

## **Clause 15.01-2S Building Design**

### Objective

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

### Strategies

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
  - Passive design responses that minimise the need for heating, cooling and lighting.
  - On-site renewable energy generation and storage technology.
  - Use of low embodied energy materials.
- Restrict the provision of reticulated natural gas in new dwelling development.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.



## **Clause 15.01-3S Subdivision Design**

### Objective

- To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- Strategies
- In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:
  - Creating compact neighbourhoods that have walkable distances between activities.
  - Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
  - Creating neighbourhood centres that include services to meet day to day needs.
  - Creating urban places with a strong sense of place that are functional, safe and attractive.
  - Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
  - Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
  - Protecting and enhancing habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas.
  - Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
  - Reduce car dependency by allowing for:
    - Convenient and safe public transport.
    - Safe and attractive spaces and networks for walking and cycling.
    - Subdivision layouts that allow easy movement within and between neighbourhoods.
    - A convenient and safe road network.
  - Minimising exposure of sensitive uses to air and noise pollution from the transport system.
  - Being accessible to people with disabilities.
  - Creating an urban structure that:
    - Responds to climate related hazards.
    - Incorporates integrated water management, including sustainable irrigation of open space.
    - Minimises peak demand on the electricity network.
    - Supports energy efficiency and solar energy generation through urban layout and lot orientation.

- Supports waste minimisation and increased resource recovery.
- Providing utilities and services that support the uptake of renewable energy technologies, such as microgrids and energy storage systems, including batteries.
- Providing all-electric lots.

#### **Clause 15.01-1L Residential subdivision design**

##### **Strategies**

- Design subdivisions to respond to existing physical, environmental and visual characteristics of a site and the surrounding area.
- Support flexibility and diversity in residential subdivision design in consolidation areas.
- Support a variety of lot sizes outside of consolidation areas where it will assist in retaining significant vegetation and other valued neighbourhood characteristics.
- Retain significant environmental and landscape features when subdividing large lots within the Neighbourhood Residential Zone.
- Design subdivisions to enable lots to have a strong street presence and to be conveniently accessible from the street.
- Design subdivision layouts to:
  - Minimise the removal of substantial vegetation and provide adequate opportunity for landscaping.
  - Avoid court bowls that minimise on-street car parking and access for garbage collection and emergency vehicles.
  - Minimise vehicle crossovers to maintain street trees and roadside vegetation.

## **Clause 15.01-5S Neighbourhood Character**

### Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

### Strategies

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
  - Pattern of local urban structure and subdivision.
  - Underlying natural landscape character and significant vegetation.
  - Neighbourhood character values and built form that reflect community identity.

## **Clause 15.01-5L Neighbourhood Character**

### Objective

To protect the distinctive characteristics and environmental features of residential neighbourhoods.

### Strategies

- Design development to complement existing site features such as slope, terrain, substantial trees and remnant vegetation.
- Retain extensive tree canopy cover and native vegetation.
- Support the establishment and maintenance of substantial trees within residential areas.
- Site and design development on land adjoining public land and open space to provide passive surveillance.

## **Clause 16.01-1S Housing Supply**

### Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

### Strategies

- Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

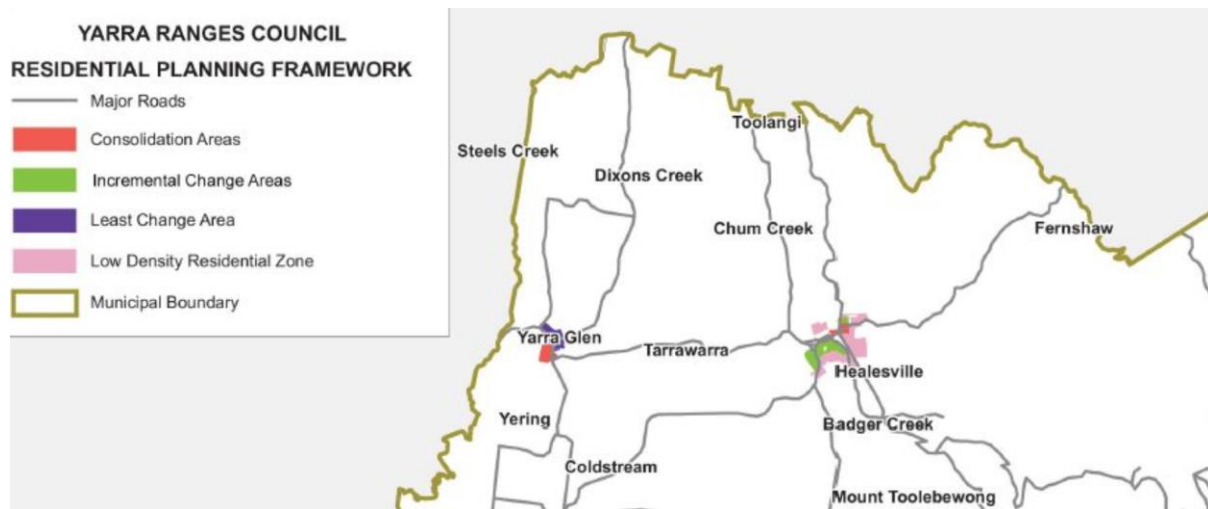
- Encourage the development of well-designed housing that:
  - Provides a high level of internal and external amenity.
  - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

## Clause 16.01-1L Housing

### Incremental change areas

#### Strategies

- Retain a predominantly low residential density in areas identified as Incremental Change Areas in the map to this clause.
- Support additional housing that is consistent with the existing character of the neighbourhood in areas with access to services.
- Accommodate incremental development in identified locations within metropolitan residential areas and in rural and foothill townships.



## Clause 16.01-2S Housing Affordability

#### Objective

To deliver more affordable housing closer to jobs, transport and services.

#### Strategies

- Improve housing affordability by:
  - Ensuring land supply continues to be sufficient to meet demand.
  - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
  - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
  - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- Increase the supply of well-located affordable housing by:
  - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.

- Ensuring the redevelopment and renewal of public housing stock better meets community needs.
- Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

## **Zone**

### **Clause 32.09 Neighbourhood Residential**

#### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

#### Decision Guidelines

##### General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

##### **Dwellings, small second dwellings and residential buildings**

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.



## **Overlays**

### **Clause 43.02 Design and Development Overlay – Schedule 6**

#### Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

#### Decision Guidelines

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

#### Schedule 6 – Design Objectives

- To provide a planning framework to facilitate limited infill residential development and subdivision in the foothill and rural town incremental change areas.
- To ensure development is at a scale consistent with the unique character of the foothills and rural townships.
- To ensure subdivision and residential development occur in a more spacious style that respects existing neighbourhood character and is at less density than in preferred consolidation areas.

#### Buildings and Works

- To minimise the area covered by buildings and impervious surfaces. This will be achieved by:
  - Retaining sufficient areas around buildings for landscape planting - including mature species, consistent with the defined character of the foothills and rural towns
  - Ensuring open space /setbacks around dwellings are of sufficient size to accommodate usable private open space and maintain the established pattern of development in the street
  - Ensuring the setbacks, site coverage and building design enable efficient use of the site, while recognising the amenity of the surrounding residents

- Preserving significant unpaved areas for informal drainage to improve stormwater quality and overall health of the catchment
- To ensure new development avoids visual dominance by minimising bulk and scale
- To minimise vehicle access and dominant car storage facilities at the front of properties
- To ensure new development is consistent with and enhances the key elements and landscape character objectives identified in the associated Significant Landscape Overlay Schedule 22.

#### Subdivision

- To create lots large enough to accommodate future and existing development, while retaining natural or established vegetation
- To provide substantial areas for planting and regeneration to occur including areas for mature canopy species on each lot
- To ensure new vacant lots are large enough to accommodate future buildings consistent with the site coverage provisions in this schedule.
- To allow the creation of smaller lots provided site cover is consistent with this schedule and provided no net increase in overall site coverage occurs as a result of subdivision.

#### Decision Guidelines

- The design objectives of this schedule.
- Consistency with the relevant statement of nature and key elements of landscape and landscape character objectives contained in the corresponding Significant Landscape Overlay Schedule 22.
- The need for subdivision applications to include development proposals.
- Whether a reasonable proportion of the lot is free of buildings and available for tree planting, landscaping, informal runoff and private open space use.
- Whether the dimension and configuration of the secluded private open space provide a practical and useable space.
- Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping and open space.
- Whether proposed buildings retain an inconspicuous profile and do not dominate the landscape.
- Whether crossovers are minimised and parking facilities are provided at the rear of the dwellings or are not visible from the street.
- Whether residential amenity impacts are minimised and can be managed and any necessary mitigation measures are satisfactory.
- The impact of any proposed subdivision and development on the conservation of trees and permeable areas.

#### **Clause 44.06 Bushfire Management Overlay**

- To implement the Municipal Planning Strategy and the Planning Policy Framework.

- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

#### Decision Guidelines

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

### **Clause 42.03 Significant Landscape Overlay**

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

#### Decision Guidelines

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

#### Schedule 22 Landscape Character

##### **Statement of nature and key elements of landscape**

Healesville is characterised by a strong 'country town' atmosphere, arising from varying block sizes, winding roads and well treed private gardens and public areas. These landscapes integrate well with the surrounding backdrop of mountains, wooded hills and farmland giving a sense of spaciousness and rural ambience.

Site coverage and hard surfaces are minimised providing room for vegetation and a sense of openness to be retained. There is often an informal rural character with either open style fencing or an absence of front fencing.

##### Objectives

- To recognise and conserve the environmental and visual sensitivity of residential areas
- To maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation
- To ensure development is sensitive to the natural characteristics of the land including slope, terrain and any existing vegetation
- To ensure setbacks are generous, consistent with nearby dwellings and allow sufficient space for mature plantings
- To ensure site cover maintains the ambience and sense of spaciousness
- To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape
- To ensure that the health of existing trees is not jeopardised by new development
- To maintain an absence of front fences and informal rural character with either open style front fencing or an absence of front fencing
- To protect and preserve the riparian areas along waterways.

### Decision Guidelines

- Whether the development satisfies the statement of key elements of the landscape and character objectives of this schedule
- The role of vegetation in contributing to the character and environmental significance of the area
- The impact of the proposal on views within the foothills areas and on more distant views across the city and suburbs to the foothills of the Dandenong Ranges
- The impact of the proposal on the rural character of the townships where development is more spacious and allows views through to the Yarra Valley and/ or the foothills
- If the buildings are of a height that is below the tree canopy level and are inconspicuous in the landscape. Aspects such as the height of surrounding development, the slope of the land and the impacts on views to and from adjacent viewpoints should be carefully considered
- The site coverage allows for the planting of canopy trees and other vegetation
- The buildings are dispersed to allow trees to be planted among them and any works will not impact on the health of any substantial tree
- The habitats for native fauna, including wildlife corridors will be protected, strengthened or created
- If the buildings or works will adversely impact on the natural environment of the adjacent watercourse
- If front fences are commonly provided in the street and the style of fence, including degree of transparency, height, materials and finishes.

## **Particular Provisions**

### **Clause 52.06 Car Parking**

#### Purpose

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

#### Decision guidelines

- Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:
- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

## **Clause 55 Two or more dwellings on a lot and residential buildings**

### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that responds to the site and the surrounding area.



## **Clause 56 Residential subdivision**

### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
  - Metropolitan Melbourne growth areas.
  - Infill sites within established residential areas.
  - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
  - Policy implementation.
  - Liveable and sustainable communities.
  - Residential lot design.
  - Urban landscape.
  - Access and mobility management.
  - Integrated water management.
  - Site management.
  - Utilities.

## **Clause 65 Decision Guidelines**

### Development

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

## Subdivision

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any owners corporation.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
- 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.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

Project:

Address:

Client:

Drawing Issue:

Issue Date:

Second Dwelling on a Lot + Associated Subdivision

7 Ryrie St. Healesville

Jessica and Simon Terpstra

Issue For Planning Permit

December 2024

Drawing List	
DWG No.	Drawing Name
P001	Cover
P002	Area Analysis
P003	Feature Survey
P004	Site Context
P005	Indicative Subdivision Plan
P006	Existing Site Plan
P007	Site Plans
P008	Tree Protection Plan
P009	Site Plan Ground Floor

Drawing List	
DWG No.	Drawing Name
P010	Site 1st Floor
P011	Unit 1 Floor Plan
P012	Unit 1 Elevations
P013	Unit 2 Floor Plans
P014	Unit 2 Elevations
P015	Unit 2 Elevations
P016	Street Scape
P017	Landscaping Plan
P018	Garden Area Plan

Drawing List	
DWG No.	Drawing Name
P019	Shadow Diagrams 9AM
P020	Shadow Diagrams 10AM
P021	Shadow Diagrams 11AM
P022	Shadow Diagrams 12PM
P023	Shadow Diagrams 1PM
P024	Shadow Diagrams 2PM
P025	Shadow Diagrams 3PM
P026	Shadow Diagrams 3D 9AM
P027	Shadow Diagrams 3D 10AM

Drawing List	
DWG No.	Drawing Name
P028	Shadow Diagrams 3D 11AM
P029	Turning Circles U2
P030	Turning Circles U2
P031	Turning Circles U2
P032	Turning Circles U2
P033	Overlooking Ground Floor
P034	Overlooking 1st Floor
P035	Services Plan
P036	Stormwater Layout Plan

Drawing List	
DWG No.	Drawing Name
P037	Views to and from the site
P038	Examples of two storey dwellings
P039	Examples of two storey dwellings 2
P040	Examples of two storey dwellings 3



Roof Sheetting

Steel sheet corrugated profile with colorbond "windspray" Finish.



Dulux "Feathersoft"

James hardie Linea Wall Cladding with Feathersoft paint finish.



Timber Cladding

Vertical Timber cladding.



Sandstone Cladding

Sandstone wall cladding.




Timber Window Frames & Timber Battens

Timber framed windows with vivid white trims.

Materials Legend

Scale: 1 : 100

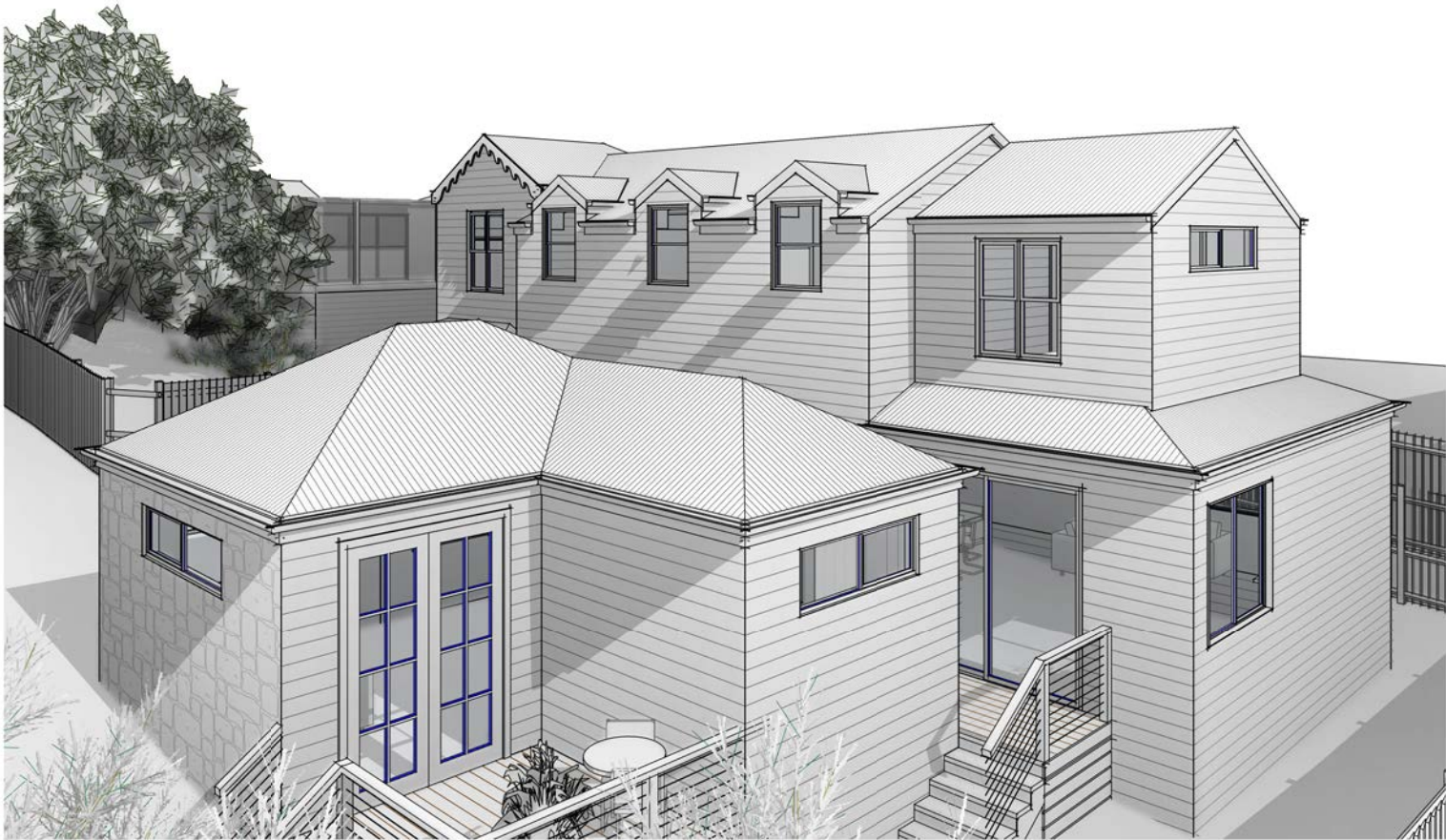


Dulux "Grey Port"

James hardie "Hardieflex" Wall Cladding

ADVERTISED

Planning Issue  
Not for Construction



Revision Schedule		
Revision	Issue:	Date
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
M	Issue for Client Comment	03/09/2024
N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025

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Issue For Planning Permit

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH SITE CONDITIONS AND REFER ANY DISCREPANCIES TO THE BUILDER/DESIGNER PRIOR TO COMMENCING WORK.  
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CLIENT:

Jessica and Simon Terpstra

PROJECT:

Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS:

7 Ryrie St. Healesville

DWG TITLE:

Cover

DATE:

December 2024

DRAWN BY:

PM

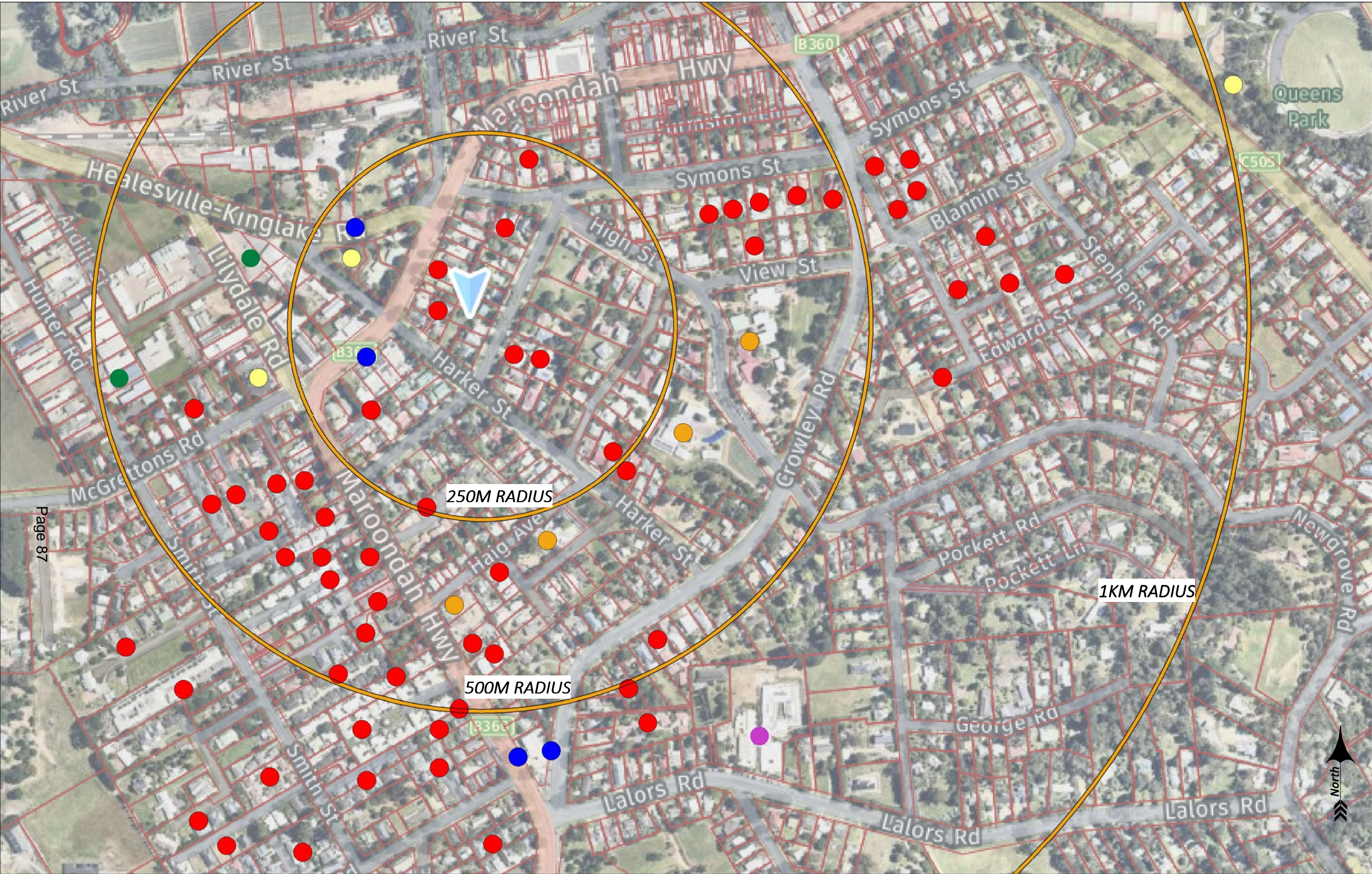
SCALE @ A3:

1 : 100

SHEET No:

P001





**Legend:**

- Supermarket & Food Retailers
- Community Services
- Medical Centres & Health Services
- Schools & Early Learning Centres
- Public Transport (Bus Stops)
- Reserve Park, Public Park & Recreational Centres / Services
- Unit Developments



ADVERTISED

**Area Analysis**

Scale: 1 : 5000

Planning Issue  
Not for Construction

Revision Schedule		
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I	Issue For Planning Permit	03/05/2024
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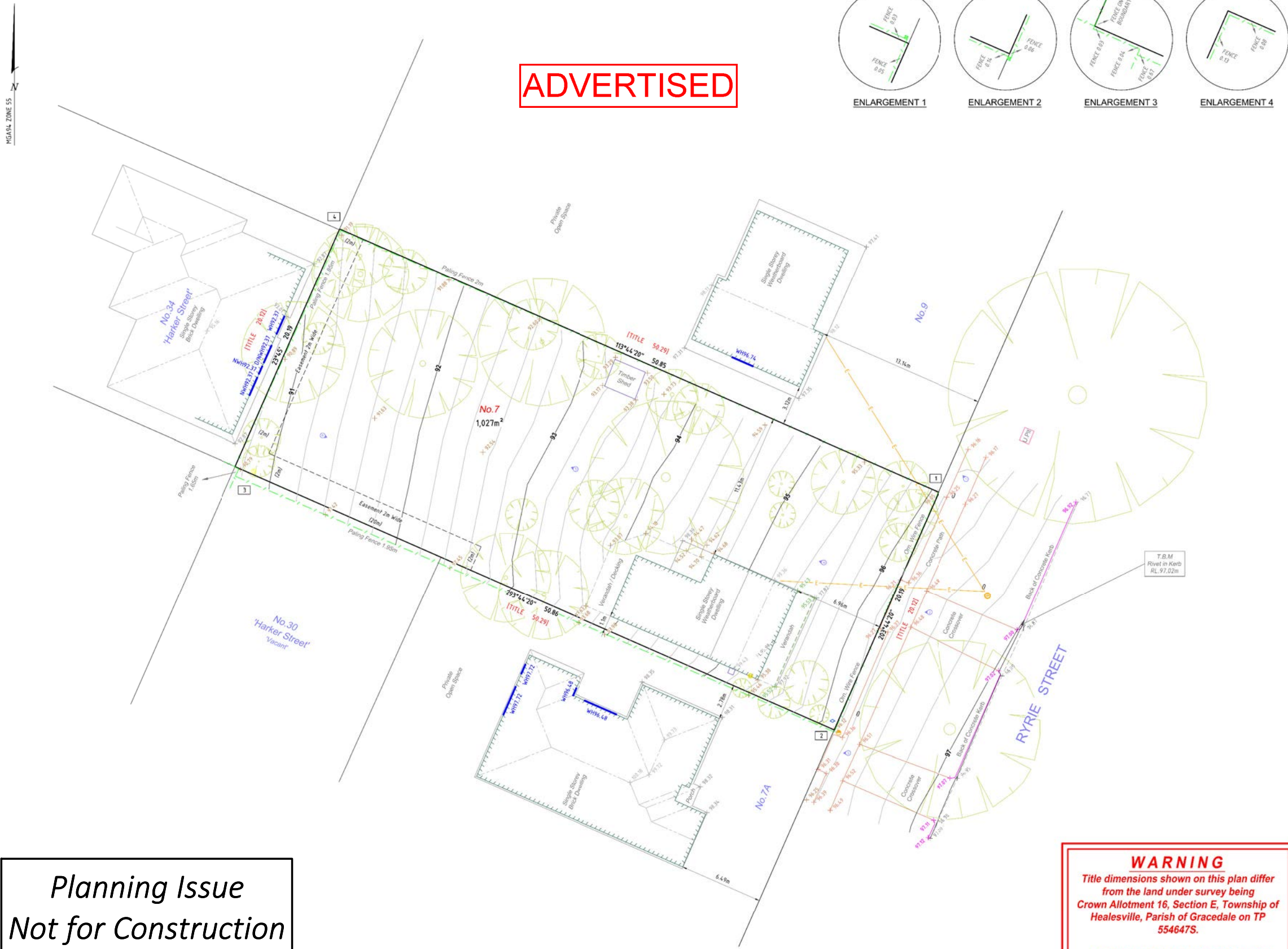
**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Area Analysis  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 5000

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SHEET No:

P002





Planning Issue  
Not for Construction



**WARNING**  
Title dimensions shown on this plan differ from the land under survey being Crown Allotment 16, Section E, Township of Healesville, Parish of Gracedale on TP 554647S.  
  
These dimensions do not automatically change as a result of this survey.  
  
To amend this title an application must be lodged to Land Use Victoria under the provisions of The Transfer of Land Act 1958 to reflect this survey.

Revision Schedule		
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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Feature Survey  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:**

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**SHEET No:**

P003

**LEGEND**

- Permanent Marker
- Title Peg
- Aluminum Rivet
- Texter Mark
- Etch Mark
- Rod
- Pipe
- Star Picket
- Dumpy Peg
- Nail
- Spike
- Tree
- Pipe Invert
- Sign
- Letter Box
- Bollard
- Electricity Main
- Light Pole
- Electricity Pole
- Electricity Pole/Light
- Electricity Pit
- Telstra Pit
- Gas Meter
- Gas Meter Post
- Sewer Pit
- Sewer Unclassified
- Sewer Vent/Pipe
- Sewer Inspection Shaft
- Water Stop Valve
- Picture Point
- Fire Plug
- Fire Hydrant
- Water Meter
- Water Unclassified
- Water Tap
- Stay for Pole
- Unclassified Pit
- Fence
- Gate
- Toe of Bank
- Top of Bank
- Electricity Line Overhead
- Telcom Line Overhead
- Lower Storey Window
- Upper Storey Window
- Lower Storey Door
- Upper Storey Door
- Highlight Window
- WH Window Head
- NWH Non Habitable Window Head
- W5 Window Sill
- DH Door Head
- DS Door Sill
- PH Plaster Height
- FL Floor Level
- Side Entry Pit
- Grated Pit
- Junction Pit
- Drainage Pit

**TITLE INFORMATION**

Title Reference: Vol. 1901 Fol. 104  
Last Plan Reference: TP 554647S (Crown Allotment 16, Section E, Township of Healesville, Parish of Gracedale)

**LAND SUBJECT TO EASEMENT:**  
E-1 - Sewerage Easement

**DATUM:**  
Levels are based on A.H.D. vide GRACEDALE PM 100 with registered RL 98.585m.  
Contour Interval is 0.20m.  
Refer to frozen layer 'TRIANGLE' for 3D triangles.

**GENERAL NOTES:**

- Please refer to Certificate of Title for any easements or encumbrances.
- Where occupation including fences and buildings around the perimeter of a property encroach onto the subject site, the land beyond the occupation may not be recoverable as rights of possession may have passed to adjoining owners. Full title dimensions should not be assumed for design purposes / re-fencing until these issues have been resolved with adjoining landowners.
- Where occupation including fences and buildings around the perimeter of a property encroach onto the neighbouring site, the land beyond the title may not be utilized until a formal application with Land Registry is approved. Until this time you must limit any future building works to the current title position.
- The position of fencing and other occupation in relation to the title boundaries has been exaggerated for the purposes of clarity, and only applies at the natural surface level on the date of the survey and does not show any encroachments that may exist below the natural surface. If no offsets are shown, the fencing is in the correct position.
- Before proceeding with any design, construction or use of the land adjoining neighbours must be consulted to resolve any differences between fencing and the title position shown on this plan.
- Feature and levels shown on this plan are intended to aid in general design works only. Any critical dimensions required should be requested independently of this plan.
- Services that were not visible at the time of survey may not be shown on this plan. Prior to any demolition, excavation, or construction on this site the relevant Authorities should be contacted to ascertain detailed locations of all existing services and the possible locations of future services.
- The title boundaries shown beyond the subject land have been imported from the digital Cadastral Map Base (DCMB) and are approximate only.
- Location of buildings beyond site boundaries is indicative only. Information relating to abutting properties has only been shown where visible or accessible.
- Assume any windows shown are for habitable rooms unless stated otherwise. A site visit to determine the exact status of each room should be carried out before proceeding.

AMENDMENTS			
VERS.	DESCRIPTION	SURVEY DATE	SURVEYOR
1	ORIGINAL SURVEY PLAN	04/05/2023	H.G.


Drawn: C.H.  
Original sheet size: A1  
Scale: A1 = 1:150  
Client: LEIGH NIBLOCK  
Project: 7 RYRIE STREET HEALESVILLE 3777  
Details: RE-ESTABLISHMENT & EXISTING CONDITIONS SURVEY  
Sheet: 1 of 1  
Job Number: 2023-0513

**CERTIFICATE BY LICENSED SURVEYOR**

I, Glenn Graham Smith of Smith Land Surveyors Pty. Ltd., 142a Fyans Street, South Geelong 3220, certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 04/05/2023, that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

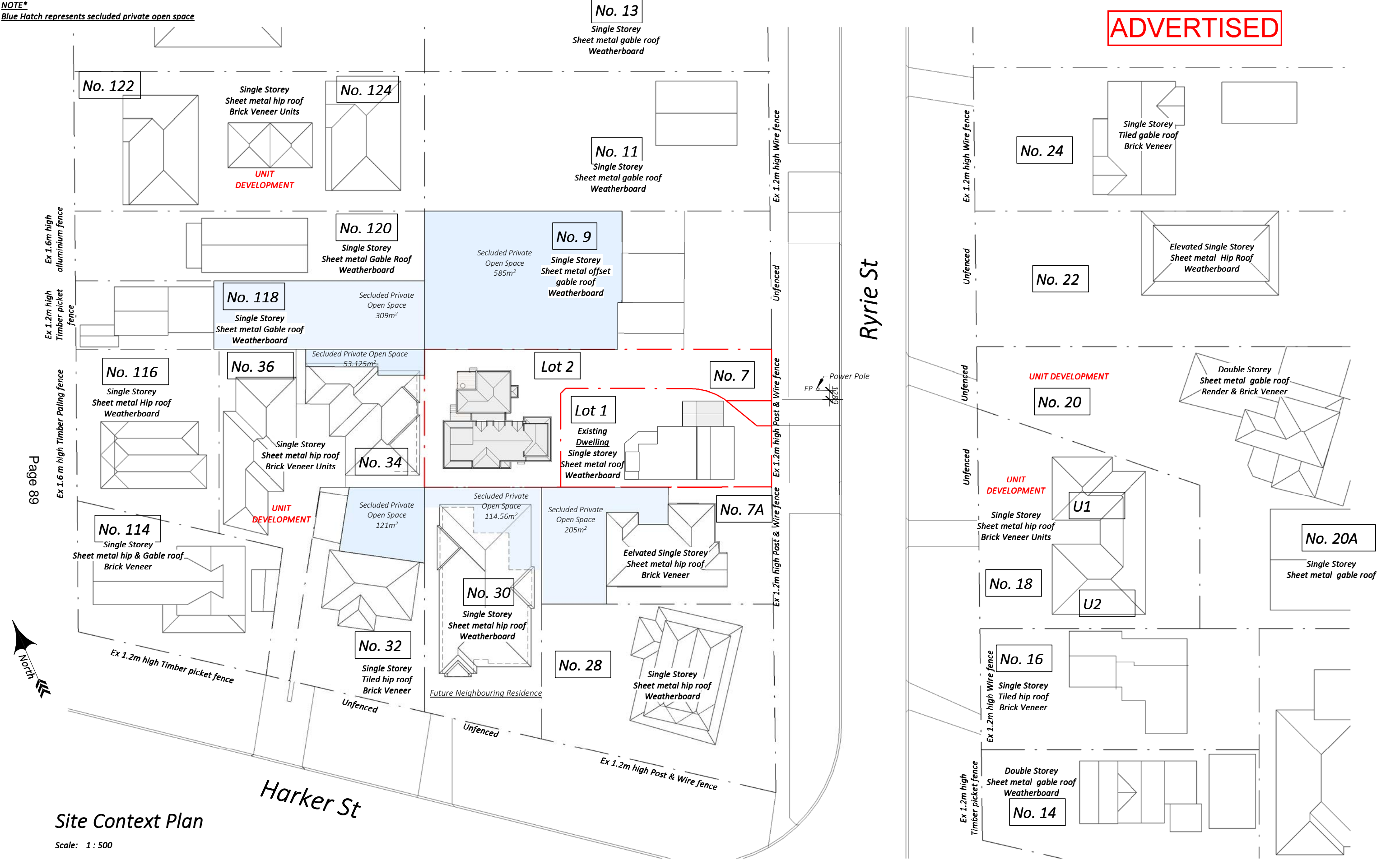
Date: 10/05/2023

Licensed Surveyor,  
Surveying Act 2004.

 Smith Land Surveyors Pty Ltd  
Office - 142a Fyans Street, South Geelong, Vic. 3220  
P (03) 5222 1234 F (03) 5223 3941  
E survey@smiths.com.au  
W www.smithlandsurveyors.com.au  
ABN 72 142 046 964



NOTE\*  
Blue Hatch represents secluded private open space



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site Context

**DATE:** December 2024

**DRAWN BY:** PM

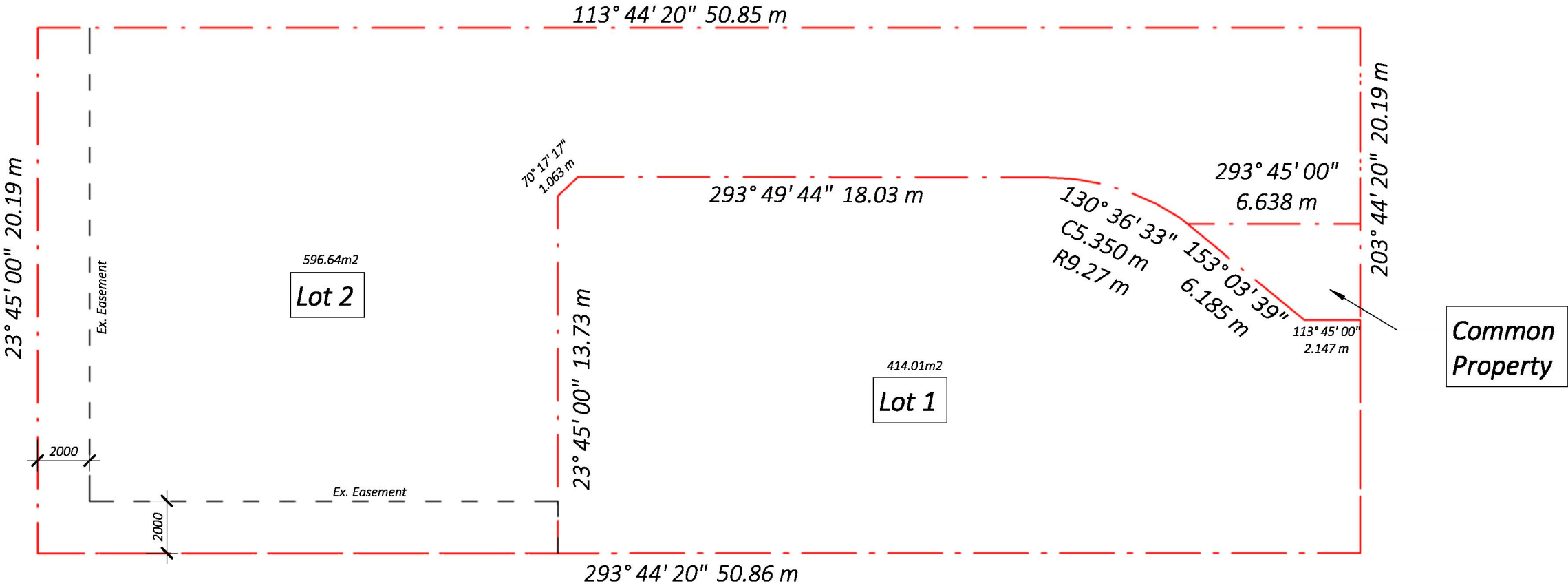
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**SHEET No:**

P004



Indicative Subdivision Plan

Scale: 1 : 200

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Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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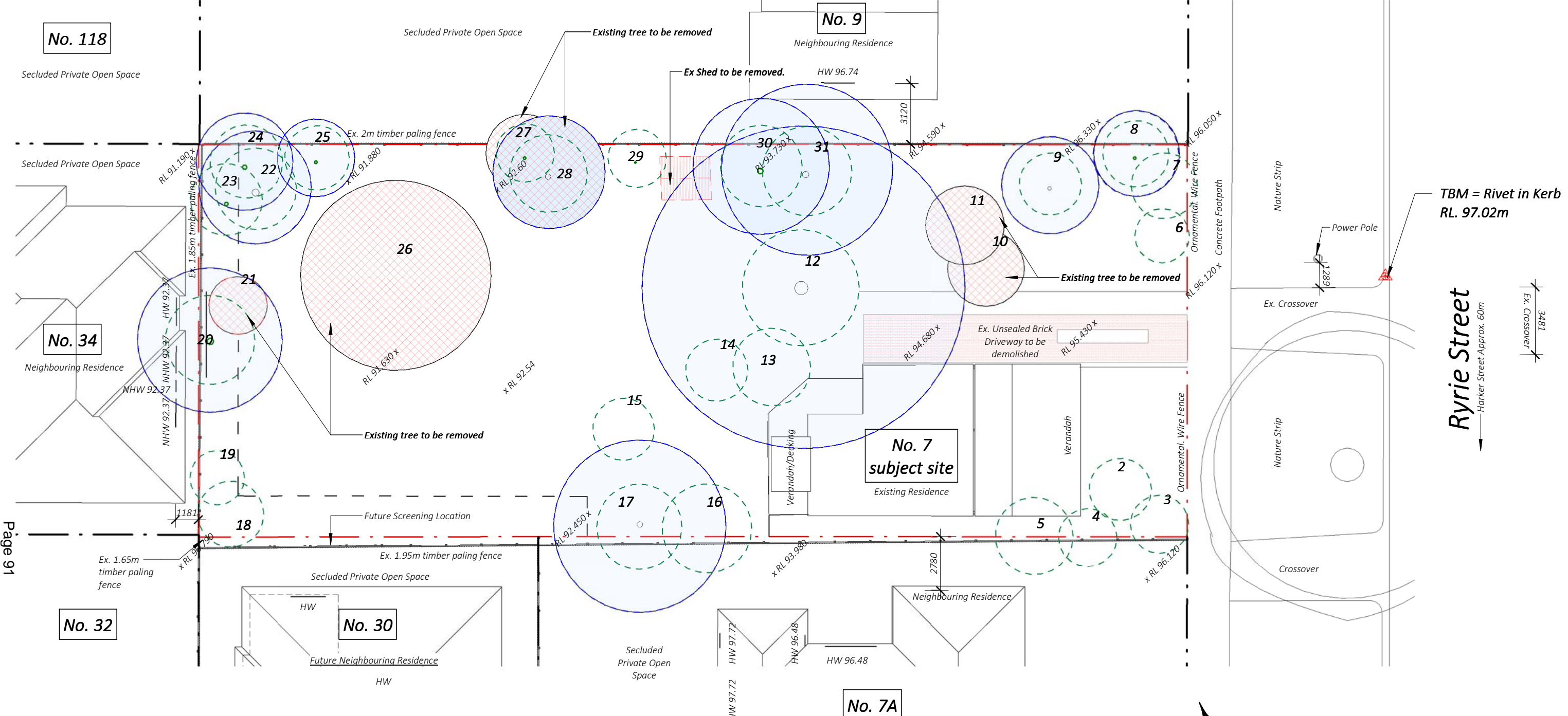
**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Indicative Subdivision Plan  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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**SHEET No:**

**P005**





TREES TO BE REMOVED  
10, 11, 21, 26, 27, 28

## Site - Existing

Scale: 1 : 200

- Legend:**
- - - = Tree Protection Zone
  - - - = Structural Root Zone
  - = Protected Tree
  - = Existing trees to be removed
  - - - = Services
  - HW = Habitable Window
  - NHW = Non Habitable Window

Area Schedule (Existing)	
Name	Area
Ex. Dwelling	81.45 m <sup>2</sup>
Ex. Site	1026.82 m <sup>2</sup>
Existing Verandas	21.38 m <sup>2</sup>

**ADVERTISED**

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
U2 North Deck	7.80 m <sup>2</sup>
U2 South Deck	4.43 m <sup>2</sup>
Grand total	260.01 m <sup>2</sup>

Area Schedule (External)	
Name	Area
Combined Garden Area	531.00 m <sup>2</sup>
Common Property	16.17 m <sup>2</sup>
Lot 1 Garden Area	265.88 m <sup>2</sup>
Lot 1 Site	414.01 m <sup>2</sup>
Lot 1 Site Coverage	123.83 m <sup>2</sup>
Lot 2 Garden Area	265.13 m <sup>2</sup>
Lot 2 Site	596.64 m <sup>2</sup>
Lot 2 Site Coverage	146.73 m <sup>2</sup>
Permeability	756.26 m <sup>2</sup>
Site Total	1026.82 m <sup>2</sup>

**Site Notes:**

Levels shown are approximate only & should be checked on site prior to any works commencing. Refer to site survey plan by "Smith Land Surveyors Pty Ltd" Job no. 2023-0513.

Builder to allow to cut, fill & grade site as required to achieve floor levels as proposed. Floor levels shown are finished floor levels.

All paving & ground levels are to grade away from the building at a 1:100 gradient.

Downpipes & all stormwater collection points are to be connected to the legal point of discharge to the satisfaction of the local authorities.

Refer to Arborists report for further info regarding tree retention value by "Aarboriculture" Job no. 20230720.

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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Existing Site Plan

**DATE:** December 2024

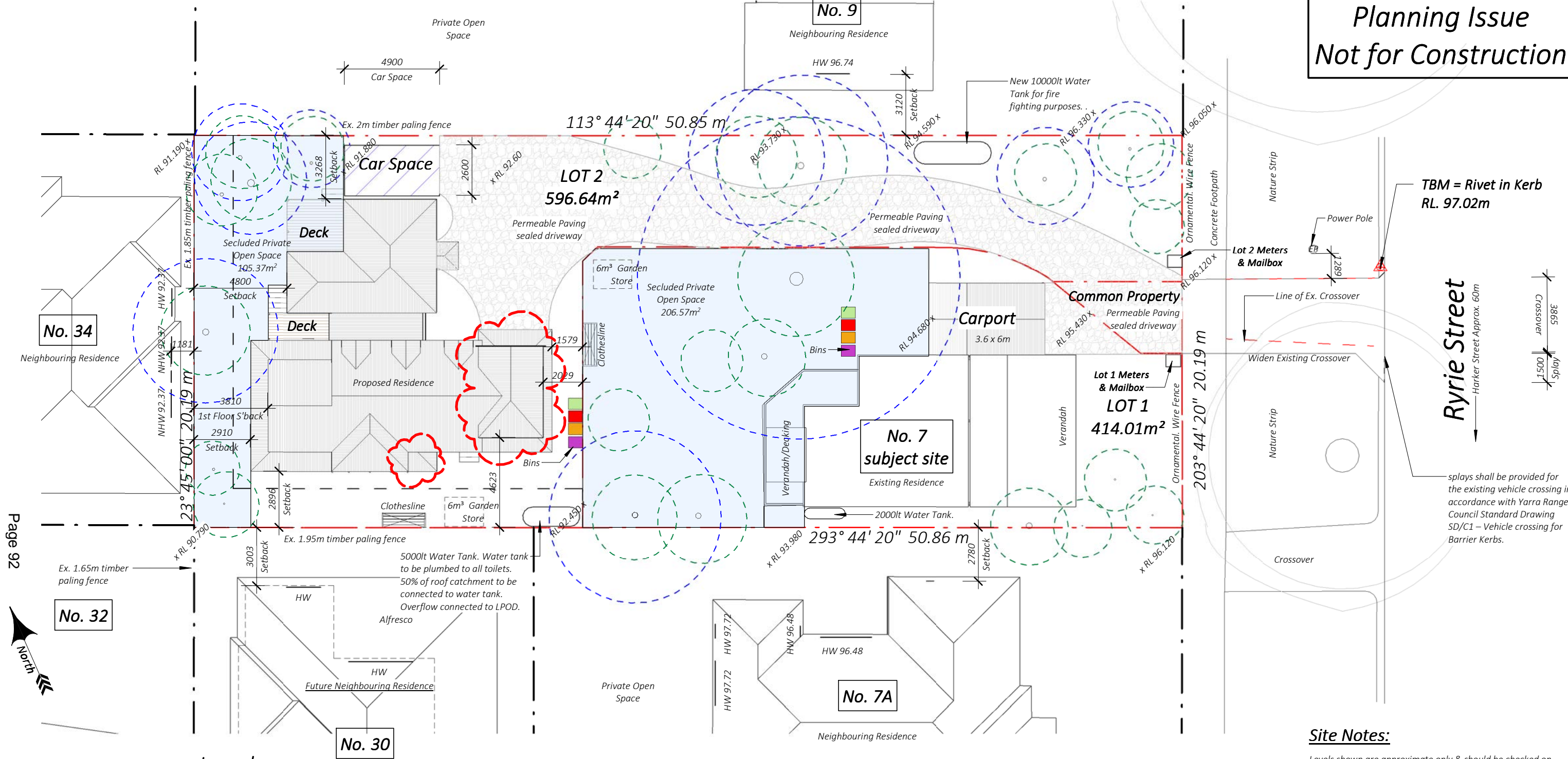
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**SHEET No:**

**P006**



Site - Proposed

Scale: 1 : 200

ADVERTISED

Legend:

- - - = Tree Protection Zone
- - - = Structural Root Zone
- = Protected Tree
- = Existing trees to be removed
- - - = Services
- HW = Habitable Window
- NHW = Non Habitable Window

Area Schedule (Existing)	
Name	Area
Ex. Dwelling	81.45 m <sup>2</sup>
Ex. Site	1026.82 m <sup>2</sup>
Existing Verandas	21.38 m <sup>2</sup>

Proposed Site Permeability : 756.64m<sup>2</sup> = 73.69%  
U1 Proposed Site Coverage : 123.83m<sup>2</sup> = 29.91%  
U2 Proposed Site Coverage : 146.73m<sup>2</sup> = 24.59%  
Proposed Garden Area Lot 1: 265.88m<sup>2</sup> = 64.22%  
Proposed Garden Area Lot 2: 265.13m<sup>2</sup> = 44.43%  
Overall Garden Area: 531.00m<sup>2</sup> = 51.71 %

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
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Grand total	260.01 m <sup>2</sup>

Area Schedule (External)	
Name	Area
Combined Garden Area	531.00 m <sup>2</sup>
Common Property	16.17 m <sup>2</sup>
Lot 1 Garden Area	265.88 m <sup>2</sup>
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Site Total	1026.82 m <sup>2</sup>

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Refer to Arborists report for further info regarding tree retention value by "Arboriculture" Job no. 20230720.

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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site Plans

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** As indicated

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**SHEET No:**

P007



Legend:

-  = Existing trees to remain
-  = Tree protection for accessway

Tree protection must be provided for trees No. 9, 12, 30 & 31. The accesway must be constructed above existing grade of a water permeable material.

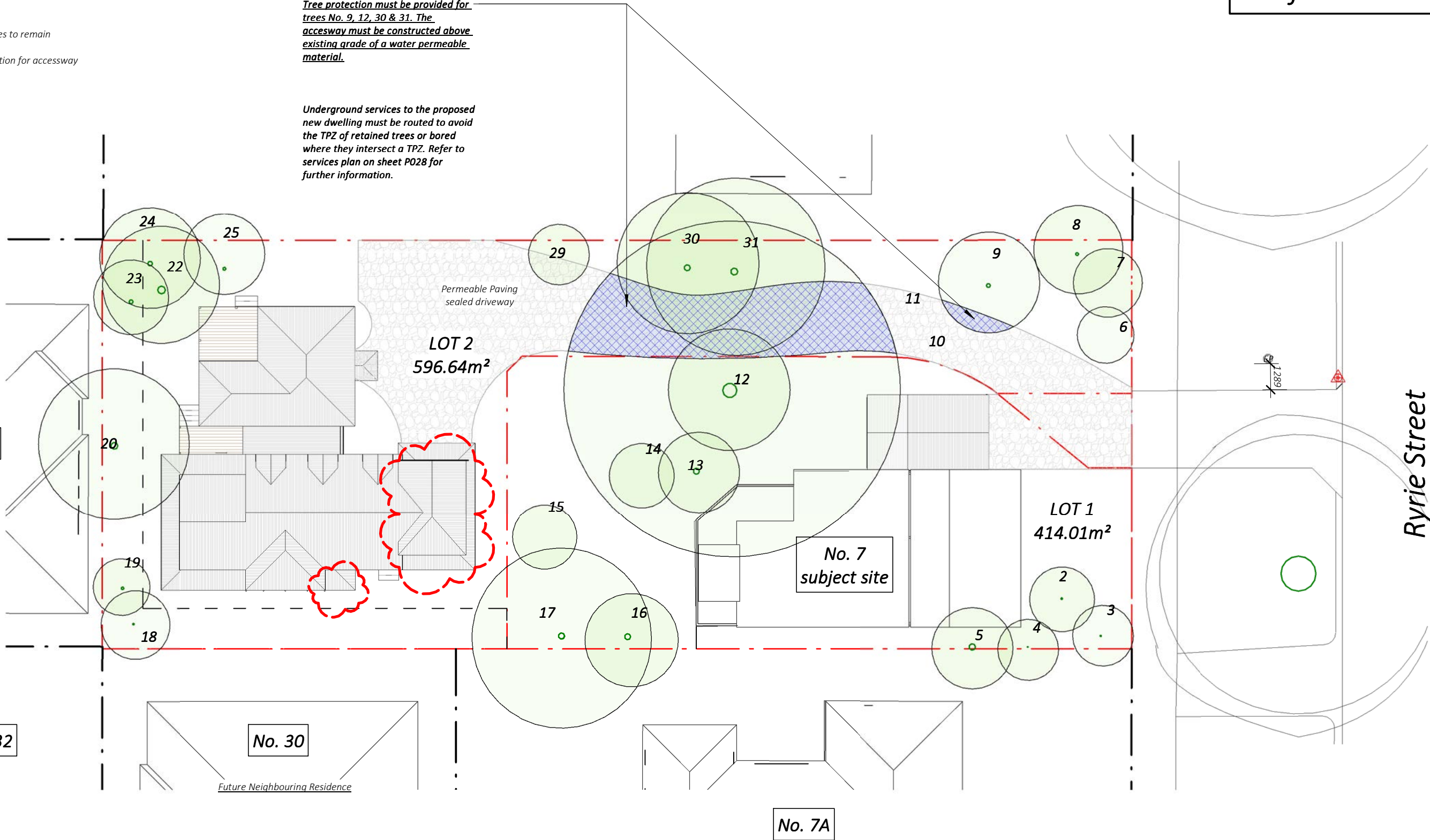
Underground services to the proposed new dwelling must be routed to avoid the TPZ of retained trees or bored where they intersect a TPZ. Refer to services plan on sheet P028 for further information.

Page 93



Tree Protection Plan

Scale: 1 : 200



ADVERTISED

Revision Schedule		
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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Tree Protection Plan  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** As indicated

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**SHEET No:**  
**P008**




Site Ground Floor

Scale: 1 : 200

ADVERTISED

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
L	Issue For Client Comment	29/08/2024
M	Issue For Client Comment	03/09/2024
N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025




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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site Plan Ground Floor

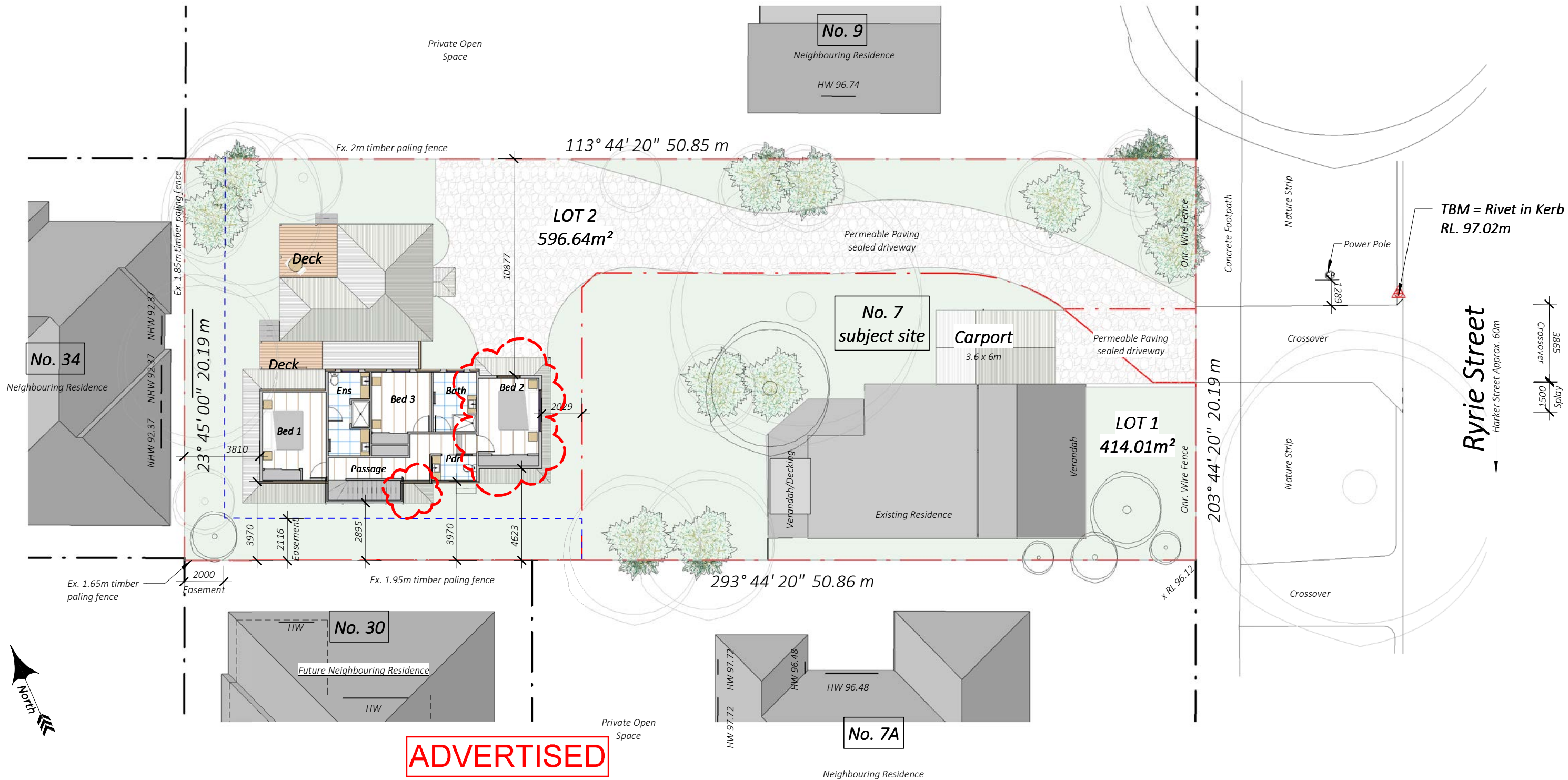
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**SHEET No:**

**P009**





Site 1st Floor

Scale: 1 : 200

Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
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N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site 1st Floor

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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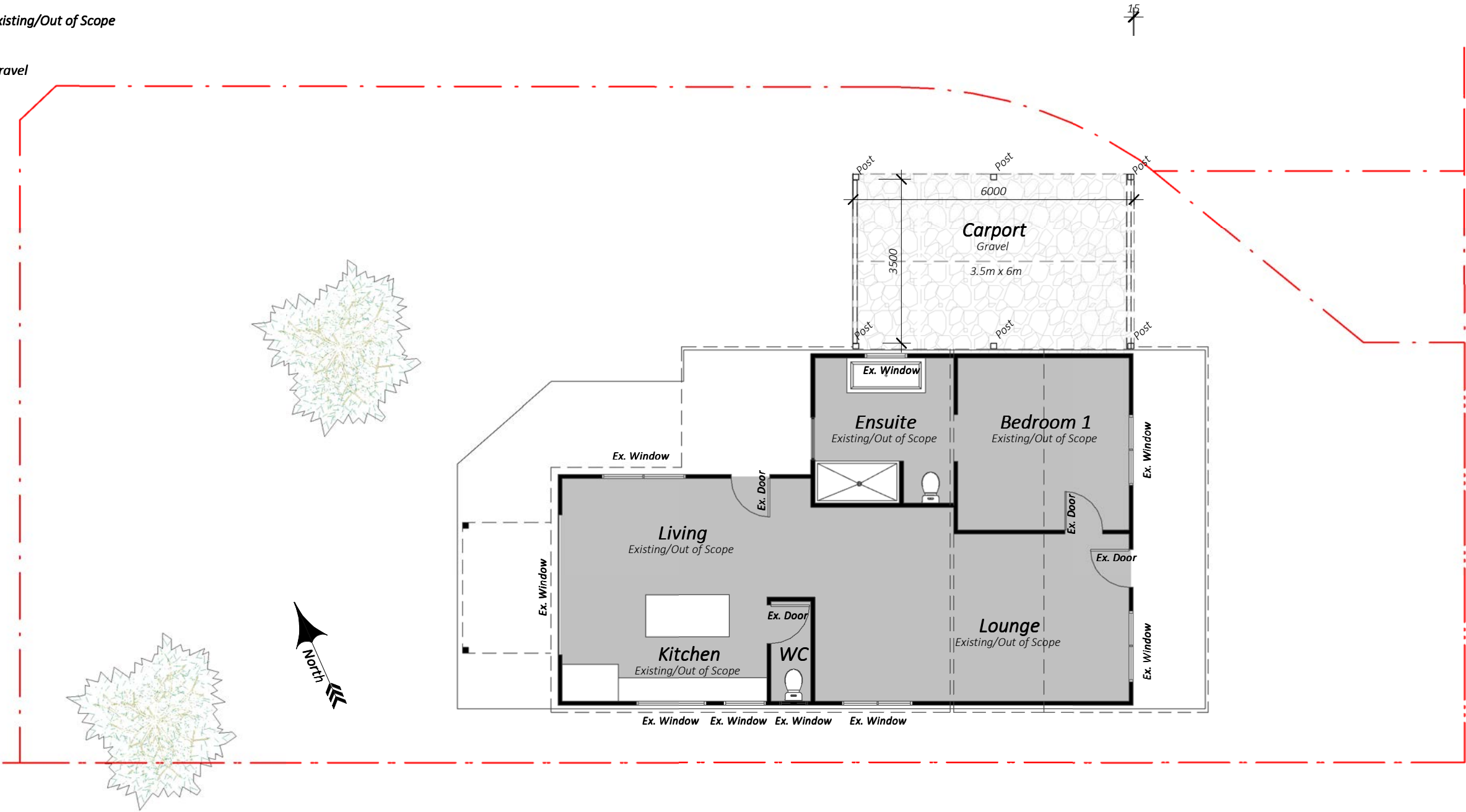
**P010**

Floor Finishes

Existing/Out of Scope

Gravel

Page 96



Area Schedule (Existing)	
Name	Area
Ex. Dwelling	81.45 m <sup>2</sup>
Ex. Site	1026.82 m <sup>2</sup>
Existing Verandas	21.38 m <sup>2</sup>

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
U2 North Deck	7.80 m <sup>2</sup>
U2 South Deck	4.43 m <sup>2</sup>
Grand total	260.01 m <sup>2</sup>

U1 Floor Plan

Scale: 1 : 100

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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025

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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Unit 1 Floor Plan

DATE: December 2024

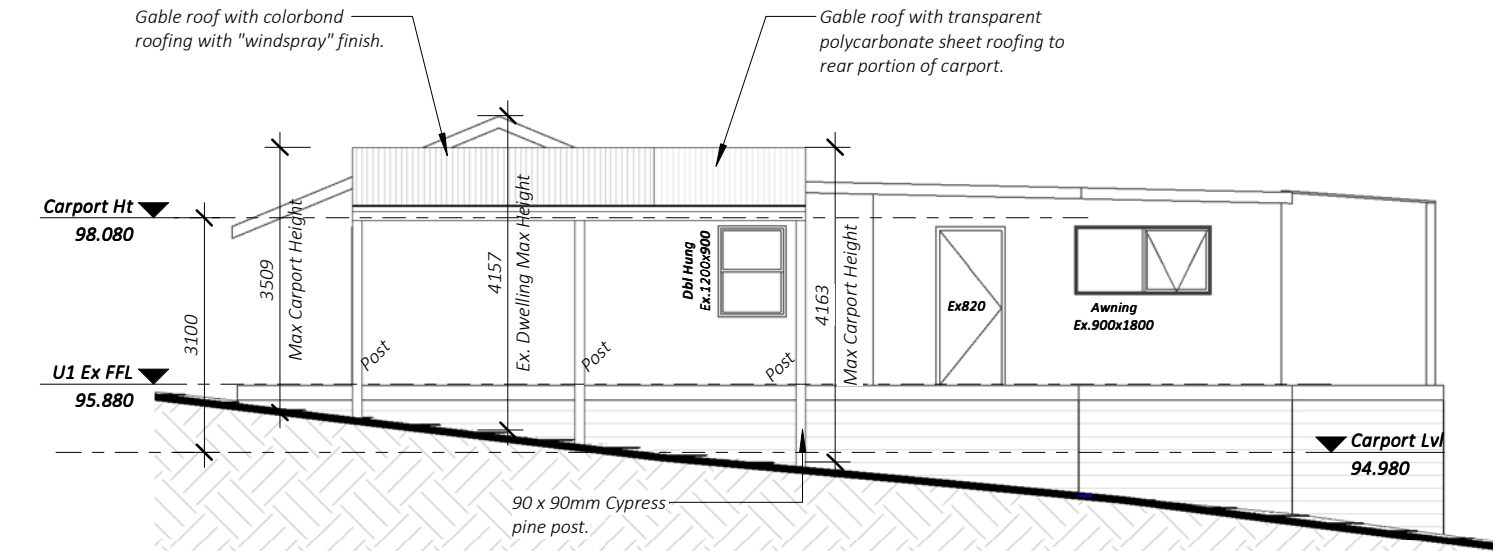
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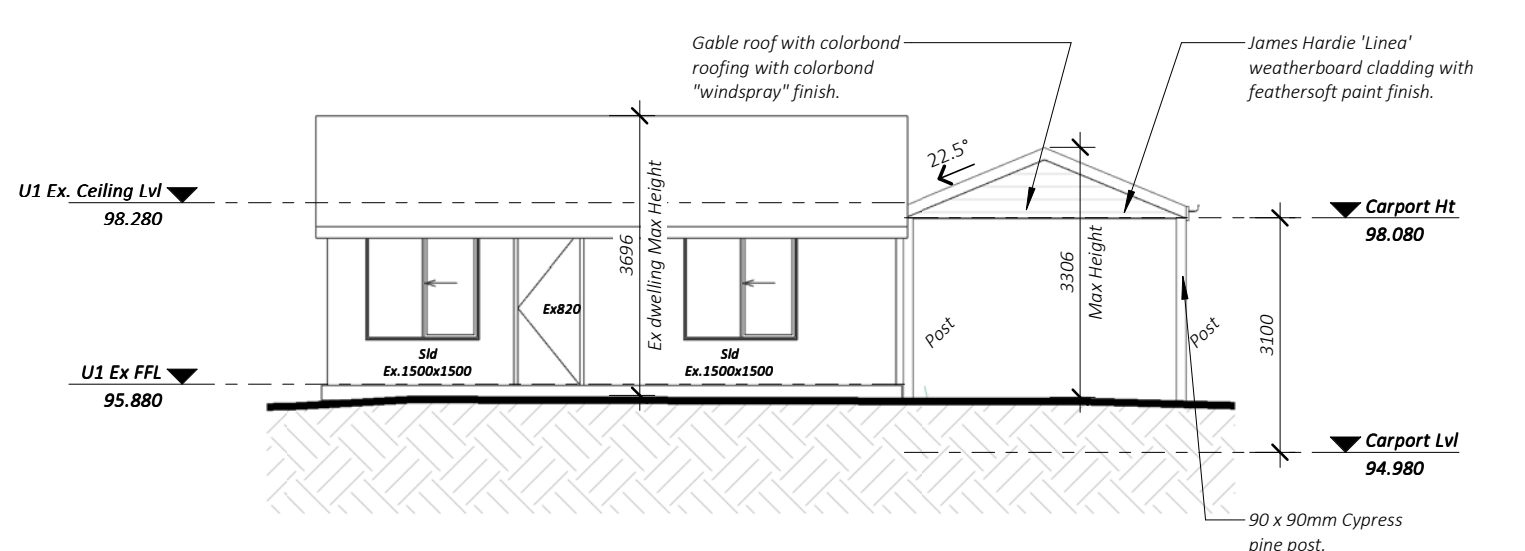
SHEET No:

P011



U1 - North Elevation

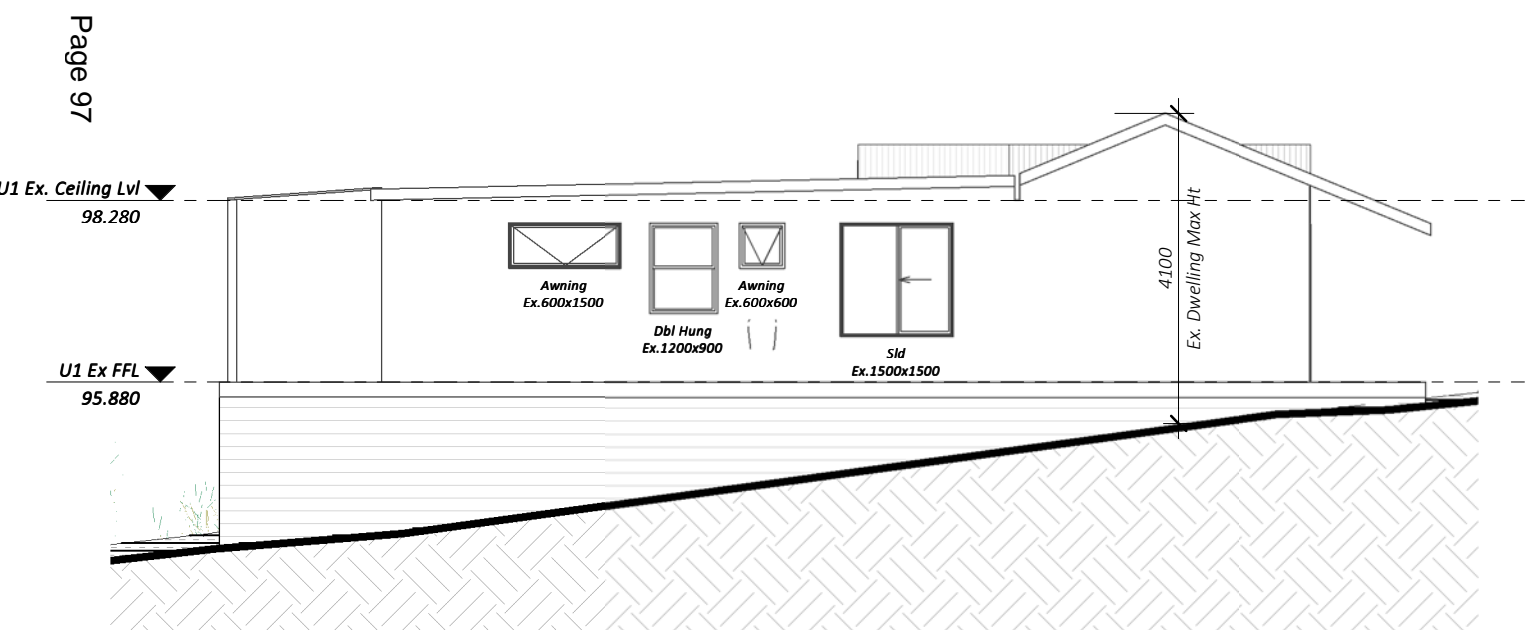
Scale: 1 : 100



U1 - East Elevation

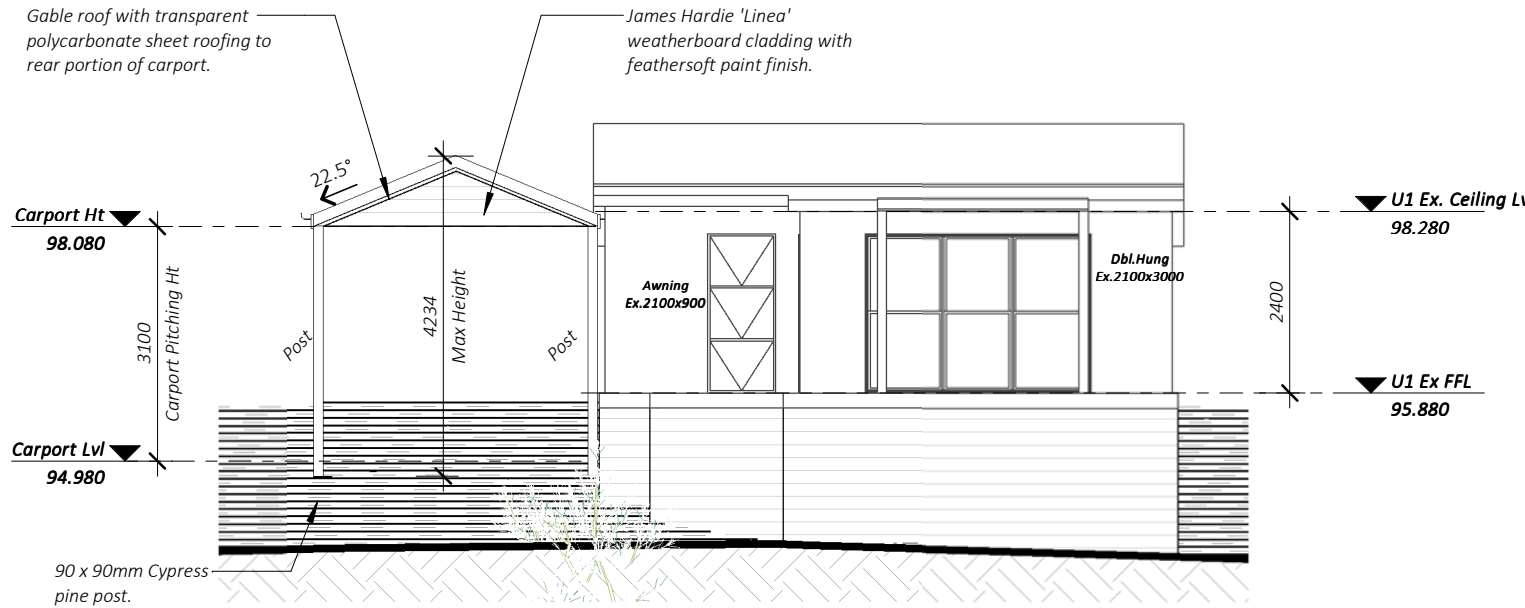
Scale: 1 : 100

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U1 - South Elevation

Scale: 1 : 100



U1 - West Elevation

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Unit 1 Elevations

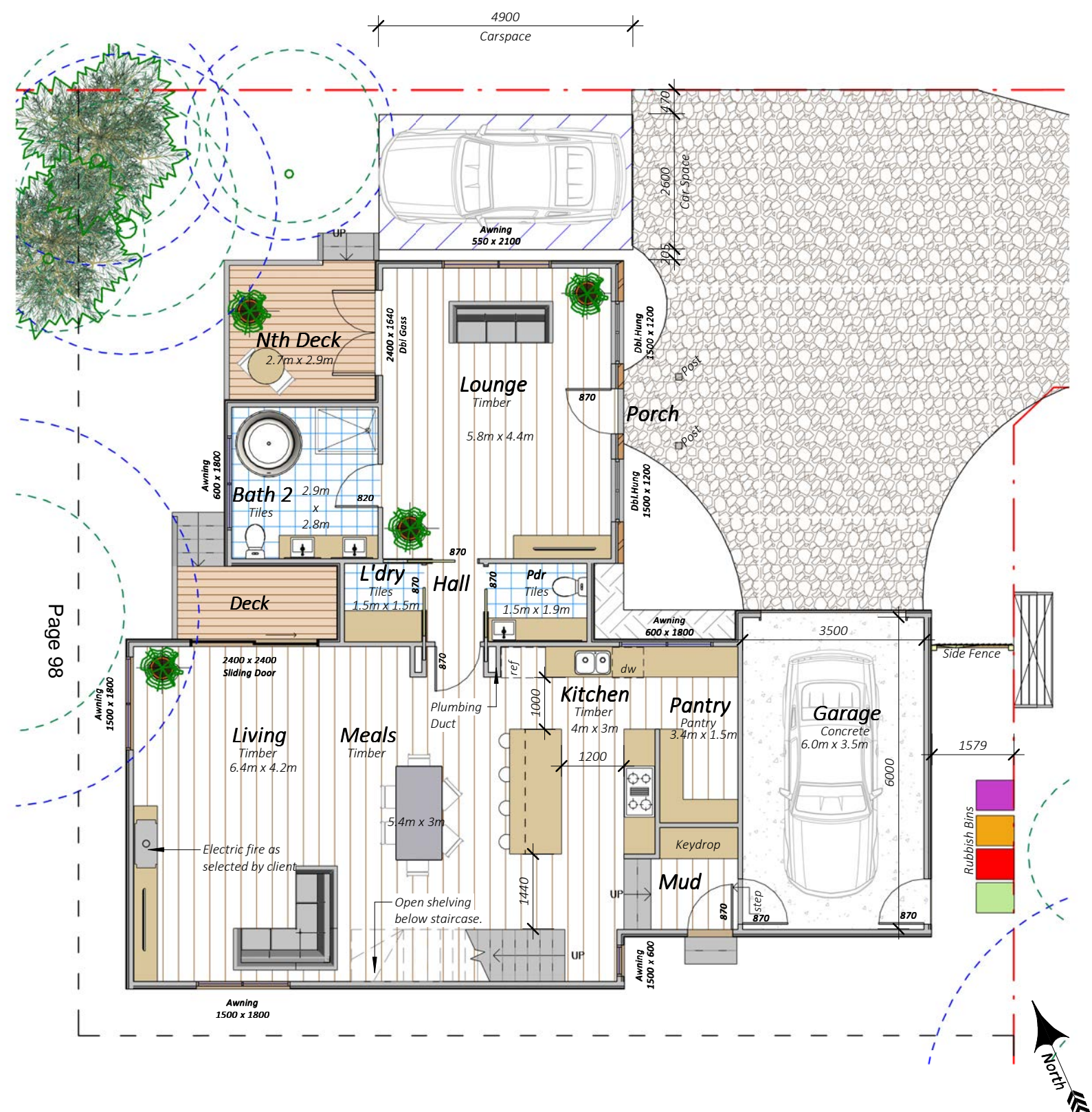
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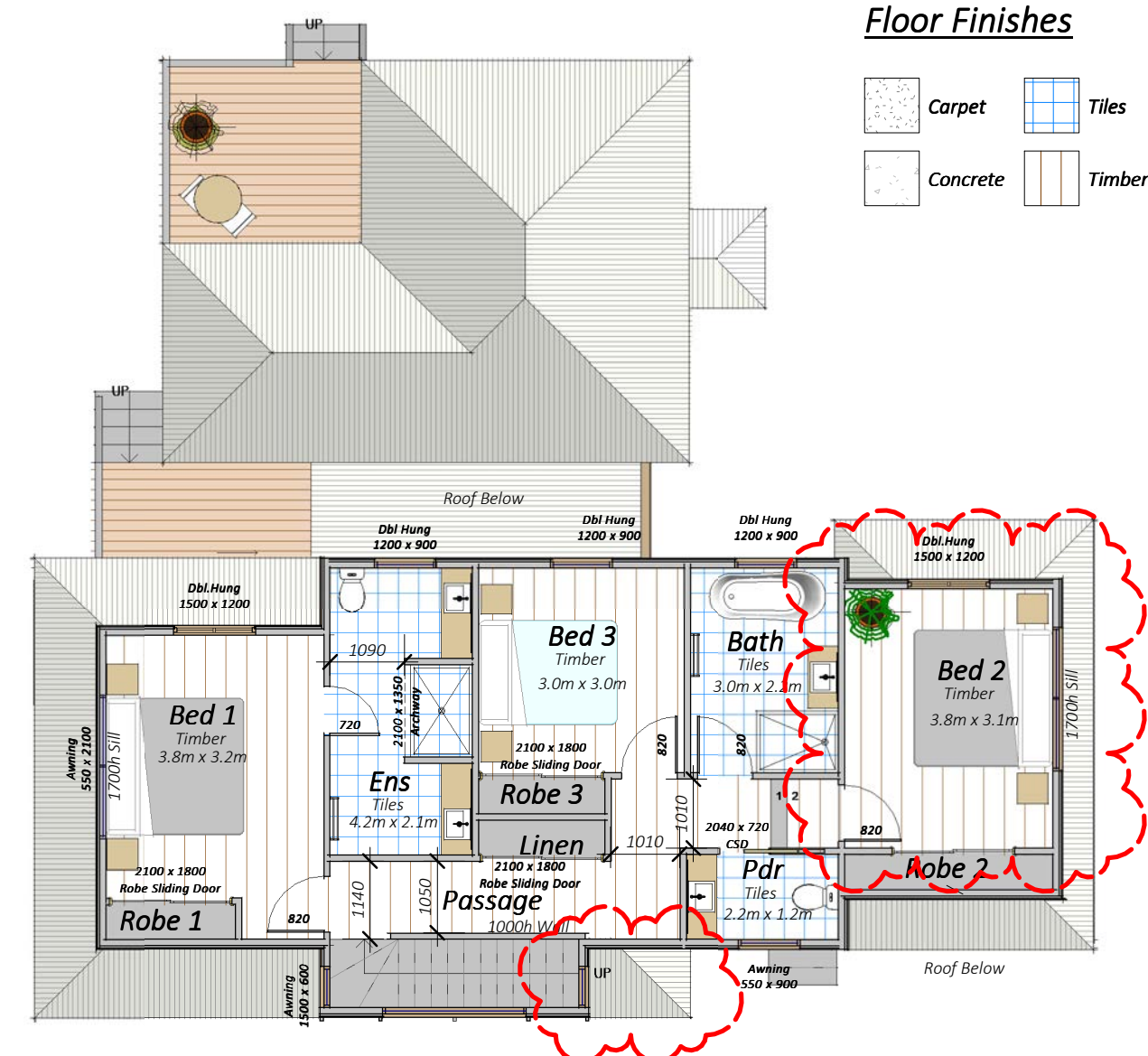
P012





U2 Floor Plan  
Scale: 1 : 100

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U2 First Floor FFL  
Scale: 1 : 100

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
U2 North Deck	7.80 m <sup>2</sup>
U2 South Deck	4.43 m <sup>2</sup>
Grand total	260.01 m <sup>2</sup>

Floor Finishes

Carpet

ConcreteTilesTimber

Planning Issue  
Not for Construction

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
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K	Issue For Client Comment	19/08/2024
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P	Issue For Planning Permit	03/03/2025

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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Unit 2 Floor Plans

DATE: December 2024

DRAWN BY: PM

SCALE @ A3: 1 : 100

SHEET No:

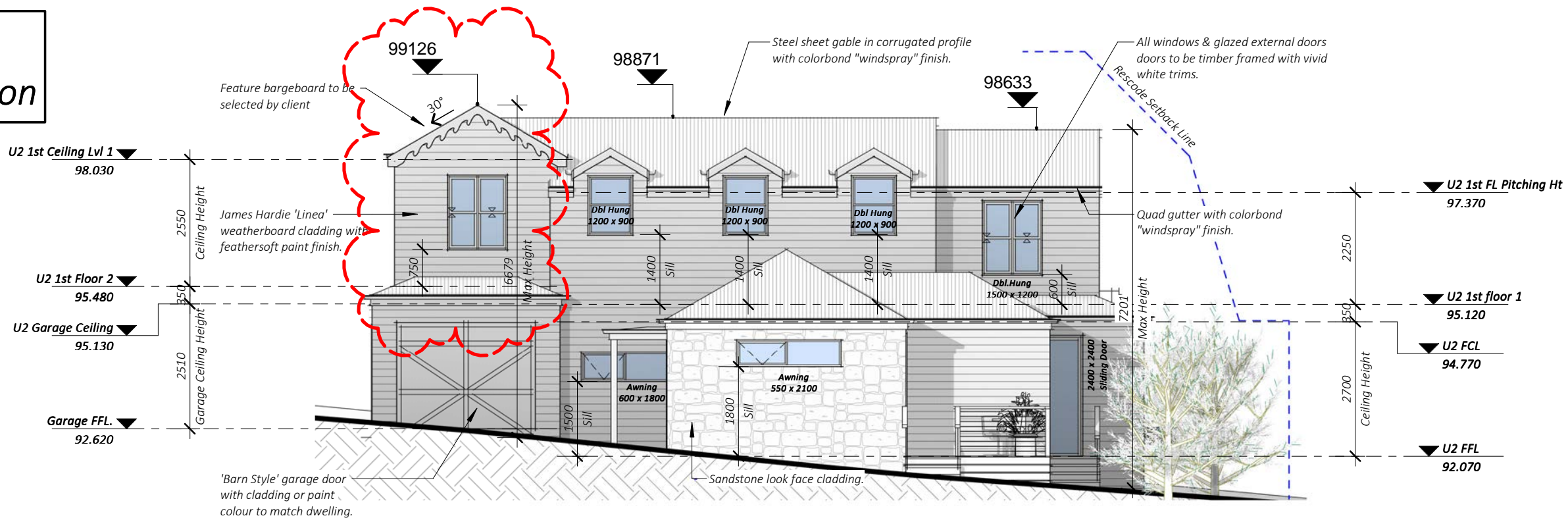
P013

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Not for Construction

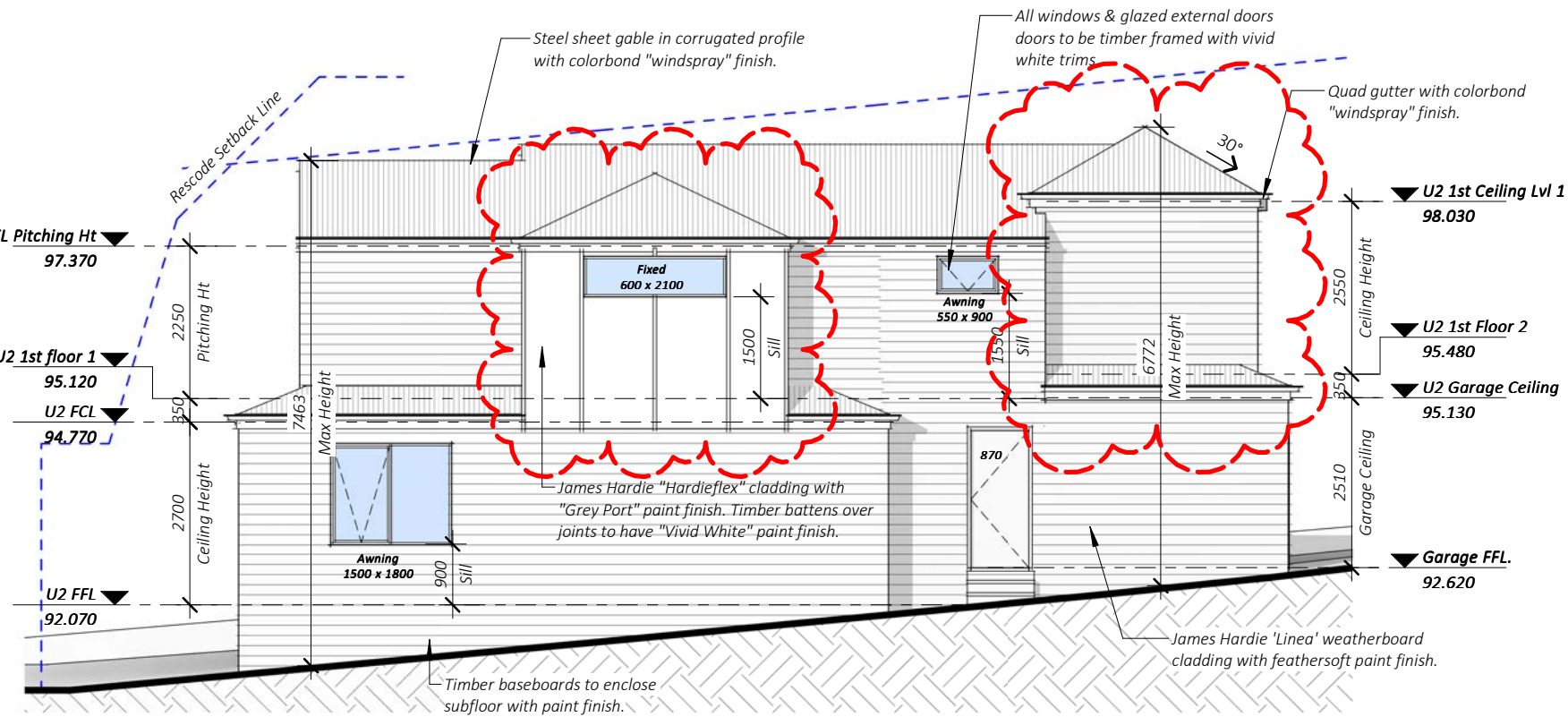
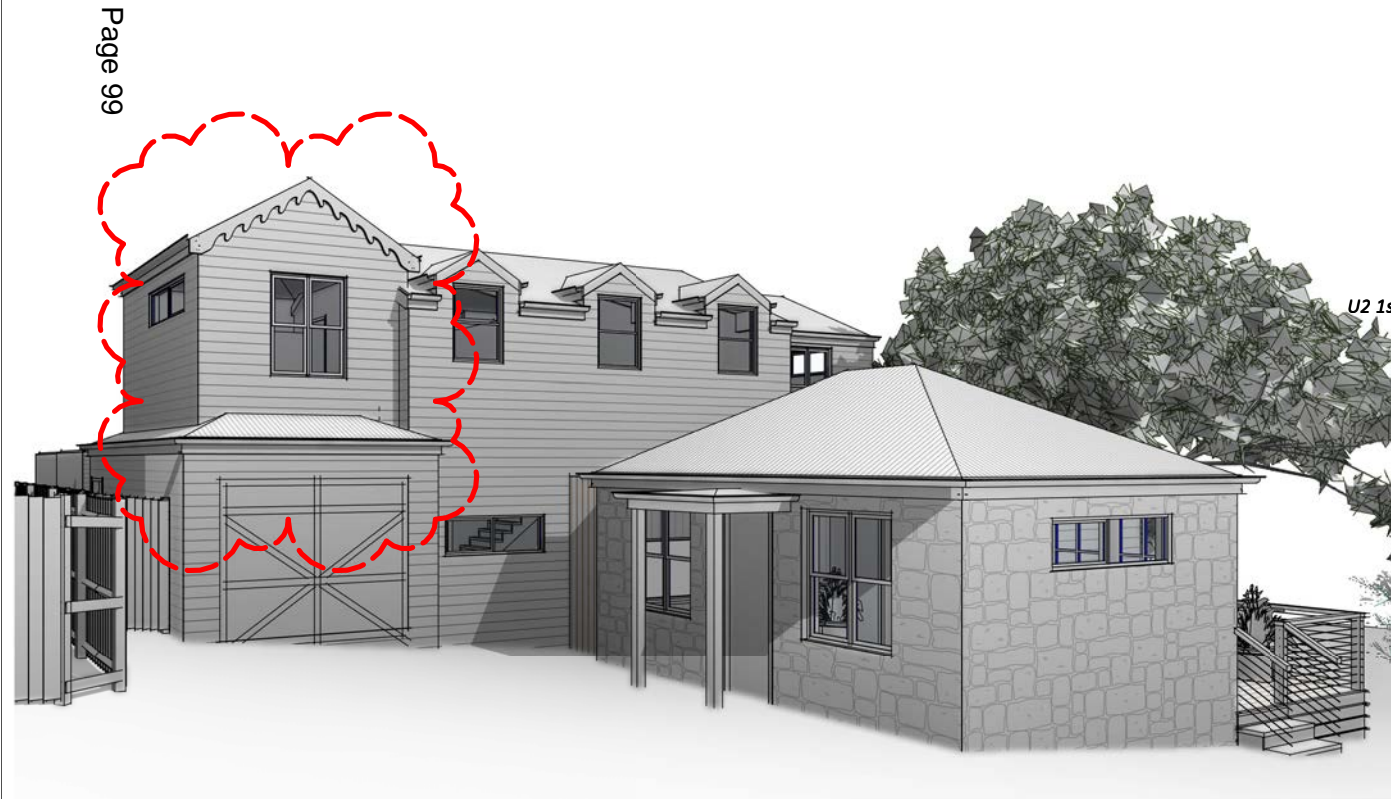


U2 - North Elevation

Scale: 1 : 100

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Page 99



U2 - South Elevation

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Unit 2 Elevations

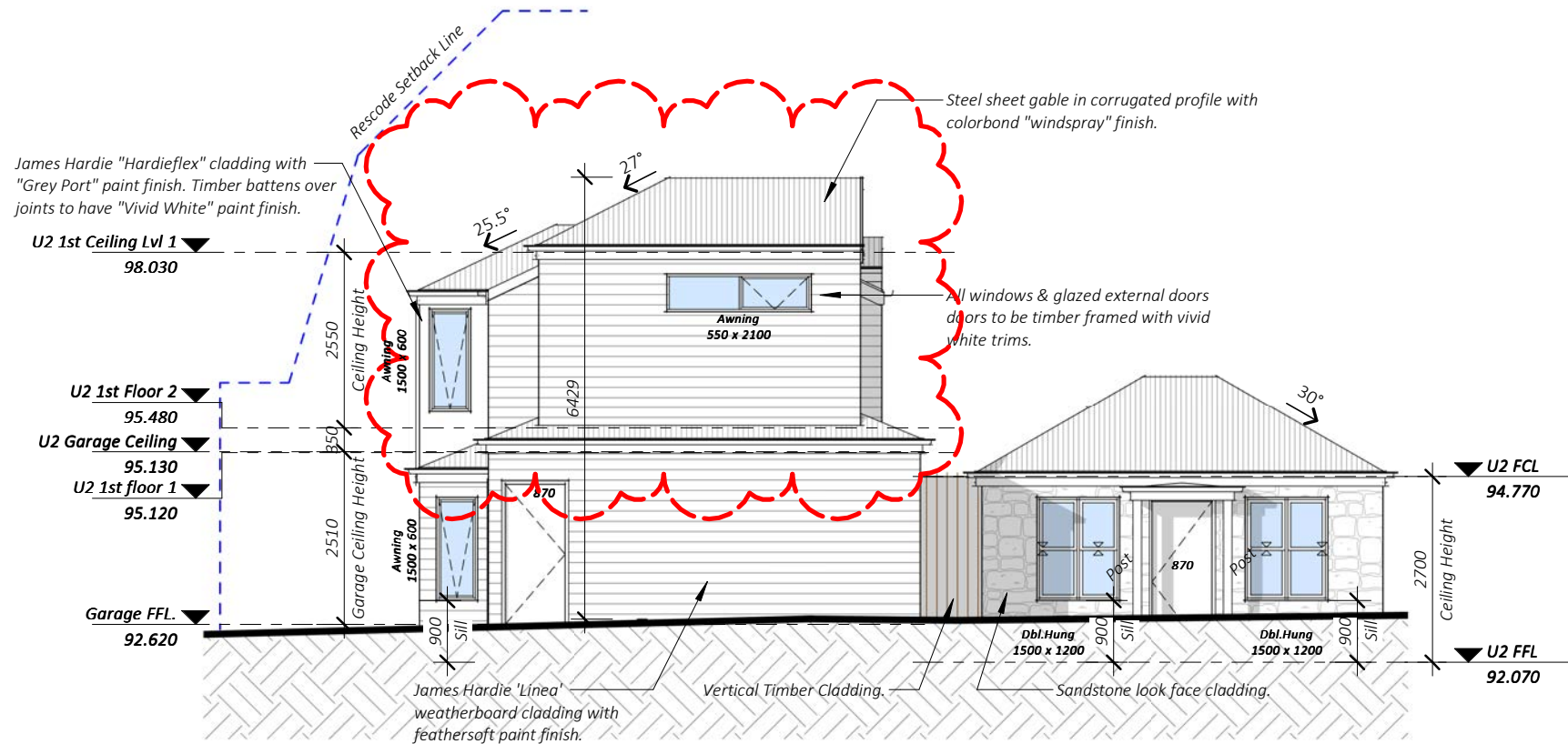
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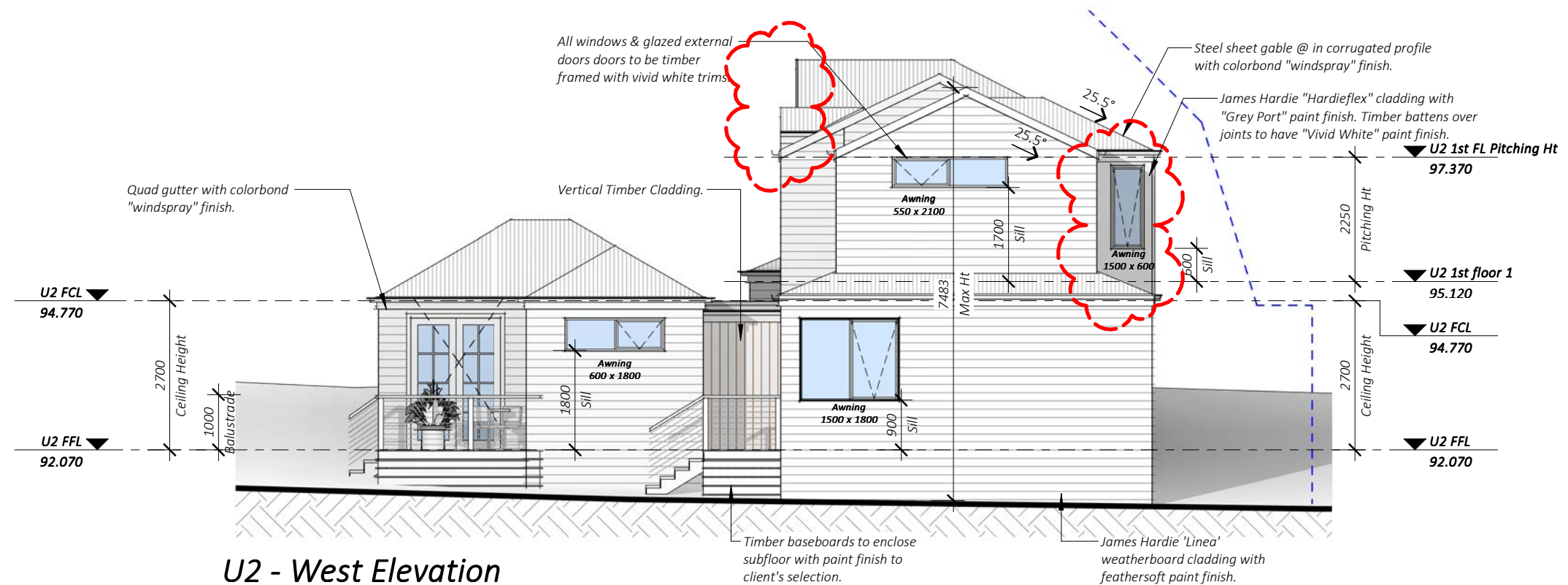




## U2 - East Elevation

Scale: 1 : 100

ADVERTISED



## U2 - West Elevation

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
L	Issue For Client Comment	29/08/2024
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Unit 2 Elevations

DATE: December 2024

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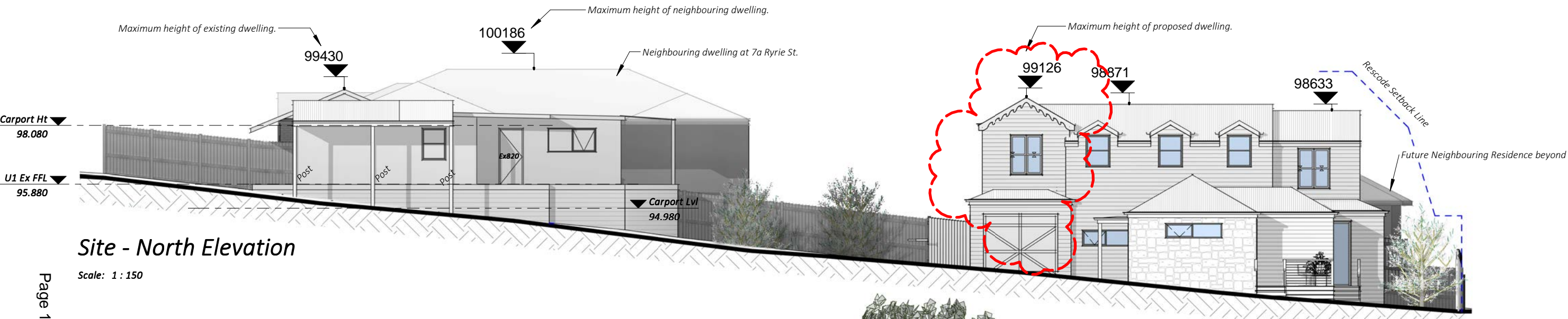
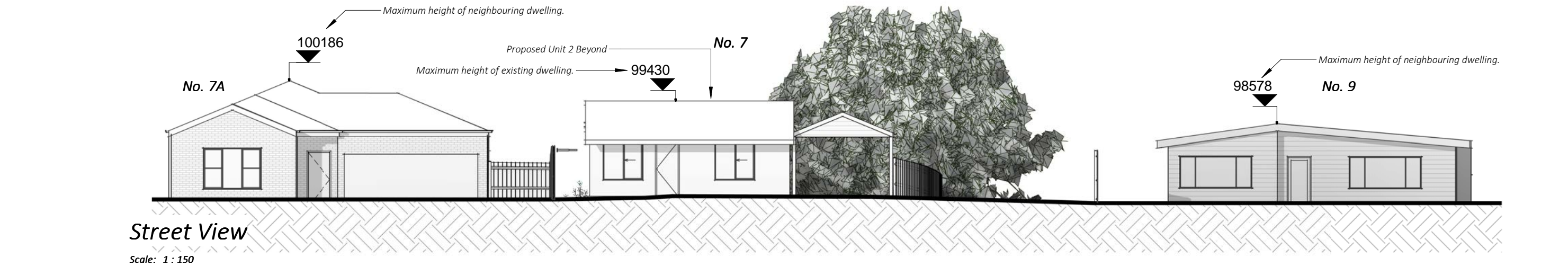
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Revision Schedule		
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I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
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P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Street Scape

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 150

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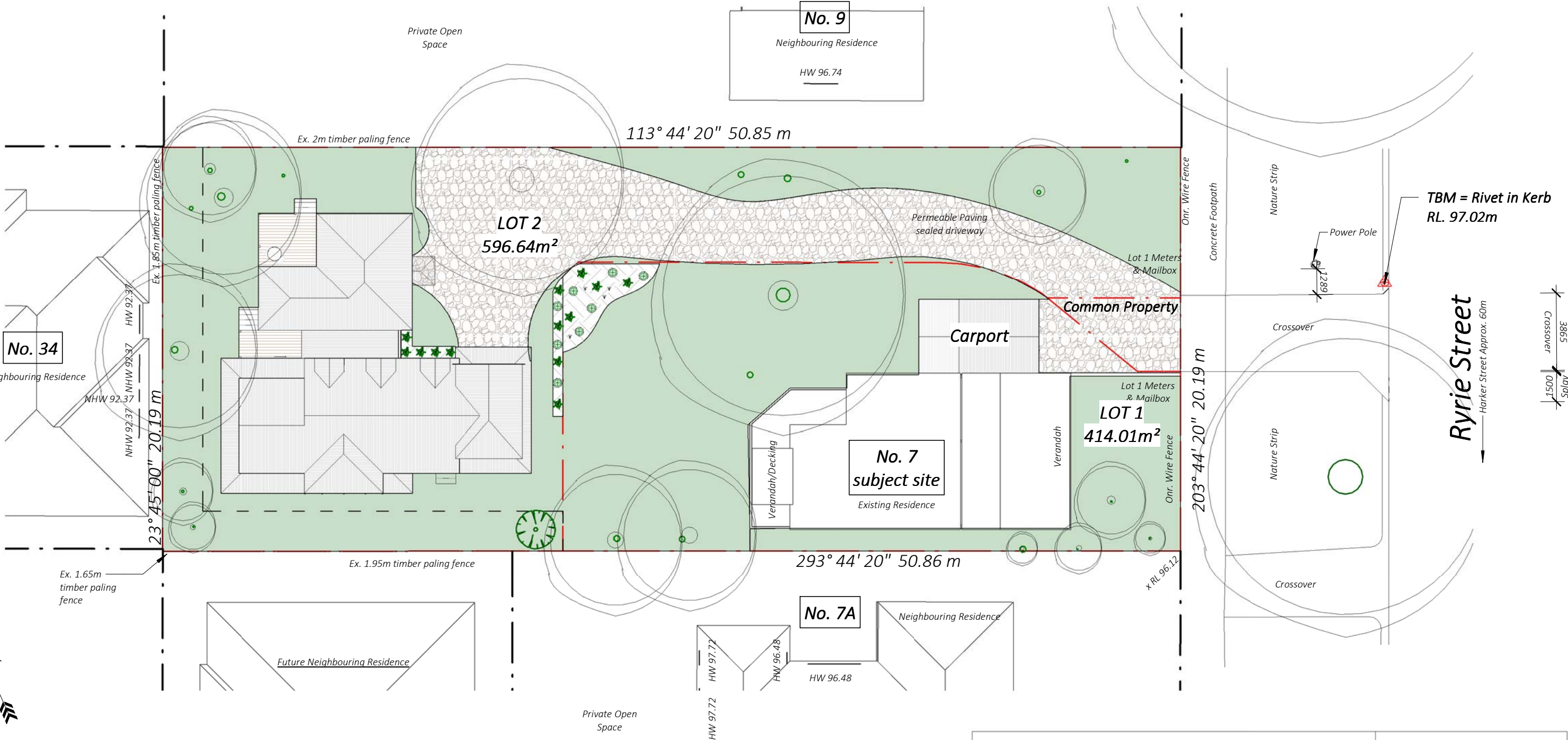












# Landscaping Plan

Scale: 1 : 200

ADVERTISED



Planting & Surfaces Schedule		Notes
	=Golden Wattle (Acacia pycnantha) with minimum 2m height at time of planting.	<p>Contractor to verify the location of all services prior to the commencement of any works.</p> <p>Contractor to verify all dimensions and levels prior to commencement of works.</p> <p>Contractor to note that required location and dimensions of works may not exactly correspond with existing conditions.</p> <p>Trees are to be planted no closer than 3 metres to sewerage and stormwater pipes and 1.5m from all other services.</p> <p>Verify all plant quantities.</p> <p>All garden beds to grade evenly at 1% minimum away from buildings.</p>
	= 200mm pot Sweet Bursaria (Bursaria spinosa)	
	= 150mm pot Bulbine Lily (Bulbine bulbosa)	
	= 150mm pot Mat Rush (Lomandra hystrix).	
	= Grass	
	= Mixed Pebbles	
	= 20mm Mulch to Garden Beds	
	= Crushed Rock (Sandstone)	

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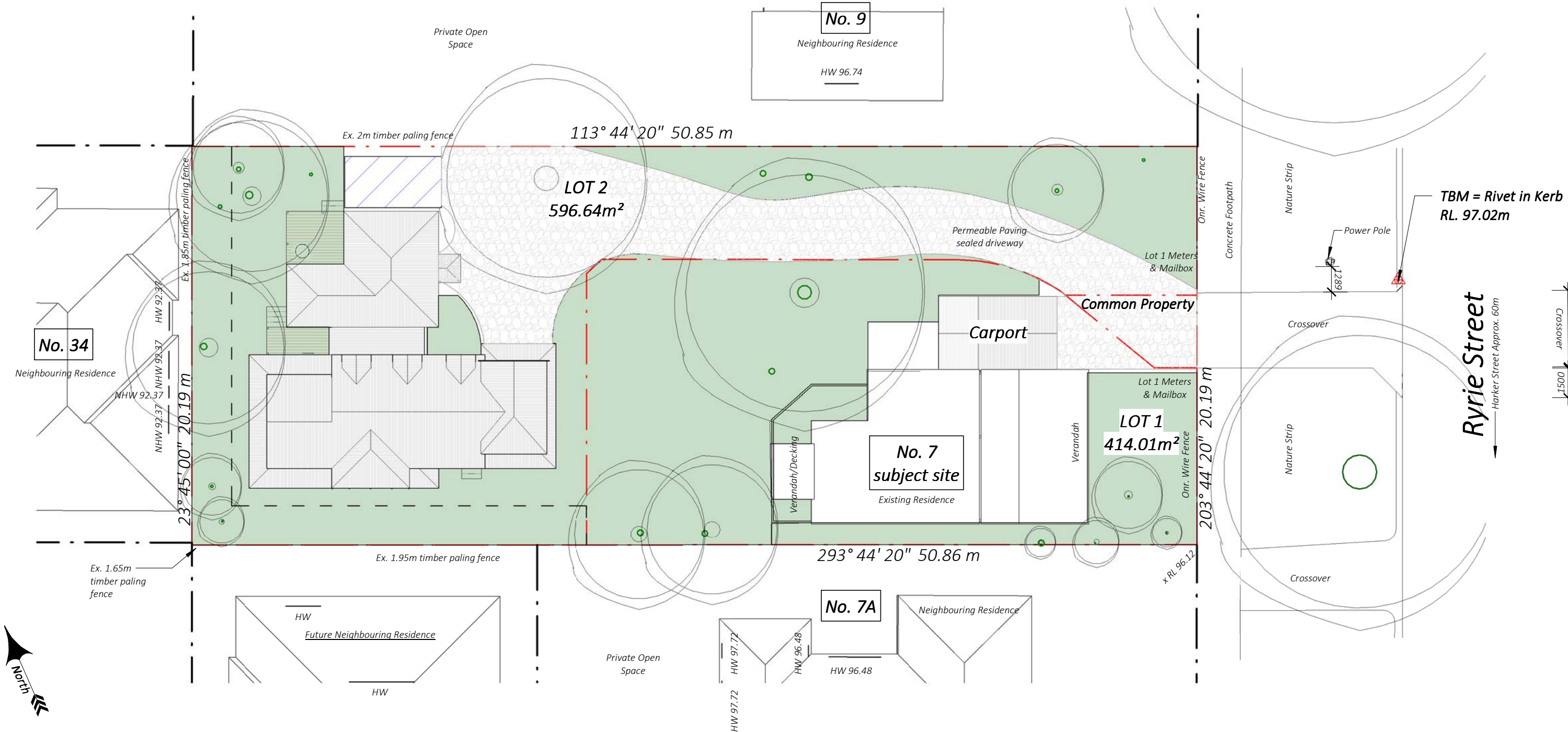
**DWG TITLE:** Landscaping Plan

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**P017**



## Garden Area Plan

Scale: 1 : 200

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Area Schedule (External)	
Name	Area
Combined Garden Area	531.00 m <sup>2</sup>
Common Property	16.17 m <sup>2</sup>
Lot 1 Garden Area	265.88 m <sup>2</sup>
Lot 1 Site	414.01 m <sup>2</sup>
Lot 1 Site Coverage	123.83 m <sup>2</sup>
Lot 2 Garden Area	265.13 m <sup>2</sup>
Lot 2 Site	596.64 m <sup>2</sup>
Lot 2 Site Coverage	146.73 m <sup>2</sup>
Permeability	756.26 m <sup>2</sup>
Site Total	1026.82 m <sup>2</sup>


Proposed Site Permeability : 756.64m<sup>2</sup> = 73.69%  
U1 Proposed Site Coverage : 123.83m<sup>2</sup> = 29.91%  
U2 Proposed Site Coverage : 146.73m<sup>2</sup> = 24.59%  
Proposed Garden Area Lot 1: 265.88m<sup>2</sup> = 64.22%  
Proposed Garden Area Lot 2: 265.13m<sup>2</sup> = 44.43%  
Overall Garden Area: 531.00m<sup>2</sup> = 51.71 %

 = Garden Area

## Garden Area

Scale: 1 : 200

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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Garden Area Plan

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

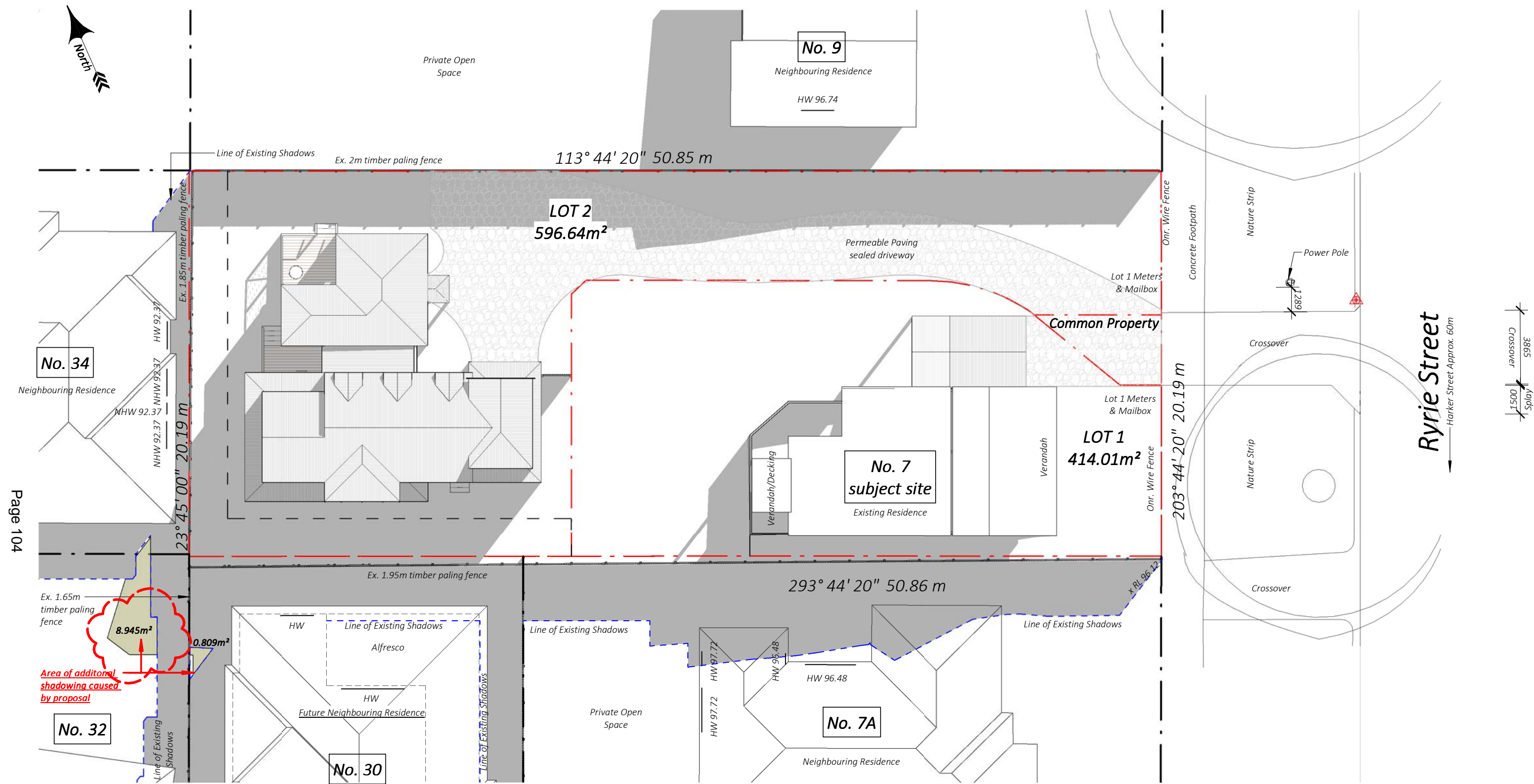
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**SHEET No:**

**P018**





Page 104

Shadows - 9am  
Scale: 1 : 200

**Note**

**ADVERTISED**

-Blue dashed line indicates line of existing shadows  
-Yellow hatch indicates extent of additional shadowing caused by the proposal.

No. 30 SPOS area - 114.56m<sup>2</sup>  
No. 32 SPOS area - 121m<sup>2</sup>  
Additional Shadows -  
No. 30 - 0.809m<sup>2</sup> = 0.71%  
No. 32 - 9.053m<sup>2</sup> = 7.48%

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
L	Issue For Client Comment	29/08/2024
M	Issue For Client Comment	03/09/2024
N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



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Paul@meenksink.com.au 0427 008 190



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**Issue For Planning Permit**

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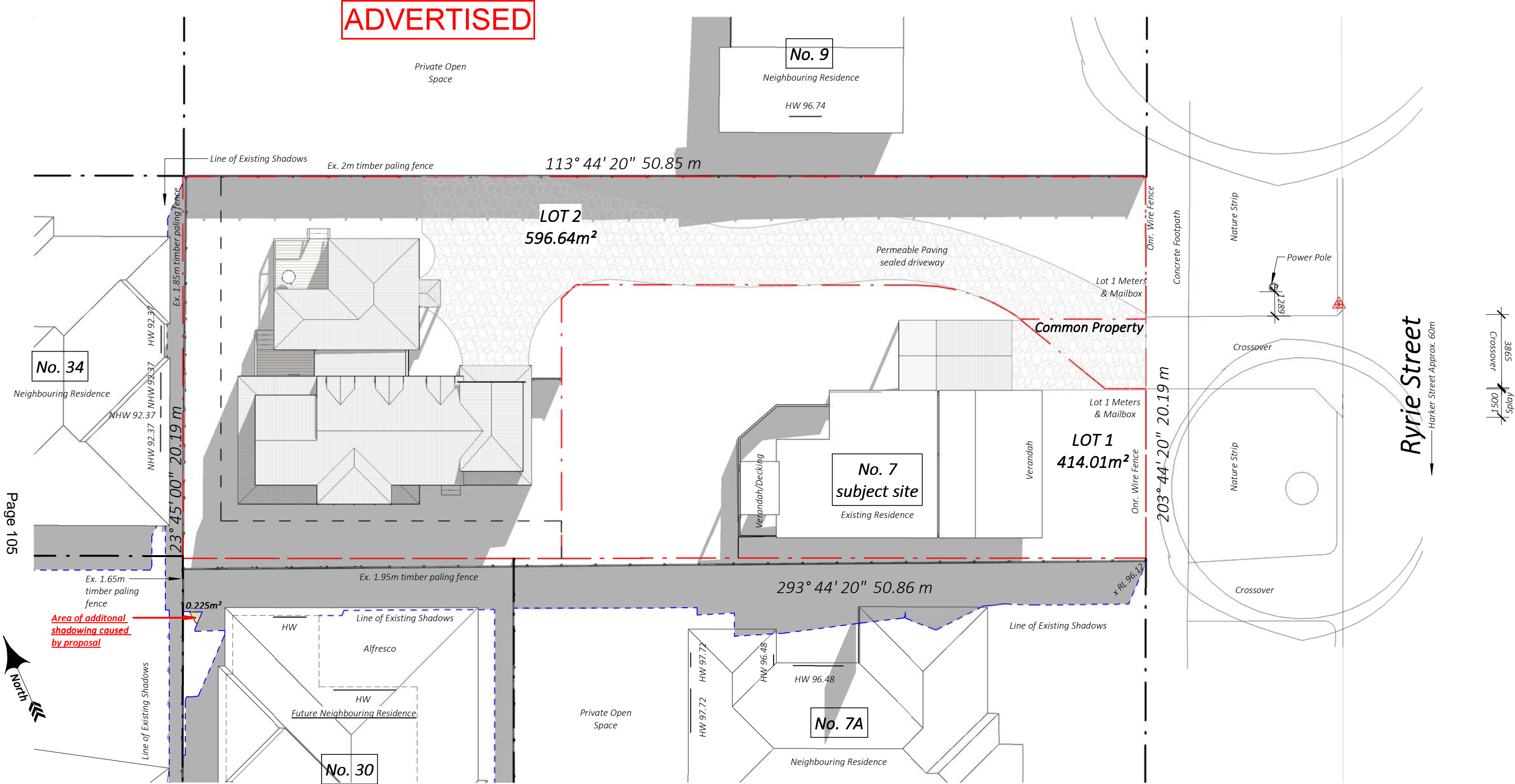
ALL CARE HAS BEEN TAKEN TO ENSURE THE ACCURACY OF EXISTING CONDITIONS, EXACT SCOPE OF WORKS MAY VARY AS A RESULT OF UNFORESEEABLE FACTORS WITHIN ENCLOSED SPACES OF STRUCTURE OF BUILDING.

**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Shadow Diagrams 9AM  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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**P019**

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Page 105

### Note

- Blue dashed line indicates line of existing shadows
- Yellow hatch indicates extent of additional shadowing caused by the proposal.

Shadows - 10am


Scale: 1 : 200

No. 30 SPOS area - 114.56m²

Additional Shadows -

No. 30 - 0.225m² = 0.20%

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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P	Issue For Planning Permit	03/03/2025




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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Shadow Diagrams 10AM

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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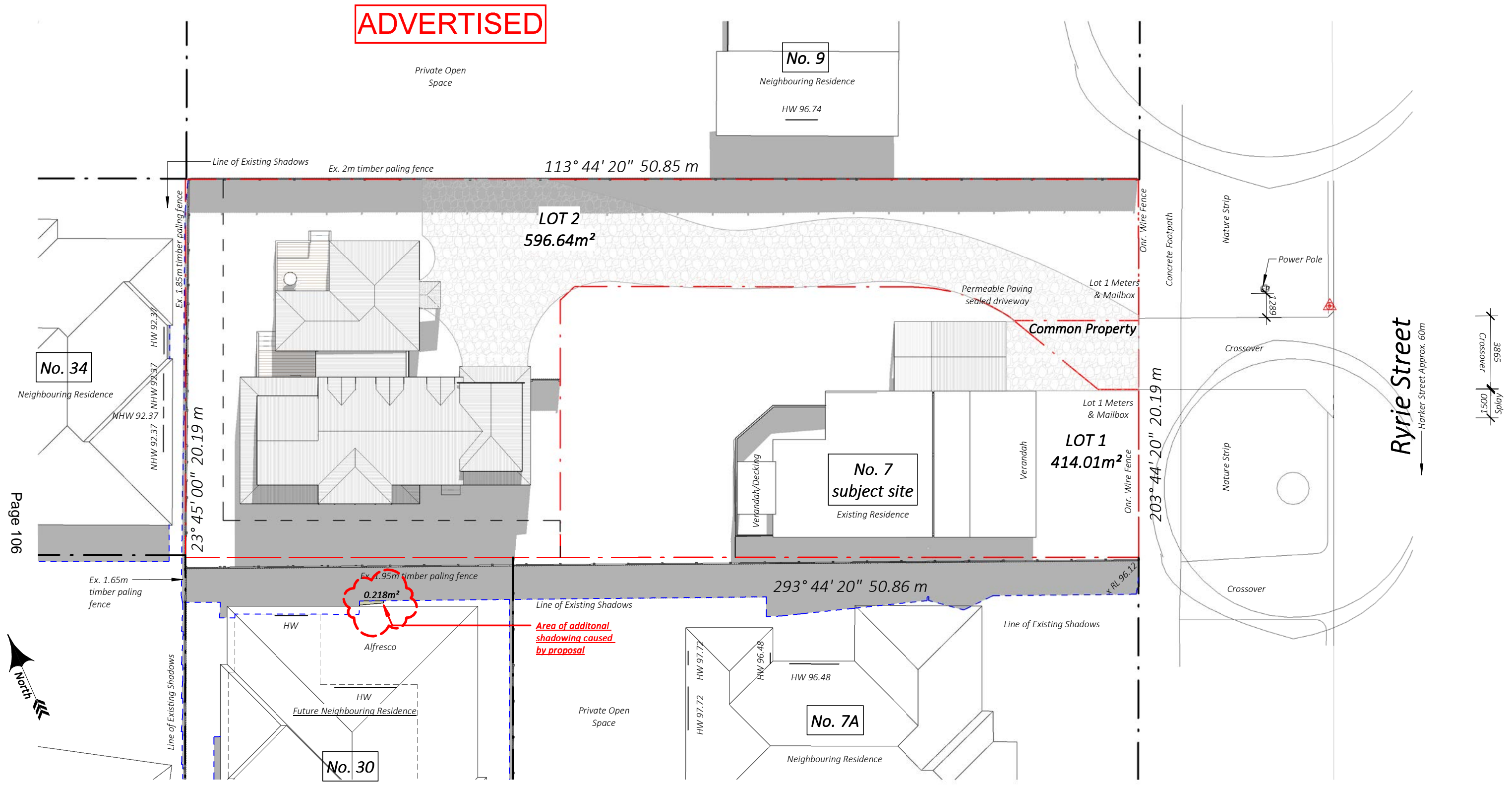
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P020



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Shadows - 11 AM

Scale: 1 : 200

Note

-Blue dashed line indicates line of existing shadows

-Yellow hatch indicates extent of additional shadowing caused by the proposal.

No. 30 SPOS area - 114.56m²

Additional Shadows -

No. 30 - 0.312m² = 0.27%

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Shadow Diagrams 11AM

DATE: December 2024 DRAWN BY: PM SCALE @ A3: 1 : 200

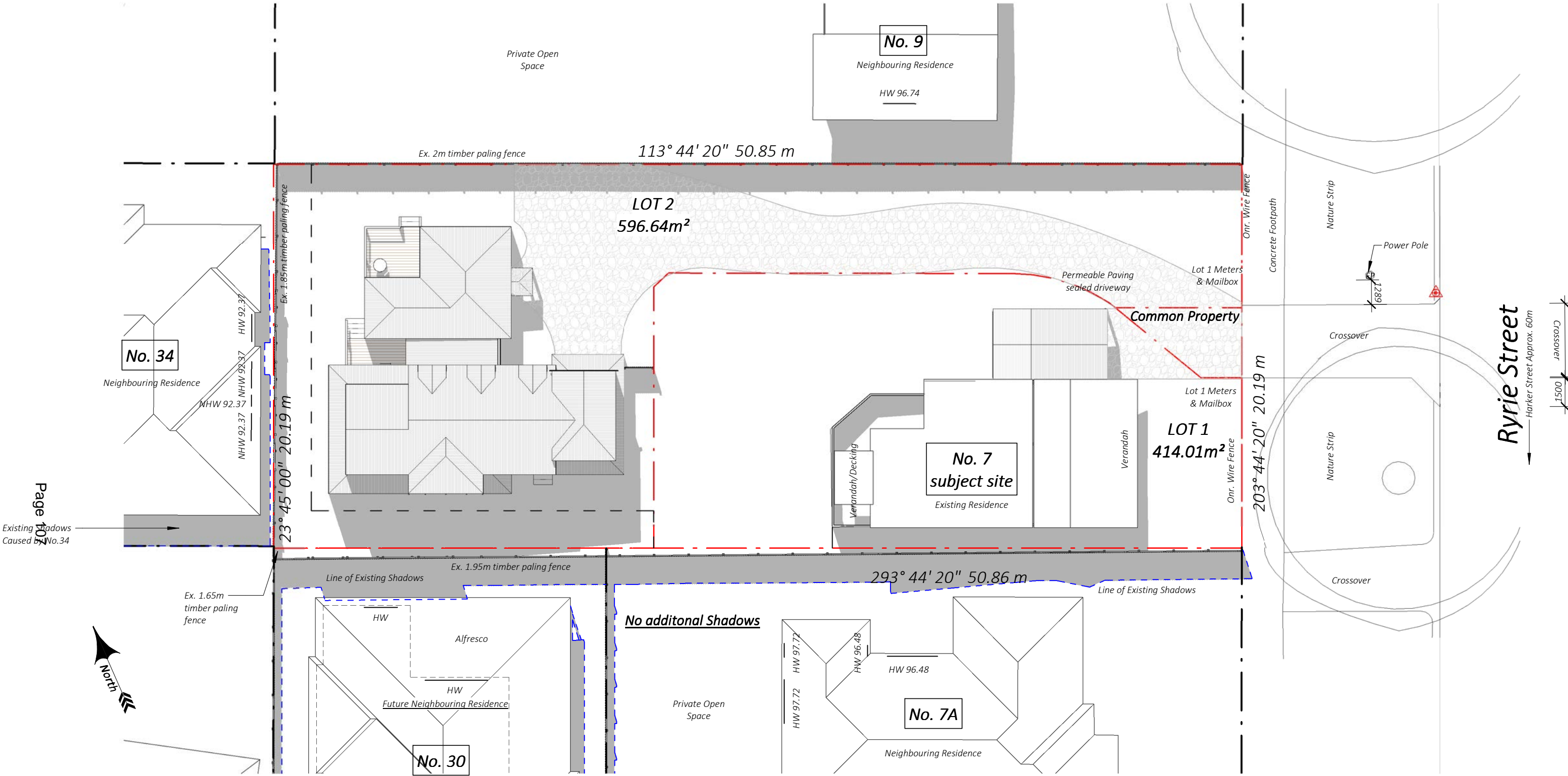
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SHEET No:

P021





Shadows - 12PM


Scale: 1 : 200

### Note

- Blue dashed line indicates line of existing shadows
- Yellow hatch indicates extent of additional shadowing caused by the proposal.

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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025




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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

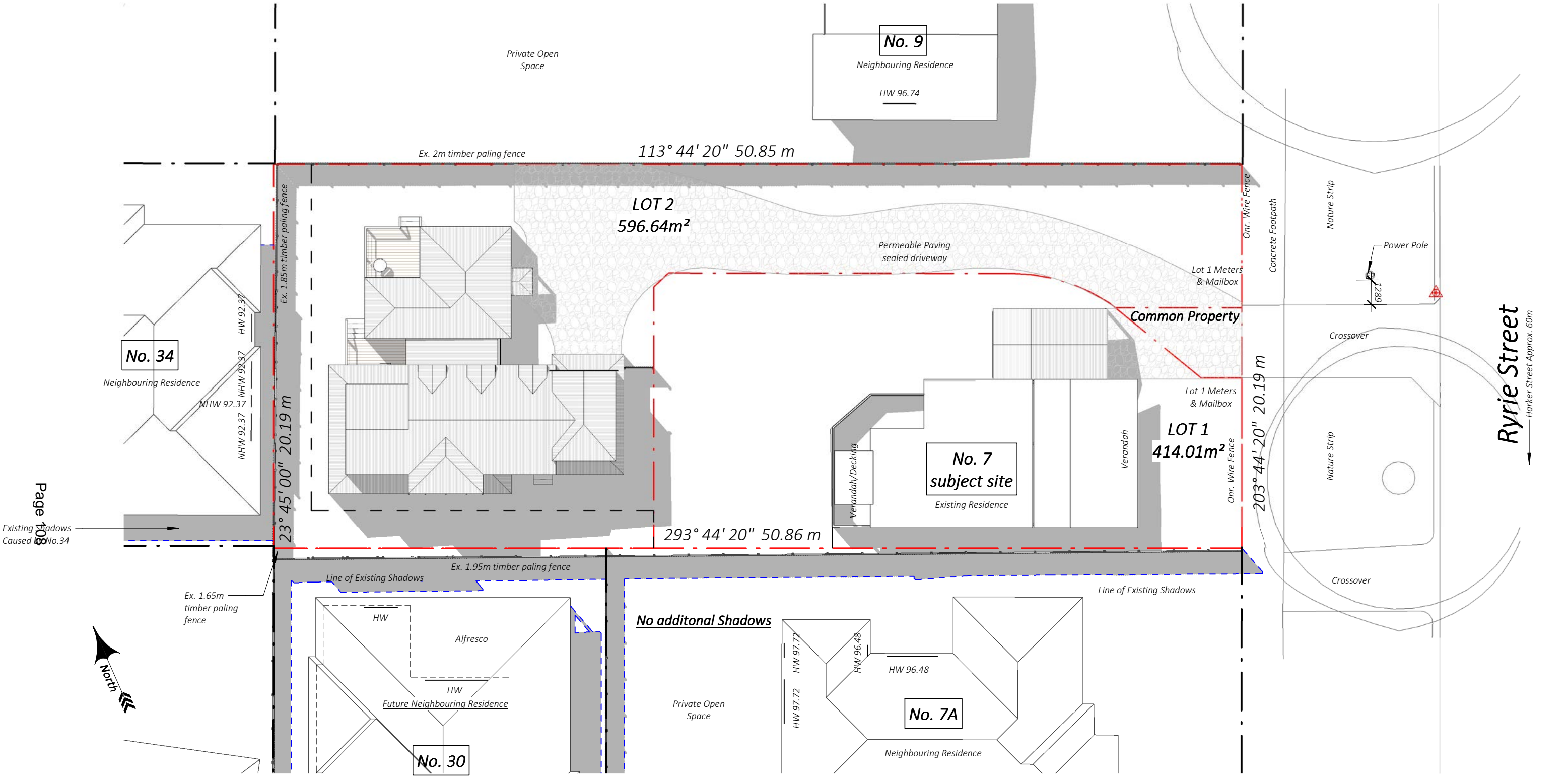
**DWG TITLE:** Shadow Diagrams 12PM

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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**SHEET No:**

P022



Shadows - 1PM

Scale: 1 : 200

Note

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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Shadow Diagrams 1PM

DATE: December 2024 DRAWN BY: PM SCALE @ A3: 1 : 200

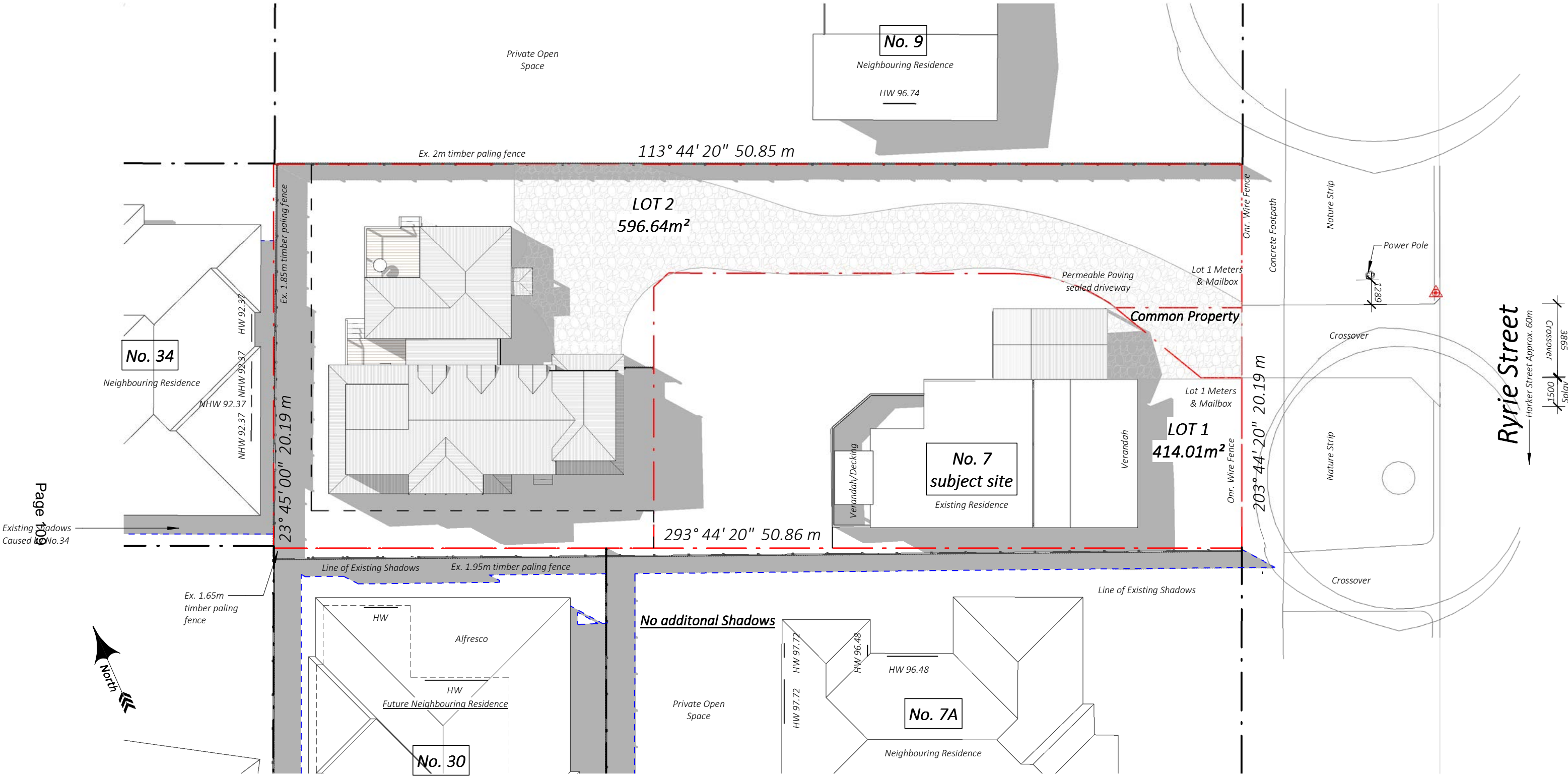
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P023





Page 100  
Existing Shadows  
Caused by No.34

Shadows - 2PM  
Scale: 1 : 200

**Note**  
-Blue dashed line indicates line of existing shadows  
-Yellow hatch indicates extent of additional shadowing caused by the proposal.

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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
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P	Issue For Planning Permit	03/03/2025



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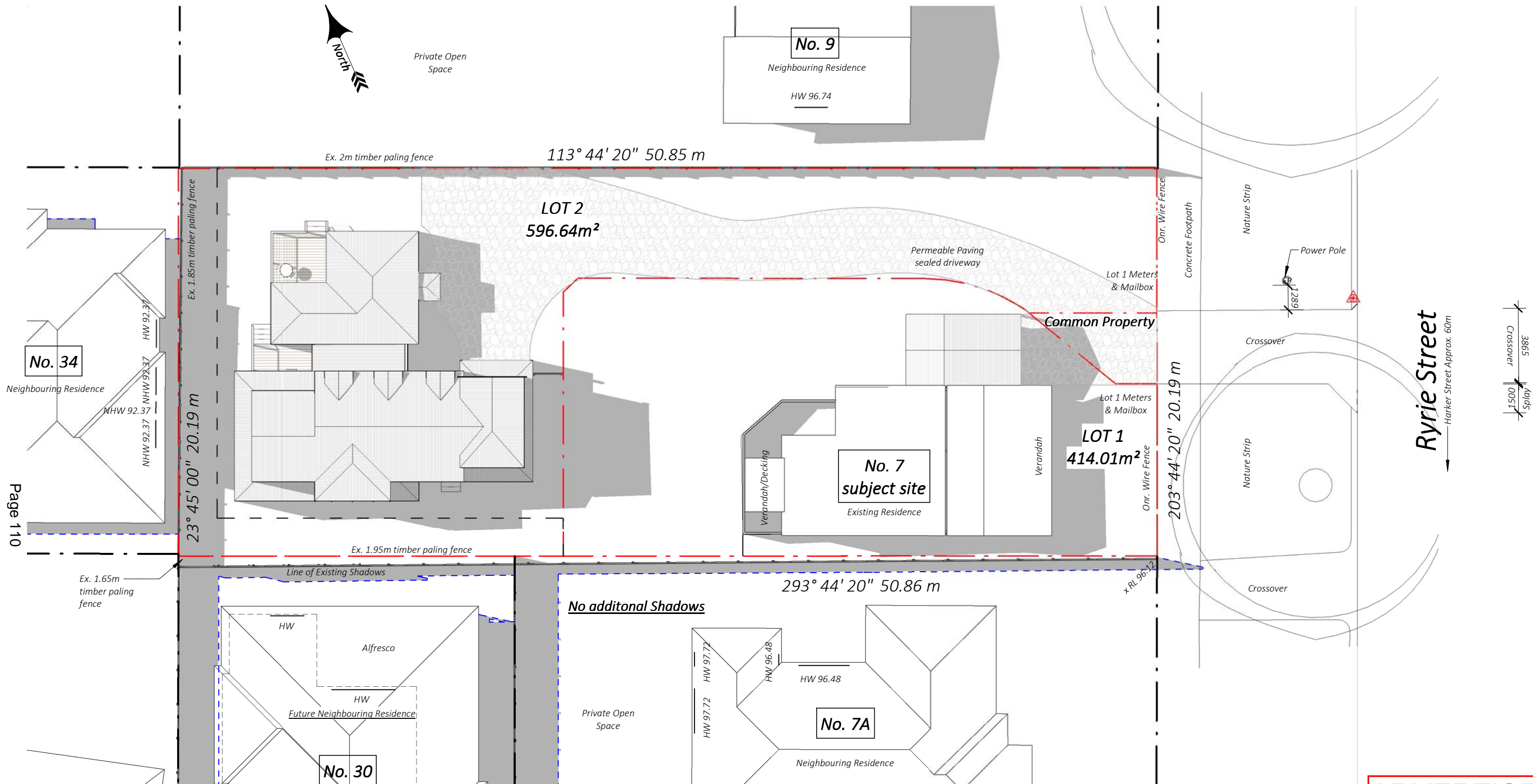
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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Shadow Diagrams 2PM  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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**P024**



Page 110

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Shadows - 3PM  
Scale: 1 : 200

**Note**  
-Blue dashed line indicates line of existing shadows  
-Yellow hatch indicates extent of additional shadowing caused by the proposal.

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Shadow Diagrams 3PM  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

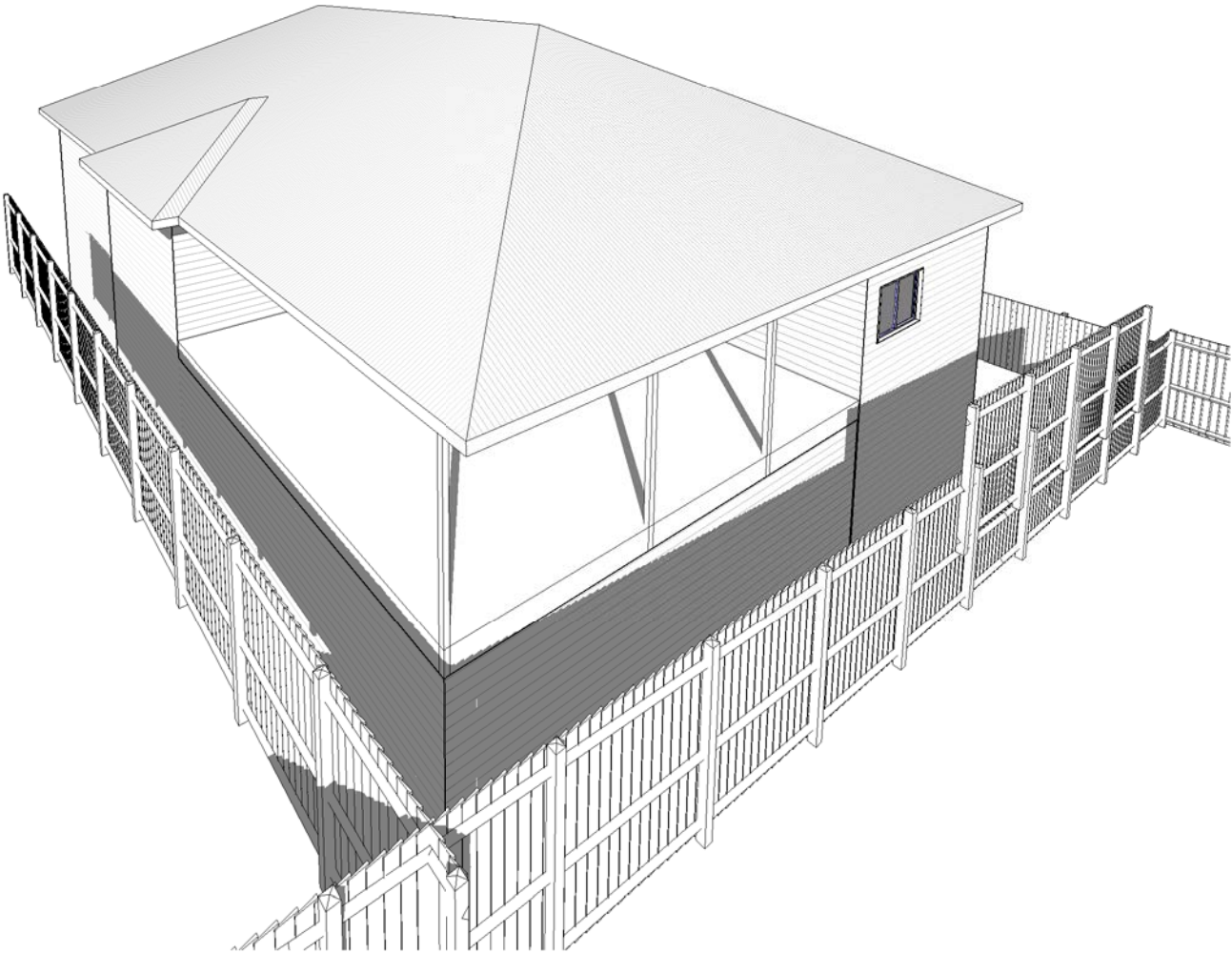
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**P025**

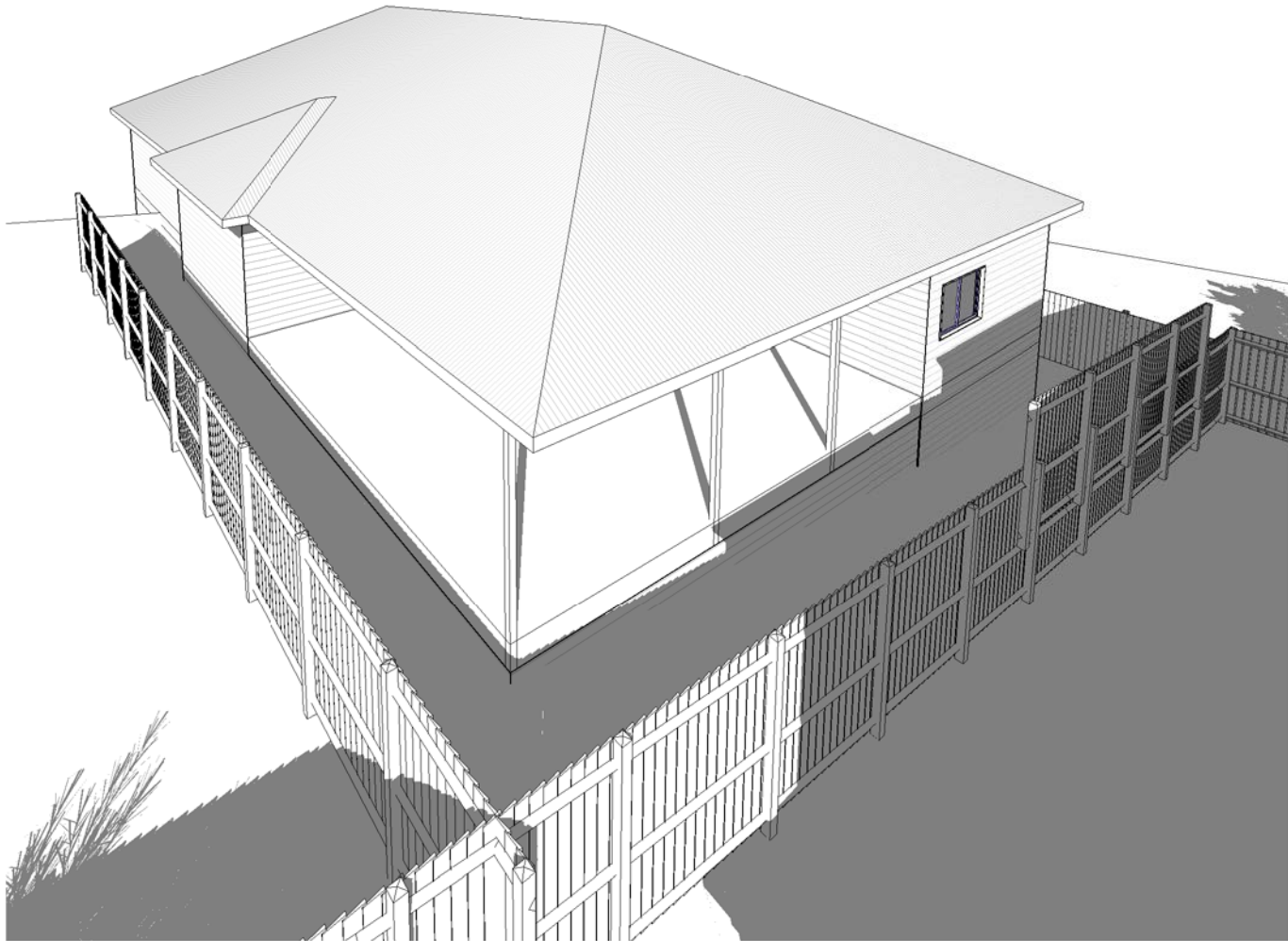


3D VIEWS OF THE SHADOWS ON 30 HARKER ST - 9AM

Page 111



9AM Existing Shadows



9AM Proposed Shadows

ADVERTISED

Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
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P	Issue For Planning Permit	03/03/2025



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CLIENT: Jessica and Simon Terpstra  
PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016  
ADDRESS: 7 Ryrie St. Healesville  
DWG TITLE: Shadow Diagrams 3D 9AM  
DATE: December 2024 DRAWN BY: PM SCALE @ A3:

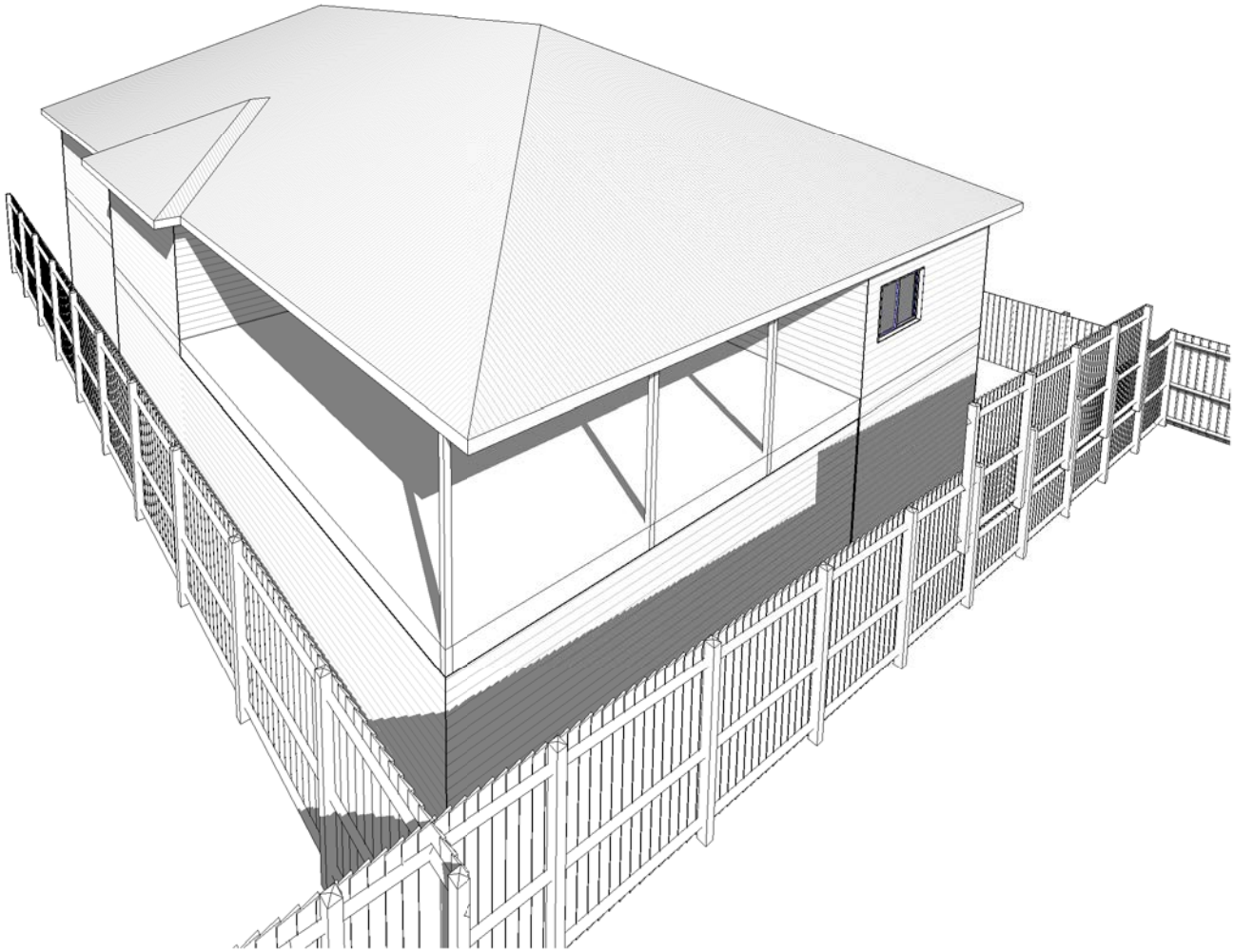
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P026

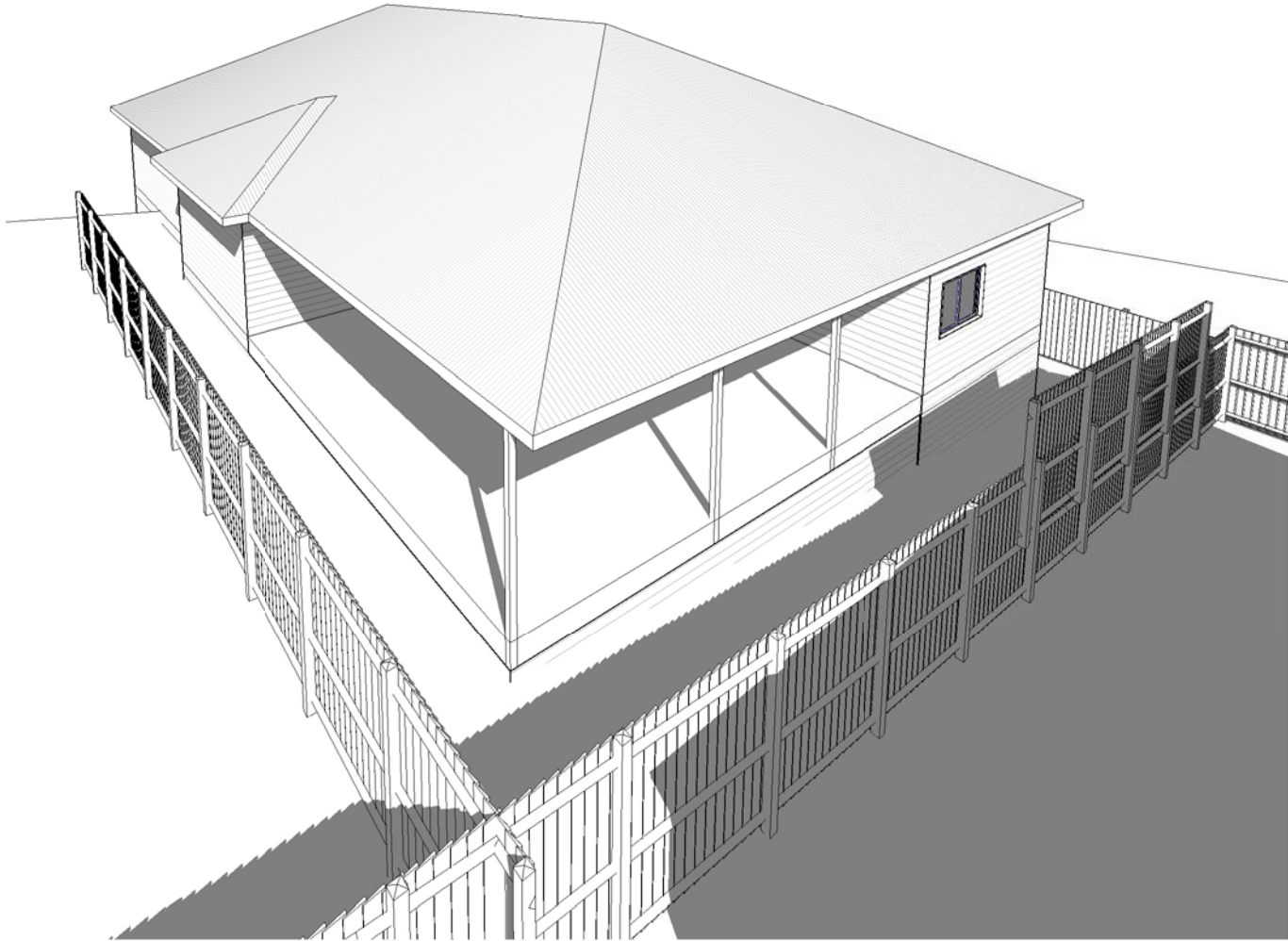
3D VIEWS OF THE SHADOWS ON 30 HARKER ST -10AM

Page 112



10AM Existing Shadows

ADVERTISED



10AM Proposed Shadows

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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CLIENT: Jessica and Simon Terpstra  
PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016  
ADDRESS: 7 Ryrie St. Healesville  
DWG TITLE: Shadow Diagrams 3D 10AM  
DATE: December 2024 DRAWN BY: PM SCALE @ A3:

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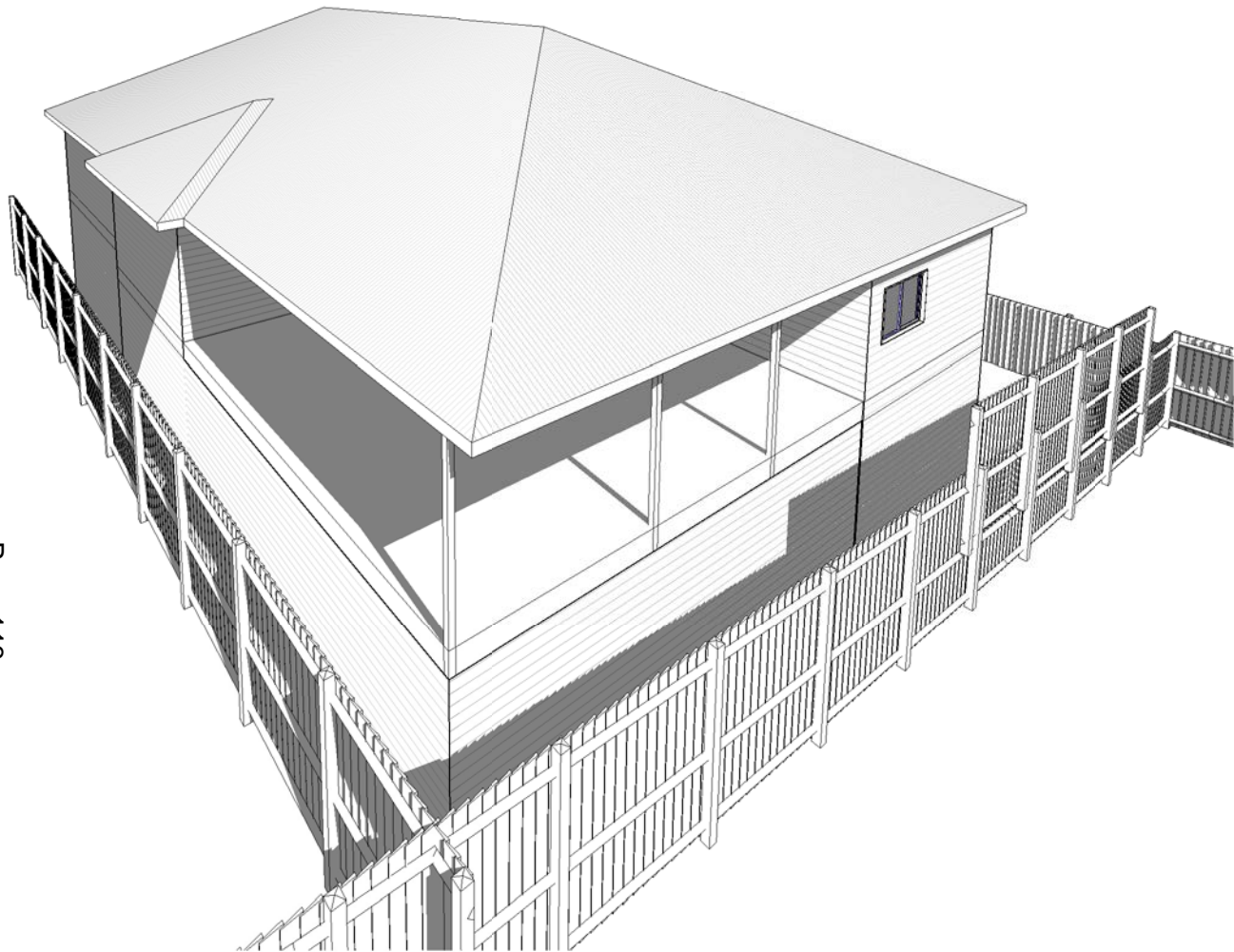
SHEET No:

P027



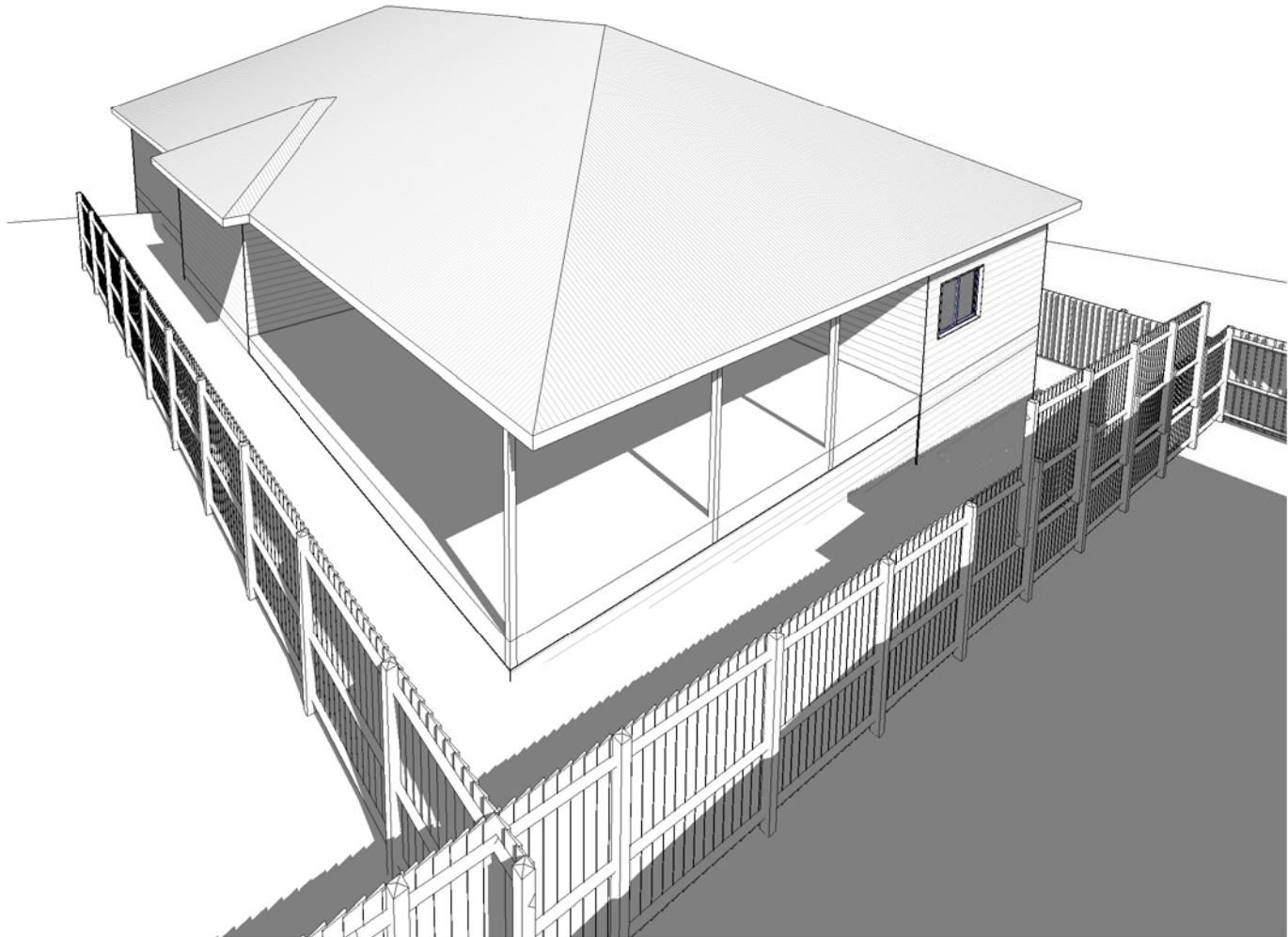
3D VIEWS OF THE SHADOWS ON 30 HARKER ST-11AM

Page 113



11AM Existing Shadows

ADVERTISED



11AM Proposed Shadows

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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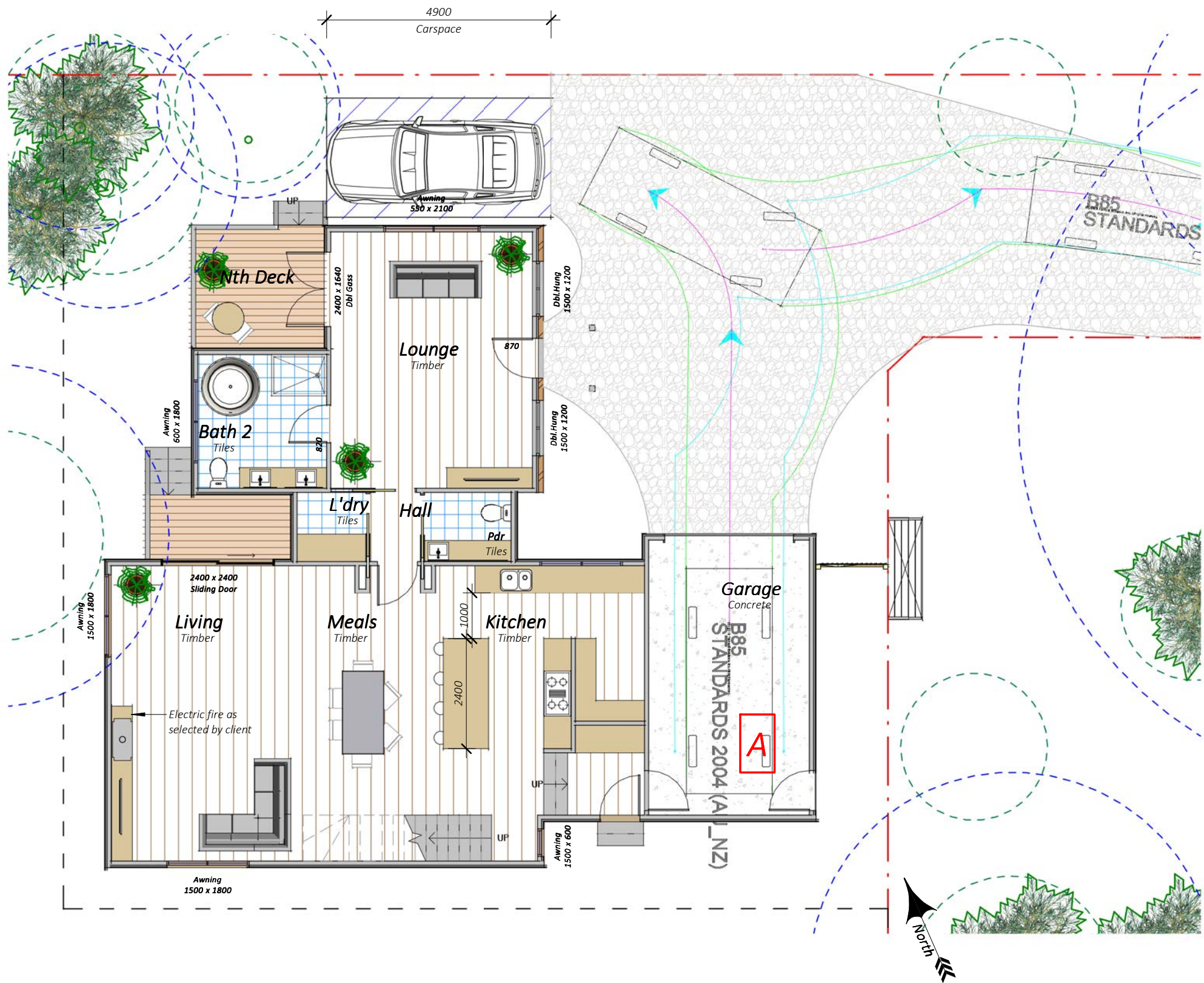
CLIENT: Jessica and Simon Terpstra  
PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016  
ADDRESS: 7 Ryrie St. Healesville  
DWG TITLE: Shadow Diagrams 3D 11AM  
DATE: December 2024 DRAWN BY: PM SCALE @ A3:

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SHEET No:

P028





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Turning Circle A

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Turning Circles U2

DATE: December 2024 DRAWN BY: PM SCALE @ A3: 1 : 100

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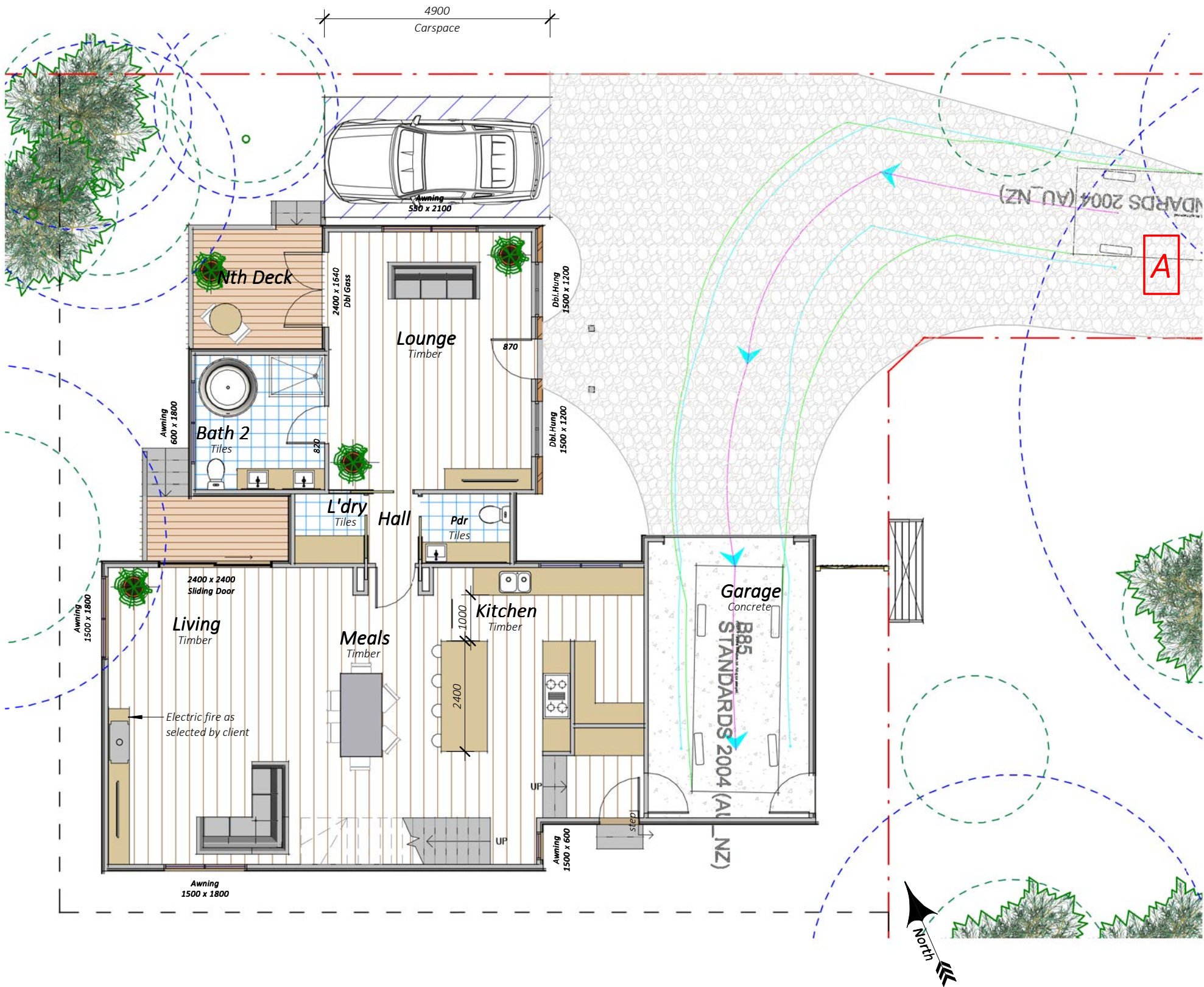
SHEET No:

P029



ADVERTISED

Page 115



Turning Circle A1

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
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L	Issue For Client Comment	29/08/2024
M	Issue For Client Comment	03/09/2024
N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025



**Meenks Ink. Design**  
Registered Building Practitioner  
DP-AD 45288  
Paul@meenksink.com.au 0427 008 190



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### Issue For Planning Permit

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH SITE CONDITIONS AND REFER ANY DISCREPANCIES TO THE BUILDER/DESIGNER PRIOR TO COMMENCING WORK.  
DO NOT SCALE DRAWING.

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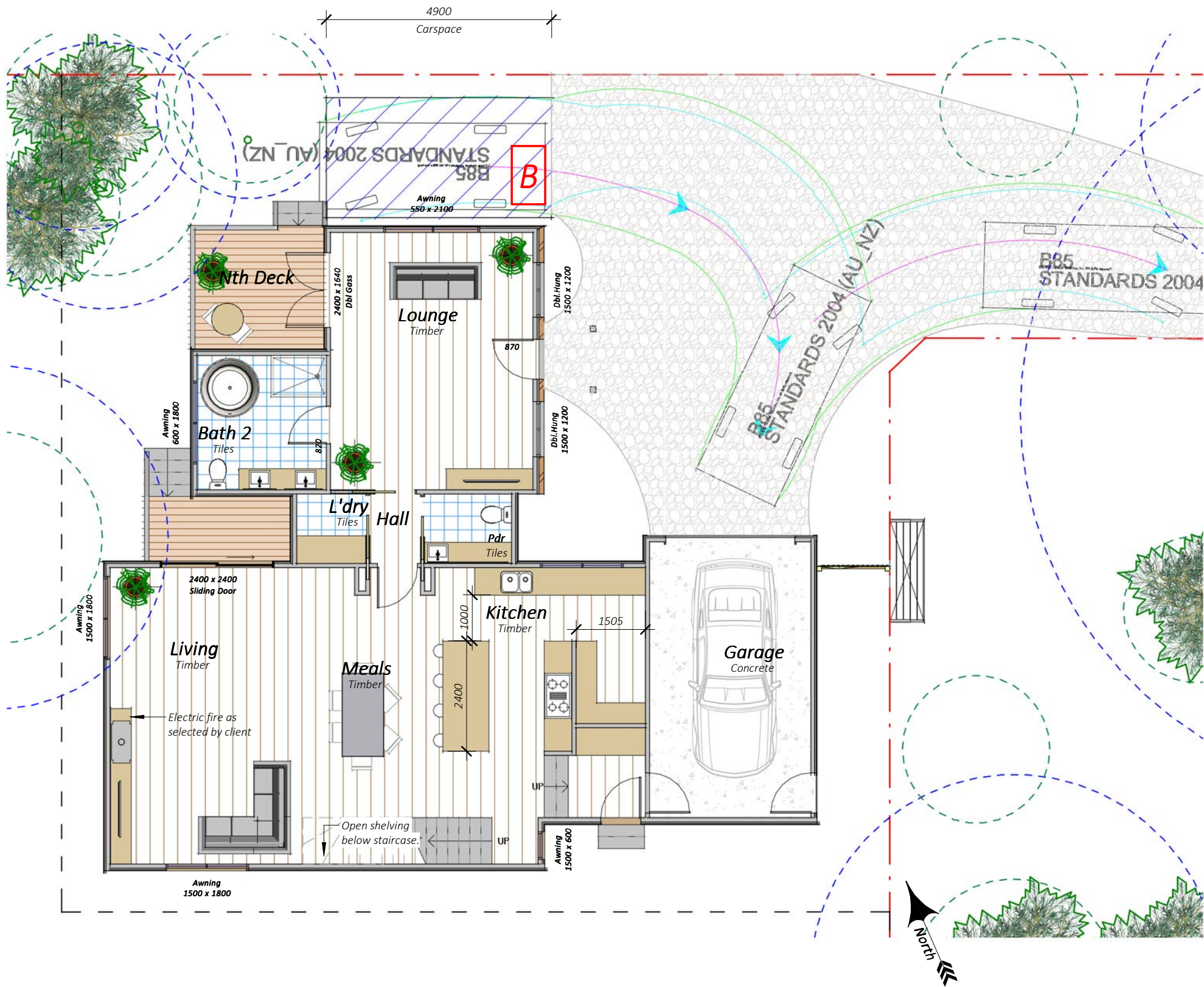
ALL CARE HAS BEEN TAKEN TO ENSURE THE ACCURACY OF EXISTING CONDITIONS, EXACT SCOPE OF WORKS MAY VARY AS A RESULT OF UNFORESEEABLE FACTORS WITHIN ENCLOSED SPACES OF STRUCTURE OF BUILDING.

**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Turning Circles U2  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 100

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**SHEET No:**  
**P030**





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Turning Circle B

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
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**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Turning Circles U2

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 100

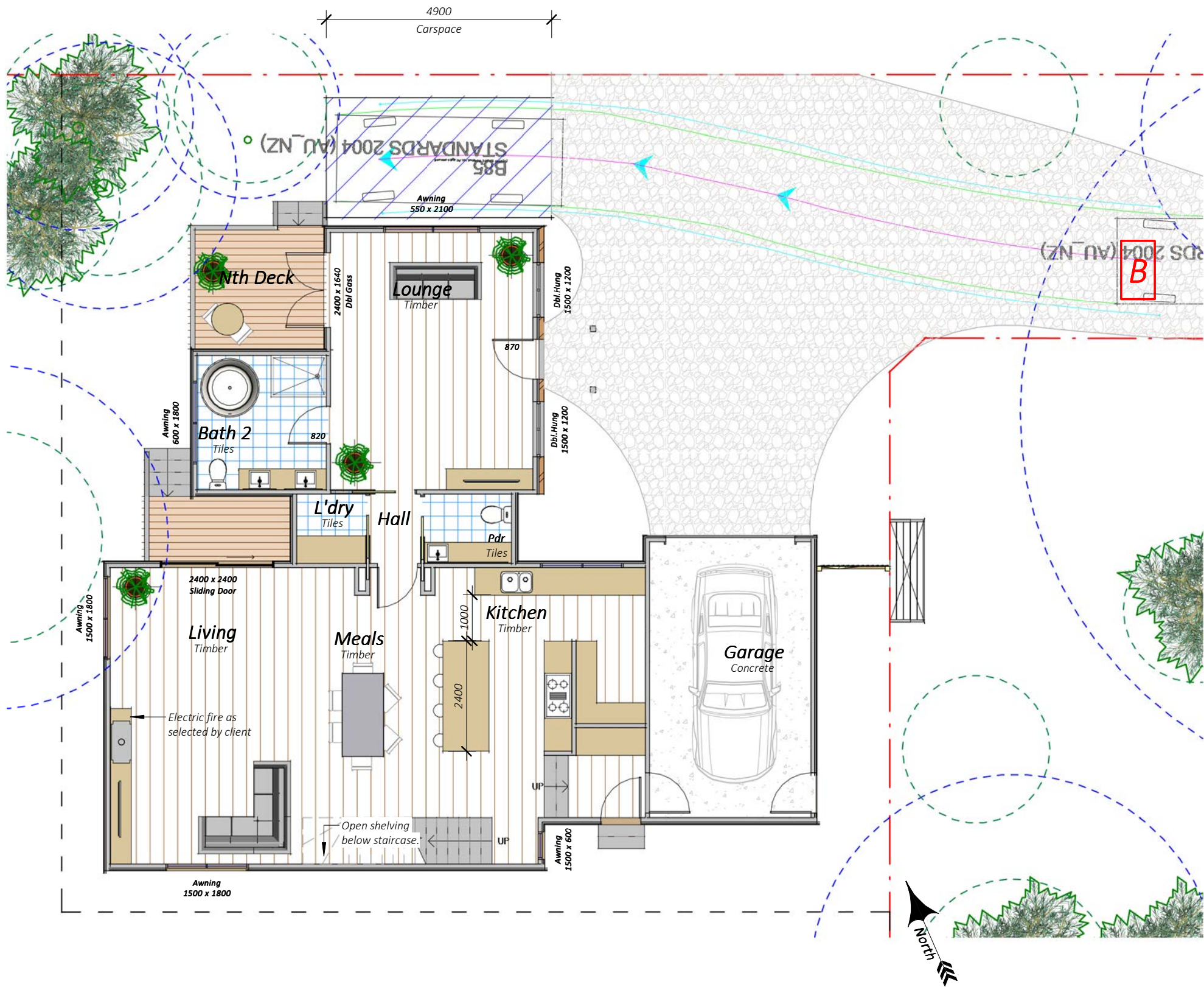
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**SHEET No:**

P031





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Turning Circle B 1

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
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P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Turning Circles U2

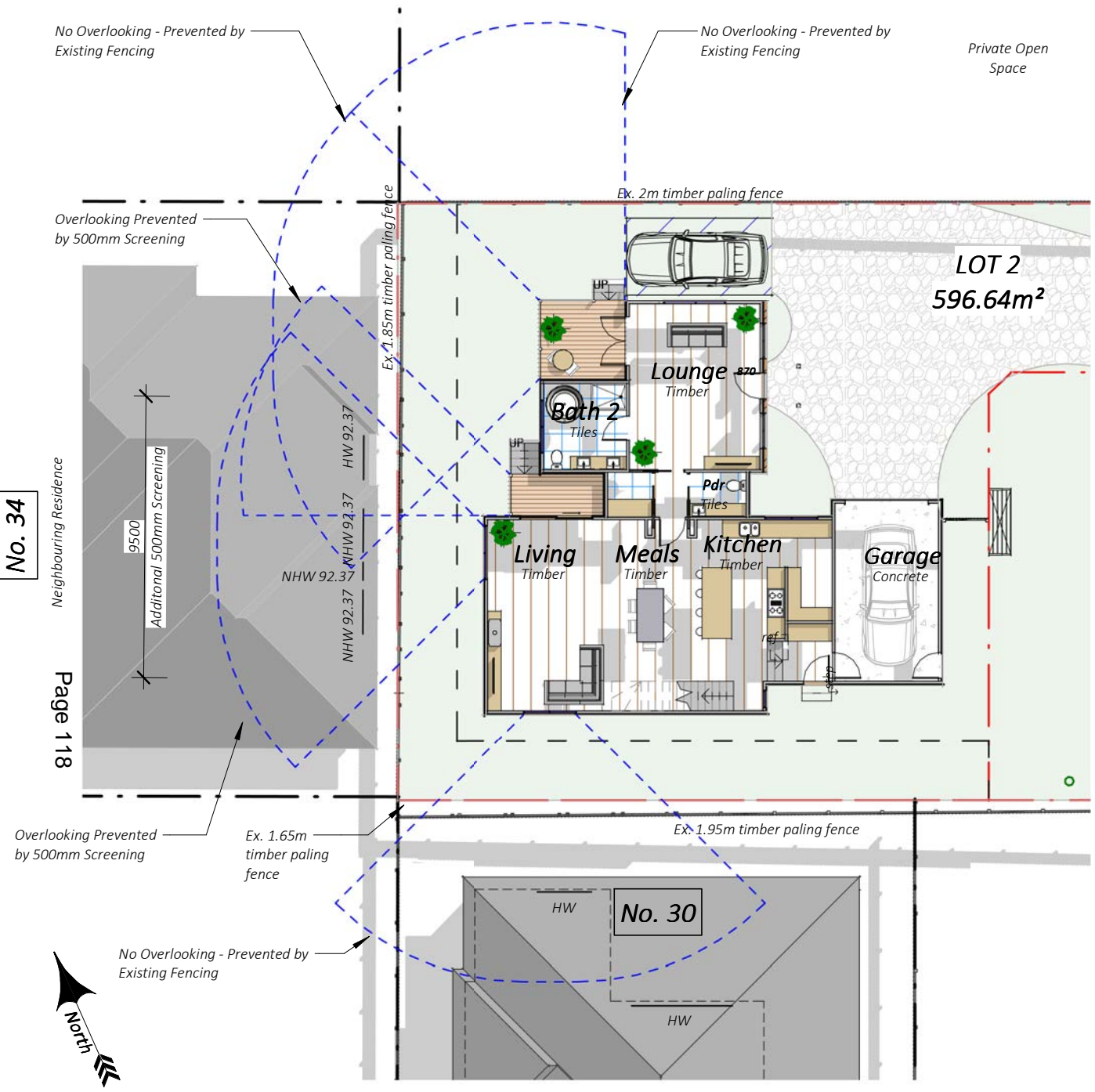
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P032





Ground Floor Overlooking  
Scale: 1 : 200

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Overlooking Ground Floor

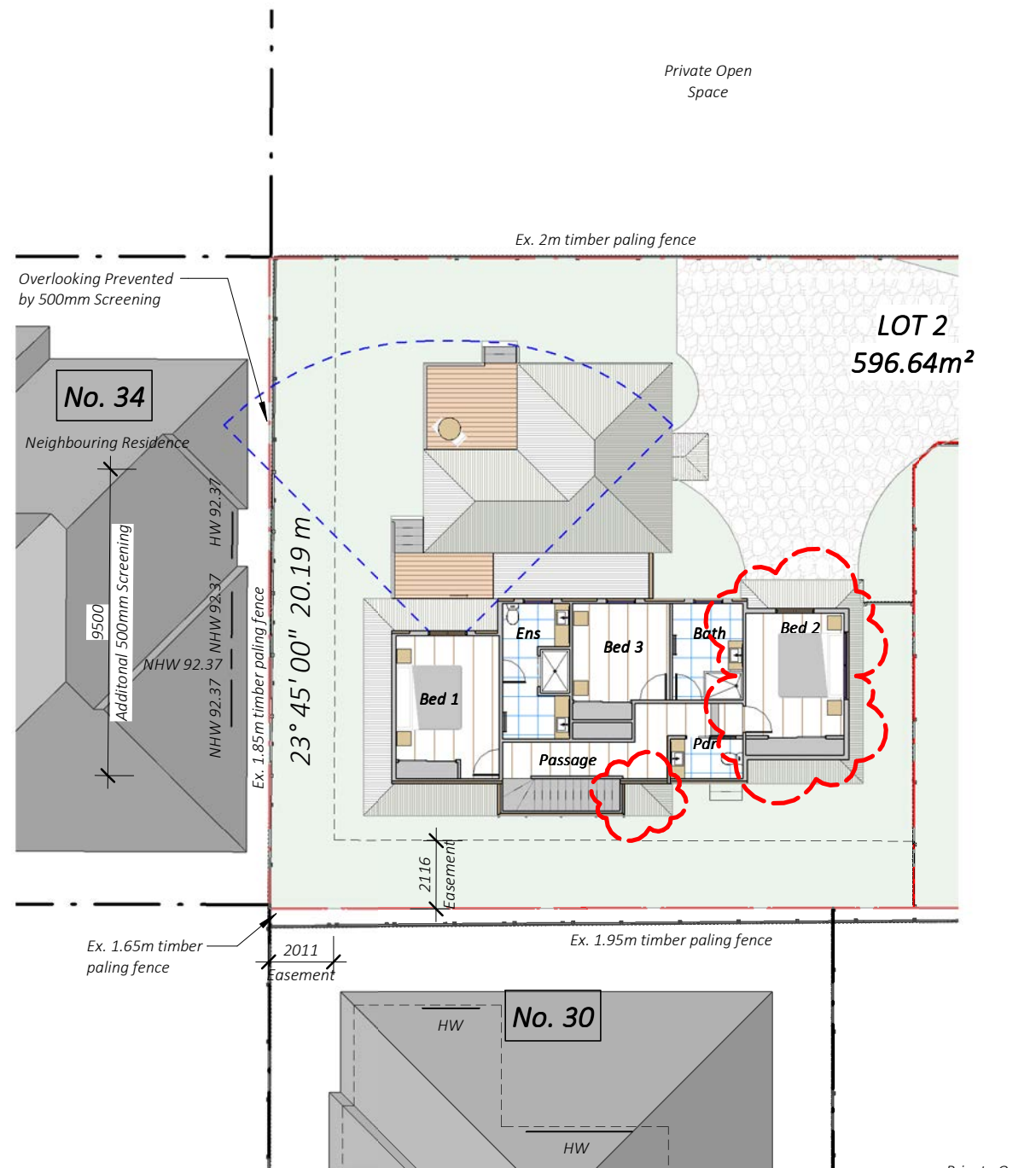
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Overlooking Prevented by Existing fencing

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## 1st Floor Overlooking

Scale: 1 : 200



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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Overlooking 1st Floor  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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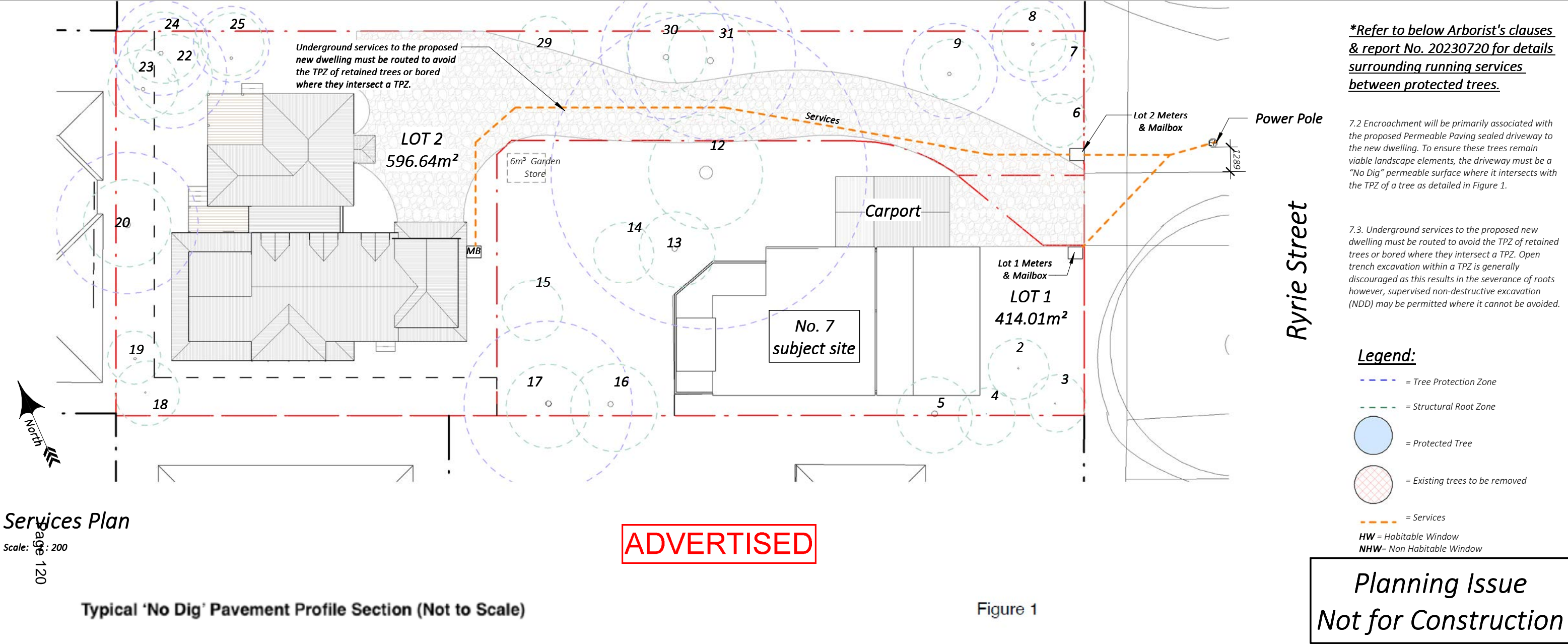
**SHEET No:**  
**P034**



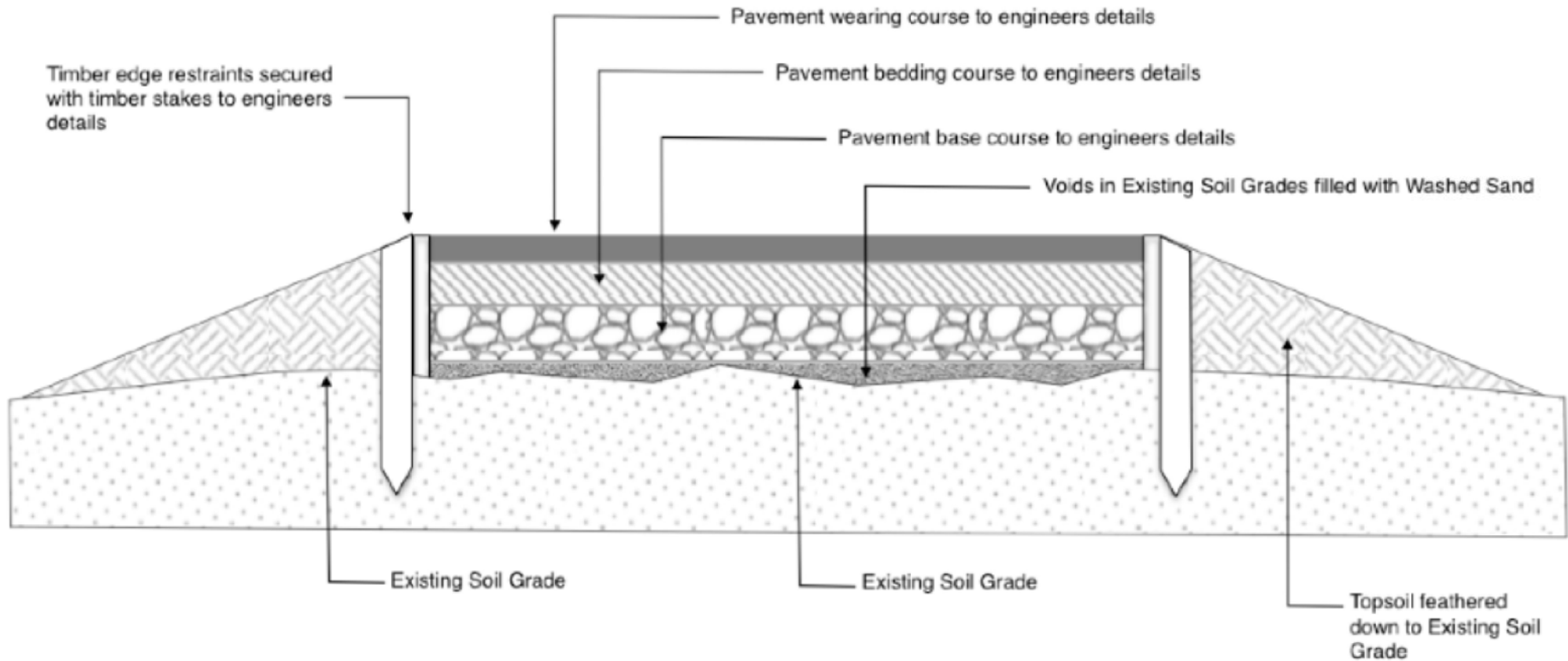
Services Plan

Scale: 1:200

Page 120



Typical 'No Dig' Pavement Profile Section (Not to Scale)



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CLIENT: Jessica and Simon Terpstra DRAWN BY: PM  
PROJECT: Second Dwelling on a Lot + Associated Subdivisic23-016  
ADDRESS: 7 Ryrie St. Healesville  
DWG TITLE: Services Plan  
DATE: December 2024 SCALE @ A3: As indicated

Issue For Planning Permit

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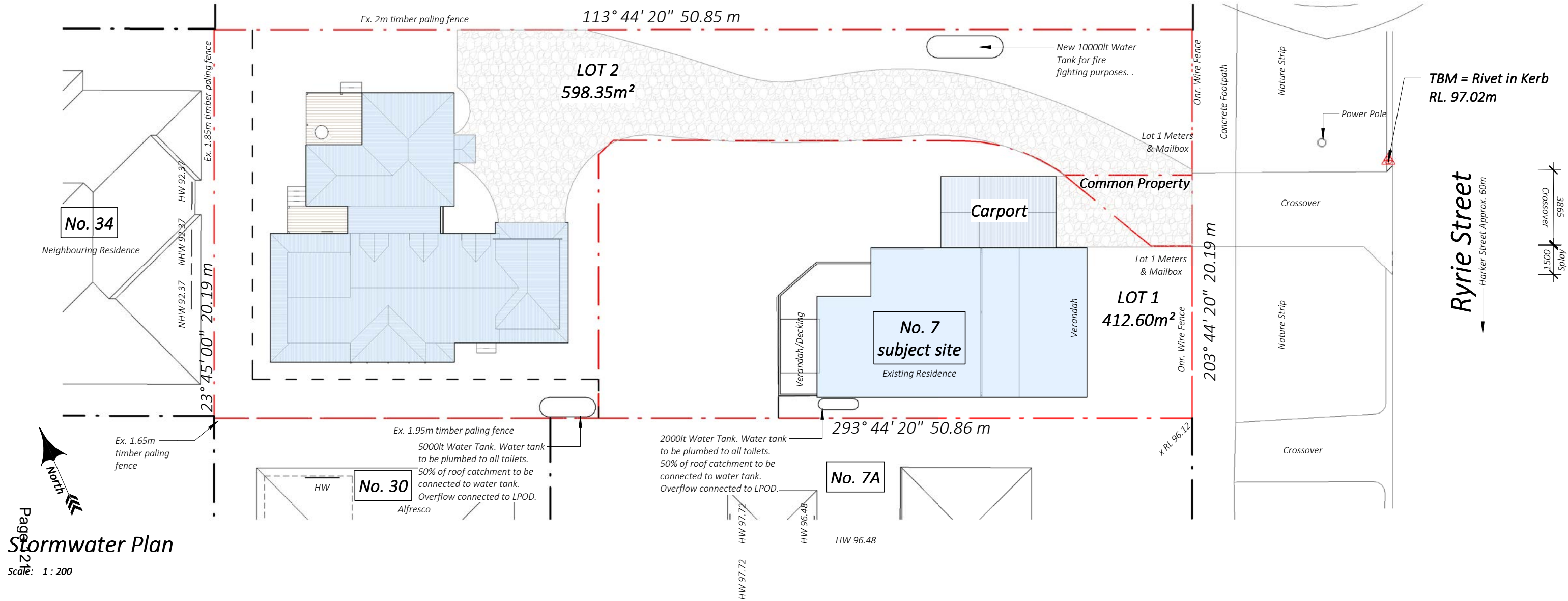
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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025

SHEET No:

P035

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## Melbourne Water STORM Rating Report

TransactionID: 0  
Municipality: YARRA RANGES  
Rainfall Station: YARRA RANGES  
Address: 7 Ryrie St  
Healesville VIC 3777  
Assessor: Meenks Ink Design  
Development Type: Residential - Subdivision  
Allotment Site (m2): 1,026.82  
STORM Rating %: 100

ADVERTISED

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Ex. Dwelling to tank	102.44	Rainwater Tank	2,000.00	1	70.40	100.00
U1 Carport to tank	22.14	Rainwater Tank	2,000.00	1	172.00	82.00
New Dwelling to tank	146.57	Rainwater Tank	5,000.00	3	110.30	97.90

- = Roof catchment to rainwater garden
- = Roof catchment to water tank
- = Inground rainwater garden
- = Planter box rainwater garden
- = Rainwater Tank

### Stormwater Legend

Scale: 1 : 200

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**CLIENT:** Jessica and Simon Terpstra **DRAWN BY:** PM

**PROJECT:** Second Dwelling on a Lot + Associated Subdivisic23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Stormwater Layout Plan

**DATE:** December 2024 **SCALE @ A3:** 1 : 200

#### Issue For Planning Permit

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O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025

**SHEET No:**

# P036

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**CLIENT:** Jessica and Simon Terpstra

**DRAWN BY:** PM

**PROJECT:** Second Dwelling on a Lot + Associated Subdivisic23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Views to and from the site

**DATE:** December 2024

**SCALE @ A3:**

### Issue For Planning Permit

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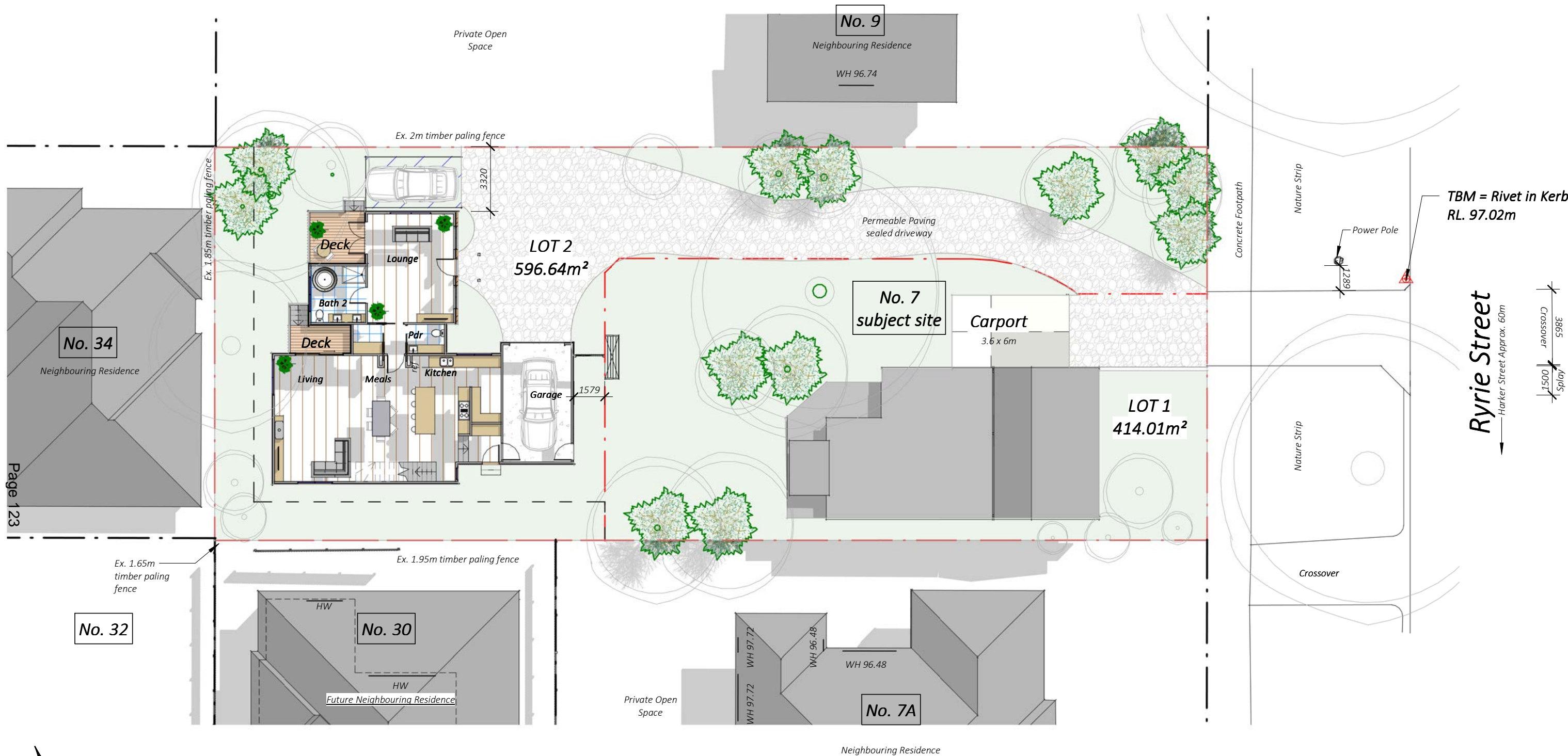
Revision Schedule		
Revision	Issue:	Date
K	Issue for Client Comment	19/08/2024
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P037





Site Ground Floor

Scale: 1 : 200

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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
L	Issue For Client Comment	29/08/2024
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P	Issue For Planning Permit	03/03/2025

Version: 2, Version Date: 05/06/2025



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**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site Plan Ground Floor

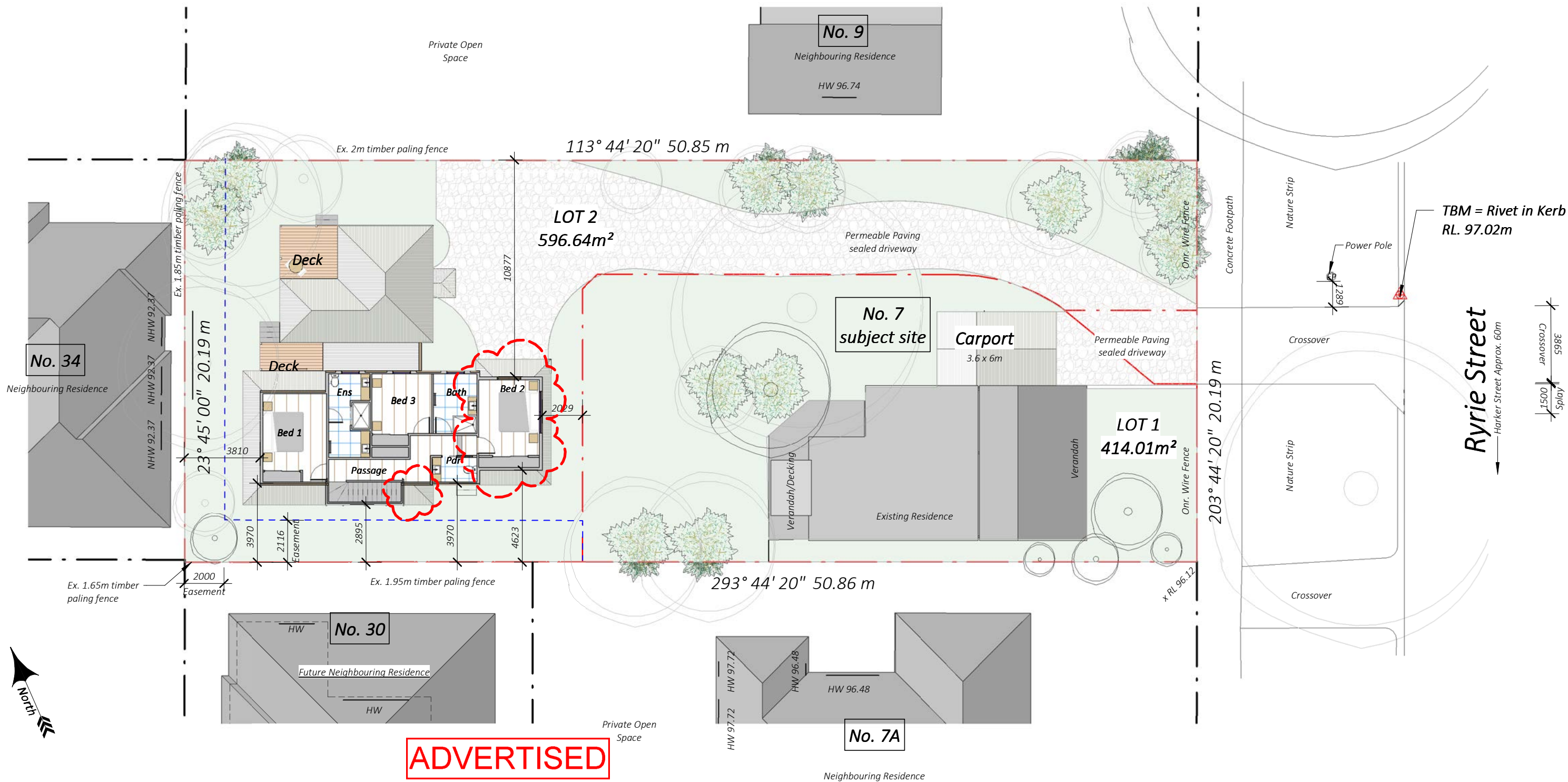
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**P009**





Site 1st Floor

Scale: 1 : 200

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
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P	Issue For Planning Permit	03/03/2025

Version: 2, Version Date: 05/06/2025



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**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Site 1st Floor

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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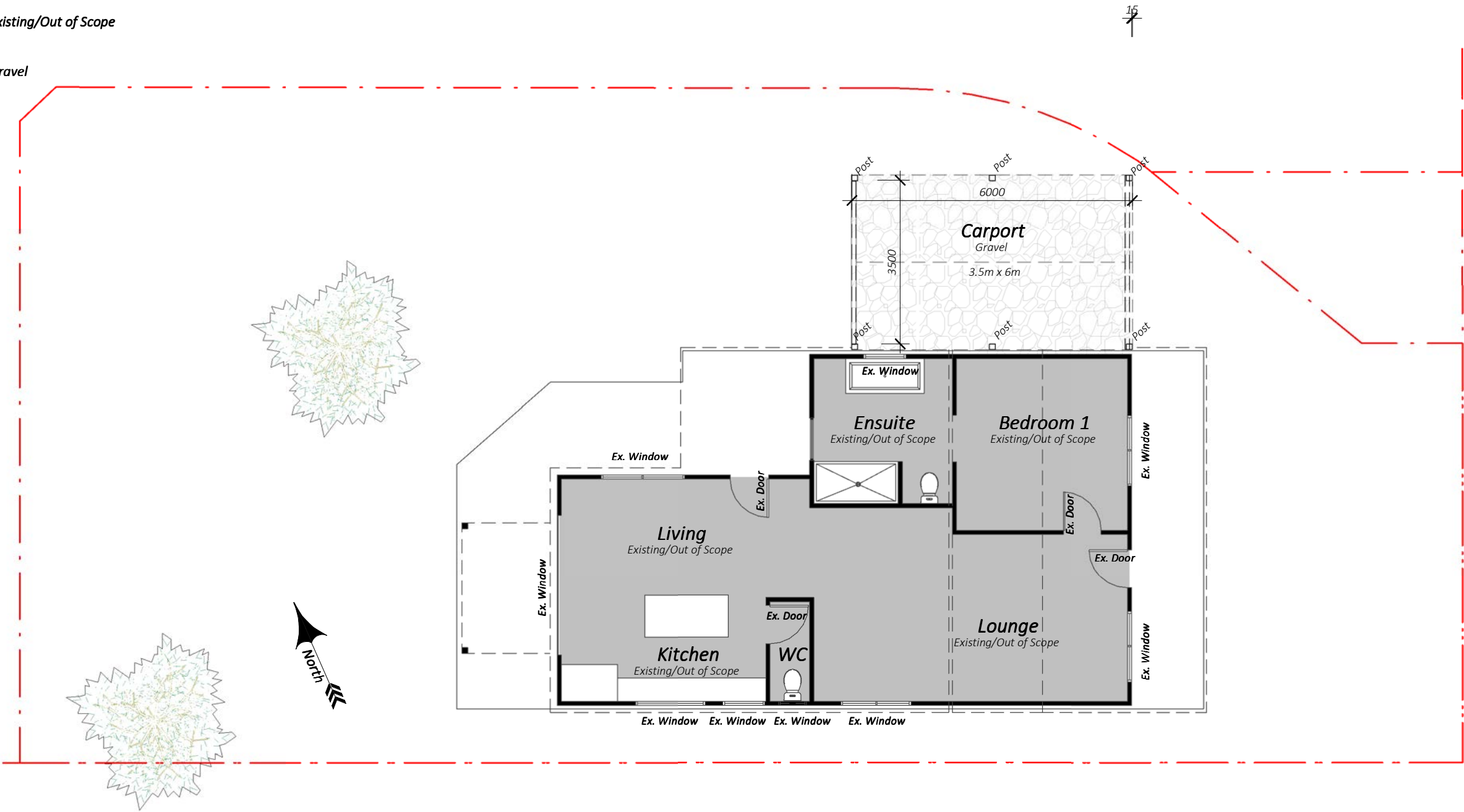
**P010**

Floor Finishes

Existing/Out of Scope

Gravel

Page 125



Area Schedule (Existing)	
Name	Area
Ex. Dwelling	81.45 m <sup>2</sup>
Ex. Site	1026.82 m <sup>2</sup>
Existing Verandas	21.38 m <sup>2</sup>

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
U2 North Deck	7.80 m <sup>2</sup>
U2 South Deck	4.43 m <sup>2</sup>
Grand total	260.01 m <sup>2</sup>

U1 Floor Plan

Scale: 1 : 100

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Revision	Issue:	Date
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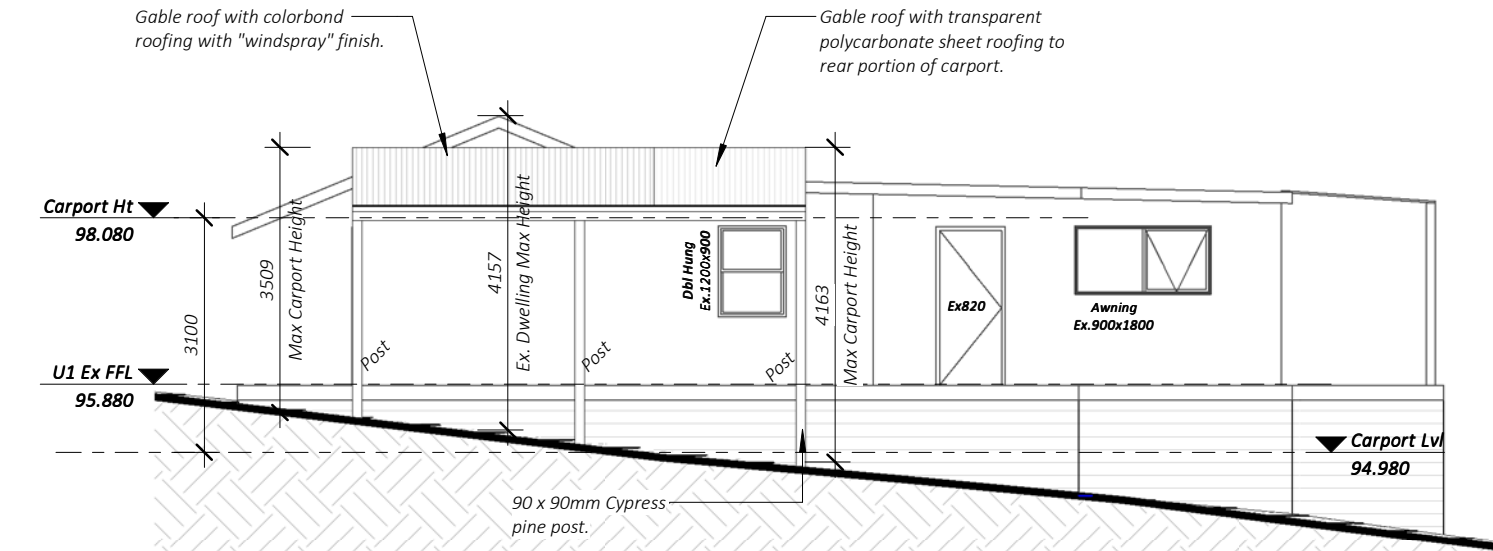
CLIENT: Jessica and Simon Terpstra  
PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016  
ADDRESS: 7 Ryrie St. Healesville  
DWG TITLE: Unit 1 Floor Plan  
DATE: December 2024 DRAWN BY: PM SCALE @ A3: 1 : 100

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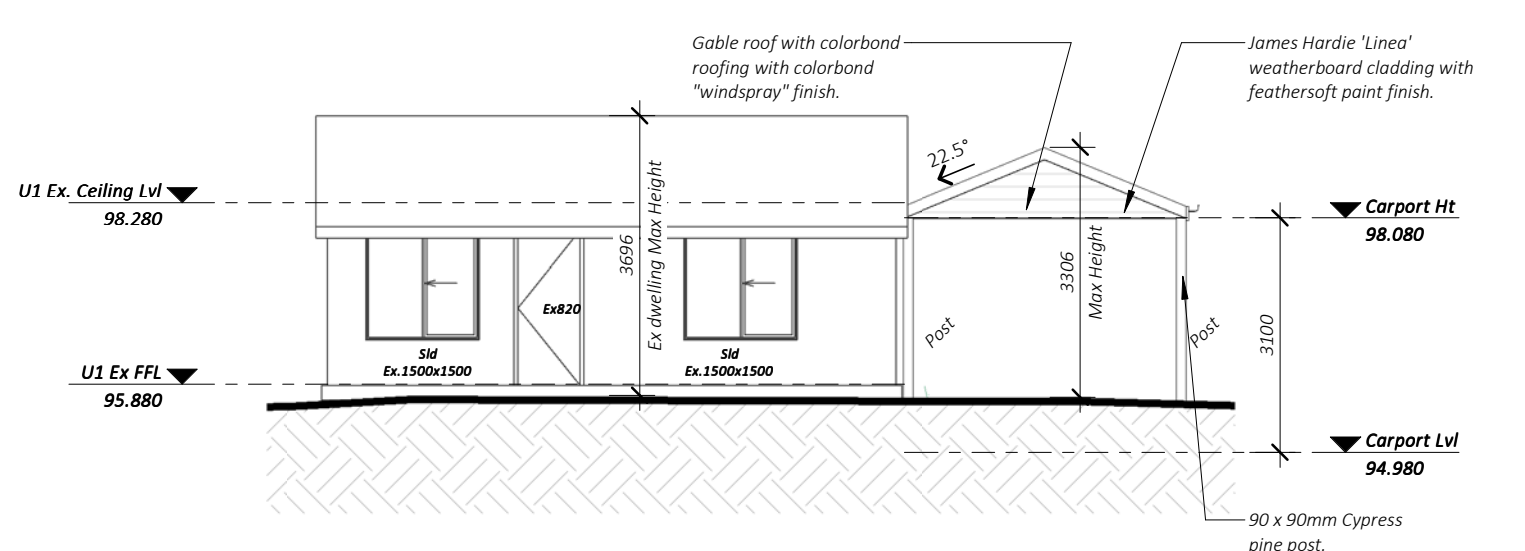
P011





U1 - North Elevation

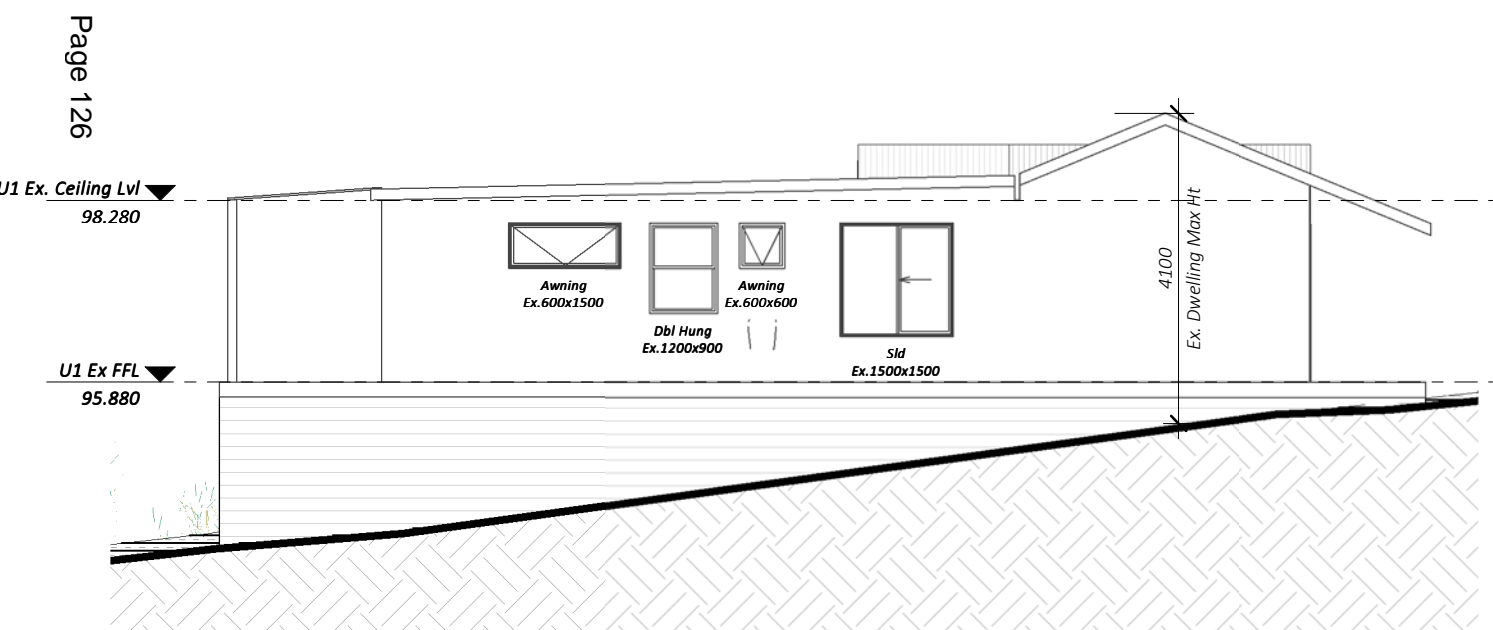
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U1 - East Elevation

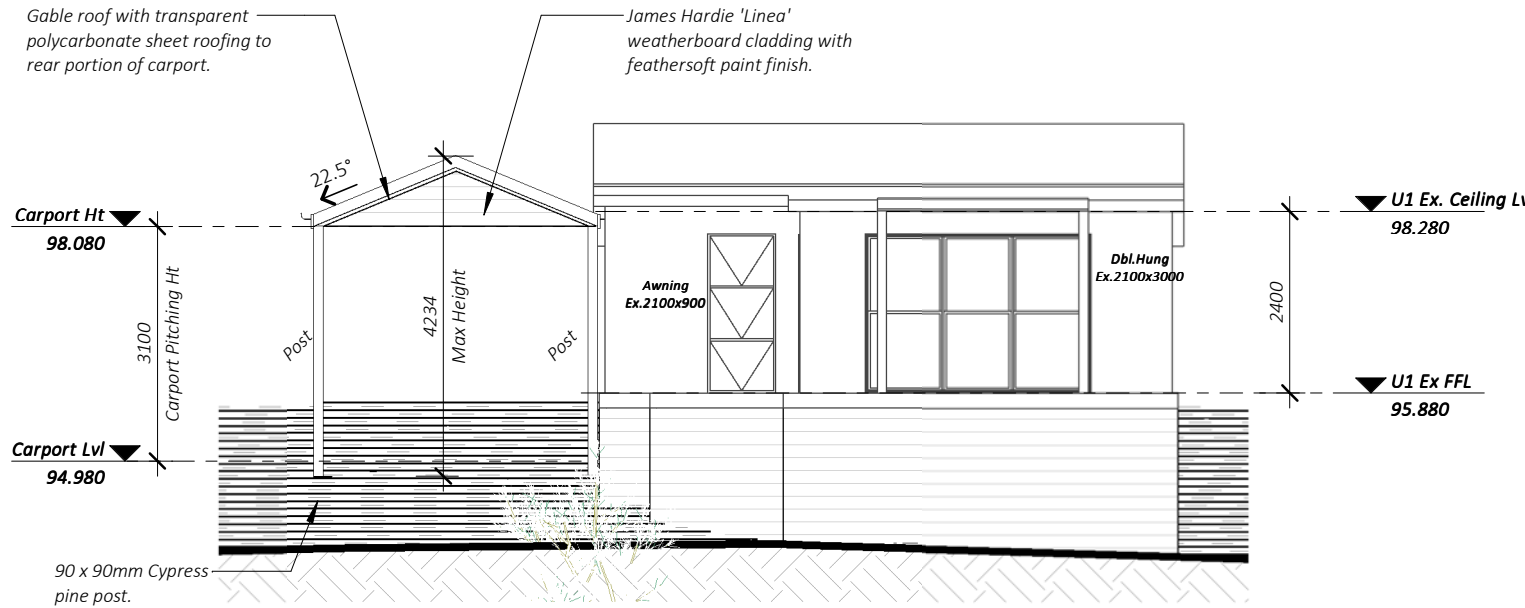
Scale: 1 : 100

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U1 - South Elevation

Scale: 1 : 100



U1 - West Elevation

Scale: 1 : 100

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**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

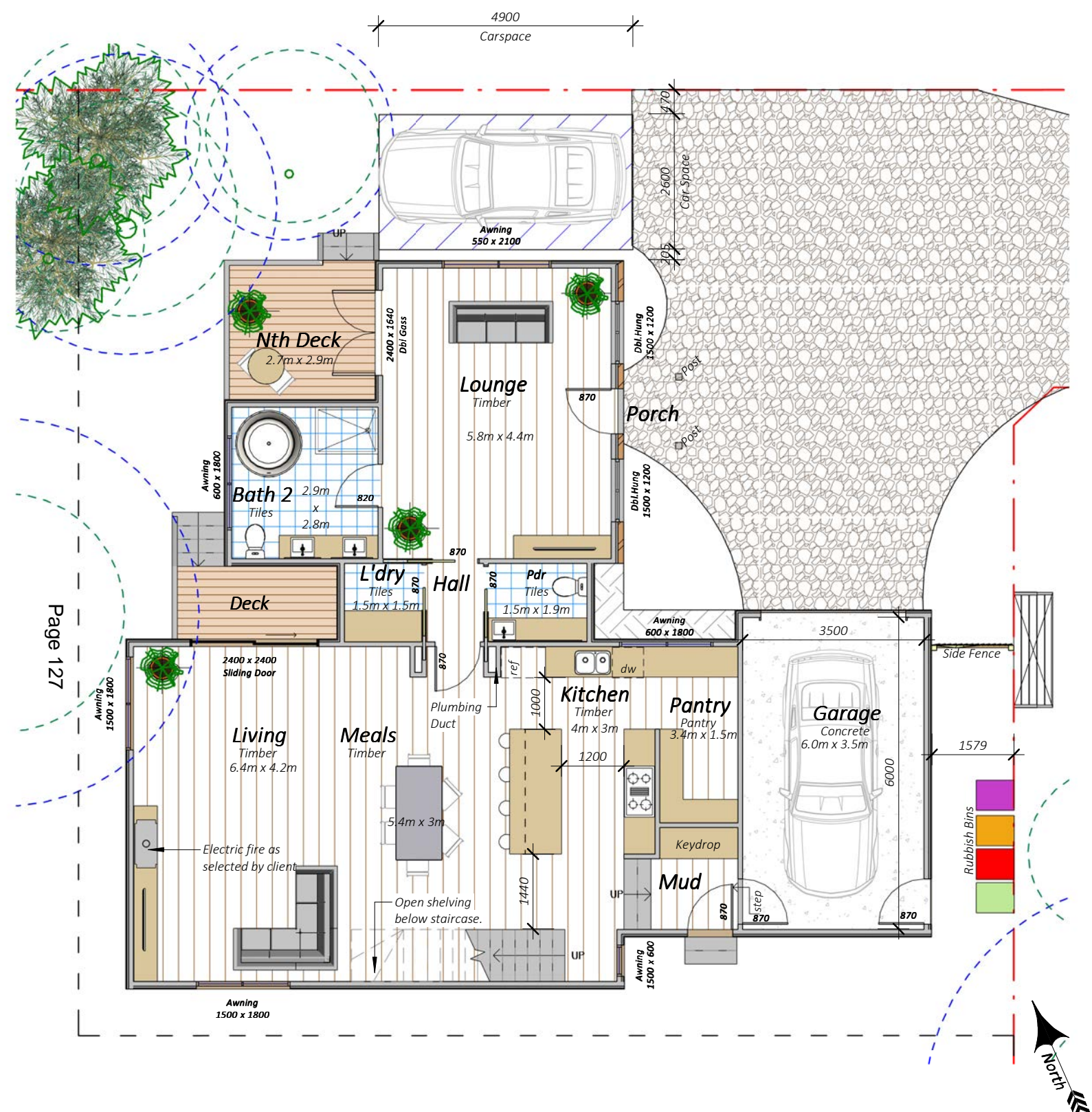
**DWG TITLE:** Unit 1 Elevations

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 100

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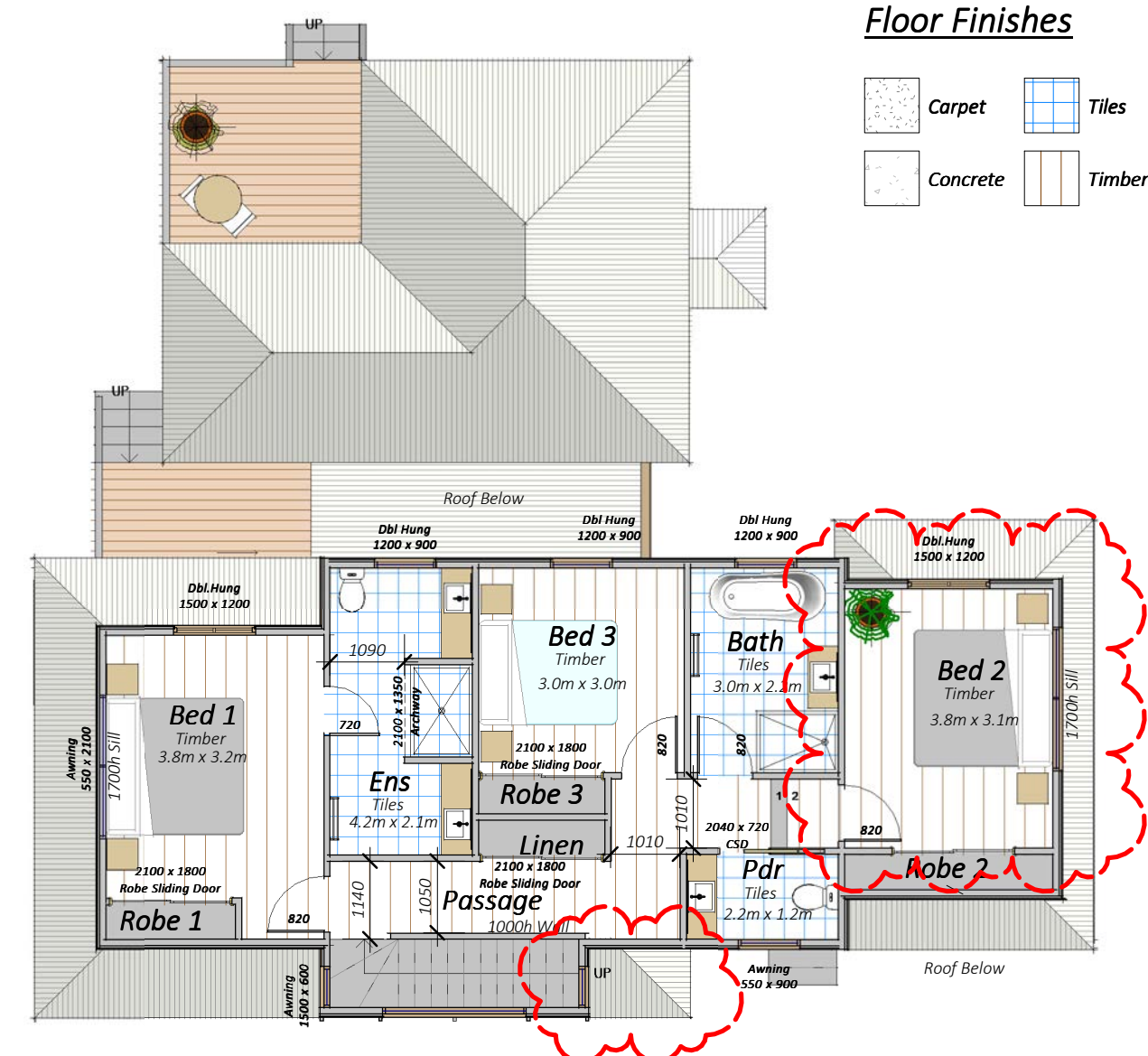
**SHEET No:**

**P012**



U2 Floor Plan  
Scale: 1 : 100

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U2 First Floor FFL  
Scale: 1 : 100

Area Schedule (New Construction)	
Name	Area
Porch	1.63 m <sup>2</sup>
U1 Carport	21.00 m <sup>2</sup>
U2 First Floor	80.05 m <sup>2</sup>
U2 Garage	23.01 m <sup>2</sup>
U2 Ground Floor	122.09 m <sup>2</sup>
U2 North Deck	7.80 m <sup>2</sup>
U2 South Deck	4.43 m <sup>2</sup>
Grand total	260.01 m <sup>2</sup>

Floor Finishes

Carpet

Concrete

Tiles

Timber

Planning Issue  
Not for Construction

Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue for Client Comment	19/08/2024
L	Issue for Client Comment	29/08/2024
M	Issue for Client Comment	03/09/2024
N	Issue For Planning Permit	11/09/2024
O	Issue For Planning Permit	03/12/2024
P	Issue For Planning Permit	03/03/2025

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CLIENT: Jessica and Simon Terpstra

PROJECT: Second Dwelling on a Lot + Associated Subdivision: 23-016

ADDRESS: 7 Ryrie St. Healesville

DWG TITLE: Unit 2 Floor Plans

DATE: December 2024 DRAWN BY: PM SCALE @ A3: 1 : 100

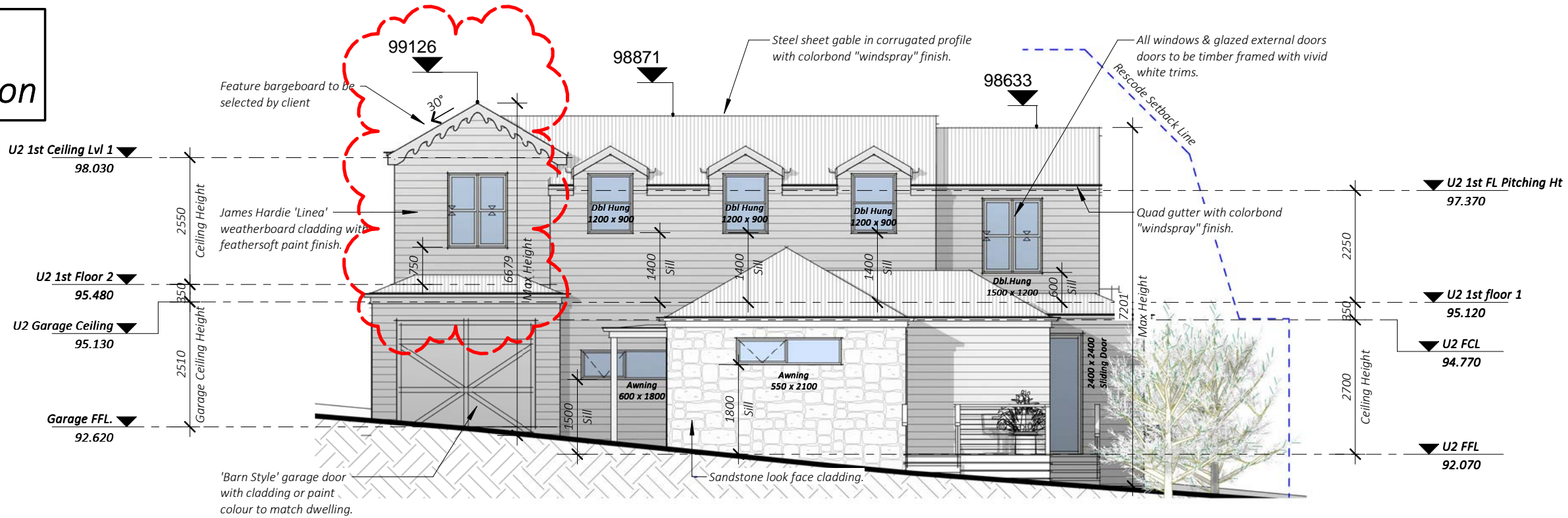
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P013

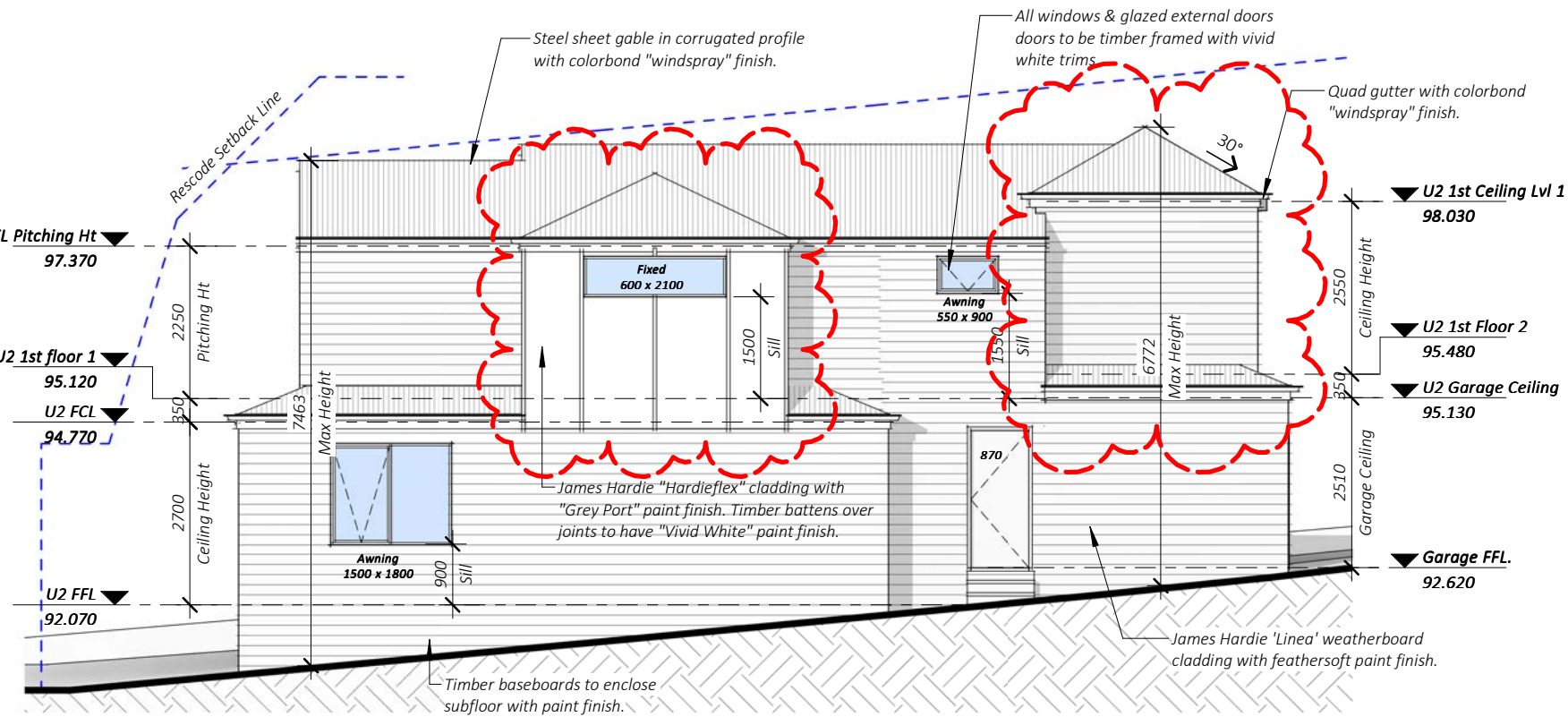




U2 - North Elevation

Scale: 1 : 100

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U2 - South Elevation

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
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P	Issue For Planning Permit	03/03/2025

Version: 2, Version Date: 05/06/2025




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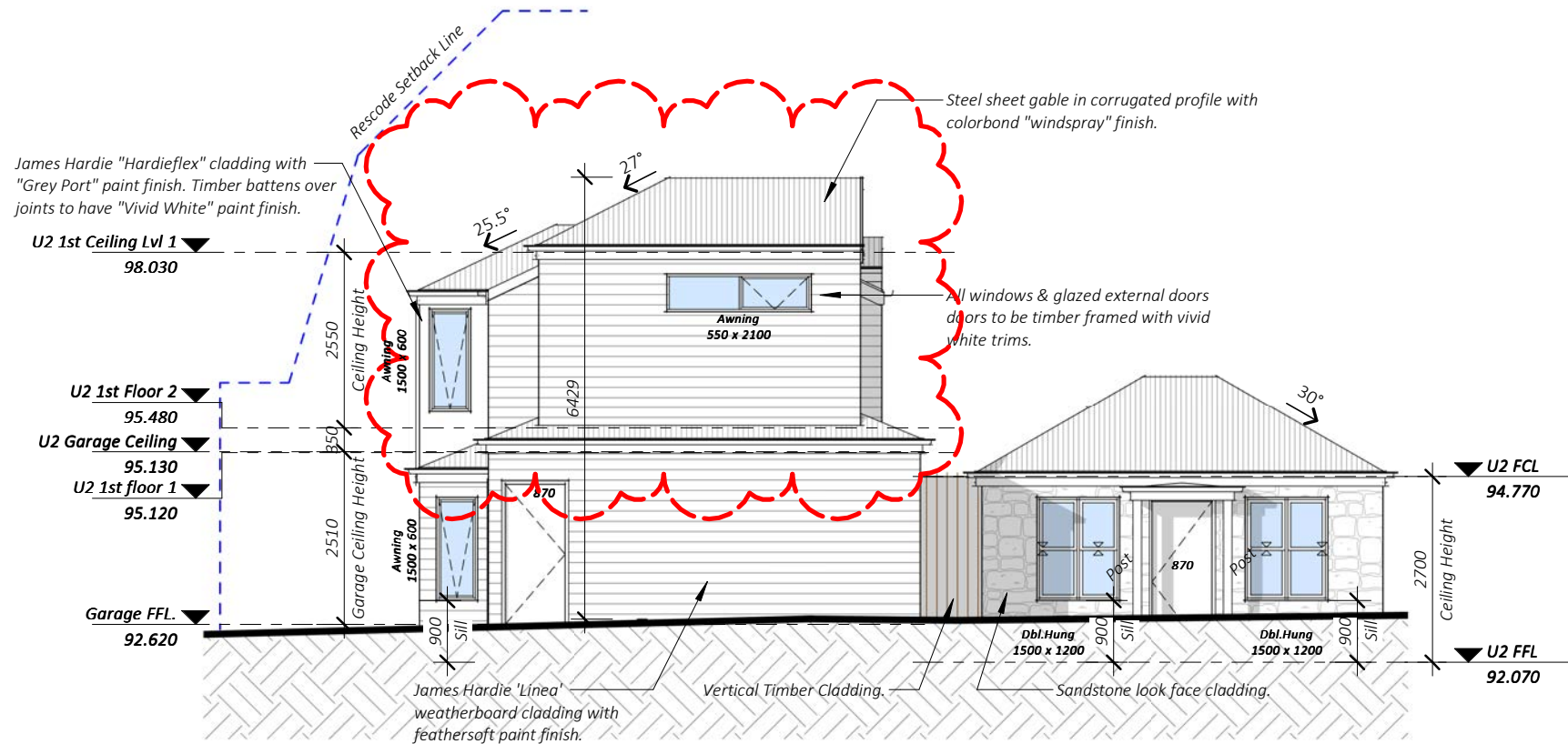
**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Unit 2 Elevations  
**DATE:** December 2024  
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**SCALE @ A3:** 1 : 100

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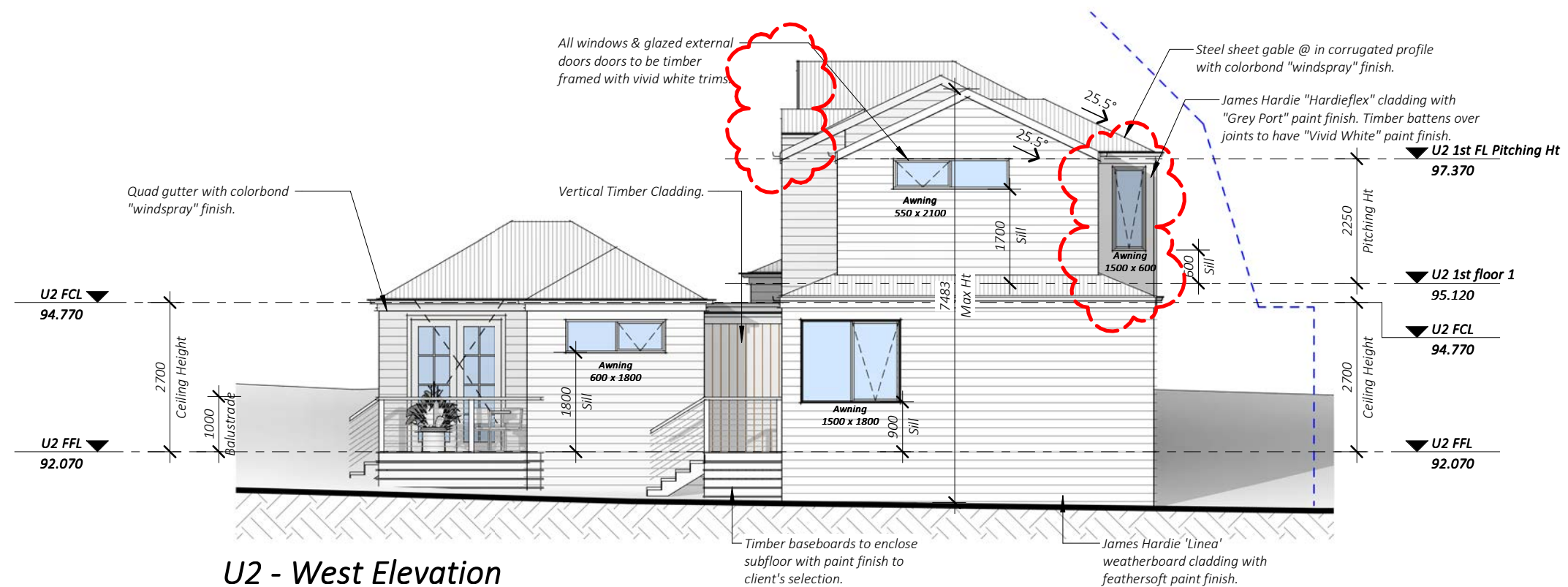




## U2 - East Elevation

Scale: 1 : 100

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## U2 - West Elevation

Scale: 1 : 100

Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
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P	Issue For Planning Permit	03/03/2025

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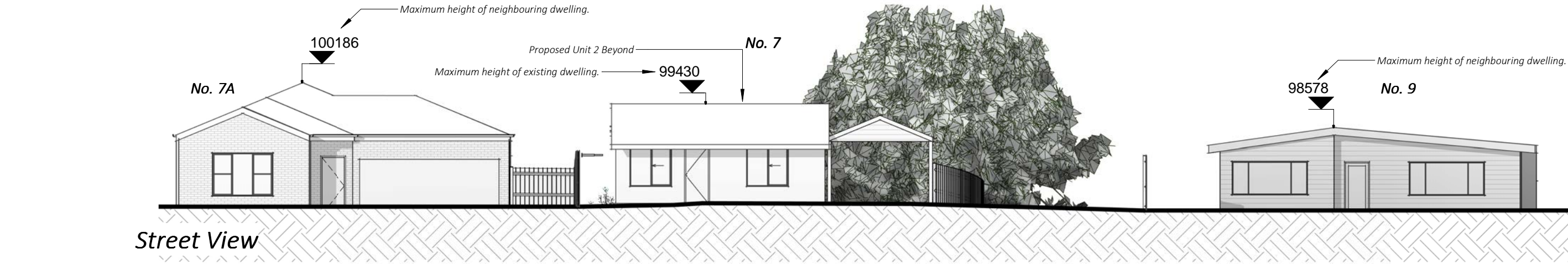
**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Unit 2 Elevations  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 100

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P015





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Revision Schedule		
Revision	Issue:	Date
I	Issue For Planning Permit	03/05/2024
J	Issue For Planning Permit	06/05/2024
K	Issue For Client Comment	19/08/2024
L	Issue For Client Comment	29/08/2024
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P	Issue For Planning Permit	03/03/2025



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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Street Scape

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 150

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**P016**





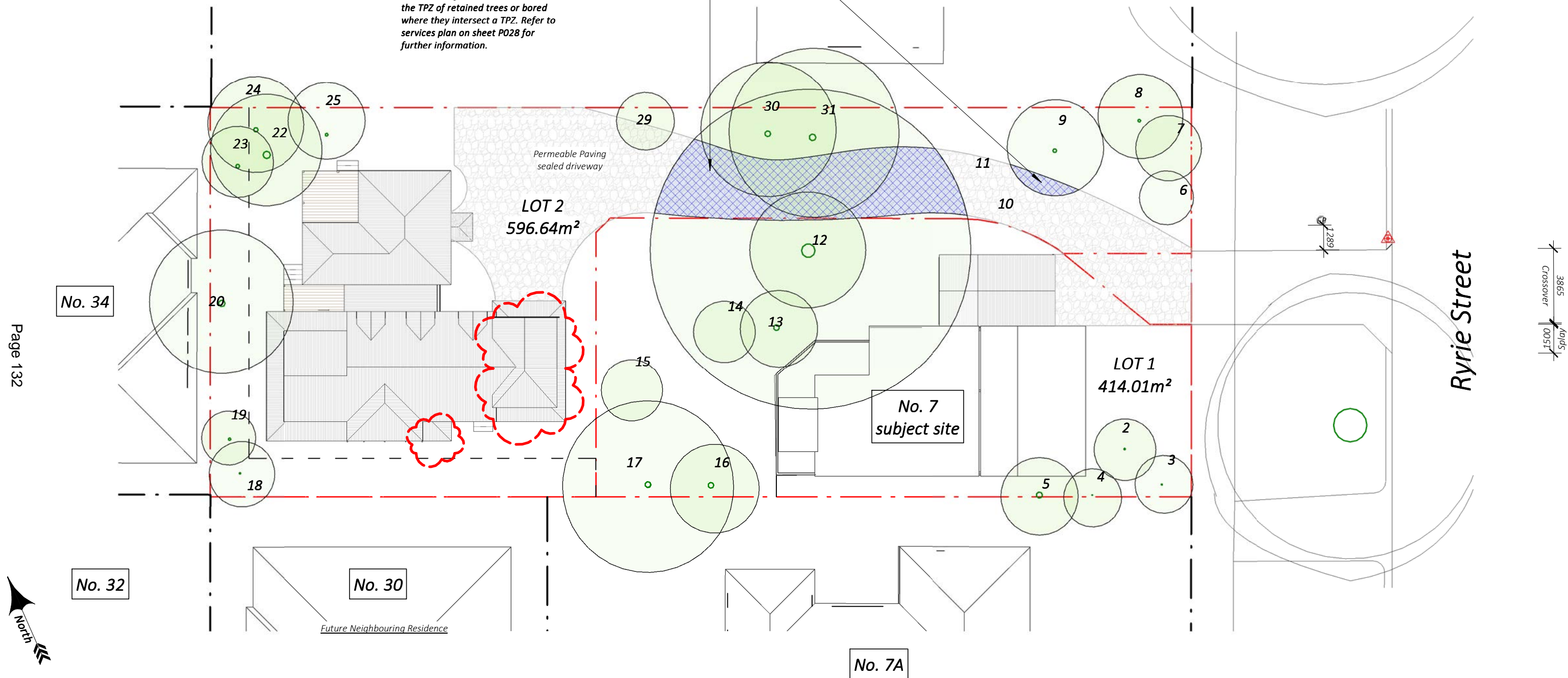


Legend:

 = Existing trees to remain  
 = Tree protection for accessway

Tree protection must be provided for trees No. 9, 12, 30 & 31. The accessway must be constructed above existing grade of a water permeable material.

*Underground services to the proposed new dwelling must be routed to avoid the TPZ of retained trees or bored where they intersect a TPZ. Refer to services plan on sheet P028 for further information.*




## Tree Protection Plan

Scale: 1 : 200

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Revision Schedule		
Revision	Issue:	Date
I	Issue for Planning Permit	03/05/2024
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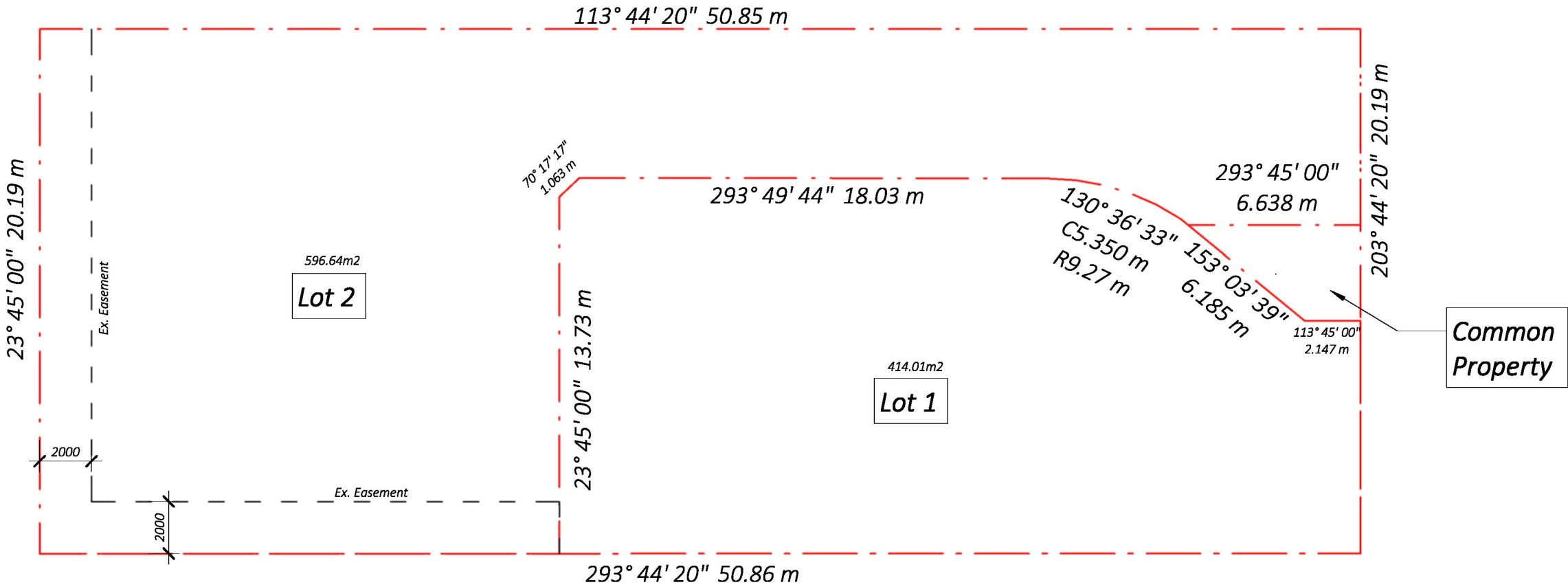
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**CLIENT:** Jessica and Simon Terpstra  
**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016  
**ADDRESS:** 7 Ryrie St. Healesville  
**DWG TITLE:** Tree Protection Plan  
**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** As indicated

**SHEET No:**

P008

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Indicative Subdivision Plan

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**CLIENT:** Jessica and Simon Terpstra

**PROJECT:** Second Dwelling on a Lot + Associated Subdivision: 23-016

**ADDRESS:** 7 Ryrie St. Healesville

**DWG TITLE:** Indicative Subdivision Plan

**DATE:** December 2024 **DRAWN BY:** PM **SCALE @ A3:** 1 : 200

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**SHEET No:**

**P005**

# Planning Report

**7 Ryrie St, Healesville  
Project No: 23-016**



Designed by:

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7 Ryrie St, Healesville

Development of Two Dwellings on a Lot in a Neighbourhood  
Residential Zone – Schedule 2

Contents

Existing Conditions .....2

The Proposal .....2

Strategic Context .....3

Zoning .....4

Clause 55 Analysis.....4

Clause 52.06 Car Parking .....15

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## Existing Conditions

Street Address:	7 Ryrie St, Healesville
Title Details:	Crown Allotment 16 Section E Township of Healesville Parish of Gracedale
Restrictions/Covenants:	None
Land Size:	1026.834m <sup>2</sup>
Zone:	Neighbourhood Residential Zone Schedule 2
Overlays:	Bushfire Management Overlay – Schedule 1 Design & Development Overlay – Schedule 6 Significant Landscape Overlay – Schedule 22
Key Features:	Existing Single Storey dwelling

The subject property is located to the East side of Ryrie St in Healesville. The 1026.834m<sup>2</sup> site currently contains a single-storey one bedroom, weatherboard residence with a gabled sheet metal roof presenting to the street frontage. The neighbouring residences within the street are predominately single storey in nature with a variety of construction methods being utilised including refurbished weatherboard and brick veneer homes.

Encouraged by the Neighbourhood Residential Zone & Neighbourhood Residential Zone, Schedule 2. There are several 2 lot subdivisions in the immediate surroundings.

There are developments at 34-36 Harker St which consist of 2 single storey brick veneer dwellings, directly backing onto the subject site and another at 122-124 Maroondah Hwy, also consisting of 2 single storey brick veneer homes. Two storey dwellings are sited at 10 & 12 Ryrie St and many others in surrounding streets.

## The Proposal

This Proposal seeks approval for the development of a new double storey dwelling along with associated subdivision. The new dwelling will comprise three generous bedrooms, three bathrooms, open plan living areas along with a garage in keeping with parking regulations. The new dwelling will share the existing vehicular access as Lot 1 via the crossover located on Ryrie St. The driveway will lead directly to Lot 2's covered garage & car space and to Lot 1's carport. The proposed carport for Lot 1 is built in the form of a detached single carport separated by common property.

7 Ryrie St Healesville has a Design & Development Overlay on the site which outlines that "The total area of each lot covered by buildings must not exceed 30%" This restriction limited the ability to design a 3-bedroom house that suited the clients' needs without going up to two storeys.

The proposed dwelling has been designed to suit the character of the area and as shown on the Streetscape plans on P015, is not visible from the street, completely respecting the neighbourhood character. Development like our proposal is prevalent to the area and creates improvements to existing lots, providing more affordable housing to the area and delivering more efficient use of the neighbourhood residential zoned land. This proposal complements the existing characteristics of Ryrie St.

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## Strategic Context

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.

Planning should incorporate measures to protect culturally significant heritage places in locations exposed to climate related hazards.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

### **State Planning Policy Framework (SPPF)**

#### **Clause 15 Built Environment and Heritage**

##### 15.01 Built Environment

###### Objective

To Create urban environments that are safe, healthy, functional, and enjoyable and that contribute to a sense of place and cultural identity.

##### 15.01-2S Building Design

###### Objective

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

#### **Clause 16 Housing**

##### 16.01 Residential Development

###### Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

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## Zoning

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

A planning permit is required for the proposal under the following provisions.

### **32.09-7 Construction and extension of two or more dwellings on a lot dwellings on common property and residential buildings**

A permit is required to:

- Construct two or more dwellings on a lot.

## Clause 55 Analysis

### **Standard B1 - Neighbourhood character**

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

#### **Response:**

The materials, form, orientation, height, and siting of the new dwelling promote a modest contemporary development, which seeks to carefully respond to a broad range of design considerations whilst respecting the existing dwelling's street presence. The proposed streetscape will present as though there is only one dwelling, and completely respects the existing street presence. Please refer to sheet P015 of the Planning set for a visual representation of the streetscape.

### **Standard B2 – Residential Policy**

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

#### **Response:**

This proposal is consistent with the State, local and zone objectives.

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**Standard B3 - Dwelling diversity**

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

**Response:**

This standard is not applicable as only two dwellings are being proposed.

**Standard B4 – Infrastructure**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Response:**

We are not aware of any servicing difficulties in this area for sewerage.

It is proposed that the site storm water will be discharged to the existing legal point of discharge.

**Standard B5 - Integration with the street**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Response:**

The new dwelling will share the existing vehicular access as Lot 1 via the crossover located on 7 Ryrie St. The driveways will lead directly to Lot 2's covered garage & car space and to Lot 1's carport. The proposed carport for Lot 1 is built in the form of a detached Single carport that is separated from Lot 2 through common property.

Only the existing dwelling can be seen from the street, as shown on sheet P015, maintaining the existing connection to the streetscape. No new front fencing is proposed.

**Standard B6 – Street Setback**

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and veranda's that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

**Response:**

All proposed setbacks comply with this regulation.

Proposed setbacks can be seen on sheet P007

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**Standard B7 - Building height**

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

**This site has a Significant Landscape overlay Schedule 22, which states that:**

A permit is not required to construct a building or carry out works provided all the following requirements are met:

- The height of any part of a building is no more than 7.5 metres above the natural surface of the ground directly below it.

**Response:**

No portion of the proposed dwelling exceeds 7.5m from natural ground height. The Refer to site elevations on P013 & P014 for heights, Sheet P015 For Streetscape views.

**Standard B8 - Site coverage**

The site area covered by buildings should not exceed:

- 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, 60 per cent.

**This site has a Design and Development overlay Schedule 6, which states that:**

When subdividing a lot into two lots with an existing dwelling, lots of less than 500m<sup>2</sup> can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following site coverage requirements:

- The total area of each lot covered by buildings must not exceed 30%.
- The total area of each lot covered by impervious surfaces (including buildings) must not exceed 50%.

**Response:**

The site has an area of 1026.82m<sup>2</sup>. The proposed site coverage area of Lot 1 is 123.83m<sup>2</sup> giving a proposed site coverage of 29.91% and the proposed site coverage of site 2 is 141.39m<sup>2</sup>, giving a proposed site coverage of 23.70%. The proposed site coverage is less than that permitted by this standard. Overall site coverage is 265.22m<sup>2</sup> or 25.83%.

The area covered by impervious surface for lot 1 is 123.83 or 29.91%.

The area covered by impervious surface for lot 2 is 141.39 or 23.70%.

The total area of area of each lot covered by impervious surfaces is – 265.22m or 25.83%.

The proposal will utilise a permeable driveway to the rear unit minimising the impervious surfaces found on site.

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**Standard B9 – Permeability**

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

**Response:**

761.60m<sup>2</sup> or 74.17% of the site is permeable which is fully compliant with the requirement of this standard.

**Standard B10 - Energy efficiency**

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is maximised.

**Response:**

Full compliance with this standard has been achieved; the new dwellings will have a minimum 7-star energy rating. Due to the orientation of the site north facing private open space is practicable, north facing windows have been included where possible and all living areas to both dwellings face north.

**Standard B11 - Open space**

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable

**Response:**

Not applicable - there is no public open space provided on the site.

**Standard B12 – Safety**

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Response:**

Entrances to all dwellings are clearly defined and visible from either the street or clear accessways. Passive surveillance of the street is possible as the living areas view the street frontage and driveway allowing residents to observe the comings and goings on the site.

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**Standard B13 – Landscaping**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should meet any additional landscape requirements specified in a schedule to the zone.

**Response:**

Proposed planting comprises a variety of indigenous vegetation which will encourage local birdlife to the site. Existing protected trees on the site will be retained as per recommendations of the Arborist. A new canopy tree is proposed to Unit 2's secluded private open space. Every effort has been made to have a minimal impact on the existing planting and trees on the site. The proposed trees to be removed can be seen on the existing site plan on sheet P006. Proposed landscaping can be seen on sheet P016.

**Standard B14 – Access**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

**Response:**

The new dwelling will share vehicular access with lot 1 via the existing crossover located on Ryrie St through common property.

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**Standard B15 - Parking location**

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Response:**

Shared accessways are proposed.

All on-site parking is to be secure within a private garage, carport & car space.

**Standard B17 – Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandas, porches, eaves, fascia's, 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 setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Response:**

The proposal complies with all of this standard. Setbacks can be seen on sheet P007

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**Standard B18 - Walls on boundaries**

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 lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,

whichever is the greater.

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.

A building on a boundary includes a building set back up to 200mm from a boundary.

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 should 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.

**Response:**

There are no walls on boundaries proposed for this development.

**Standard B19 - Daylight to existing windows**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**Response:**

Existing windows on adjacent allotments will not be impacted by the proposed design. Proposed walls comply with this regulation.

**Standard B20 - North-facing windows**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

**Response:**

The proposal complies with this standard. Setbacks can be seen on sheet P007.

**Standard B21 - Overshadowing open space**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Response:**

The proposal complies with all this standard. Shadows can be seen on sheets P018, P019, P020.

**Standard B22 – Overlooking**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

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.

Screens used to obscure a view should be:

- 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 development.

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.

**Response:**

The proposal complies with this standard. All overlooking is prevented with existing fences and a new 500mm high screen is proposed to areas in which overlooking may occur. Please refer to the overlooking diagrams on sheet P025 & P026.

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**Standard B23 - Internal views**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Response:**

The proposal complies with this standard. All overlooking is prevented with existing fences and a new 500mm high screen is proposed to areas in which overlooking may occur. Please refer to the overlooking diagrams on sheet P025 & P026.

**Standard B24 - Noise impacts**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Response:**

There are no unusual noise sources which will affect the amenity of either the residents of the proposed dwellings or those of existing dwellings.

**Standard B25 – Accessibility**

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

**Response:**

The proposal complies with this standard.

**Standard B26 - Dwelling entry**

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

**Response:**

Each dwelling has its own defined entry and complies with all aspects of the above standard.

**Standard B27 - Daylight to new windows**

A window in a habitable room should be located to face:

- 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 veranda 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.

**Response:**

The proposal complies with this standard. Setbacks can be seen on sheet P007.



**Standard B28 - Private open space**

- A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.
- If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
  - An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
  - A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
  - A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
- The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Response:**

Lot 1 is provided with a secluded private open space of 209m<sup>2</sup> and convenient access from a living room.

Lot 2 is provided with a secluded private open space of 112m<sup>2</sup> and convenient access from a living room.

**Standard B29 - Solar access to open space**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least  $(2 + 0.9h)$  metres, where 'h' is the height of the wall.

**Response:**

The proposal complies with this standard. Setbacks can be seen on sheet P007 and shadowing.

**Standard B30 – Storage**

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

**Response:**

There is an outdoor storage space available in the form of a 6m<sup>3</sup> Garden store to both Lot 1 and lot 2.

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**Standard B31 - Design detail**

The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandas, eaves and parapets, should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Response:**

The proposed dwelling is designed with weatherboard cladding a gabled/hipped roof form and colorbond sheet roofing. This design is in keeping with the homes of the surrounding neighbourhood.

**Standard B32 – Front Fences**

The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

**Table B3 Maximum front fence height**

Street Context	Maximum front fence height
Streets in a Road Zone, Category 1	2 metres
Other streets	1.9 metres

**Response:**

There is no front fencing proposed.

**Standard B33 - Common property**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Response:**

The common property will be predominately driveway and body corporate will be setup as part of the subdivision allowing for management of this low maintenance space.

**ADVERTISED**

**Standard B34 - Site services**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Response:**

Mailboxes for each dwelling will be located at the street frontage located on each side of the driveway.

There is ample space within the rear yard of both lots for storage of rubbish and recycling bins. Refer to the site plan on sheet P007.

Clause 52.06 Car Parking

The purpose of the Car Parking provision is:

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

Both dwellings require a minimum of one under covered car parking space and an additional car parking space in accordance with the design standards of Clause 52.06. All proposed dwellings will feature a double garage or single carport attached to their respective dwellings, meeting the requirements of the Planning Scheme.

Conclusion

The proposed dwelling complies with the objectives of state and local planning policies.

The development is consistent with the purpose of the Neighbourhood Residential Zone (NRZ) and Neighbourhood Residential Zone – Schedule 2. The proposed dwelling complies with the objectives and the standards contained within Clause 55 of the Scheme.

Every effort has been made to design a development which is compatible with the scale and setbacks of development in the area.

It is requested that a permit be issued for the proposal as herein described.

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## Clause 55 (Rescode) Assessment

Pursuant to the provisions of the zone, the proposal must meet the requirements of Clause 55. The application has been assessed against these provisions and found to be compliant. A discussion of the main issues identified in this assessment are below:

Pursuant to the provisions of the zone, the proposal must meet the requirements of Clause 55.

Amendment VC243 has included the following amendment to Clause 55:

### A development:

- Must meet all of the objectives of this clause that apply to the application.
- Should meet all of the standards of this clause that apply to the application.
- If a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard.
- Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not apply to the application.

## 55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

55.02-1 Neighbourhood character objectives		
Standard B1	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies -</p> <p>The site layout includes development of a second dwelling on the lot with proposed 2 lot subdivision.</p> <p>The existing front dwelling is located to the front of the site and is set back 6.96 metres from the front boundary. It is accessed via its own pre-existing accessway and crossover to the street. It has one existing car space (single car port) located in the front setback area.</p> <p>The proposed dwelling is located in Lot 2 (at the rear). It features a rear boundary setback of 2.91-4.8 metres and side boundary setbacks of 2.89-3.26 metres. It is double storey in height.</p> <p>The proposed dwelling has one single garage parking space and one additional car space.</p> <p>The front proposed converted dwelling is timber weatherboard (painted white) with Colorbond (grey) roof. The rear existing dwelling to the rear utilises similar materials. This is consistent with the surrounding build form. The materials complement the range of built form styles found in the area.</p> <p>Overall, the design is visually compatible with the neighbourhood character including façade articulation and detailing door and window proportions roof form and eaves materials and finishes.</p>	

	<p>Ryrie Street is characterised by predominantly single storey dwellings with pitched tile roofs. There are at least nine (9) unit developments within 250 metres of the subject site. The developments at 34-36 Harker St which consist of two (2) single storey brick veneer dwellings, directly back onto the subject site. At 122-124 Maroondah Highway, there are two (2) single storey brick veneer dwellings. Double storey dwellings are sited at 10 and 12 Ryrie Street.</p> <p>Although the predominant character is single storey, there are examples of other double storey dwellings in the area.</p> <p>The zone requirements allow for incremental change and the addition of a double storey dwelling in the rear yard area in close proximity to the activity centre of Healesville is considered to be an appropriate incremental change from the existing single and occasional double story character having regard to the number of other unit developments in proximity to the subject site. Vehicle access and parking facilities will not dominate the street frontage as both the dwellings will be accessed via their own pre-existing accessways.</p> <p>The development will provide a good standard of accommodation for future residents and will not adversely affect the neighbour’s amenity or their development potential. The neighbourhood and site description and design response submitted with the proposal has been reviewed and is generally acceptable.</p> <p>Overall, it is considered that the proposal is a suitable design response and outcome for the site.</p>	
55.02-2 Residential policy objectives		
Standard B2	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies - Reflective of State Government policy and objectives.</p> <p>The subject site is located in an area with access to Bus routes along Maroondah Highway and walkable access to Commercial Centre of Healesville.</p>	
55.02-3 Dwelling diversity objective		
Standard B3	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	Not applicable.	
55.02-4 Infrastructure objectives		
Standard B4	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	Complies -	

	All services are available and can be modified to accommodate the increased intensity of the development proposal. Standard infrastructure conditions will be applied.	
55.02-5 Integration with the street objective		
Standard B5	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	Complies -  The development is to the rear and therefore there is limited opportunity to integrate with the street. Nevertheless the dwelling integrates well with the street via an appropriately designed accessway.	

### 55.03 SITE LAYOUT AND BUILDING MASSING

55.03-1 Street setback objective		
Standard B6	Comments – Standards	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	Not applicable. The proposed dwelling is to the rear.	
55.03-2 Building height objective		
Standard B7	Comments – Standards	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	The building height of the proposed double storey dwelling is 7.48 metres, well below the 9 metre maximum prescribed.	
55.03-3 Site coverage objective		
Standard B8	Comments – Standards	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies -</p> <p>Entire site is 26.40 percent</p> <ul style="list-style-type: none"><li>Proposed Lot 1: Site coverage: 29.9 percent</li><li>Proposed Lot 2: Site coverage: 25.2 percent</li></ul> <p>The site coverage is well within the 60 percent maximum in this Standard.</p>	



**55.03-4 Permeability objectives**

<b>Standard B9</b>	<b>Comments – Standards and Objectives</b>	<b>Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/></b>
	<p>Complies -</p> <p>Entire site is 73.6 percent</p> <p>Proposed Lot 1: Permeability: 290.18m<sup>2</sup> = 70.1 percent</p> <p>Proposed Lot 2: Permeability: 446.39m<sup>2</sup> = 74.8 percent</p> <p>The permeability is well above the 20 percent minimum in this Standard which is compliant.</p>	

**55.03-5 Energy efficiency objectives**

<b>Standard B10</b>	<b>Comments – Standards and Objectives</b>	<b>Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/></b>
	<p>Complies -</p> <p>Both dwellings have good energy efficiency as some of the common areas are located on the north side of the buildings and open space is located on the west side of the dwellings with access to north sunlight. Opportunities for outdoor clothes drying facilities exist. Eaves provided to north-facing windows.</p>	

**55.03-6 Open space objective**

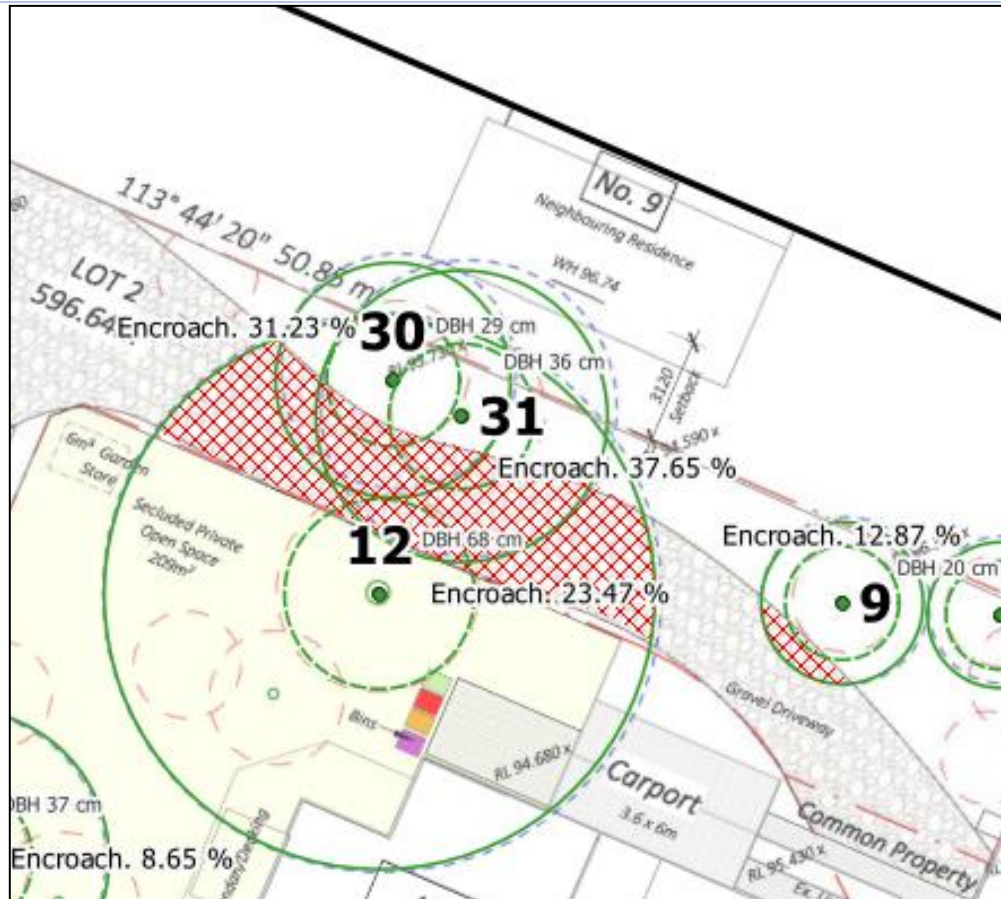
<b>Standard B11</b>	<b>Comments – Standards and Objectives</b>	<b>Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/></b>
	<p>Complies -</p> <p>No community open space facilities are located adjacent to the proposal.</p>	

**55.03-7 Safety objective**

<b>Standard B12</b>	<b>Comments – Standards and Objectives</b>	<b>Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/></b>
	<p>Complies -</p> <p>Each of the 2 dwellings have appropriately designed front entries. The existing dwelling's front entry is visible from the street. The proposed dwelling's front entry is visible via the accessway and parking areas are provided with appropriate passive surveillance from nearby windows.</p>	

### 55.03-8 Landscaping objectives

Standard B13	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies with conditions –</p> <p>The proposal will involve the removal of twenty (20) trees from the subject site however only a limited number of those are considered substantial vegetation species. Of the twenty (20) being removed only one (1) are substantial but is exempt from a permit required as it is within 2m of a boundary.</p> <p>The Soft Tree Fern (<i>Dicksonia antarctica</i>) which is proposed for removal can be transplanted and this secured by way of condition.</p> <p>There are four (4) trees which require tree protection measures in order to have the best chance of survival. Those are Trees #9, 12, 30 and 31 which are a Japanese Maple (<i>Acer palmatum</i>), Kurrajong (<i>Brachychiton populneus</i>), Weeping Bottlebrush (<i>Callistemon viminalis</i>), and a Snow in Summer (<i>Melaleuca linarifolia</i>). Tree protection zones of these trees will be encroached by 12.9 percent, 23.5 percent, 31.2 percent and 37.6 percent respectively. However driveway sensitive construction can allow adequate protection for the trees.</p> <p>The application is accompanied by a Concept Landscape Plan. The landscape plan shows the setbacks afforded between the proposed dwelling and property boundaries would allow for planting of one canopy tree (<i>Acacia pycnantha</i>) within the side yard area in along the south side boundary, the landscape plan is deficient in detail and will have a condition to be amended.</p> <p>Should a planning permit be granted, several conditions will be required for tree protection of driveway impacted trees (driveway sensitive construction), Tree Protection Fencing, Street Tree Protection, Tree Fern Transplantation, Installation of Service, Tree Removal, a full landscape plan, and landscaping undertaken to Council's satisfaction and completed prior to occupation of the second dwelling.</p>	



The above figure details a snip from the development plans showing the tree protection zones and accessway encroachment for Trees #9, 12, 30 and 31.

#### 55.03-9 Access objectives

##### Standard B14

Comments – Standards and Objectives

Met ☒ Not Met ☐

Complies –

The site frontage is 20.19 metres wide and the existing crossover (proposed to be extended) will take up less than 19 percent of the frontage. The proposal has therefore been assessed to meet Standard B14. The single extended vehicle crossover to Ryrie Street will not exceed 40 per cent of the street frontage.

#### 55.03-10 Parking location objectives

##### Standard B15

Comments – Standards and Objectives

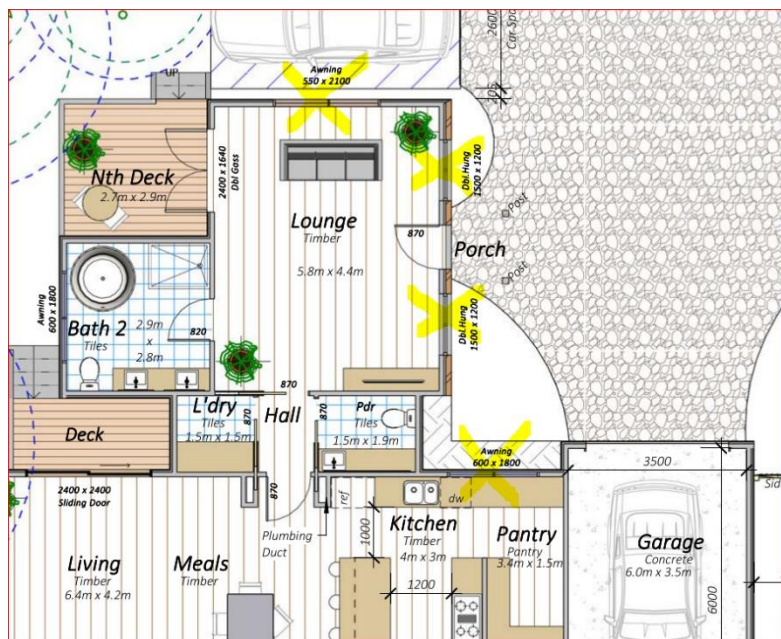
Met ☒ Not Met ☐

Complies subject to condition –

Car parking for the proposed dwelling is in the form of a single garage and separate single car space. These are both conveniently located next to the proposed dwelling. Adequate vehicle manoeuvrability is available within

the site which achieves the required turning radius. A single carport and tandem space is provided for the existing dwelling in the area where car parking was previously provided. All these facilities are located conveniently close to dwellings and allow for adequate vehicle manoeuvrability both within and to/from the site.

With regard to windows, shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.



Above figure, showing location of assessed windows.

Proposed Dwelling (Habitable Window proximity Accessway in to or Car space)	Sill Height (above accessway level)	Required setback from Accessway or Car space (factoring in Sill height)	Actual setback (closest point)	Complies?
North facade: Lounge	1.8 metres	1.0 metre	0.35 metre	No
East facade: Northern most Lounge	0.9 metre	1.5 metres	0.15 metre	No
East facade: Southernmost Lounge	0.9 metre	1.5 metres	0.25 metre	No
North facade: Kitchen	1.5 metres	1.0 metre	1.0 metre	Yes



As can be seen from the assessment table above, the Lounge room window on the north façade, and the northern and southern most windows on the east façade do not meet the standard. In order to determine if the application can vary the standard, the decision guidelines can be considered in this instance.

The decision guidelines advise that:

*Before deciding on an application, the responsible authority must consider the design response.*

In considering the design response it is reasoned that the 3 non-complying windows can be treated with double glazing to prevent the transmission of sound and their sill height raised to 1.5 metres as a condition of any approval. 1.5 metres is determined by considering the height of a typical vehicles headlights which range from 700mm-1.2 metres above ground level. The additional 300mm accounts for some light spill. This is considered appropriate and achievable.

There are no habitable room windows within 1.5 metres of the accessway on the existing dwelling.

## 55.04 AMENITY IMPACTS

### 55.04-1 Side and rear setbacks objective

**Standard B17**

Comments – Standards

Met ☒ Not Met ☐

Complies –

The proposed double storey dwelling is setback in accordance with standard provisions as demonstrated in the table below:

Elevation	Maximum Wall Height	Required Minimum Setback	Provided Minimum Setback
North:	6.68 metres	1.92 metres	10.88 metres
East:	5.41 metres	1.54 metres	32.94 metres
South:	6.33 metres	1.82 metres	2.89 metres
West:	7.39 metres	2.48 metres	3.81 metres

The amenity considerations of the clause are therefore considered to be met.

**55.04-2 Walls on boundaries objective****Standard B18**

Comments – Standards

Met ☒ Not Met ☐

Complies –

There are no walls on boundaries proposed.

**55.04-3 Daylight to existing windows objective****Standard B19**

Comments – Standards

Met ☒ Not Met ☐

Complies –

There are no habitable room windows on adjoining lots within 3 metres of the proposed development. Therefore, adequate daylight will be received to existing windows.

**55.04-4 North-facing windows objective****Standard B20**

Comments – Standards

Met ☒ Not Met ☐

Complies –

There are no neighbouring north facing habitable room windows within 3 metres of the boundary.

**55.04-5 Overshadowing open space objective****Standard B21**

Comments – Standards

Met ☒ Not Met ☐

Complies –

the provision covers existing dwellings only and there is only one affected property to the south of the proposed dwelling at No.30 Harker Street. The site is under construction so its questionable whether this is considered an existing dwelling, however for the benefit of any doubt, an assessment is provided:

Overshadowing to SPOS (amount increase) to 30 Harker Street:

Time on 22 September	Quantity of additional land overshadowed inside neighbouring SPOS at 30 Harker Street
9am	0.809 square metres

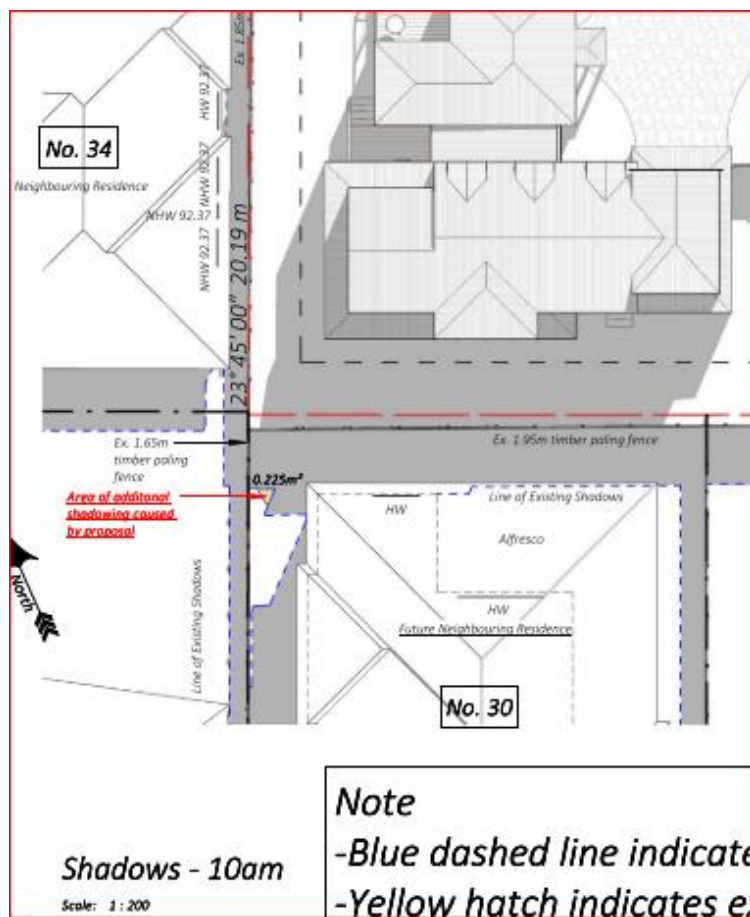
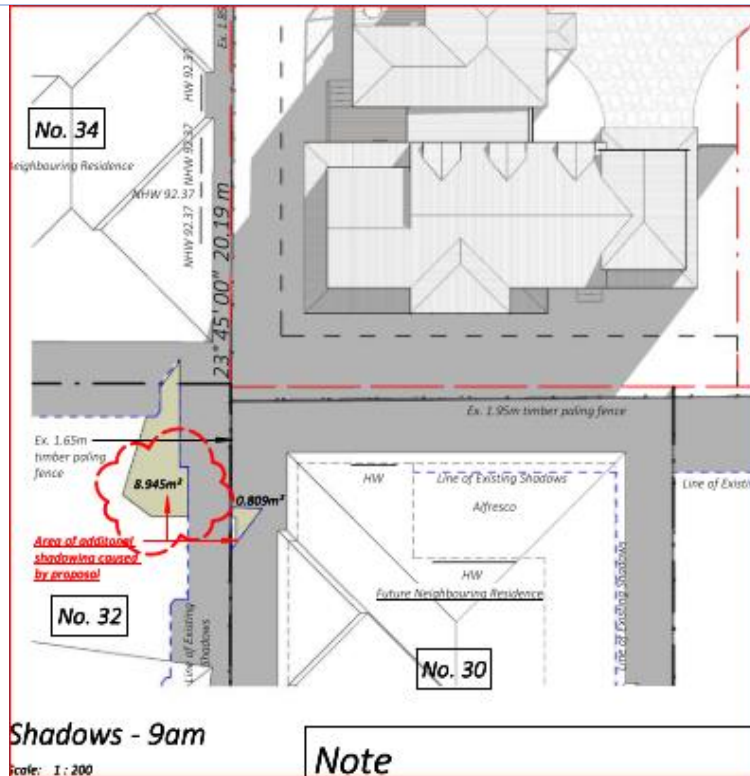
<b>10am</b>	0.225 square metres
<b>11am</b>	0.218 square metres
<b>12-midday</b>	0 square metres
<b>1pm</b>	0 square metres
<b>2pm</b>	0 square metres
<b>3pm</b>	0 square metres

The area of SPOS has been calculated from the endorsed plans from the relevant planning permit YR-2022/881 for 30 Harker Street, approved 22 August 2023 and endorsed amended plans issued 29 May 2024 under YR-2022/881/1. The shadow of the existing fence is not included in the calculations. A snip of the 30 Harker Street site plan is shown below indicating the SPOS area (not identified on the plans) is 50 square metres. Snips of the relevant overshadowing diagrams from 9am, 10am, 11am and 12-midday are also provided below. The overshadowing reduces it by 0.225 square metres at 10am and 0.218 square metres at 11am. However, it is not necessary to include the 9am in the calculation as the 5-hour requirement can span 9am-2pm or 10am-3pm, however I have included it therefore consideration of the broader context.

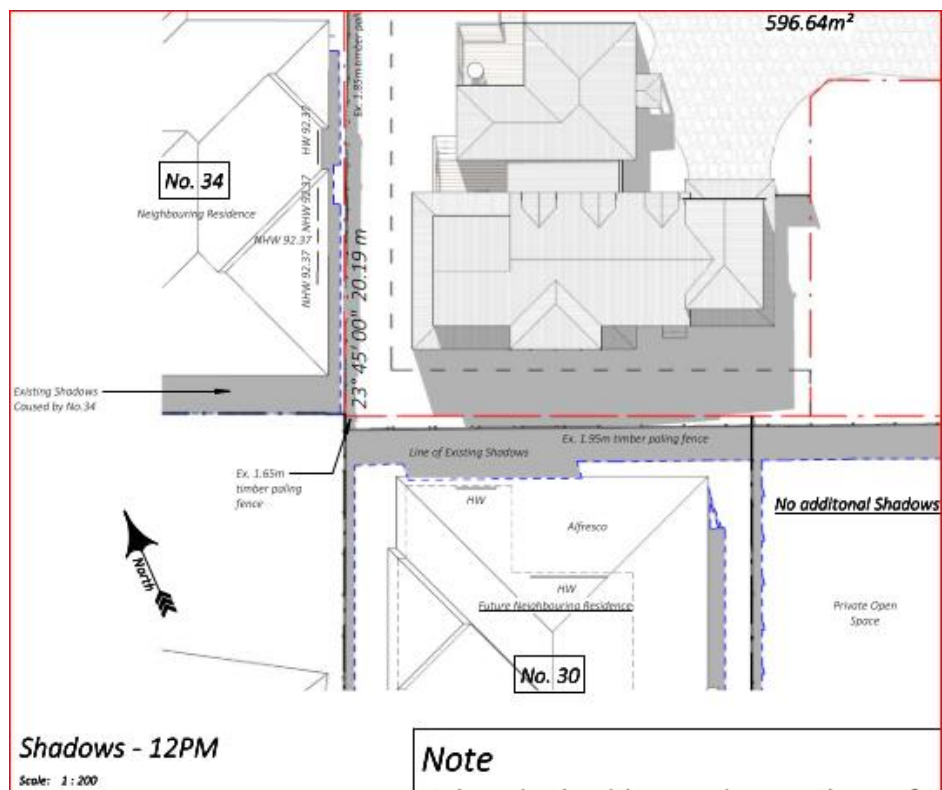
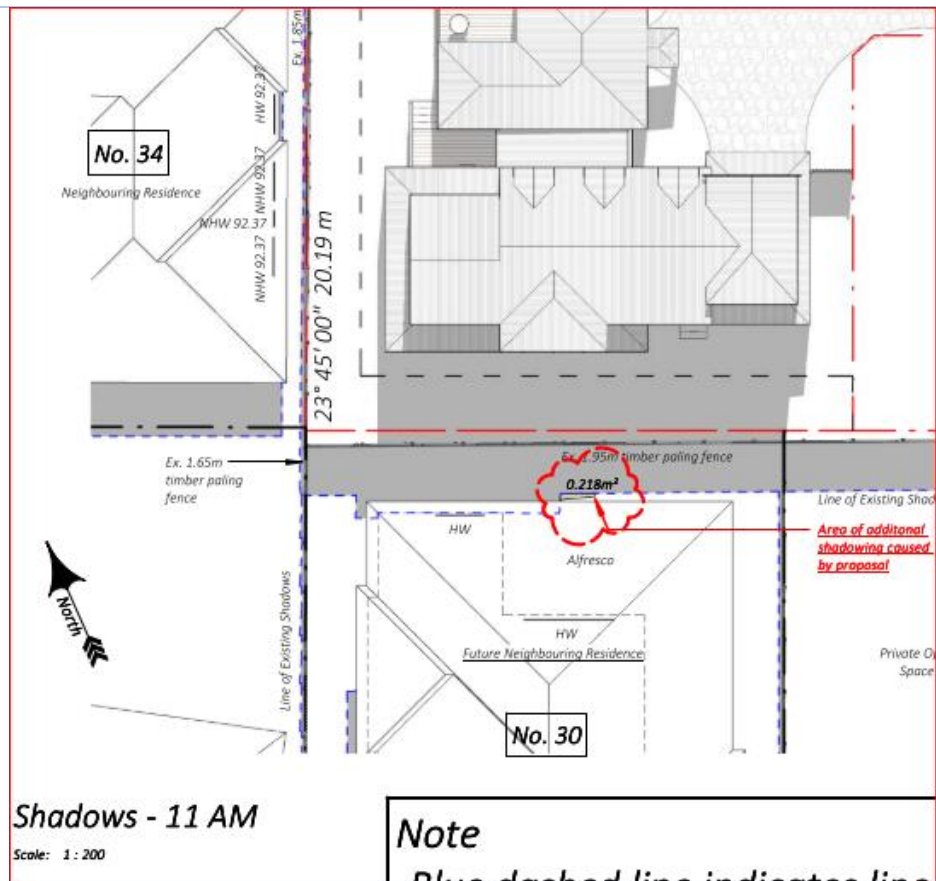
The Secluded Private Open Space (SPOS) area for 30 Harker Street is 50 square metres (see plan measurements below) but the standard requires at least 75 percent or 40 square metres of SPOS to have solar access between 9am and 3pm. The lesser area in this case is 40 square metres and this is reduced by a total of 0.443 square metres for 5 hours which is within the 50 square metres and greater than the allowable 40 square metres (leaves 49.55 square metres with solar access between 9am-3pm) which is greater than 40 square metres. Therefore, the area of additional overshadowing is to the south outside of the calculated SPOS area is shown to be acceptable in that at least 40 square metres of SPOS area will achieve 5 hours of sunlight between 9am-3pm.

Calculations have not been necessary for the overshadowing to 32 Harker Street as the overshadowing of their SPOS (of 8.94 square metres) only occurs in the first hour (9-10am) and all other hours are unencumbered by any additional overshadowing.

Adequate solar access is achieved to POS.

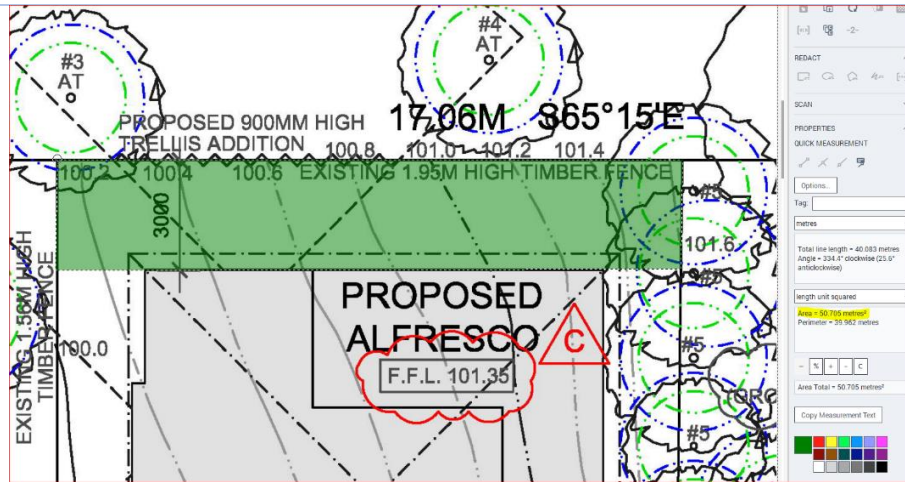






The 4 figures above indicate overshadowing between 9am-12midday.

The 1-3pm diagrams have been excluded as there is no overshadowing at that time.



The figure above is taken from the endorsed plan dated 29 May 2024 under YR-2022/881/1 of the secluded private open space area of 30 Harker Street indicating the area calculation as being 50 square metres.

It is noted that a review of the relevant decision for that property did not provide any figures.

#### 55.04-6 Overlooking objective

##### Standard B22

Comments – Standards and Objective

Met ☒ Not Met ☐

Complies -

There are no unreasonable instances of overlooking.

First considering ground floor overlooking, all side and rear boundary fences exceed 1.8 metres within 9 metres of all ground floor habitable room windows. All floor levels are less than 800mm.

Secondly considering upper floor overlooking, an assessment of all upper floor windows follows detailing full compliance:

	Bed 1	Ensuite	Bed 3	Bath/ Pdr	Bed 2	Stairwell/ Passage
<b>North:</b>	No screening as no overlooking within 9 metres	Not required for bathrooms.	No screening as no overlooking within 9 metres	Not required for bathrooms.	No screening as no overlooking within 9 metres	-
<b>East:</b>	-	-	-	-	High sill window, 1.7 metres above Floor Level	-
<b>South:</b>	-	-	-	Not required for bathrooms.		Not required for stairwell / passages
<b>West:</b>	High sill window, 1.7 metres above Floor Level	-	-	-	-	Not required for stairwell / passages

The development is assessed to comply with overlooking provisions, however it is noted that the east elevation showing the Bedroom 2 high sill window is not dimensioned. This is measured on the drawings to be 1.7 metres above the floor level however it needs to be dimensioned on the elevations. Therefore, a requirement of any permit granted will be for this dimension to be provided.

#### 55.04-7 Internal views objective

<b>Standard B23</b>	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
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Complies -  
There will be no internal views within this development.

#### 55.04-8 Noise impacts objectives

<b>Standard B24</b>	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
---------------------	-------------------------------------	--

Complies –  
There will no mechanical noise sources near the site and proposed plant within the site that would affect future residents of the proposal.

## 55.05 ON-SITE AMENITY AND FACILITIES

55.05-1 Accessibility objective		
Standard B25	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies –</p> <p>The entries of each dwelling are suitably designed for persons with limited mobility in that it can readily be fitted-out with handrails etc with minimal additional structural changes required.</p>	
55.05-2 Dwelling entry objective		
Standard B26	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies –</p> <p>Both dwellings front entries are readily visible from the street or driveway and parking area is provided with appropriate passive surveillance. Each dwelling entry is easily identifiable and provides sense of personal address, shelter and appropriate transition.</p>	
55.05-3 Daylight to new windows objective		
Standard B27	Comments – Standards	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies –</p> <p>All habitable room windows face the open sky or are provided with adequate light courts.</p>	



**55.05-4 Private open space objective****Standard  
B28**

Comments – Standards

Met ☒ Not Met ☐

Complies -

Adequate private open space (POS), and secluded private open space (SPOS) has been provided.

For the proposed dwelling plans indicate 105.37square metres of SPOS is provided, however this area includes an area of less than 3.0m in dimension and is therefore excluded from the calculation. The actual area is 70 square metres which is still well above the minimum for both POS and SPOS.

<b>Dwelling</b>	<b>Private Open Space (POS)</b>	<b>Secluded Private Open Space</b> (Greater than 3.0 metre dimension and not directly south of the dwelling)
<b>Existing</b>	252 square metres	206.57 square metres
<b>Proposed</b>	105.37 square metres	70 square metres

**55.05-5 Solar access to open space objective****Standard  
B29**

Comments – Standards and Objectives

Met ☒ Not Met ☐

Complies –

For the proposed dwelling, the bulk of the secluded private open space is located with clear north solar access, only an area of 30 square metres (with a minimum dimension exceeding 3.0 metres) is located to the south of the dwelling and even though that smaller section is non-compliant given the wall height to the north and insufficient setback to the south of the wall, it is inconsequential as the broader area of 70 square metres is compliant having clear north solar access and this exceeds the 25 square metres minimum for this standard.

The existing dwelling has 206 square metres of SPOS and even though a small section is encumbered by the carport, there is well in excess of 25 square metres of SPOS with clear solar access.

**55.05-6 Storage objective**

To provide adequate storage facilities for each dwelling

**Standard  
B30**

Comments – Standards

Met ☒ Not Met ☐

Complies –

The standard requires 6m<sup>3</sup> of externally accessible storage to be provided. Both the existing dwelling and proposed dwelling have a 6m<sup>3</sup> garden shed proposed.

## 55.06 DETAILED DESIGN

55.06-1 Design detail objective		
Standard B31	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Compiles –</p> <p>The design is an acceptable outcome for the site having regard to the design detail. This is because the proposed building features a pitched roof form, eaves, features traditional light-weight materials including timber weatherboard, Colorbond in appropriate colours. The roof utilises Colorbond with “Windspray” finish being a light sandy brown colour. The façade features James Hardie Linea, painted I Dulux “Feathersoft” (being a sandy colour). The James Hardie cladding is a pre-formed fibre cement weatherboard product. Facades also use timber cladding (in a natural finished colour), and some feature sandstone cladding. Windows are to utilise vivid white which is limited in scope. This is considered acceptable in this residential context.</p>	
55.06-2 Front fences objective		
Standard B32	Comments – Standards	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies -</p> <p>There is an existing open weave style front fence of 1.8 metres in height. As this fence is existing and is of a traditional and sympathetic open weave style, it is considered acceptable to remain despite the height being 1.8 metres. There is no change proposed to this fence.</p>	
55.06-3 Common property objectives		
Standard B33	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies -</p> <p>A common property driveway is proposed. This area currently comprises 16 square metres and extends for a small section where the two accessways collide near the front of the site. This area will be readily able to be managed and represents a small area of the site.</p>	

**55.06-4 Site services objectives**

<b>Standard B34</b>	Comments – Standards and Objectives	Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>
	<p>Complies –</p> <p>Four bins are required per dwelling, and four are provided meeting the Yarra Ranges Council standard. In addition, a suitable location for letter boxes has been shown for each property on alternative sides of the accessway fronting the street. Water tanks have been shown. The existing dwelling will be fitted with a 2,000L water tank and the proposed dwelling will be fitted with a 5,000L water tank – importantly this detail is questioned in the BMO assessment below. Clothes lines have also been detailed for each dwelling. No other site services have been shown however there is sufficient space for the suitable location of other services.</p>	



# Ajarboriculture



## Arboricultural Appraisal

7 Ryrie Street, Healesville

**ADVERTISED**

September 2023

## 1. Summary

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The subject site has a medium tree density cover that is comprised primarily of planted exotic vegetation. Statutory planning provisions applicable to this site protects approximately 40% of the vegetation identified in this appraisal.

## 2. Objectives

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In this appraisal, the following objectives have been identified.

- 2.1. Inspect the tree(s) located within and adjacent to the subject site as requested by the client and determined by the assessor during the site inspection. A tree is defined in this appraisal as a perennial plant that is greater than 3 metres in height. Perennial plants smaller than 3 metres in height are shrubs or small and/or young trees that may be included in this appraisal contingent on landscape contribution.
- 2.2. Collect and report details concerning the identified tree(s) in accordance with the Australian Standard AS 4970 - 2009 'Protection of trees on development sites', subsequent amendments, applicable local laws, statutory requirements and other relevant documents.
- 2.3. Provide an unbiased arboricultural perspective within the aforementioned frameworks that clearly informs the client and associated stakeholders of the tree populations merit, protection and management requirements.

## 3. Method

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The following methods were employed to inform the contents of this appraisal.

- 3.1. The site inspection was undertaken on Thursday, 14 September 2023.
- 3.2. Individual Trees identified in this appraisal have been located and numbered in Appendix 1 - 'Site Plan'. Definitions for the data catalogued in Appendix 2 - 'Site Data' are contained in Appendix 3 - 'Tree Feature Descriptions'. Observations including relevant photographs have been incorporated in the appraisal where appropriate. All trees were visually assessed from the ground. Where access to a tree was limited, dimensional characteristics were estimated and some observational features may have been overlooked.
- 3.3. Tree Protection Zones (TPZ) including variations, Structural Root Zones (SRZ) and tree protection measures identified in this appraisal have been determined in accordance with AS4970 and current industry best practice. Please refer to Section 6.4 for a concise description of TPZ and SRZ calculations.

## 4. Documents and Literature

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The following documents were reviewed in the preparation of this appraisal.

- 4.1. Planning Property Report from <https://mapshare.vic.gov.au/vicplan/> accessed on the Monday, 25 September 2023 for 7 Ryrie Street, Healesville.
- 4.2. 42.03 Significant Landscape Overlay (SLO) and the associated Schedule SLO22 from the Yarra Ranges Planning Scheme.
- 4.3. Job No. 2023-0513 Re-establishment and Existing Conditions Survey for 7 Ryrie Street, Healesville as prepared by Smith Land Surveyors and dated 10 May 2023.
- 4.4. Project No. 23-016 Alterations and Additions for 7 Ryrie Street, Healesville, Sheets SK00 - SK05 as prepared by Meenks Ink, Design and dated July 2023.
- 4.5. Environmental Weeds in the Yarra Ranges 2019.

## 5. Observations

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The ensuing observations were made during the site inspection and have been included to summarise data, inform discussion, opinions and recommendations contained in this appraisal.

- 5.1. Thirty-one (31) Individual Trees as defined in this appraisal were identified during the site inspection. One (1) tree was located in the Ryrie Street road reserve to the east of the subject site. The remaining thirty (30) trees were located within the subject site.
- 5.2. One (1) tree received a High Retention Values and ten (10) received Moderate Retention Values as defined in this appraisal. The remaining twenty (20) trees received Low Retention Values.
- 5.3. Twelve (12) trees are considered Protected Trees under the SLO identified in Section 4.2 and discussed in Section 6.2. The remaining nineteen (19) trees did not meet the minimum dimensional characteristics identified in the SLO, are considered weed species in the document listed in Section 4.5 or are located within 2 metres of an existing building.
- 5.4. Additional shrubs and small and/or young trees were noted during the site assessment but have not been included in this appraisal as they do not provide any particular landscape significance or make a contribution to local amenity. Trees in adjoining properties where drip lines did not extend into the subject site were also observed during the site assessment but have not been included in this appraisal as they will not be affected by any proposed development within the subject site.

## 6. Discussion

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- 6.1. In this appraisal and as required under AS4970; the relative environmental, social and economic virtues of a tree are expressed in its **Retention Value**. The benefits of tree retention within an evolving urban landscape are significant and quantifiable.

*Social Benefits* - tree stature and longevity provide a sense of 'place' and a direct link with a sites past. They are living structures that instill serenity, soften vistas and provide cover from the harsh planes of surrounding concrete, glass, brick and asphalt.

*Environmental Benefits* - Trees contribute to privacy, emphasise views, reduce glare, moderate climate, improve air quality, conserve water and harbour wildlife.

*Economic Benefits* - Trees provide direct economic benefit through increased property values and reduced energy costs.

Trees that receive a **High** or **Moderate** value express one or more of these qualities and can with adequate design consideration and protection during construction, continue to contribute as landscape elements. Trees that receive a **Low** value add little to the site; may not respond well to changes in their environment, become hazardous or create an amenity nuisance in a transforming landscape. These trees should be excluded from retention considerations.

- 6.2. In Victoria, tree protection is afforded through local planning, laws, policy and other legal instruments. Protection provisions relevant to the subject site are listed in Section 3 of this appraisal. Vegetation located within the subject site and on adjoining land that may be impacted by proposed development and are subject to protection provisions must be managed in accordance with AS4970 and local policy where it exists. In this appraisal, these trees are designated as **Protected Trees**.

Trees on adjoining property that are exempt from protection provisions and could potentially be impacted by proposed development should be managed in accordance with AS4970. Local government does not enforce the common law tort of negligence where an act or omission leads to damage, loss or injury to a tree. However, failure to apply appropriate protection measures to a tree on adjoining land could result in project delays, unnecessary disputes, undermine good neighbourly relationships or gives rise to needless legal action.

The primary objectives of 42.03 Significant Landscape Overlay (SLO) and the associated Schedule SLO22 is to maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation in the foothills and rural townships of the municipality. To that end, SLO22 requires the applicant to obtain a permit for works that results in the removal, destruction or lopping of indigenous vegetation that occurs naturally in the Shire of Yarra Ranges or substantial trees that have a DBH greater than 0.16 metres.



- 6.3. Acknowledging the value of trees and adopting a balanced perspective between a trees **Retention Value** and **Protected Tree** status is an important design consideration in ensuring a successful outcome.

There are just as many reasons to remove a tree as there are to retain the very same. What an existing tree will bring to a renewing landscape is at the discretion of the imagination but at the very least, should be a representative symbol of a living and dynamic location where people, structures and trees can coexist in harmony.

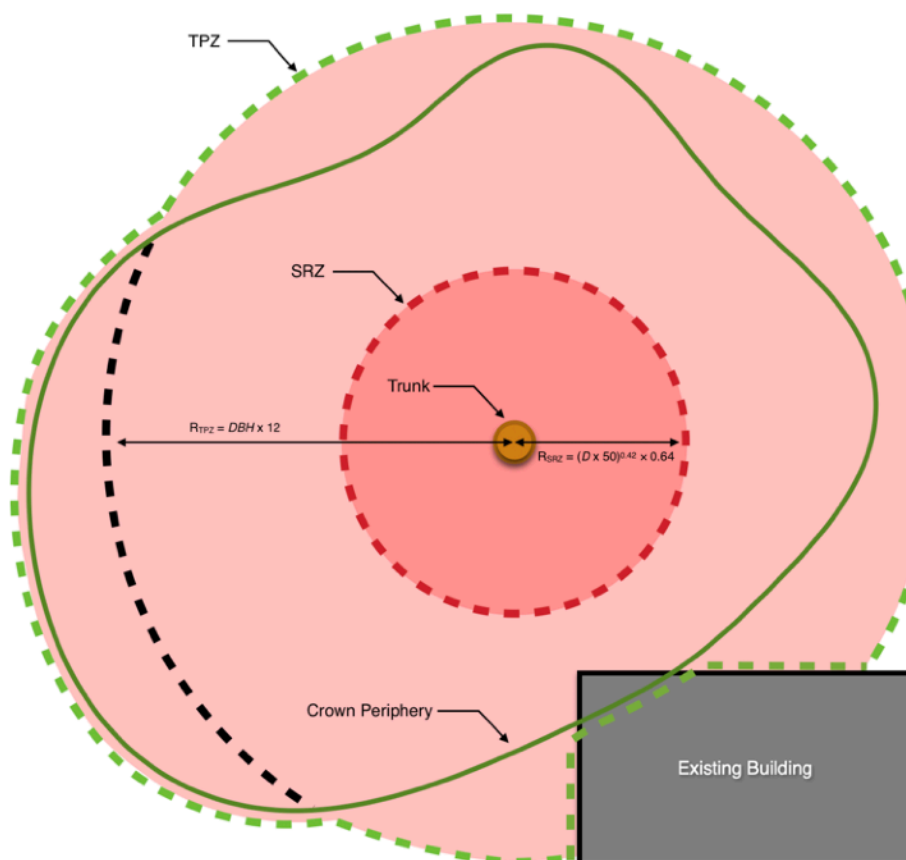
- 6.4. The TPZ as defined under the AS4970 is an area (nominally cylindrical) above and below ground, at a given distance from the trunk center, set aside for the viability of a tree where it is potentially subject to damage by change. The SRZ is the area within the root plate where roots and soil cohesion are necessary to maintain tree stability.

Defining the area and extent of the TPZ and SRZ is determined by the diameter of the trunk, the projection of the crown and the presence of obstacles to root and crown growth. Please refer to Diagram 1 for detail.

The calculated radial distances contained in Appendix 2 - Site Data are designed to provide architects and planners with guidance to the extent of the obscured root plate. Modified zones determined by the arborist are diagrammatically represented in Appendix 1 - Site Plan.

An encroachment of up to 10% into the area on one side of a TPZ is generally tolerated. However; incursions greater than 10%, on multiple sides of the TPZ or into the SRZ are considered unacceptable and is only permissible if it can be demonstrated that after such an incursion the tree will remain a viable landscape element.

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**Diagram 1** - Nominal extent of the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for a tree with an asymmetrical crown.

- $R_{TPZ}$  is the calculated radius of the TPZ measured from the trunk center and usually expressed in metres.  $DBH$  is the diameter of the trunk measured 1.4 metres above ground level. The TPZ can be modified to consider obstacles affecting growth, root plate and crown asymmetry.
- $R_{SRZ}$  is the calculated radius of the SRZ measured from the trunk center and usually expressed in metres.  $D$  is the diameter of the trunk measured immediately above the root buttress. The SRZ can be modified to consider obstacles affecting growth and root plate asymmetry.
- TPZ and SRZ calculations do not apply to palms, ferns and cycads.

Adapted from the Australian Standard AS4970 - 2009 'Protection of trees on development sites'.



## 7. Opinions and Recommendations

The following opinions and recommendations have been made within the context of the existing proposal without modification.

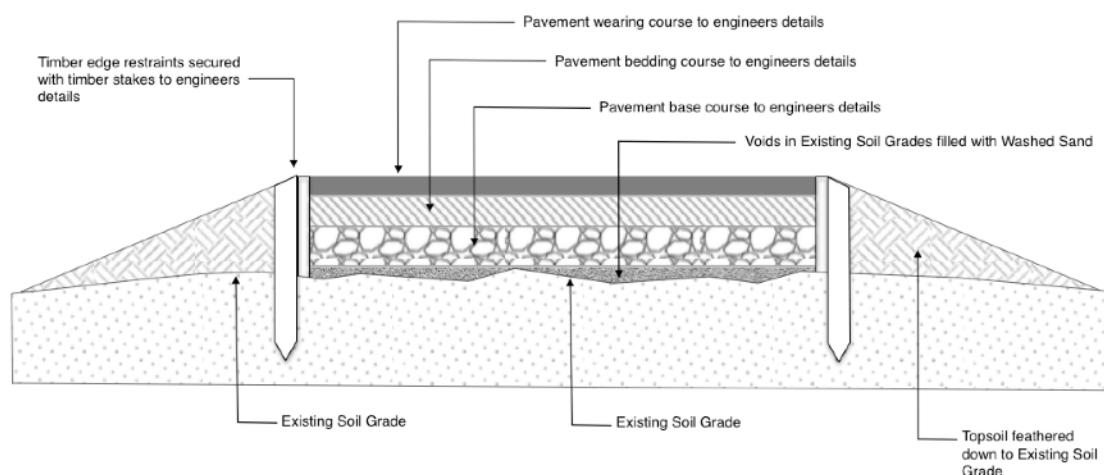
The property title for the subject site was not inspected and it is unknown if there are any specific tree protection controls under existing planning permits or Section 173 Agreements for the subject site.

- 7.1. The proposal listed in Section 4.4 identifies the removal of five (5) trees including #10 and #11 both identified as Camellia (*Camellia japonica*), #15 a Japanese Maple (*Acer palmatum*), #21 a Silver Birch (*Betula pendula*) and #26 a Claret Ash (*Fraxinus angustifolia subsp. Oxycarpa*). No permit should be required for the removal of these trees as they are exempt from the provisions of the SLO identified in Section 4.2. Tree numbers #10, #11, #15 and #21 do not meet the minimum dimensional characteristics identified in the SLO and #26 is considered a weed species.
- 7.2. The proposal will result in significant TPZ encroachment (greater than 10%) for tree numbers #12, #17, #20, #22, #25, #28, #30 and #31 all of which are considered Protected Trees.

Encroachment will be primarily associated with the proposed gravel driveway to the new dwelling. To ensure these trees remain viable landscape elements, the driveway must be a "No Dig" permeable surface where it intersects with the TPZ of a tree as detailed in Figure 1. "No Dig" pavements are primarily characterised as pavements laid above existing site grade that is sufficiently porous so as to have a saturated hydraulic conductivity greater than that of the natural soils (sub-grade) on which it is laid.

Typical 'No Dig' Pavement Profile Section (Not to Scale)

Figure 1



- 7.3. Underground services to the proposed new dwelling must be routed to avoid the TPZ of retained trees or bored where they intersect a TPZ. Open trench excavation within a TPZ is generally discouraged as this results in the severance of roots however, supervised non-destructive excavation (NDD) may be permitted where it cannot be avoided.

  
**David Balsamo**  
Principal Consultant

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## Attachments

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- Appendix 1 - Site Plan
- Appendix 2 - Site Data
- Appendix 3 - Tree Feature Descriptions

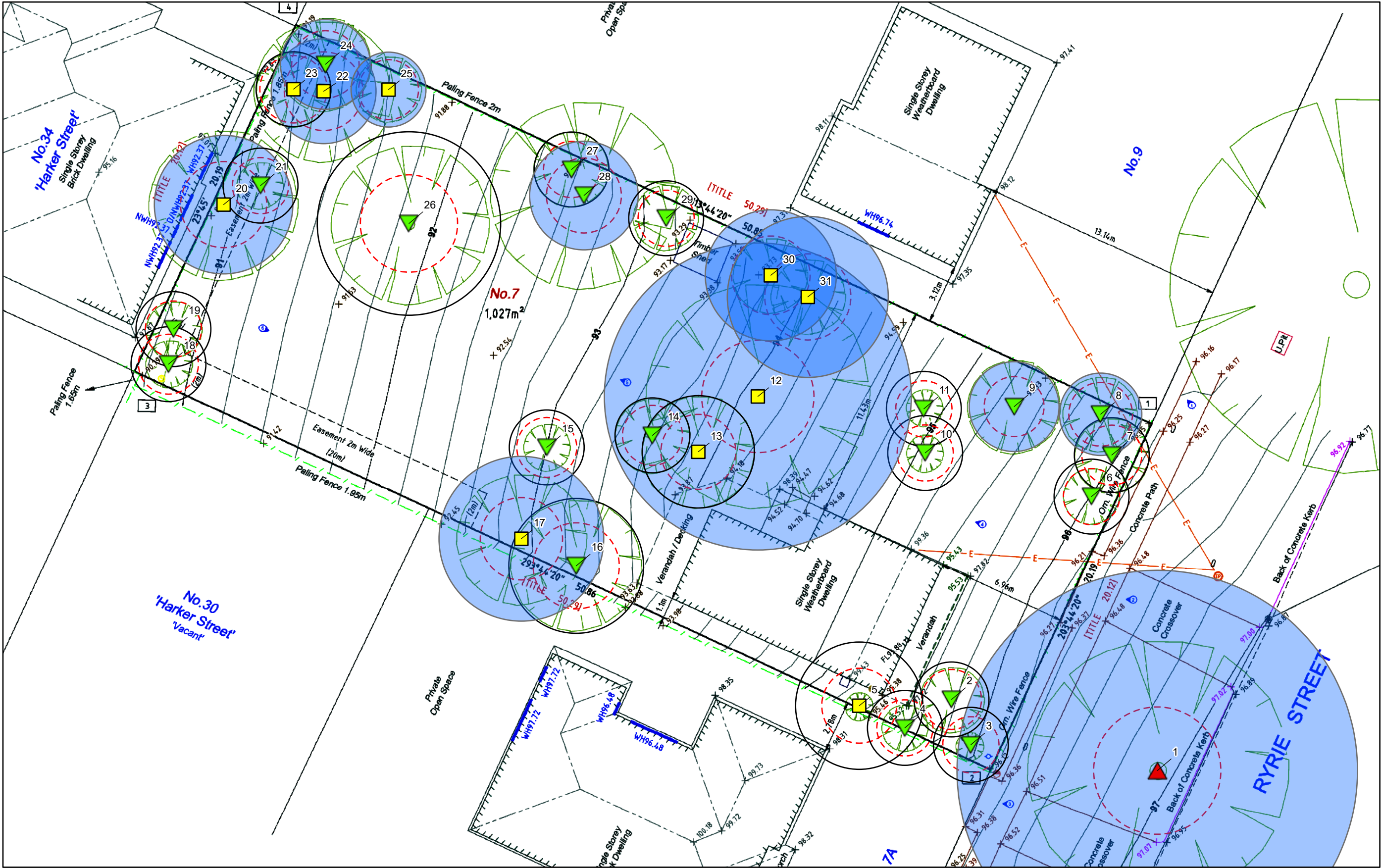
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7 Ryrie Street, Healesville

Page 175



Legend

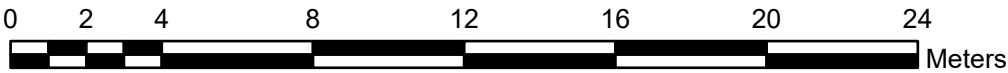
- Trees
- Retention Value
- High (1)
  - Moderate (10)
  - Low (20)
- TPZ
- Protection Status
- Protected (12)
  - Not Protected (19)
- SRZ

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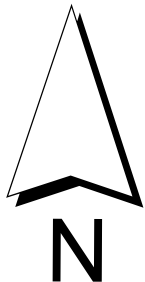


Scale: 1:200

Date: 25/09/2023



Aja Arboriculture | 0407-625-121 | aja.arbor@gmail.com  
PO Box 547 Leongatha VIC 3953 | ABN 89 647 282 446  
Coordinate System: GDA 1994 VICGRID94. Trees represented as points, polylines or polygons not identified in the underlying feature survey have been plotted by Aja Arboriculture using a GNSS receiver with Ntrip correction, available field references and/or aerial imagery. Location accuracy and dimensional characteristics associated with points, polylines and polygons can be assumed to not exceed one (1) metre from true position. Layers and attributes listed in the Legend are georeferenced in this plan and can be accessed in CAD using the PDFIMPORT command.





Site #: 1  
Species: ***Eucalyptus camphora***  
Common Name: Mountain Swamp Gum  
Origin: Victorian Native  
Height (m): 17  
Width (m): 15  
DBH Field Measurements (cm): 89  
AS4970 DBH Calculation (cm): 89  
Basal Diameter (cm): 103  
Life Stage: Mature  
Vigour: Fair  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 10.7  
AS4970 SRZ Calculation (m): 3.4  
Retention Value: **High**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**Important vegetation public space**  
Ecosystem Contribution  
**Indigenous**



Site #: 2  
Species: ***Jacaranda mimosifolia***  
Common Name: Jacaranda  
Origin: Exotic  
Height (m): 3  
Width (m): 3  
DBH Field Measurements (cm): 5,6,7  
AS4970 DBH Calculation (cm): 10  
Basal Diameter (cm): 18  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Minor Correction  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 3  
Species: ***Acacia floribunda***  
Common Name: Gossamer Wattle  
Origin: Victorian Native  
Height (m): 2  
Width (m): 2  
DBH Field Measurements (cm): 3,3,3  
AS4970 DBH Calculation (cm): 5  
Basal Diameter (cm): 7  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**





Site #: 4  
Species: ***Pleroma granulosum***  
Common Name: Lasiandra  
Origin: Exotic  
Height (m): 2  
Width (m): 3  
DBH Field Measurements (cm): 3,4,3,2,2  
AS4970 DBH Calculation (cm): 6  
Basal Diameter (cm): 16  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Major Correction  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments: *Pleroma urvilleanum*

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 5  
Species: ***Dicksonia antarctica***  
Common Name: Soft Tree Fern  
Origin: Australian Native  
Height (m): 2  
Width (m): 2  
DBH Field Measurements (cm): 28  
AS4970 DBH Calculation (cm): 28  
Basal Diameter (cm): 31  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 3.4  
AS4970 SRZ Calculation (m): 2  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Indigenous**



Site #: 6  
Species: ***Grevillea sp.***  
Common Name: Grevillea  
Origin: Australian Native  
Height (m): 2  
Width (m): 2  
DBH Field Measurements (cm): 11  
AS4970 DBH Calculation (cm): 11  
Basal Diameter (cm): 13  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Minor Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 7  
Species: ***Callistemon viminalis***  
Common Name: Weeping Bottlebrush  
Origin: Australian Native  
Height (m): 5  
Width (m): 4  
DBH Field Measurements (cm): 12  
AS4970 DBH Calculation (cm): 12  
Basal Diameter (cm): 18  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 8  
Species: ***Pittosporum tenuifolium***  
Common Name: Kohuhu  
Origin: Exotic  
Height (m): 6  
Width (m): 4  
DBH Field Measurements (cm): 13,12  
AS4970 DBH Calculation (cm): 18  
Basal Diameter (cm): 21  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Major Correction  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2.2  
AS4970 SRZ Calculation (m): 1.7  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Minimal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 9  
Species: ***Acer palmatum***  
Common Name: Japanese Maple  
Origin: Exotic  
Height (m): 4  
Width (m): 5  
DBH Field Measurements (cm): 15,13  
AS4970 DBH Calculation (cm): 20  
Basal Diameter (cm): 19  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Major Correction  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2.4  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**





Site #: 10  
Species: ***Camellia japonica***  
Common Name: Camellia  
Origin: Exotic  
Height (m): 2  
Width (m): 2  
DBH Field Measurements (cm): 12  
AS4970 DBH Calculation (cm): 12  
Basal Diameter (cm): 15  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

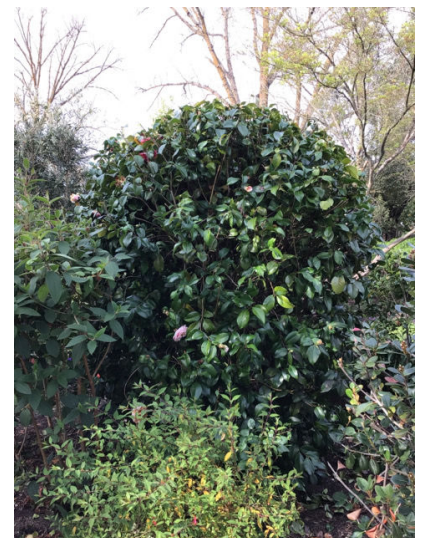
Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 11  
Species: ***Camellia japonica***  
Common Name: Camellia  
Origin: Exotic  
Height (m): 2  
Width (m): 2  
DBH Field Measurements (cm): 12  
AS4970 DBH Calculation (cm): 12  
Basal Diameter (cm): 15  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 12  
Species: ***Brachychiton populneus***  
Common Name: Kurrajong  
Origin: Victorian Native  
Height (m): 10  
Width (m): 12  
DBH Field Measurements (cm): 68  
AS4970 DBH Calculation (cm): 68  
Basal Diameter (cm): 82  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 8.2  
AS4970 SRZ Calculation (m): 3  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**Important vegetation private property**  
Ecosystem Contribution  
**Specimen**



Appendix 2 - Site Data with Images  
7 Ryrie Street, Healesville

Site #: 13  
Species: ***Acer palmatum***  
Common Name: Japanese Maple  
Origin: Exotic  
Height (m): 7  
Width (m): 7  
DBH Field Measurements (cm): 13,14,10,12  
AS4970 DBH Calculation (cm): 25  
Basal Diameter (cm): 31  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Acceptable  
Growth Space: Minor Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 3  
AS4970 SRZ Calculation (m): 2  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 14  
Species: ***Syzygium paniculatum***  
Common Name: Magenta Cherry  
Origin: Australian Native  
Height (m): 6  
Width (m): 5  
DBH Field Measurements (cm): 15  
AS4970 DBH Calculation (cm): 15  
Basal Diameter (cm): 19  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 15  
Species: ***Acer palmatum***  
Common Name: Japanese Maple  
Origin: Exotic  
Height (m): 5  
Width (m): 3  
DBH Field Measurements (cm): 11,10  
AS4970 DBH Calculation (cm): 15  
Basal Diameter (cm): 17  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Major Correction  
Growth Space: Optimal  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**





Site #: 16  
Species: ***Arbutus unedo***  
Common Name: Irish Strawberry Tree  
Origin: Exotic  
Height (m): 7  
Width (m): 7  
DBH Field Measurements (cm): 23,19  
AS4970 DBH Calculation (cm): 30  
Basal Diameter (cm): 41  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Minor Correction  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 3.6  
AS4970 SRZ Calculation (m): 2.3  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Weed**



Site #: 17  
Species: ***Fagus sylvatica***  
Common Name: European Beech  
Origin: Exotic  
Height (m): 11  
Width (m): 9  
DBH Field Measurements (cm): 11,10,18,8,7,7,6,12,14,16  
AS4970 DBH Calculation (cm): 37  
Basal Diameter (cm): 38  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Minor Limitation  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 4.4  
AS4970 SRZ Calculation (m): 2.2  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 18  
Species: ***Coprosma repens***  
Common Name: Mirror Bush  
Origin: Exotic  
Height (m): 3  
Width (m): 3  
DBH Field Measurements (cm): 12  
AS4970 DBH Calculation (cm): 12  
Basal Diameter (cm): 18  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Minimal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Weed**



Appendix 2 - Site Data with Images  
7 Ryrie Street, Healesville

Site #: 19  
Species: **Laurus nobilis**  
Common Name: Bay Laurel  
Origin: Exotic  
Height (m): 4  
Width (m): 4  
DBH Field Measurements (cm): 11  
AS4970 DBH Calculation (cm): 11  
Basal Diameter (cm): 14  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 20  
Species: **Quercus palustris**  
Common Name: Pin Oak  
Origin: Exotic  
Height (m): 13  
Width (m): 8  
DBH Field Measurements (cm): 31  
AS4970 DBH Calculation (cm): 31  
Basal Diameter (cm): 42  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Major Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 3.7  
AS4970 SRZ Calculation (m): 2.3  
Retention Value: **Moderate**  
Comments: Tree heavily pruned at boundary.

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Notable**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 21  
Species: **Betula pendula**  
Common Name: Silver Birch  
Origin: Exotic  
Height (m): 6  
Width (m): 3  
DBH Field Measurements (cm): 8,6  
AS4970 DBH Calculation (cm): 10  
Basal Diameter (cm): 13  
Life Stage: Semi-mature  
Vigour: Poor  
Structure: Acceptable  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**





Site #: 22  
Species: ***Callistemon salignus***  
Common Name: Willow Bottlebrush  
Origin: Australian Native  
Height (m): 9  
Width (m): 6  
DBH Field Measurements (cm): 16,17  
AS4970 DBH Calculation (cm): 23  
Basal Diameter (cm): 32  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Minor Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2.8  
AS4970 SRZ Calculation (m): 2.1  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Notable**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 23  
Species: ***Melaleuca squarossa***  
Common Name: Scented Paperbark  
Origin: Victorian Native  
Height (m): 8  
Width (m): 4  
DBH Field Measurements (cm): 16  
AS4970 DBH Calculation (cm): 16  
Basal Diameter (cm): 22  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Minor Limitation  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.8  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 24  
Species: ***Callistemon viminalis***  
Common Name: Weeping Bottlebrush  
Origin: Australian Native  
Height (m): 6  
Width (m): 5  
DBH Field Measurements (cm): 18,9  
AS4970 DBH Calculation (cm): 20  
Basal Diameter (cm): 22  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Minor Correction  
Growth Space: Major Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2.4  
AS4970 SRZ Calculation (m): 1.8  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 25  
Species: ***Callistemon citrinus***  
Common Name: Crimson Bottlebrush  
Origin: Victorian Native  
Height (m): 5  
Width (m): 3  
DBH Field Measurements (cm): 12,6,9,4  
AS4970 DBH Calculation (cm): 17  
Basal Diameter (cm): 19  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Major Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.6  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 26  
Species: ***Fraxinus angustifolia subsp. Oxycarpa***  
Common Name: Claret Ash  
Origin: Exotic  
Height (m): 13  
Width (m): 12  
DBH Field Measurements (cm): 41  
AS4970 DBH Calculation (cm): 41  
Basal Diameter (cm): 58  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Acceptable  
Growth Space: Optimal  
Landscape Viability: Long  
AS4970 TPZ Calculation (m): 4.9  
AS4970 SRZ Calculation (m): 2.6  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Weed**



Site #: 27  
Species: ***Melaleuca ericifolia***  
Common Name: Swamp Paperbark  
Origin: Victorian Native  
Height (m): 6  
Width (m): 3  
DBH Field Measurements (cm): 11,6  
AS4970 DBH Calculation (cm): 13  
Basal Diameter (cm): 16  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Acceptable  
Growth Space: Minor Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**





Site #: 28  
Species: ***Eucalyptus lehmannii***  
Common Name: Bushy Yate  
Origin: Australian Native  
Height (m): 14  
Width (m): 11  
DBH Field Measurements (cm): 24  
AS4970 DBH Calculation (cm): 24  
Basal Diameter (cm): 29  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Minor Correction  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 2.9  
AS4970 SRZ Calculation (m): 2  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Marginal**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 29  
Species: ***Banksia ericifolia***  
Common Name: Heath-leaved Banksia  
Origin: Australian Native  
Height (m): 3  
Width (m): 3  
DBH Field Measurements (cm): 9,8,7  
AS4970 DBH Calculation (cm): 14  
Basal Diameter (cm): 14  
Life Stage: Semi-mature  
Vigour: Fair  
Structure: Minor Correction  
Growth Space: Minor Limitation  
Landscape Viability: Short  
AS4970 TPZ Calculation (m): 2  
AS4970 SRZ Calculation (m): 1.5  
Retention Value: **Low**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Low Density**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 30  
Species: ***Callistemon viminalis***  
Common Name: Weeping Bottlebrush  
Origin: Australian Native  
Height (m): 8  
Width (m): 7  
DBH Field Measurements (cm): 23,17  
AS4970 DBH Calculation (cm): 29  
Basal Diameter (cm): 34  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Minor Limitation  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 3.5  
AS4970 SRZ Calculation (m): 2.1  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



Site #: 31  
Species: **Melaleuca linariifolia**  
Common Name: Snow in Summer  
Origin: Australian Native  
Height (m): 8  
Width (m): 5  
DBH Field Measurements (cm): 36  
AS4970 DBH Calculation (cm): 36  
Basal Diameter (cm): 40  
Life Stage: Semi-mature  
Vigour: Good  
Structure: Minor Correction  
Growth Space: Optimal  
Landscape Viability: Medium  
AS4970 TPZ Calculation (m): 4.3  
AS4970 SRZ Calculation (m): 2.3  
Retention Value: **Moderate**  
Comments:

**Land Use and Social Contribution**

Land Use (Victoria)  
**Statutory Planning**  
Landscape Function  
**Adequate**  
Landscape Significance  
**None**  
Ecosystem Contribution  
**Specimen**



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## Appendix 3 - Tree Feature Descriptors

**Feature Classes** - Trees are classified into three groups, Individual Trees, Grouped Trees or Hedge Rows.

Category	Description
<b>Individual Tree</b>	An individual tree with one or more trunks that is represented in the Site Plan as a point. This may include two or more trees growing in close proximity where all trees are engaged in mutual structural support.
<b>Grouped Trees</b>	Multiple trees of one or more species that are represented in the Site Plan as a polygon. Grouped trees are generally managed as a discrete unit.
<b>Hedge Row</b>	Multiple trees of one or more species in a linear arrangement that are represented in the Site Plan as a polyline. Hedge Rows are generally managed as a discrete unit.

**Site ID. ##** - textural reference to the location of an Individual Tree, Grouped Trees or Hedge Rows within the attached Site Plan appendix.

**Species and Common Name** - Defines the botanical name including genus, species, sub-species, variety and cultivar (if known) according to current taxonomical classifications as published in current literature. The common name will be that that is familiar to the arboricultural assessor, the local community or referenced literature.

**Origin** - Identifies the general geographic origins of the tree species identified.

Category	Description
<b>Victorian Native</b>	Occurs naturally within some part of the State of Victoria.
<b>Australian Native</b>	Occurs naturally within Australia but is not a Victorian native.
<b>Exotic</b>	Does not occur naturally within Australia.
<b>Mixed</b>	Applies to Hedge Rows and Groups of Trees only where the feature is comprised of multiple species that have multiple places of origin.

**Height and Width** - Dimensions are expressed in metres (m). Identifies the estimated height and width of a tree crown or combined crown for Grouped Trees or Hedge Rows. Crown heights are measured with a clinometer where possible. Crown widths are paced and estimated at the widest axis unless otherwise stated. Measurements rounded to the nearest metre.

**Diameter at Breast Height (DBH)** - Identifies the trunk diameter expressed in centimetres (cm) of a tree measured at 1.4m above the site grade unless otherwise stated. The methods used to determine this measurement are described in Appendix A of the Australian Standard AS 4970-2009 'Protection of trees on development sites'. Measurements undertaken using a diameter tape or builders tape. In the case of multi-stem (2 - 5 stems) Single Trees, DBH measurements shown are calculated in accordance with the aforementioned Standard. Where the number of stems for a Single Trees exceeds five, the calculation is the square root of the mean stem diameter squared, multiplied by the number of stems and is specified in the British Standard BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. Multi-stem DBH calculations are rounded to the nearest centimetre.

**Stem Diameter** - Identifies the diameter of the trunk expressed in centimetres (cm) of a tree immediately above the root buttress. Measurements undertaken using a diameter tape or builders tape and rounded to the nearest centimetre.

**Life Stage** - Identifies the physiological stage of the Features life cycle.

Category	Description
<b>Young</b>	Sapling tree and/or recently planted.
<b>Semi-mature</b>	Tree rapidly increasing in size and yet to achieve expected size in situation.
<b>Maturing</b>	Specimen approaching expected size in situation, with reduced incremental growth.
<b>Over-mature</b>	Tree may be senescent and in decline or crown area substantially reduced relative to trunk size.

**Vigour** - Describes the overall health and vigour of a Feature and is derived from the Condition variables identified in the iTree Eco v6.0 model. Category selection is based on the Feature displaying one or more of the criteria listed in the corresponding Description.

Category	Description
<b>Excellent</b>	100% live crown. Leaf size and colour is consistent with that of a healthy example of the species. Shoot tips are healthy and display excellent extension. Buds are swollen.
<b>Good</b>	97% - 92% live crown. Leaf size and colour is consistent with that of a healthy example of the species. Shoot tips are healthy and display adequate extension. Buds are swollen.
<b>Fair</b>	87% - 77% live crown. Leaf size and colour is generally consistent with that of a healthy example of the species although some foliage (less than 20% of total crown volume) displays discolouration or reduced leaf size. Some shoot tips may display reduced extension and buds may show signs of damage or desiccation.
<b>Poor</b>	72% - 52% live crown. Leaf size and colour is not consistent with that of a healthy example of the species. Foliage (greater than 20% but less than 40% of total crown volume) displays discolouration or reduced leaf size. Shoot tips may display reduced extension and buds may show signs of damage or desiccation.
<b>Critical</b>	47% - 27% live crown. Leaf size and colour is not consistent with that of a healthy example of the species. Foliage (greater than 40% but less than 60% of total crown volume) displays discolouration or reduced leaf size. Shoot tips display reduced extension and buds show signs of damage or desiccation.
<b>Dying</b>	22% - 2% live crown. Leaf size and colour is not consistent with that of a healthy example of the species. Foliage (greater than 60% but less than 95% of total crown volume) displays discolouration or reduced leaf size. Shoot tips display limited extension and buds show distinct signs of damage or desiccation.
<b>Dead</b>	0% live crown. Leaf size and colour is not consistent with that of a healthy example of the species. Foliage (greater than 95% of total crown volume) displays discolouration or reduced leaf size. Shoot tips display no extension and buds are damage or desiccated.

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## Appendix 3 - Tree Feature Descriptors

**Structure** - Adapted in part from the Quantified Tree Risk Assessment (QTRA) manual, the descriptor is designed to inform planners, architects and arborists of the overall structural capacity of a Feature and provide a concise description of the input required to maintain a Feature within the landscape.

Category	Description
<b>Acceptable</b>	Minimal or no damage, disease or decay visible in the root plate, trunk, primary scaffold limbs or outer crown. No works are required to relieve structural faults or remedy conflict with adjoining edifices. The probability of failure is generally considered to be less than 1/1M
<b>Minor Correction</b>	Minimal to moderate damage, disease or decay visible in primary scaffold limb(s), outer crown or peripheral root(s) that could be corrected through appropriate treatment that would moderately improve Landscape Viability. Adjoining edifices may benefit from treatment. The probability of failure is generally considered to be less than 1/10K but greater than 1/1M.
<b>Major Correction</b>	Moderate to major damage, disease or decay visible in primary scaffold limb(s), outer crown or peripheral root(s) that could be corrected through appropriate treatment that would significantly improve Landscape Viability. Adjoining edifices would benefit from treatment. The probability of failure is generally considered to be less than 1/1K but greater than 10/K.
<b>Unacceptable</b>	Moderate to major damage, disease or decay visible in the root plate or lower trunk. Major damage, disease or decay in primary scaffold limb(s) that cannot be corrected through appropriate treatments. Landscape Viability unlikely to be improved by treatment. The probability of failure is generally considered to be greater than 1/1K.

**Available Growth Space** - Describes the space above and below ground that can be reasonably assumed based on visual inspection of the site that the Feature can exploit for future crown and root development.

Category	Description
<b>Optimal</b>	Open, level or gently sloping ground. Minimal competition for available light, water and nutrient. Part of a group of similar species that is suitably spaced and likely to provide mutual support. Species genetically suited or adapted to the existing environment.
<b>Minor Limitation</b>	Moderately constrained location. Long standing built form present on one side of Features root zone. Surrounding trees are competing for available space, light, water or nutrients. Feature is regularly pruned to meet clearance requirements.
<b>Major Limitation</b>	Heavily constrained location. Root zone has been compacted by continuous and on-going traffic movements or built over with impervious surfaces. Crown crowded by surrounding larger trees or structures that impede natural form development.

**Landscape Viability** - Adapted from Tree AZ, describes how long it could be reasonably expected that a Feature will remain a viable asset in an evolving landscape. Landscape Viability is informed by Life Stage, Vigour, Structure and Available Growth Space.

Category	Description
<b>Long</b>	Feature will likely contribute to the landscape for forty (40) or more years.
<b>Medium</b>	Feature will likely contribute to the landscape for between fifteen (15) to forty (40) years.
<b>Short</b>	Feature will likely contribute to the landscape for between five (5) to fifteen (15) years.
<b>Remove</b>	Feature will likely require removal within five (5) years.

**Land Use and Social Contribution** - Describes the contribution or value a Feature provides to an existing landscape and is derived from MIS06 (2022) Tree Valuation published by Arboriculture Australia. It has four primary components including Land Use (State), Landscape Function, Landscape Significance and Ecosystem Contribution.

Land Use (Victoria)	
Category	Description
<b>Legal Instrument</b>	Legal Instrument. Section 173 agreements that contain conditions on the property title requiring the retention and/or protection of vegetation.
<b>Local Law</b>	Local laws protecting vegetation on all land within a municipal area. Exempt trees are attributed according to designated land use for the site.
<b>Statutory Planning</b>	Statutory planning scheme overlays that protect vegetation on private and public land. Existing planning permits requiring the retention of trees. Exempt trees are attributed according to designated land use for the site.
<b>Native Vegetation</b>	Property subject to the provisions of 52.16 or 52.17 Native Vegetation. Exempt trees are attributed according to designated land use for the site.
<b>Public Space</b>	Public Space. Public Park and Recreation Zones. Public Conservation and Resource Zones.
<b>High Density</b>	High Density Mixed Use Zones. Township Zones.
<b>Medium Density</b>	Medium Density. Residential Growth Zone. General Residential Zone.
<b>Low Density</b>	Low Density Residential Zones. Neighbourhood Residential Zones. Green Wedge Zones. Rural Conservation Zones.
<b>Special Purpose</b>	Special Purpose Zones. Public Use Zones. Transport Zones. Commercial Zones.
<b>Industrial/Farming</b>	Industrial and Farming Zones.
<b>Exempt Land</b>	Exempt Land. Land not subject to statutory land zoning, native vegetation provisions, legal instruments or local laws.

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## Appendix 3 - Tree Feature Descriptors

Landscape Function	
Category	Description
<b>Minimal</b>	Nondescript tree, hedge or grouped planting in a poorly designed and/or maintained landscape. Planting contributes minimally to positive architectural, engineering, aesthetic or climate function. Canopy intersecting another tree
<b>Marginal</b>	Tree, hedge or grouped planting in a poorly designed and/or maintained landscape. Planting contributes marginally to positive architectural, engineering, aesthetic or climate function. One of a group of close plantings
<b>Adequate</b>	Tree, hedge or grouped planting of moderate value that contributes as a positive architectural, engineering, aesthetic or climate function. Wide plantings. Irregular spacing between trees; regular spacing one side (not hard surface)
<b>Notable</b>	Tree, hedge or grouped planting of moderate to high value that contributes as a positive architectural, engineering, aesthetic or climate function in a built environment. Hard surface planting (street or pathway), or plantings with regular spacing both sides
<b>Exceptional</b>	Individual feature specimen tree, hedge or grouped planting of significant value as a positive architectural, engineering, aesthetic or climate modifier. Avenue, park, reserve or other green space feature planting.
Landscape Significance	
Category	Description
<b>None</b>	The tree(s) is not considered significant within the landscape.
<b>Important private property</b>	The tree(s) represents a significant feature within the subject site or adjoining properties.
<b>Important public space</b>	The tree(s) represents a significant feature within the public realm as viewed from the subject site, adjoining properties and/or streetscapes.
<b>Horticultural Rarity</b>	Outstanding horticultural or genetic value; could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. Any tree of a species or variety that is rare.
<b>Local/state significant tree</b>	Tree is listed in either a local or state significant tree register.
<b>National significant tree</b>	Tree is listed in a national significant tree register.
Ecosystem Contribution	
Category	Description
<b>Weed</b>	The tree(s) is a listed weed species.
<b>Specimen</b>	A typical garden specimen of a species commonly found in the urban context.
<b>Indigenous</b>	Remnant, regenerated or planted indigenous vegetation that contributes to biological diversity.

Ecosystem Contribution	
Category	Description
<b>Habitat</b>	Tree(s) could have value as habitat for indigenous wildlife, including providing breeding, foraging or roosting habitat, or is a component of a wildlife reserve.

**Retention Value** - Provides a concise rating of the Features value within the context of an evolving landscape that may include built form. Retention Value is informed by Landscape Viability, Landscape Contribution, published literature and the experience of the surveyor on the capacity of the Feature to tolerate and adapt to change.

Category	Description
<b>High</b> 	A tree of good quality that displays acceptable vigour and structure. The tree contributes to the existing landscape and has the potential to be long-term component in an evolving one if appropriately managed. The species is known to perform well within its given context and has desirable aesthetic traits. Retention of this tree is highly desirable.
<b>Moderate</b> 	A tree of reasonable quality that displays acceptable vigour and structure. The tree may have a condition, and or structural problem that can be corrected with arboricultural treatment. The species is known to perform within its given context. The tree has the potential to be a medium to long-term component of the landscape if managed appropriately. Retention of these trees is generally desirable.
<b>Low</b> 	A tree of poor quality that displays unacceptable vigour or structure. The tree may present an unacceptable hazard to existing and future users of the site. The tree is not considered significant within the landscape. These trees are easily replaceable. The species is functionally inappropriate given the context and may demand excessive management if retained. The cost to maintain this tree within the given context may exceed the benefit it provides to the landscape.

**Comments** - Provides additional information concerning the Feature.

**Tree Protection Zone (TPZ)** - Dimensions are expressed in metres (m) as a radius measured from the center of the trunk. Defined under the Australian Standard AS 4970 - 2009 "Protection of trees on development site" as a specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

**Structural Root Zone (SRZ)** - Dimensions are expressed in metres (m) as a radius measured from the center of the trunk. Defined under the Australian Standard AS 4970 - 2009 "Protection of trees on development site" and the subsequent amendment AS 4970/Amdt 1/2010-03-26 as the area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright.

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# 7 Ryrie Street, Healesville, Victoria.

Bushfire Management Statement for a proposed  
development



Report for  
Meenks Ink Design  
May 2024



## ACKNOWLEDGEMENTS

Beacon Ecological would like to acknowledge the following for their contribution to the project:

- **Paul Meenks** (Meenks Ink Design) for site and project information



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Report Version: FINAL V2 3 May 2024

Field assessment: Luke Hynes

Report: Luke Hynes

Photography: Luke Hynes

Cover Photo: Existing dwelling at 7 Ryrie Street, Healesville.

Beacon Ecological acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation, particularly the Wurundjeri People on whose land the field visit took place, and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

### DISCLAIMER

The author advises that the information presented in this report, including any bushfire management advice, has been prepared with all due diligence and care, and based on the best available knowledge and research.

However the author takes no responsibility for any loss, injury or financial damage resulting from the reliance and/or application of management advice provided in the report. Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at <http://www.cfa.vic.gov.au> or through your local CFA Regional office.



## TABLE OF CONTENTS

<b>ACKNOWLEDGEMENTS</b>	<b>2</b>
<b>TABLE OF CONTENTS</b>	<b>3</b>
<b>SUMMARY</b>	<b>4</b>
<b>1 INTRODUCTION</b>	<b>5</b>
1.1 PROPOSAL	5
<b>2 METHODOLOGY</b>	<b>5</b>
2.1 BACKGROUND REVIEW	5
2.2 FIELD ASSESSMENT	6
2.3 BUSHFIRE HAZARD SITE ASSESSMENT	6
2.4 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT	7
2.5 BUSHFIRE MANAGEMENT STATEMENT	8
2.6 LIMITATIONS	8
<b>3 BUSHFIRE HAZARD SITE ASSESSMENT</b>	<b>9</b>
3.1 LOCALITY AND SITE DESCRIPTION	9
3.2 VEGETATION ASSESSMENT	9
3.3 BUSHFIRE ATTACK LEVEL FOR THE PROPOSED DEVELOPMENT	11
<b>4 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT</b>	<b>12</b>
4.1 VEGETATION EXTENT OF THE BROADER LOCALITY	12
4.2 THE ROAD NETWORK	12
4.3 PROXIMITY OF THE SITE TO LOW THREAT LOCATIONS	12
4.4 BUSHFIRE HISTORY	12
4.5 LANDSCAPE TYPE	13
<b>5 BUSHFIRE MANAGEMENT STATEMENT</b>	<b>14</b>
CLAUSE 53.02-4.1 LANDSCAPE, SITING AND DESIGN OBJECTIVES	15
CLAUSE 53.02-4.2 DEFENDABLE SPACE AND CONSTRUCTION OBJECTIVE	17
CLAUSE 53.02-4.3 WATER SUPPLY AND ACCESS OBJECTIVES	18
<b>6 FIGURES</b>	<b>20</b>
FIGURE 1. LOCATION OF THE PROPERTY	21
FIGURE 2. BUSHFIRE SITE HAZARD AND REASONABLE SITING OPTION PLAN	22
FIGURE 3. BUSHFIRE HAZARD LANDSCAPE ASSESSMENT	23
FIGURE 4. BUSHFIRE HISTORY	24
<b>REFERENCES</b>	<b>25</b>
<b>APPENDICES</b>	<b>26</b>
APPENDIX 1. MANAGEMENT REQUIREMENTS FOR DEFENDABLE SPACE ZONES	27
APPENDIX 2. BUSHFIRE MANAGEMENT PLAN FOR A PROPOSED DEVELOPMENT 7 RYRIE STREET, HEALESVILLE	28
APPENDIX 3 CONSTRUCTION REQUIREMENTS	29

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## SUMMARY

Beacon Ecological was engaged by Meenks Ink Design to undertake a Bushfire Attack Level assessment and prepare a Bushfire Management Statement for a proposed development at 7 Ryrie Street, Healesville, Victoria. A second dwelling is proposed at the site which supports an existing dwelling.

This document details fire related threats to the proposed development and includes responses to legislative requirements regarding development in areas covered by the Bushfire Management Overlay.

### **Bushfire Management Statement Requirements**

The proposed development is for a second dwelling within Neighbourhood Residential Zone (NRZ2), and as such Clause 53.02-4 applies. Development requirements are as follows:

- The proposed dwelling will be built to Bushfire Attack Level (BAL) 12.5 with defensible space to the property boundary to all aspects.
- A static water supply of 10,000 litres for CFA use is required with CFA access and fittings required.
- Access that meets minimum CFA requirements will be provided.

Additional details of requirements under the BMO objectives and measures are provided in Section 5 of this report.

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# 1 INTRODUCTION

Beacon Ecological was engaged by Meenks Ink Design to undertake a Bushfire Attack Level assessment and prepare a Bushfire Management Statement for a proposed development at 7 Ryrie Street, Healesville, Victoria. A second dwelling is proposed at the site which supports an existing dwelling.

This assessment is required as the property is located within a Bushfire Management Overlay (BMO) under the Yarra Ranges Shire Council Planning Scheme (DEECA 2023a). This document details fire related threats to the proposed development and includes responses to legislative requirements regarding development in areas covered by the BMO.

## 1.1 PROPOSAL

A second dwelling is proposed at the site which supports an existing dwelling.

# 2 METHODOLOGY

Methodologies detailed below were used to satisfy the following application requirements under the BMO under Clause 53.02-4:

1. A Bushfire Hazard Site Assessment
2. A bushfire Hazard Landscape Assessment
3. A Bushfire Management Statement.

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## 2.1 BACKGROUND REVIEW

The following websites were reviewed to obtain background information on the study site:

- **Planning Schemes Online** for information regarding topography and slope, planning provision overlays and zones pertaining to native vegetation and ecological values within the study area (DEECA 2023a).
- **Nature Kit** for bushfire history of the local area (DEECA 2023b).
- **Google maps** for aerial photos of the study area and surrounds.

Other relevant literature, including planning provisions in clauses 44.06 and 53.02 relating to the Bushfire Management Overlay, *The Australian Standard. Construction in bushfire prone areas AS 3959 -2018* (Australian Standards 2018) and practice notes published by the Country Fire Authority (CFA) were also reviewed as part of the investigation. These include:

- *Planning Permit Applications. Bushfire Management Overlay. Technical Guide. Planning For Bushfire* (DELWP 2017a).
- *Planning For Bushfire. Guidelines for meeting Victoria's bushfire planning requirements* (CFA 2012).
- *Assessing Vegetation in a Bushfire Management Overlay (BMO)* (CFA 2011a).



- *Landscaping for Bushfire. Garden Design and Plant Selection* (CFA 2011b).

## 2.2 FIELD ASSESSMENT

A field assessment was undertaken on 14 August 2023 to complete the Bushfire Hazard Site Assessment and Bushfire Hazard Landscape Assessment.

## 2.3 BUSHFIRE HAZARD SITE ASSESSMENT

Land within 150 metres of proposed development was traversed where possible to determine classifiable vegetation as described in AS 3959 2018 (Australian Standards 2018) and low-threat and modified vegetation as described in *Practice Note 65 Preparing and Assessing a Planning Application Under the Bushfire Provisions in Planning Schemes* (DELWP 2017a). The distance to classifiable vegetation and the proposed development was calculated as well as the slope under the classifiable vegetation.

This information in conjunction with Tables 2 or 3 from clause 53.02 was used to determine the appropriate Bushfire Attack Level (BAL), defensible space and dwelling construction requirements. The higher the BAL, the higher the exposure to the effects of flame, radiant heat and ember attack from a bushfire (Plate 1), (DELWP 2017a). A lower BAL (i.e. 12.5 or 19) will have a larger defensible space and fewer construction requirements, whilst a BAL-40 will have a smaller defensible space and extensive fire-protection construction requirements.

In some instances where the slope under vegetation is greater than 20°, Method 2 calculations were used to determine the BAL and defensible space. Fuel loads of the vegetation were determined in accordance with *Overall fuel hazard assessment guide* (DSE 2010) and the *CSIRO BAL Method 2 calculator* used to calculate defensible space distances

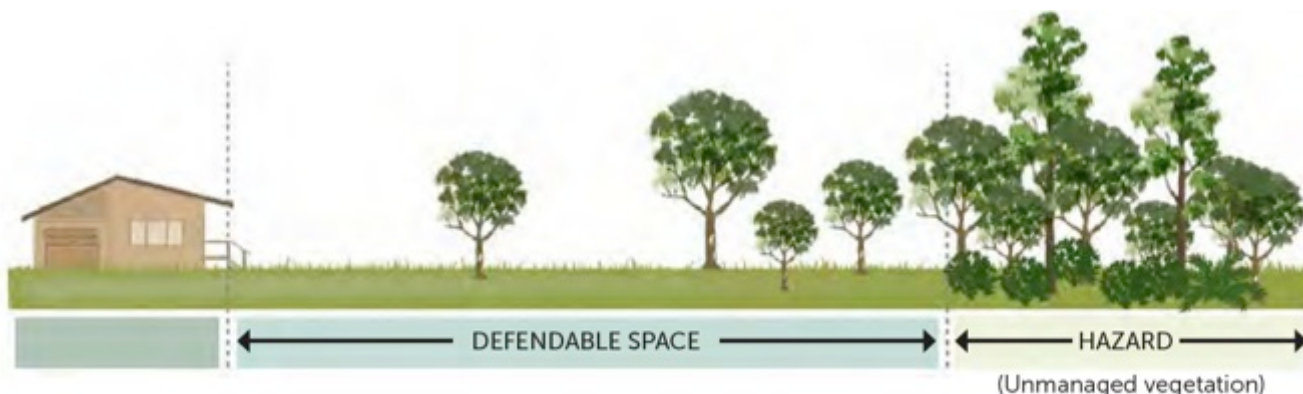


**Plate 1.** Bushfire Attack Levels (BAL) and hazards associated with bushfire threats (Source: DELWP 2017a)

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## Defendable Space

Defendable space is defined in Clause 72 of the relevant Planning Scheme as an area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with a bushfire (DELWP 2017a). See Plate 2 for a diagram of defendable space and Appendix 1 for vegetation management requirements.



**Plate 2.** Defendable space around a proposed construction (Source: DELWP 2017a).

## Construction Standards

Building construction and design can be used to minimise the impacts of ember attack and radiant heat on a building. Construction requirements for buildings relating to a calculated BAL are prescribed in AS3959-2018 (Australian Standards 2018). The materials and design of a building can be used to prevent the accumulation of debris and entry of embers. Appropriate construction helps the building to withstand the potential exposure from a bushfire as the fire front passes. Different BAL levels can be utilised on different sides of the dwelling construction if required. See Appendix 4 for construction requirements associated with this development.

## 2.4 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

The bushfire hazard landscape assessment provides information on the bushfire hazard more than 150 metres away from a development site. Landscape characteristics considered as part of this assessment include:

- Vegetation extent in the broader locality;
- The road network;
- Any history of bushfire in the area;
- Likely directions of travel for local bushfires; and,
- Any significant landscape features that are relevant to the considerations set out in Clause 53.02.

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The bushfire hazard landscape assessment allocates the proposal into one of four broader landscape types that indicate landscape bushfire risk and allows for recommendations about life safety and development proceeding on the subject site (CFA 2014).





## 2.5 BUSHFIRE MANAGEMENT STATEMENT

The Bushfire Management Statement describes how the proposed development responds to the requirements of clauses 44.06 and 53.02 of the BMO. The planning provisions related to the BMO are contained in clause 44.06 – Bushfire Management Overlay of the planning scheme. Specific objectives approved measures, alternative measures and decision guidelines are set out in clause 53.02 of the planning scheme and these inform decisions under the BMO (DELWP 2017a).

**Clause 53.02-3** provides a streamlined process for preparing and assessing planning applications and relates to proposals with only one dwelling located within land zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone. This clause provides one objective *Dwellings in existing settlements – Bushfire protection objective* that has approved measures that must be met.

**Clause 53.02-4** applies to all other applications including an application that does not meet all the approved measures to be assessed under 53.02.1. This clause includes three objectives:

1. 53.02-4.1 *Landscape, siting and design objectives;*
2. 53.02-4.2 *Defendable space and construction objective; and,*
3. 53.02-4.3 *Water supply and access objectives.*

These objectives contain approved and alternative measures required to meet the objectives. Approved measures are those that are considered to meet the objective. Alternative measures may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures (DELWP 2017a).

## 2.6 LIMITATIONS

When determining the bushfire hazards of the site and landscape, access to private property was not always available. In some cases, adjacent threats were determined using aerial photos and viewing over fences.

Classifiable vegetation was assessed based on the current conditions and evidence of vegetation modification. Assumptions have been made as to what ongoing vegetation conditions and successional processes may occur with respect to classifiable vegetation types.

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### 3 BUSHFIRE HAZARD SITE ASSESSMENT

#### 3.1 LOCALITY AND SITE DESCRIPTION

The site is located at 7 Ryrie Street, Healesville, Victoria (Figure 1).

***Property shape, dimensions, size, orientation and contours:***

The property is an approximately 1,032 square metre rectangular shaped block, supporting a dwelling and garden areas. The property and 150 metre assessment area slopes gently to the northwest.

The property is located within Neighbourhood Residential Zone (NRZ2) of the Yarra Ranges Shire Council planning scheme and is covered by the Bushfire Management Overlay (BMO1), Significant Landscape Overlay (SLO22) and Design and Development Overlay (DDO6), (DEECA 2023a).

***Existing vehicle access arrangements:*** Access exists from Ryrie Street in the south of the site. Ryrie Street is a two lane sealed road that meets CFA access requirements.

***Any features of the site relevant to bushfire considerations:*** There are no features of the site relevant to bushfire considerations.

#### 3.2 VEGETATION ASSESSMENT

No classifiable vegetation types were noted within the 150 metre assessment area (Figure 2). The 150 metre assessment area is dominated by Low threat vegetation. See below for a description of this vegetation type and how the classification was determined.

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**Excludable vegetation:** The entire assessment area comprises managed vegetation and is considered excludable, low threat vegetation (Figure 2, Plate 5). These areas are excluded from classification in accordance with section 2.2.3.2 of AS 3959-2018 as they are:

1. Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.
2. Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks (Standards Australia, 2018).



**Plate 3.** Low threat vegetation within the assessment area.

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### 3.3 BUSHFIRE ATTACK LEVEL FOR THE PROPOSED DEVELOPMENT

The dwelling location allows for Low Threat Vegetation defensible space. The dwelling will be constructed to a BAL 12.5.

Defensible space requirements have been taken from Low Threat Vegetation from Table 2 to Clause 53.02-5 and is contained wholly to the property boundary.

See Table 2 below and Figure 2 for the highest threat vegetation within 150 metres for four orientations, the slope under the classifiable vegetation and defensible space requirements. Construction requirements to satisfy BAL 12.5 are detailed in Appendix 3.

**Table 2.** Development BAL and Defensible space requirements.

Orientation	Highest threat vegetation	Slope under classifiable vegetation	Defensible space width	Defensible Space from Table 2 to Clause 53.02-5	Construction BAL
Northwest	Low Threat Vegetation	Flat/upslope	Property boundary*	Low Threat Vegetation (Property boundary)	12.5
Southwest	Low Threat Vegetation	Downslope 0°-5°	Property boundary*	Low Threat Vegetation (Property boundary)	12.5
Southeast	Low Threat Vegetation	Flat/upslope	Property boundary*	Low Threat Vegetation (Property boundary)	12.5
Northeast	Low Threat Vegetation	Flat/upslope	Property boundary*	Low Threat Vegetation (Property boundary)	12.5

Notes:

\*For low threat vegetation, defensible space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

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## 4 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

### 4.1 VEGETATION EXTENT OF THE BROADER LOCALITY

The local landscape is dominated by managed vegetation within residential areas of Healesville. The broader landscape comprises relatively intact native vegetation within the Yarra Ranges National Park approximately 4.5 kilometre to the west and various State Forests approximately five kilometres to the north. Grazed pasture is beyond the Healesville township to the west and south and a mix of pasture and remnant vegetation within private property beyond the Healesville township to the north (Figure 3).

### 4.2 THE ROAD NETWORK

The proposed development is located with direct access to a sealed two-lane road that meets CFA access requirements.

### 4.3 PROXIMITY OF THE SITE TO LOW THREAT LOCATIONS

The nearest neighbourhood safer place is the Healesville Safer Neighbourhood Place at Queens Park, Bounded by Don Road, Maroondah Highway and Badger Creek Road, approximately 1.9 kilometres to the west (Four minutes by vehicle) . However, in case of a bushfire event the property could be used as a place of shelter considering the managed nature of the neighbourhood.

### 4.4 BUSHFIRE HISTORY

The local area has been subject to moderate bushfire activity since 1970 with the exception of the extreme Black Saturday fires in 2009 which came to within approximately three kilometres of the property to the north within the Yarra Ranges and also included several large grass fires approximately five kilometres to the west (DEECA 2023b). See Figure 4 for a map of previous bushfires.

The local area, particularly to the north, and east have been subject to numerous prescribed burns within the Yarra Ranges National Park (DEECA 2023b).

The nature of the landscape topography, vegetation and land uses provides different potential bushfire approaches to the site. These are outlined below and in Figure 3.

**Scenario 1.** Northerly winds are often associated with high threat fire conditions. There is potential for large fires to build up from the northwest or northeast of the site through intact areas of native vegetation in state forests and the Yarra Ranges National Park. These areas support large areas of high fuel load forest vegetation and steep topography with potential for extreme fire conditions. Significant ember attack and spotting may be expected from this direction in the case of a large fire front. The bushfire threat from this aspect is moderated through modified landscapes closer to the subject site supporting mixed fuel loads dominated by pasture and then the Healesville township.

**Scenario 2.** In some instances northerly winds can change to the west or southwest on hot, high fire threat days. This can create a large fire front if a fire has had a long run during northerly winds. The long eastern edge of the fire becomes the new fire front if the wind changes to the west or southwest creating a large

established fire. Significant ember attack and spotting may be expected from these directions in the case of a large fire front. The bushfire threat from this aspect is moderated through modified landscapes closer to the subject site supporting mixed fuel loads dominated by pasture and then the Healesville township.

## 4.5 LANDSCAPE TYPE

The surrounding landscape characteristics are indicative of **Broader Landscape Type Two** as per *Planning Permit Applications. Bushfire Management Overlay. Technical Guide* (DELWP 2017a). The site meets all of the criteria of Landscape Type 2. See justification in Table 2 below.

**Table 3.** Broader Landscape type

Broader Landscape Type 2 Descriptor	Response	Description met
The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.	Areas close to the relatively intact native vegetation within the Yarra Ranges and State Forests may result in neighbourhood scale destruction.	✓
Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition.	While bushfire can approach from the north and west, the site is located in a suburban, township or urban area managed in a minimum fuel condition.	✓
Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.	The surrounding developed area can provide shelter from bushfire.	✓

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## 5 BUSHFIRE MANAGEMENT STATEMENT

Clause 53.02 contains a range of sub clauses with objectives, approved measures, alternative measures and decisions guidelines. Table 3 below details which clauses are relevant to this application. The following section demonstrates how the requirements have been met for the relevant standards.

**Table 3.** Relevant clauses and measures applicable to the proposed development

Clause	Measure	Achieved	Justification
<b>Clause 53.02-1 Dwellings in existing settlements – Bushfire protection objective</b>	AM 1.1	Not Applicable	The proposed development is not within land zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone
	AM 1.2	Not Applicable	
	AM 1.3	Not Applicable	
<b>Clause 53.02-4.1 Landscape, siting and design objectives</b>	AM 2.1	Achieved	This development must address this clause.
	AM 2.2	Achieved	
	AM 2.3	Achieved	
<b>Clause 53.02-4.2 Defendable space and construction objectives</b>	AM 3.1	Achieved	The proposed development meets this clause
	AM 3.2	Not applicable	The proposed development is for a dwelling
	AltM 3.3	Not Applicable	Approved measure 3.1 can be achieved. These alternative measures are not required.
	AltM 3.4	Not Applicable	
	AltM 3.5	Not Applicable	
	AltM 3.6	Not Applicable	
<b>Clause 53.02-4.3 Water supply and access objectives</b>	AM 4.1	Achieved	This development must address this clause.
	AM 4.2	Not Applicable	The proposed development is for a dwelling
<b>Clause 53.02-4.4 Subdivision objectives</b>	AM 5.1	Not Applicable	This application is not a subdivision.
	AM 5.2	Not Applicable	
	AM 5.3	Not Applicable	
	AM 5.4	Not Applicable	
	AltM 5.5	Not Applicable	

**Notes:** AM – Approved Measure, AltM – Alternative measure

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## CLAUSE 53.02-4.1 LANDSCAPE, SITING AND DESIGN OBJECTIVES

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

### APPROVED MEASURES

Measure	Requirement
AM 2.1	<p><b>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</b></p> <p><b>Response:</b></p> <p>While the development is located within a lower bushfire threat area (Landscape Type Two), the bushfire risk is further reduced to an acceptable level as the development is:</p> <ul style="list-style-type: none"> <li>• Able to meet all Bushfire Management Overlay approved measures.</li> <li>• In a location dominated by Low Threat vegetation and able to provide BAL 12.5 construction requirements.</li> <li>• In a location where access to the site is provided via a trafficable road that meets CFA access requirements.</li> </ul>
AM 2.2	<p><b>A building is sited to ensure the site best achieves the following:</b></p> <ul style="list-style-type: none"> <li>• <b>The maximum separation distance between the building and the bushfire hazard.</b></li> <li>• <b>The building is in close proximity to a public road.</b></li> <li>• <b>Access can be provided to the building for emergency service vehicles.</b></li> </ul> <p><b>Response:</b></p> <p>The siting of the dwelling has considered bushfire risk by:</p> <ul style="list-style-type: none"> <li>• While there are no bushfire risks in the immediate vicinity, the proposed development is within close proximity of a public road with a driveway of approximately 30 metres. The driveway provides adequate access for CFA emergency vehicles.</li> </ul>
AM 2.3	<p><b>A building is designed to reduce the accumulation of debris and entry of embers.</b></p> <p><b>Response:</b></p>



Measure	Requirement
	<ul style="list-style-type: none"><li>• The building is simple in design and the design minimises the use of re-entrant corners, complex roof lines, gaps between building materials (walls and roof) and unenclosed underfloor space to reduce vulnerability to ember attack.</li><li>• Any landscaping will follow <i>Landscaping for Bushfire. Garden Design and Plant Selection</i> (CFA 2011).</li></ul>

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## CLAUSE 53.02-4.2 DEFENDABLE SPACE AND CONSTRUCTION OBJECTIVE

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

### APPROVED MEASURES

Measure	Requirement
AM 3.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with defendable space in accordance with:</p> <ul style="list-style-type: none"><li>• Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</li><li>• If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</li></ul> <p>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</p> <p><b>Response:</b></p> <p><b>Dwelling:</b> The dwelling location allows for a defendable space for property boundary as per Low Threat Vegetation from Table 2 to Clause 53.02-5. The dwelling will be constructed to BAL 12.5</p>

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## CLAUSE 53.02-4.3 WATER SUPPLY AND ACCESS OBJECTIVES

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

### APPROVED MEASURES

Measure	Requirement
AM 4.1	<p><b>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with:</b></p> <ul style="list-style-type: none"> <li>• A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</li> <li>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</li> </ul> <p><b>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</b></p> <p><b>Response:</b></p> <p><b>Static Water Supply:</b> A static water supply of 10,000 litres must be provided for CFA use to the following specifications:</p> <ul style="list-style-type: none"> <li>• Be stored in an above ground water tank constructed of concrete or metal.</li> <li>• Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.</li> <li>• Include a separate outlet for occupant use.</li> <li>• Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.</li> <li>• Be located within 60 metres of the outer edge of the approved building.</li> <li>• The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.</li> <li>• Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).</li> <li>• Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).</li> </ul> <p><b>Access:</b> The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>• All-weather construction.</li> <li>• A load limit of at least 15 tonnes.</li> <li>• Provide a minimum trafficable width of 3.5 metres.</li> <li>• Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</li> </ul>

	<ul style="list-style-type: none"><li>• Curves must have a minimum inner radius of 10 metres.</li><li>• The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.</li><li>• Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</li></ul>
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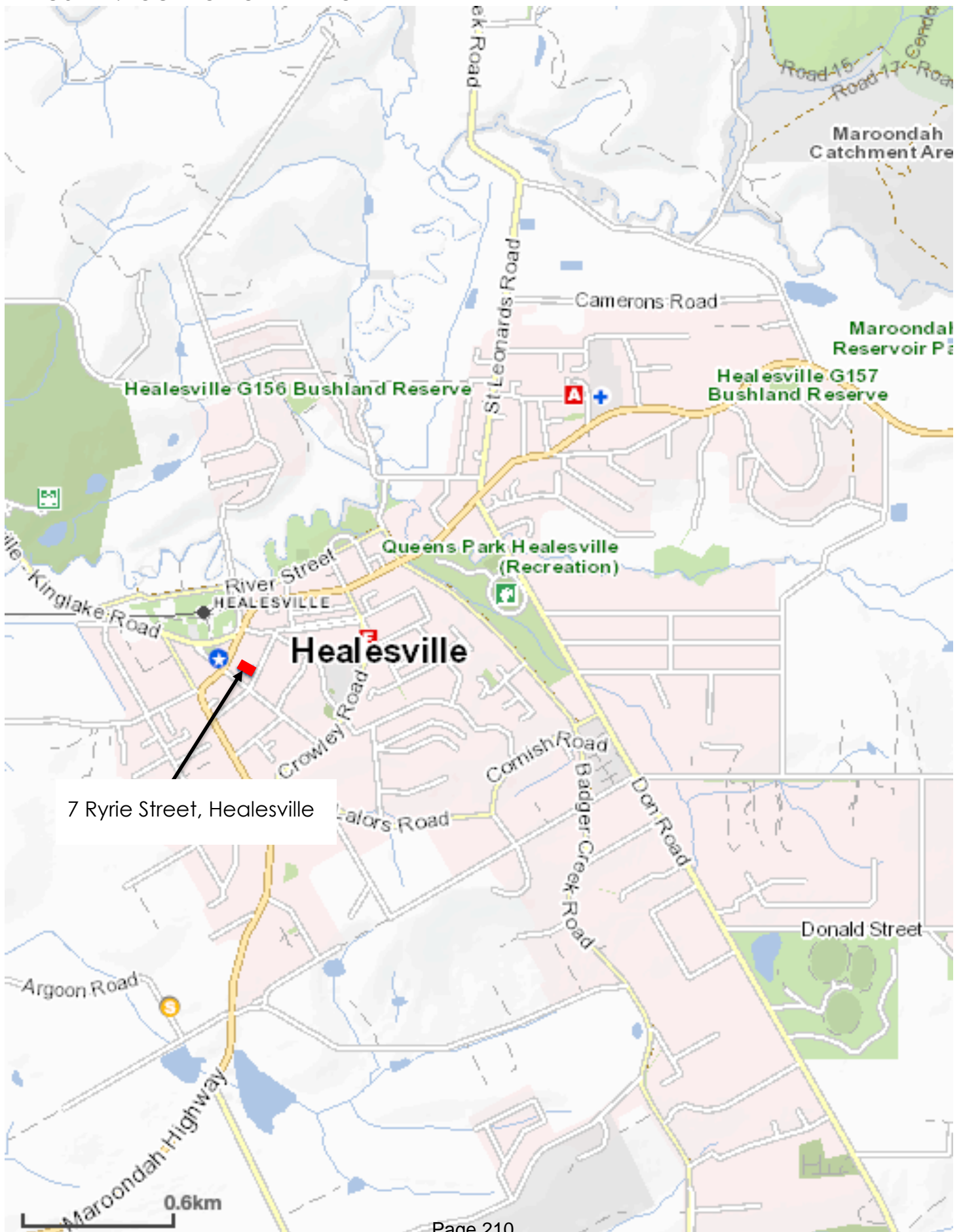


## 6 FIGURES

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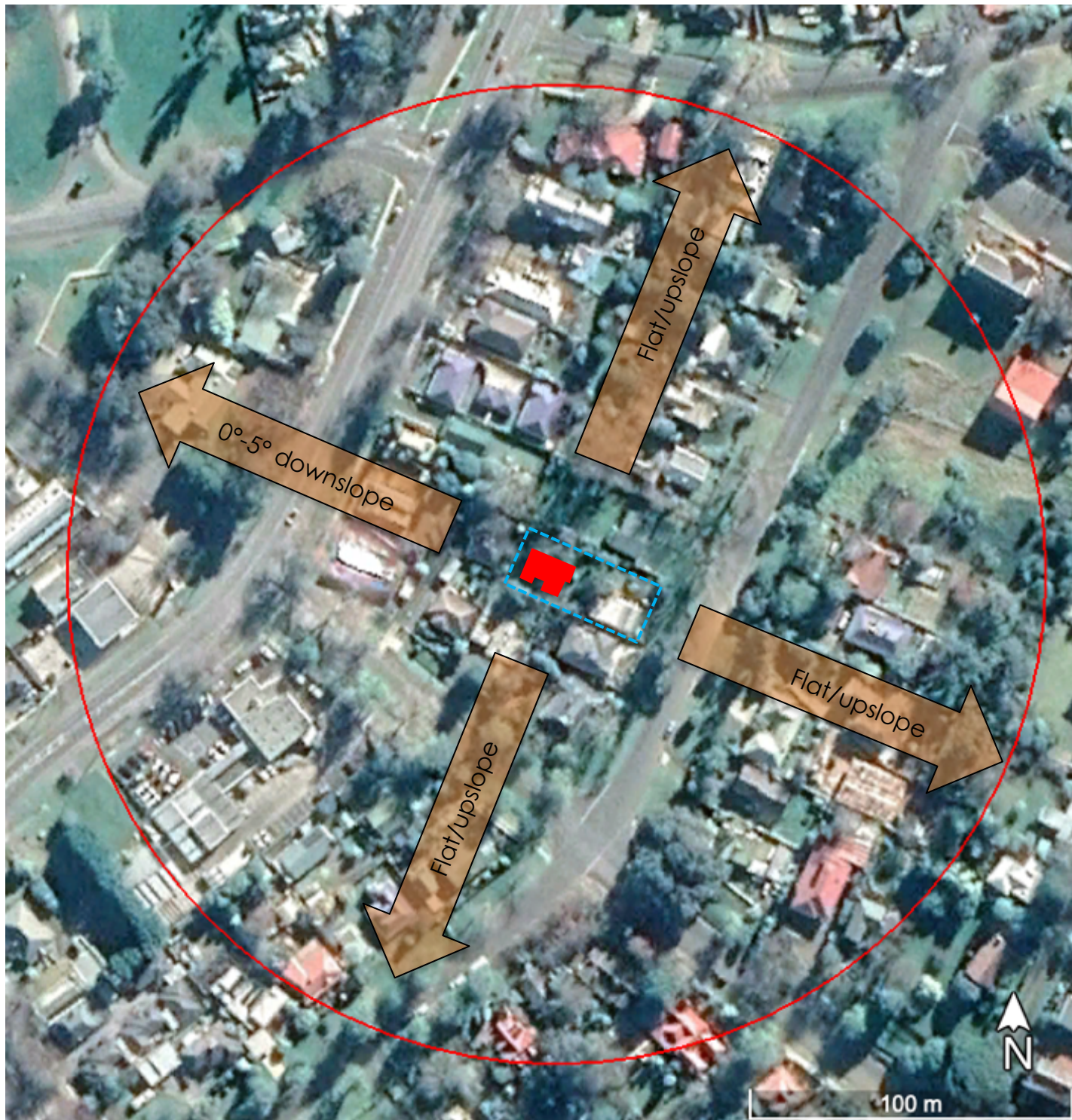


**FIGURE 1. LOCATION OF THE PROPERTY**








**FIGURE 2. BUSHFIRE SITE HAZARD AND REASONABLE SITING OPTION PLAN**



**Legend**

-  150 Assessment area
-  Property Boundary
-  Proposed dwelling

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FIGURE 3. BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

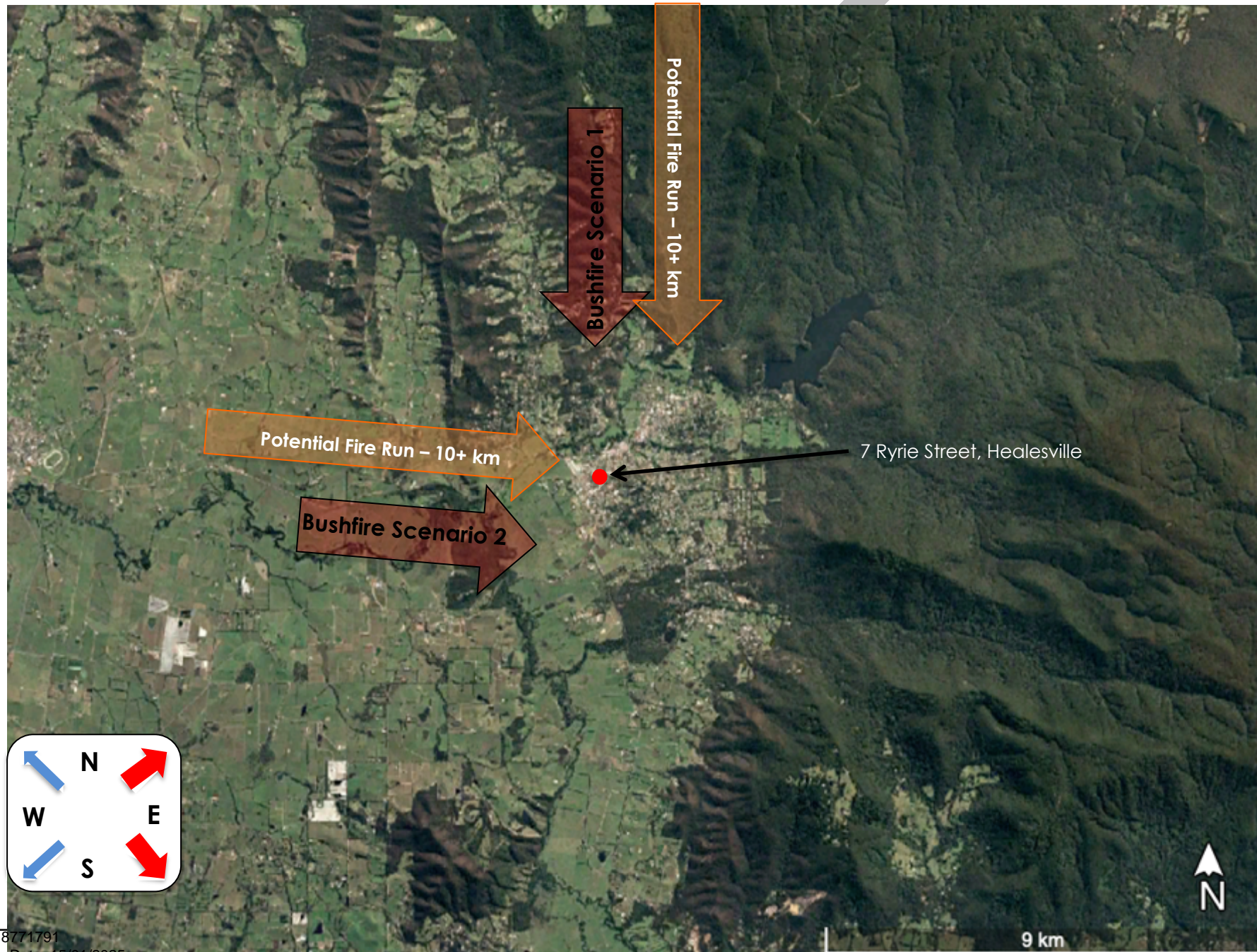
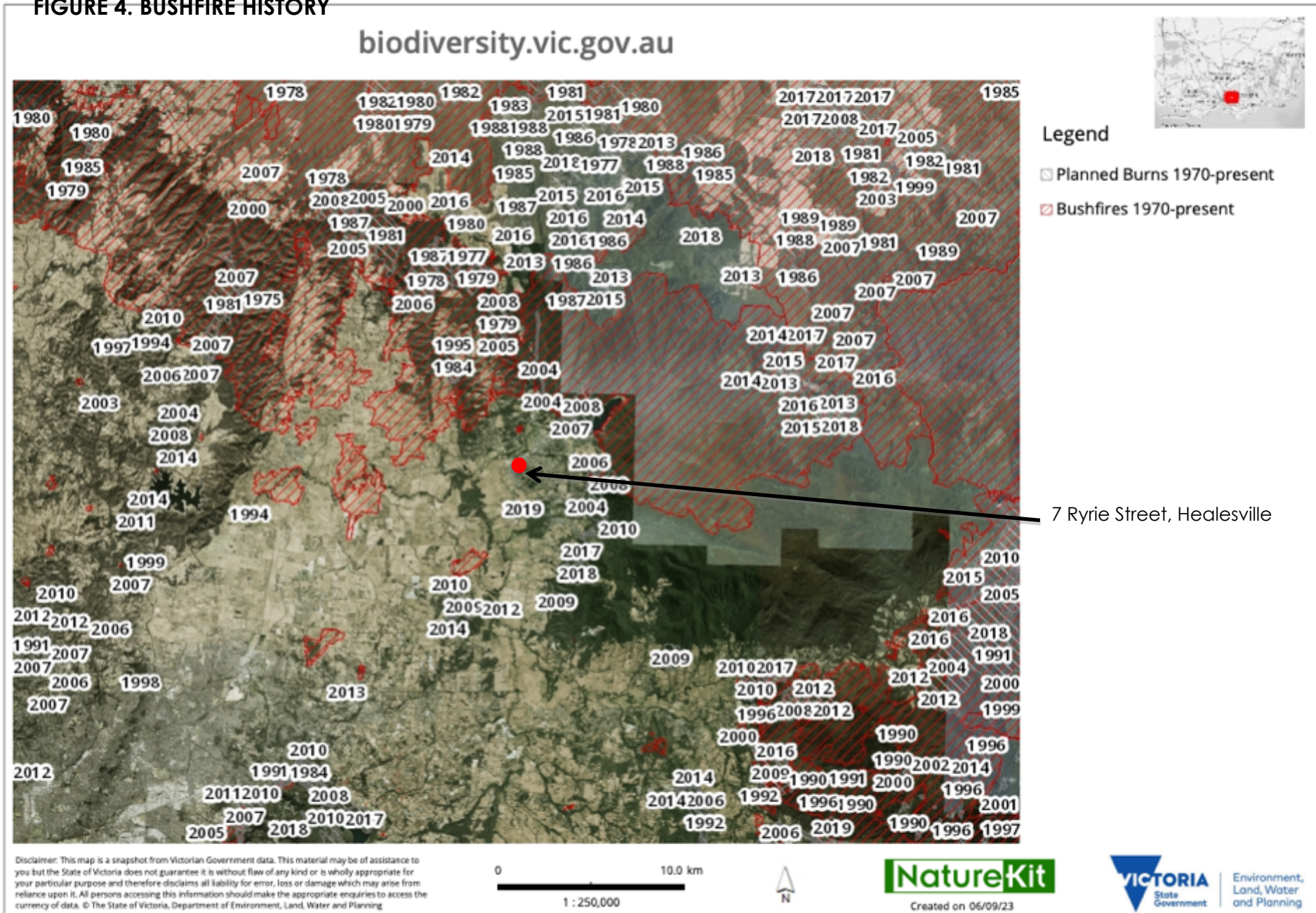




FIGURE 4. BUSHFIRE HISTORY



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## APPENDICES

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## APPENDIX 1. MANAGEMENT REQUIREMENTS FOR DEFENDABLE SPACE ZONES

The following vegetation management measures apply to the defendable space:

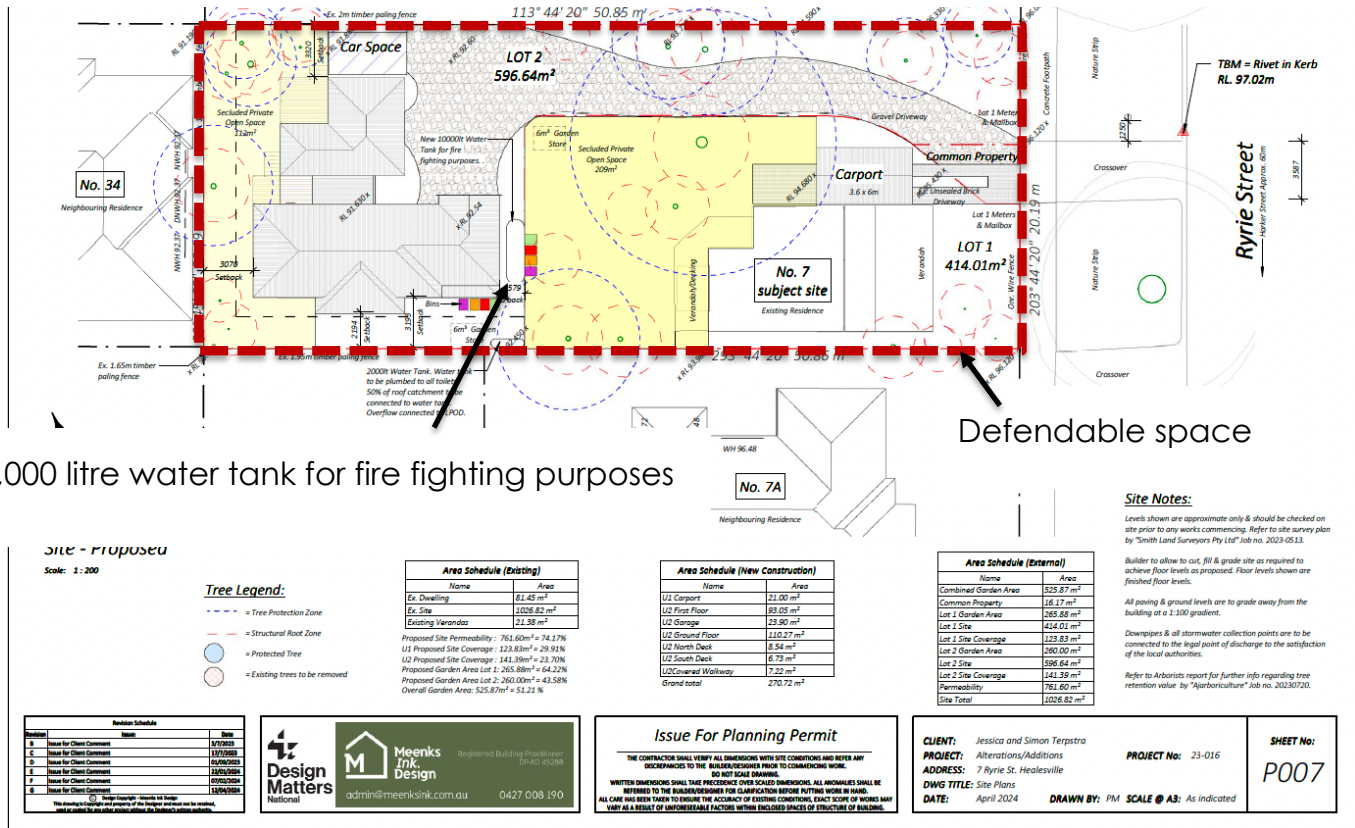
- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 2 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

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APPENDIX 2. BUSHFIRE MANAGEMENT PLAN FOR A PROPOSED DEVELOPMENT 7 RYRIE STREET, HEALESVILLE



Bushfire Management Overlay Requirements

Construction Requirements

The proposed dwelling will be built to Bushfire Attack Level (BAL) 12.5.

Defendable Space Management:

Defendable space is to be provided to the property boundary to all aspects.

Vegetation within the defendable space area must be managed to the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
- Trees must have a canopy separation of at least two (2) metres.
- Trees must not overhang or touch any elements of the building.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

**Access:** The following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

Water Supply For Fire Fighting Purposes

A static water supply of 10,000 litres must be provided for CFA use to the following specifications:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

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## APPENDIX 3 CONSTRUCTION REQUIREMENTS

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## SECTION 5 CONSTRUCTION REQUIREMENTS FOR BAL—12.5

### 5.1 GENERAL

A building assessed in Section 2 as being BAL—12.5 shall conform with Section 3 and Clauses 5.2 to 5.8.

Any element of construction or system that satisfies the test criteria of AS 1530.8.1 may be used in lieu of the applicable requirements contained in Clauses 5.2 to 5.8 (see Clause 3.8).

NOTE: BAL—12.5 is primarily concerned with protection from ember attack and radiant heat up to and including 12.5 kW/m<sup>2</sup> where the site is less than 100 m from the source of bushfire attack.

### 5.2 SUB-FLOOR SUPPORTS

This Standard does not provide construction requirements for subfloor support where the subfloor space is enclosed with—

- (a) a wall that conforms with Clause 5.4; or
- (b) a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium; or
- (c) a combination of Items (a) and (b).

NOTE: This requirement applies to the subject building only and not to verandas, decks, steps, ramps and landings (see Clause 5.7).

*C5.2 Combustible materials stored in the subfloor space may be ignited by embers and cause an impact to the building.*

### 5.3 FLOORS

#### 5.3.1 General

This Standard does not provide construction requirements for concrete slabs on the ground.

#### 5.3.2 Elevated floors

##### 5.3.2.1 Enclosed subfloor space

This Standard does not provide construction requirements for elevated floors, including bearers, joists and flooring, where the subfloor space is enclosed with—

- (a) a wall that conforms with Clause 5.4; or
- (b) a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium; or
- (c) a combination of Items (a) and (b) above.

##### 5.3.2.2 Unenclosed subfloor space

Where the subfloor space is unenclosed, the bearers, joists and flooring, less than 400 mm above finished ground level, shall be one of the following:

- (a) Materials that conform with the following:
  - (i) Bearers and joists shall be—
    - (A) non-combustible; or
    - (B) bushfire-resisting timber (see Appendix F); or
    - (C) a combination of Items (A) and (B).

## BAL—12.5

- (ii) Flooring shall be—
  - (A) non-combustible; or
  - (B) bushfire-resisting timber (see Appendix F); or
  - (C) timber (other than bushfire-resisting timber), particleboard or plywood flooring where the underside is lined with sarking-type material or mineral wool insulation; or
  - (D) a combination of any of Items (A), (B) or (C);

or

- (b) A system conforming with AS 1530.8.1.

This Standard does not provide construction requirements for elements of elevated floors, including bearers, joists and flooring, if the underside of the element is 400 mm or more above finished ground level.

### 5.4 WALLS

#### 5.4.1 General

The exposed components of an external wall that are less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle of less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D) shall be one of the following:

- (a) Non-combustible material including the following provided the minimum thickness is 90 mm:
  - (i) Full masonry or masonry veneer walls with an outer leaf of clay, concrete, calcium silicate or natural stone.
  - (ii) Precast or in situ walls of concrete or aerated concrete.
  - (iii) Earth wall including mud brick; or
- (b) Timber logs of a species with a density of 680 kg/m<sup>3</sup> or greater at a 12% moisture content; of a minimum nominal overall thickness of 90 mm and a minimum thickness of 70 mm (see Clause 3.11); and gauge planed; or
- (c) Cladding that is fixed externally to a timber-framed or a steel-framed wall and is—
  - (i) non-combustible material; or
  - (ii) fibre-cement a minimum of 6 mm in thickness; or
  - (iii) bushfire-resisting timber (see Appendix F); or
  - (iv) a timber species as specified in Paragraph E1, Appendix E; or
  - (v) a combination of any of Items (i), (ii), (iii) or (iv); or
- (d) A combination of any of Items (a), (b) or (c).

This Standard does not provide construction requirements for the exposed components of an external wall that are 400 mm or more from the ground or 400 mm or more above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the wall (see Figure D3, Appendix D).

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BAL—12.5

5.4.2 Joints

All joints in the external surface material of walls shall be covered, sealed, overlapped, backed or butt-jointed.

5.4.3 Vents and weepholes

Except for exclusions provided in Clause 3.6, vents and weepholes in external walls shall be screened with a mesh made of corrosion-resistant steel, bronze or aluminium.

5.5 EXTERNAL GLAZED ELEMENTS, ASSEMBLIES AND DOORS

5.5.1 Bushfire shutters

Where fitted, bushfire shutters shall conform with Clause 3.7 and be made from—

- (a) non-combustible material; or
- (b) a timber species as specified in Paragraph E1, Appendix E; or
- (c) bushfire-resisting timber (see Appendix F); or
- (d) a combination of any of Items (a), (b) or (c).

5.5.2 Screens for windows and doors

Where fitted, screens for windows and doors shall have a mesh or perforated sheet made of corrosion-resistant steel, bronze or aluminium.

The frame supporting the mesh or perforated sheet shall be made from—

- (a) metal; or
- (b) bushfire-resisting timber (see Appendix F); or
- (c) a timber species as specified in Paragraph E2, Appendix E.

5.5.3 Windows and sidelights

Window assemblies shall:

- (a) Be completely protected by a bushfire shutter that conforms with Clause 3.7 and Clause 5.5.1; or
- (b) Be completely protected externally by screens that conform with Clause 3.6 and Clause 5.5.2.

*CS.5.3 For Clause 5.5.3(b), the screening needs to be applied to cover the entire assembly, that is including framing, glazing, sash, sill and hardware.*

or

- (c) Conform with the following:
  - (i) *Frame material* For window assemblies less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), window frames and window joinery shall be made from one of the following:
    - (A) Bushfire-resisting timber (see Appendix F); or
    - (B) A timber species as specified in Paragraph E2, Appendix E; or
    - (C) Metal; or

BAL—12.5

- (D) Metal-reinforced uPVC. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel.

There are no specific restrictions on frame material for all other windows.

- (ii) *Hardware* There are no specific restrictions on hardware for windows.
- (iii) *Glazing* Where glazing is less than 400 mm from the ground or less than 400 mm above decks, carport roofs, awnings and similar elements or fittings having an angle less than 18 degrees to the horizontal and extending more than 110 mm in width from the window frame (see Figure D3, Appendix D), this glazing shall be Grade A safety glass a minimum of 4 mm in thickness or glass blocks with no restriction on glazing methods.  
NOTE: Where double-glazed assemblies are used above, the requirements apply to the external pane of the glazed assembly only. For all other glazing, annealed glass may be used in accordance with AS 1288.
- (iv) *Seals and weather strips* There are no specific requirements for seals and weather strips at this BAL level.
- (v) *Screens* The openable portions of windows shall be screened internally or externally with screens that conform with Clause 3.6 and Clause 5.5.2.

*CS.5.3 For Clause 5.5.3(c), screening to openable portions of all windows is required in all BALs to prevent the entry of embers to the building when the window is open.*

*For Clause 5.5.3(c)(v), screening of the openable and fixed portions of some windows is required to reduce the effects of radiant heat on annealed glass and has to be externally fixed.*

*For Clause 5.5.3(c)(v), if the screening is required only to prevent the entry of embers, the screening may be fitted externally or internally.*

5.5.4 Doors—Side-hung external doors (including French doors, panel fold and bi-fold doors)

Side-hung external doors, including French doors, panel fold and bi-fold doors, shall—

- (a) be completely protected by bushfire shutters that conform with Clause 3.7 and Clause 5.5.1;
- or
- (b) be completely protected externally by screens that conform with Clause 3.6 and Clause 5.5.2;
- or
- (c) conform with the following:
  - (i) *Door panel material* Materials shall be—
    - (A) non-combustible; or
    - (B) solid timber, laminated timber or reconstituted timber, having a minimum thickness of 35 mm for the first 400 mm above the threshold; or
    - (C) hollow core, solid timber, laminated timber or reconstituted timber with a non-combustible kickplate on the outside for the first 400 mm above the threshold; or
    - (D) hollow core, solid timber, laminated timber or reconstituted timber protected externally by a screen that conforms with Clause 5.5.2; or



**BAL—12.5**

- (E) for fully framed glazed door panels, the framing shall be made from metal or bushfire resisting timber (see Appendix F) or a timber species as specified in Paragraph E2, Appendix E or uPVC.
- (ii) **Door frame material** Door frame materials shall be—
  - (A) bushfire resisting timber (see Appendix F); or
  - (B) a timber species as specified in Paragraph E2 of Appendix E; or
  - (C) metal; or
  - (D) metal-reinforced uPVC. The reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel.
- (iii) **Hardware** There are no specific requirements for hardware at this BAL level.
- (iv) **Glazing** the glazing shall be Grade A safety glass a minimum of 4 mm in thickness, or glass blocks with no restriction on glazing methods.  
NOTE: Where double glazed units are used the above requirements apply to the external face of the window assembly only.
- (v) **Seals and weather strips** Weather strips, draft excluders or draft seals shall be installed.
- (vi) **Screens** There are no requirements to screen the openable part of the door at this BAL level.
- (vii) Doors shall be tight-fitting to the door frame and to an abutting door, if applicable.

**5.5.5 Doors—Sliding doors**

Sliding doors shall—

- (a) be completely protected by a bushfire shutter that conforms with Clause 3.7 and Clause 5.5.1;  
or
- (b) be completely protected externally by screens that conform with Clause 3.6 and Clause 5.5.2; or
- (c) conform with the following:
  - (i) **Frame material** The material for door frames, including fully framed glazed doors, shall be—
    - (A) bushfire-resisting timber (see Appendix F); or
    - (B) a timber species as specified in Paragraph E2, Appendix E; or
    - (C) metal; or
    - (D) metal-reinforced uPVC and the reinforcing members shall be made from aluminium, stainless steel, or corrosion-resistant steel.
  - (ii) **Hardware** There are no specific requirements for hardware at this BAL level.
  - (iii) **Glazing** Where doors incorporate glazing, the glazing shall be grade A safety glass a minimum of 4 mm in thickness.
  - (iv) **Seals and weather strips** There are no specific requirements for seals and weather strips at this BAL level.

**BAL—12.5**

- (v) **Screens** There is no requirement to screen the openable part of the sliding door at this BAL level.
- (vi) **Sliding panels** Sliding panels shall be tight-fitting in the frames.

**5.5.6 Doors—Vehicle access doors (garage doors)**

The following applies to vehicle access doors:

- (a) The lower portion of a vehicle access door that is within 400 mm of the ground when the door is closed (see Figure D4, Appendix D) shall be made from—
  - (i) non-combustible material; or
  - (ii) bushfire-resisting timber (see Appendix F); or
  - (iii) fibre-cement sheet a minimum of 6 mm in thickness; or
  - (iv) a timber species as specified in Paragraph E1, Appendix E; or
  - (v) a combination of any of Items (i), (ii), (iii) or (iv).
- (b) All vehicle access doors shall be protected with suitable weather strips, draught excluders, draught seals or brushes. Door assemblies fitted with guide tracks do not need edge gap protection.

**NOTES:**

- 1 Refer to AS/NZS 4505 for door types.
- 2 Gaps of door edges or building elements should be protected as per Section 3.

**C5.5.6(b) These guide tracks do not provide a direct passage for embers into the building.**

- (c) Vehicle access doors with ventilation slots shall be protected in accordance with Clause 3.6.

**5.6 ROOFS (INCLUDING PENETRATIONS, EAVES, FASCIAS AND GABLES, AND GUTTERS AND DOWNPIPES)****5.6.1 General**

The following applies to all types of roofs and roofing systems:

- (a) Roof tiles, roof sheets and roof-covering accessories shall be non-combustible.
- (b) The roof/wall and roof/roof junction shall be sealed or otherwise protected in accordance with Clause 3.6.
- (c) Roof ventilation openings, such as gable and roof vents, shall be fitted with ember guards made of non-combustible material or a mesh or perforated sheet conforming with Clause 3.6 and, made of corrosion-resistant steel, bronze or aluminium.
- (d) Only evaporative coolers manufactured in accordance with AS/NZS 60335.2.98 shall be used. Evaporative coolers with an internal damper to prevent the entry of embers into the roof space need not be screened externally.

**5.6.2 Tiled roofs**

Tiled roofs shall be fully sarked. The sarking shall—

- (a) be located on top of the roof framing, except that the roof battens may be fixed above the sarking;

## BAL—12.5

- (b) cover the entire roof area including ridges and hips; and
- (c) extend into gutters and valleys.

### 5.6.3 Sheet roofs

Sheet roofs shall—

- (a) be fully sarked in accordance with Clause 5.6.2, except that foil-backed insulation blankets may be installed over the battens; or
- (b) have any gaps sealed at the fascia or wall line, hips and ridges by—
  - (i) a mesh or perforated sheet that conforms with Clause 3.6 and that is made of corrosion-resistant steel, bronze or aluminium; or
  - (ii) mineral wool; or
  - (iii) other non-combustible material; or
  - (iv) a combination of any of Items (i), (ii) or (iii).

*C5.6.3 Sarking is used as a secondary form of ember protection for the roof space to account for minor gaps that may develop in sheet roofing.*

#### 5.6.4 Veranda, carport and awning roof

The following applies to veranda, carport and awning roofs:

- (a) A veranda, carport or awning roof forming part of the main roof space [see Figure D1(a), Appendix D] shall meet all the requirements for the main roof, as specified in Clauses 5.6.1 to 5.6.6.
- (b) A veranda, carport or awning roof separated from the main roof space by an external wall [see Figures D1(b) and D1(c), Appendix D] conforming with Clause 5.4 shall have a non-combustible roof covering, except where the roof covering is a translucent or transparent material.

**NOTE:** There is no requirement to line the underside of a veranda, carport or awning roof that is separated from the main roof space.

### 5.6.5 Roof penetrations

The following applies to roof penetrations:

- (a) Roof penetrations, including roof lights, roof ventilators, roof-mounted evaporative cooling units, aerials, vent pipes and supports for solar collectors or the like, shall be sealed. The material used to seal the penetration shall be non-combustible.
- (b) Openings in vented roof lights, roof ventilators or vent pipes shall conform with Clause 3.6 and be made of corrosion-resistant steel, bronze or aluminium.

This requirement does not apply to a room sealed gas appliance.

NOTE: A gas appliance designed such that air for combustion does not enter from, or combustion products enter into, the room in which the appliance is located.

In the case of gas appliance flues, ember guards shall not be fitted.

**NOTE:** AS/NZS 5601 contains requirements for gas appliance flue systems and cowl. Advice can be obtained from manufacturers and State and Territory gas technical regulators.

- (c) All overhead glazing shall be Grade A safety glass conforming with AS 1288.

## BAL—12.5

- (d) Glazed elements in roof lights and skylights may be of polymer provided a Grade A safety glass diffuser, conforming with AS 1288, is installed under the glazing. Where glazing is an insulating glazing unit (IGU), Grade A toughened safety glass of minimum 4 mm in thickness shall be used in the outer pane of the IGU.
- (e) Flashing elements of tubular skylights may be of a fire-retardant material, provided the roof integrity is maintained by an under-flashing of a material having a flammability index not exceeding five.
- (f) Evaporative cooling units shall be fitted with non-combustible butterfly closers as close as practicable to the roof level or the unit shall be fitted with non-combustible covers with a mesh or perforated sheet with a maximum aperture of 2 mm, made of corrosion-resistant steel, bronze or aluminium.
- (g) Vent pipes made from PVC are permitted.
- (h) Eaves lighting shall be adequately sealed and not compromise the performance of the element.

### 5.6.6 Eaves linings, fascias and gables

The following applies to eaves linings, fascias and gables:

- (a) Gables shall conform with Clause 5.4.
- (b) Eaves penetrations shall be protected in the same way as roof penetrations, as specified in Clause 5.6.5.
- (c) Eaves ventilation openings shall be fitted with ember guards in accordance with Clause 3.6 and made of corrosion-resistant steel, bronze or aluminium.

Joints in eaves linings, fascias and gables may be sealed with plastic joining strips or timber storm moulds.

This Standard does not provide construction requirements for fascias, bargeboards and eaves linings.

### 5.6.7 Gutters and downpipes

**This Standard does not provide material requirements for—**

- (a) gutters, with the exception of box gutters; and
- (b) downpipes.

If installed, gutter and valley leaf guards shall be non-combustible.

Box gutters shall be non-combustible and flashed at the junction with the roof with non-combustible material.

## 5.7 VERANDAS, DECKS, STEPS AND LANDINGS

### 5.7.1 General

Decking may be spaced.

There is no requirement to enclose the subfloor spaces of verandas, decks, steps, ramps or landings.

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**BAL—12.5**

*C5.7.7 Spaced decking is nominally spaced at 3 mm (in accordance with standard industry practice); however, due to the nature of timber decking with seasonal changes in moisture content, that spacing may range from 0 mm–5 mm during service. It should be noted that recent research studies have shown that gaps at 5 mm spacing afford opportunity for embers to become lodged in between timbers, which may contribute to a fire. Larger gap spacing of 10 mm may preclude this from happening but such a spacing regime may not be practical for a timber deck.*

**5.7.2 Enclosed subfloor spaces of verandas, decks, steps, ramps and landings****5.7.2.1 Materials to enclose a subfloor space**

This Standard does not provide construction requirements for the materials used to enclose a subfloor space except where those materials are less than 400 mm from the ground.

Where the materials used to enclose a subfloor space are less than 400 mm from the ground, they shall conform with Clause 5.4.

**5.7.2.2 Supports**

This Standard does not provide construction requirements for support posts, columns, stumps, stringers, piers and poles.

**5.7.2.3 Framing**

This Standard does not provide construction requirements for the framing of verandas, pergolas, decks, ramps or landings (i.e. bearers and joists).

**5.7.2.4 Decking, stair treads and the trafficable surfaces of ramps and landings**

This Standard does not provide construction requirements for decking, stair treads and the trafficable surfaces of ramps and landings that are more than 300 mm from a glazed element.

Decking, stair treads and the trafficable surfaces of ramps and landings less than 300 mm (measured horizontally at deck level) from glazed elements that are less than 400 mm (measured vertically) from the surface of the deck (see Figure D2, Appendix D) shall be made from—

- (a) non-combustible material; or
- (b) bushfire-resisting timber (see Appendix F); or
- (c) a timber species as specified in Paragraph E1, Appendix E; or
- (d) uPVC; or
- (e) a combination of any of Items (a), (b), (c) or (d).

**5.7.3 Unenclosed subfloor spaces of verandas, decks, steps, ramps and landings****5.7.3.1 Supports**

This Standard does not provide construction requirements for support posts, columns, stumps, stringers, piers and poles.

**5.7.3.2 Framing**

This Standard does not provide construction requirements for the framing of verandas, decks, ramps or landings (i.e. bearers and joists).

**BAL—12.5****5.7.3.3 Decking, stair treads and the trafficable surfaces of ramps and landings**

This Standard does not provide construction requirements for decking, stair treads and the trafficable surfaces of ramps and landings that are more than 300 mm from a glazed element.

Decking, stair treads and the trafficable surfaces of ramps and landings less than 300 mm (measured horizontally at deck level) from glazed elements that are less than 400 mm (measured vertically) from the surface of the deck (see Figure D2, Appendix D) shall be made from—

- (a) non-combustible material; or
- (b) bushfire-resisting timber (see Appendix F); or
- (c) a timber species as specified in Paragraph E1, Appendix E; or
- (d) a combination of any of Items (a), (b) or (c) above.

**5.7.4 Balustrades, handrails or other barriers**

This Standard does not provide construction requirements for balustrades, handrails and other barriers.

**5.7.5 Veranda posts**

Veranda posts—

- (a) shall be timber mounted on galvanized mounted shoes or stirrups with a clearance of not less than 75 mm above the adjacent finished ground level; or
- (b) less than 400 mm (measured vertically) from the surface of the deck or ground (see Figure D2, Appendix D) shall be made from—
  - (i) non-combustible material; or
  - (ii) bushfire-resisting timber (see Appendix F); or
  - (iii) a timber species as specified in Paragraph E1, Appendix E; or
  - (iv) a combination of any of Items (a) or (b).

**5.8 WATER AND GAS SUPPLY PIPES**

Above-ground, exposed water supply pipes shall be metal.

External gas pipes and fittings above ground shall be of steel or copper construction having a minimum wall thickness in accordance with gas regulations or 0.9 mm whichever is the greater. The metal pipe shall extend a minimum of 400 mm within the building and 100 mm below ground.

NOTE: Refer to State and Territory gas regulations, AS/NZS 5601.1 and AS/NZS 4645.1.

*C5.8 Concern is raised for the protection of bottled gas installations. Location, shielding and venting of the gas bottles needs to be considered.*

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# Understanding Neighbourhood Character

Planning Practice Note 43

JANUARY 2018

This practice note provides guidance for applicants, the community and councils about:

- understanding what is meant by neighbourhood character
- preparing or assessing a permit application for a residential development, including a neighbourhood and site description, a design response, and meeting the neighbourhood character objectives and standards in the planning scheme.

## **What role does neighbourhood character play in preparing or assessing a proposed residential development?**

Designing and siting new dwellings to respect neighbourhood character is a fundamental objective of the residential development provisions in planning schemes.

It is important that both the applicant and council have a common understanding about the key features of neighbourhood character so that:

- a satisfactory neighbourhood and site description, including the identification of the key features of the neighbourhood, is provided
- the design response derives from and responds to the key features identified in the neighbourhood and site description
- the residential development proposal respects the existing or preferred neighbourhood character and satisfies all the neighbourhood character requirements of the residential development provisions in planning schemes.

## **What is neighbourhood character?**

Neighbourhood character is essentially the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small. It is the cumulative impact of all these contributions that establishes neighbourhood character.

The key to understanding character is being able to describe how the features of an area come together to give that area its own particular character. Breaking up character into discrete features and characteristics misses out on the relationships between these features and characteristics. Understanding how these relationships physically appear on the ground is usually the most important aspect in establishing the character of the area.

## **Do all areas have neighbourhood character?**

It is common for some areas to be described as having 'little or no character', and other areas as having 'lots of character'. These sorts of descriptions confuse neighbourhood character with attractiveness. All areas have a character in the same way that all people have a personality. In some areas the character may be more obvious, more unusual, or more attractive, but no area can be described as having no character.





The character of all areas is to be respected (even areas that planners or designers might not think to be attractive). If, for a broader range of considerations, a change in the character of an area is sought, then this must be achieved by setting out a preferred future character statement in the planning scheme, through the Local Planning Policy Framework (LPPF) and/or an appropriate zone or overlay.

### **Neighbourhood character and heritage significance**

In defining neighbourhood character, it is important to understand the differences between neighbourhood character and heritage.

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, State and local agencies, with reference to the Burra Charter. Cultural heritage is largely embodied in the fabric and setting of a building and place. It is important to manage and retain this fabric and setting to retain the cultural significance of a place. Heritage significance can't be improved, but the fabric of a place can be improved, restored or reinterpreted.

In many areas building style is important to setting the character of the area. This includes not just typical form and massing, but may also include details, materials and colours. Buildings do not need to be old or historically significant to have a character that is important to people's understanding and enjoyment of an area.

### **Neighbourhood character and amenity**

Amenity is about the pleasantness and good functioning of an area. Neighbourhood character is about its sense of place and community meaning. Regardless of the character of an area there are standards of residential amenity that apply to all residential development. These basic amenity standards include overlooking, overshadowing and solar access. Sometimes, these amenity standards can have an effect on neighbourhood character, but as a general principle, neighbourhood character and amenity should be treated separately.

### **The role of the neighbourhood and site description**

A planning application for one or more dwellings or a residential building in a residential zone must be accompanied by a neighbourhood and site description. The purpose of the neighbourhood and site description is to accurately describe the features or characteristics of the neighbourhood and the site.

A neighbourhood and site description is not a justification for a preconceived design. It is a factual record of the physical aspects of the neighbourhood and the site that are likely to affect the design response.

The neighbourhood and site description requires the following matters to be considered in relation to the neighbourhood:

- the pattern of development of the neighbourhood (only for permit applications for two or more dwellings on a lot and residential buildings)
- the built form, scale and character of surrounding development including front fencing
- architectural and roof styles
- any other notable features or characteristics of the neighbourhood.

Additional matters will need to be considered in relation to the site itself. These matters are located in Clause 54 and Clause 55 of the planning scheme.

### **Identifying the features and characteristics of the neighbourhood**

Identifying the features and characteristics of the neighbourhood required by the neighbourhood and site description does not mean producing an exhaustive list of features in the neighbourhood.

Listing discrete features and characteristics of an area is not an adequate description of the character of a place. Understanding the relationship between the features and characteristics of a neighbourhood is important to describing the character of the area.

The key is to consider the interaction between features and characteristics. A decision needs to be made about which of the features and characteristics are important and then explain how they interact to contribute to the character of the neighbourhood.



### **What features and characteristics should be considered?**

Describing neighbourhood character requires a qualitative assessment and the exercise of judgement about which features and characteristics determine the neighbourhood character of an area.

The following table sets out one process that could be used to identify the most important features and characteristics of the neighbourhood that will influence the design response.

The table is not an exhaustive list of either the questions that might be asked or the features that might be identified to assist in determining the character of an area. Describing the character of an area will also depend on the extent of neighbourhood character analysis already undertaken by the relevant council and the particular characteristics of the neighbourhood in question.

The table is a prompt to identify and describe the key features and characteristics that will influence the design response rather than an exhaustive list of features to be considered.

Any assessment that takes a 'tick-a-box' approach to identifying the features and characteristics of the neighbourhood is not sufficient.



Matters to be considered	Questions that might help in the preparation of the neighbourhood and site description	Terms/features that might help to describe this aspect of neighbourhood character	Your response
The pattern of development of the neighbourhood (only required where more than one dwelling on a lot is proposed)	<p>Is the neighbourhood typical of a particular form or pattern of development?</p> <p>Are there any patterns in building form, height, setbacks or rhythm?</p> <p>How do these relate to topography, natural features and street network?</p> <p>Is there any pattern in relation to any particular feature or characteristic?</p> <p>What is the pattern of landscape and street tree planting?</p> <p>How do buildings and private open spaces relate to each other or to the public realm?</p>	<ul style="list-style-type: none"> <li>• Topography</li> <li>• Street block length</li> <li>• Street alignment, type and proportions</li> <li>• Extent of rear gardens and private open space</li> <li>• Landscaping and vegetation in the neighbourhood</li> <li>• Patterns of use and occupation</li> <li>• Diversity of housing</li> </ul>	
The built form, scale and character of surrounding development including front fencing	<p>What is the predominant form of development?</p> <p>Is the neighbourhood homogenous or diverse in terms of the built form, scale and character?</p> <p>What sort of front fences are there?</p> <p>How is parking and access arranged?</p>	<ul style="list-style-type: none"> <li>• Building mass and height</li> <li>• Setbacks</li> <li>• Space around properties and site coverage</li> <li>• Car parking</li> <li>• Fences (style and height)</li> </ul>	
Architectural and roof styles	<p>What architectural styles are typical in the neighbourhood?</p> <p>What levels of articulation and detail are typical in the neighbourhood?</p> <p>How do roof patterns relate to built form?</p>	<ul style="list-style-type: none"> <li>• Architectural rhythm of street</li> <li>• Porches and verandahs</li> <li>• Architectural consistency</li> <li>• Roof form</li> </ul>	
Any other notable features or characteristics of the neighbourhood	<p>Are there any other notable features that have not been picked up through the consideration of the above matters?</p> <p>Are there any significant street trees or vegetation that would affect the design response?</p>	<ul style="list-style-type: none"> <li>• Waterways</li> <li>• Street trees</li> <li>• Details of the footpath and street</li> <li>• Landscaping and vegetation on private lots</li> <li>• Nearby historic buildings or features</li> </ul>	



### How far should the neighbourhood and site description extend?

Council and the applicant need to resolve the area of the neighbourhood that needs to be described. The area of the neighbourhood provides the context for decisions about the design response.

In most cases, a complete pattern of existing lots and development for about five sites or buildings up and down the street, across the street and behind the site in question should be sufficient to identify the features of the neighbourhood that should influence the design. However, sometimes it may be necessary to look further than this, depending upon the individual circumstances of the site and the neighbourhood.

### The role of the design response

All applications must be accompanied by a design response. The design response must explain how the proposed design:

- derives from and responds to the features described in the neighbourhood and site description. The design response should therefore include an evaluation of how these identified features or characteristics of the neighbourhood influence the design
- meets the objectives of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. However, this does not mean that the applicant must provide a detailed written explanation of how each objective is met. In most cases, brief notes on the plan and a short written statement indicating how the design response achieves the objectives will suffice
- has responded to the neighbourhood character features identified in any local planning policy or Neighbourhood Character Overlay.

The design response can generally be presented as a plan with notations that show how the proposed design clearly relates to any other dwelling on the site and to the surrounding development and neighbourhood. It may also include a written statement. The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

### Key steps in developing the design response

When preparing a design response, follow these steps:

- Decide what features of neighbourhood character should be responded to.
- Decide what features of the site and neighbouring sites should be responded to.
- Decide how to respond to these features and any other issues that have been identified, taking into account the objectives of the residential development provisions and any relevant local planning policies in the planning scheme.
- Test the design response against the neighbourhood and site description and any features identified in a relevant local planning policy or a Neighbourhood Character Overlay. Does the design adequately respond to the key features? How?
- Test the design response against the objectives of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. Have the objectives and standards been met? How?
- Discuss the design response and its implications with council before starting the detailed design.

### Satisfying the neighbourhood character standard

A residential development must meet the objectives and should meet the standards of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. The first objective that must be met is the neighbourhood character objective. The standard for this objective requires the design response to:

- be appropriate to the neighbourhood and site description
- respect the existing neighbourhood character or contribute to a preferred neighbourhood character
- respond to the features of the site and surrounding area.

### What does 'respect' mean?

Respecting character does not mean preventing change. The neighbourhood character standard is not intended to result in the replication of existing building stock or stop change.





Neighbourhood character is one of many objectives that must be met. Some areas will see significant changes as a result of new social and economic conditions, changing housing preferences and explicit housing policies. In these areas, it is important that respecting character is not taken too literally, as a new character will emerge in response to these new social and economic conditions.

In simple terms, respect for the character of a neighbourhood means that the development should try to 'fit in'. Depending on the neighbourhood, there are two broad approaches to respecting character:

- respecting the scale and form of surrounding development
- respecting the architectural style of surrounding development.

Determining whether either or both approaches should influence the design response will depend on the features and characteristics identified in the neighbourhood and site description.

Respecting neighbourhood character does not mean limiting the scope of design interpretation and innovation, or mimicry or pattern book design. Instead, it means designing the development to respond to the features and characteristics identified in the neighbourhood.

### Assessing the impact of the design response

Deciding whether a development respects the neighbourhood character is ultimately a subjective decision that depends on the interpretation of the features and characteristics of the neighbourhood identified in the neighbourhood and site description.

The impact of any design response depends on:

- the physical impact of the proposed development
- the sensitivity of the area that the proposed development impacts on
- the planning objectives that deal with those impacts.

In deciding whether or not the design response respects the character of the neighbourhood, consider:

- the extent to which it reinforces existing patterns and interactions of elements
- the sensitivity of the character of the neighbourhood to changes in those patterns
- the planning objectives to deal with those changes.

If the change undermines a key feature or characteristic of the neighbourhood without some policy basis, then a strong case can be made that the development does not respect the character of the neighbourhood. If the change is supported by objectives and strategies in the LPPF and/or an appropriate zone or overlay in the planning scheme, then the development can be considered to respect preferred character.

Once the neighbourhood character standard is satisfied, an assessment can be undertaken against the remaining objectives and standards in the planning scheme.

### Further reading

More information about applications for residential development is available in *Using Victoria's Planning System*.

Other practice notes about applications for residential development:

- *Planning Practice Note 15: Assessing an application for a dwelling in a residential zone*
- *Planning Practice Note 16: Making a planning application for a dwelling in a residential zone*
- *Planning Practice Note 27: Understanding the residential development standards*
- *Planning Practice Note 40: Using the residential subdivision provisions Clause 56 – Residential subdivision.*



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ISBN 978-1-74146-583-9 (pdf)

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# VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P550/2024  
PERMIT APPLICATION NO.YR-2023/596

**APPLICANT** Storm Victor, John Magnik & Others  
**RESPONSIBLE AUTHORITY** Yarra Ranges Shire Council  
**RESPONDENT** Alex Gradwell  
**SUBJECT LAND** 4 Clive Court  
MOOROOLBARK VIC 3138  
**HEARING TYPE** Hearing  
**DATE OF HEARING** 12 March 2025  
**DATE OF ORDER** 26 March 2025  
**CITATION** Victor v Yarra Ranges SC [2025] VCAT 257

## ORDER

### Amend name

- 1 Pursuant to clause 64 of Schedule 1 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), the permit application is amended by changing the name of the permit applicant to:

Alex Gradwell

### Permit granted

- 2 In application P550/2024 the decision of the responsible authority is varied.
- 3 In planning permit application YR-2023/596 a permit is granted and directed to be issued for the land at 4 Clive Court Mooroolbark VIC 3138 in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:

Planning scheme clause	Matter for which the permit has been granted
Clause 32.09-7	Construct a dwelling if there is at least one dwelling existing on the lot. Construct two or more dwellings on a lot.

Donna D'Alessandro  
Member



## APPEARANCES

For Storm Victor & John  
Magnik & others

In person

For Yarra Ranges Shire  
Council

Aaron Truong, town planner

For Alex Gradwell

Andrew Crack, town planner of Andrew Crack  
& Associates.





## INFORMATION

Description of proposal	Construction of double storey dwelling behind the existing single storey dwelling. The existing cross-over and driveway will be retained, providing a shared access to both dwellings.
Nature of proceeding	Application under section 82 of the <i>Planning and Environment Act 1987</i> (Vic) – to review the decision to grant a permit.
Planning scheme	Yarra Ranges Planning Scheme
Zone and overlays	Neighbourhood Residential Zone Schedule 1 ('NRZ1') Significant Landscape Overlay Schedule 23 ('SLO23').
Permit requirements	Clause 32.09–7 - construct a dwelling if there is at least one dwelling existing on the lot. Clause 32.09-7 – construct two or more dwellings on a lot.
Land description	<p>The review site is located on the north side of Clive Court. The review site is an irregular shaped parcel of land with a street frontage of 16.32 metres, a depth of 42.68 metres, for an overall area of 1055 square metres.</p> <p>There are two, 2.44-metre-wide drainage easements located to the north-east and north-west of the review site.</p> <p>The review site contains a single storey weatherboard dwelling, set back from the front of the site by at least 8 metres due to the irregular shaped block. There is no vegetation or front fence.</p> <p>A single crossover and driveway are located on the south-eastern corner of the review site, accessible to a car port located to the rear of the existing dwelling.</p>



## REASONS<sup>1</sup>

### WHAT IS THIS PROCEEDING ABOUT?

- 1 Storm Victor, John and Evelyn Magnik & Others, ('applicant') bring this application for review under section 82 of the *Planning and Environment Act 1987* (Vic) seeking the Tribunal's review of the decision by the Yarra Ranges Shire Council ('council') to approve two or more dwellings on a lot, at 4 Clive Court, Mooroolbark ('review site'). The applicant resides to the rear of the review site as outlined below.



Figure 1 Near Map showing review site and adjoining properties.<sup>2</sup>

- 2 The proposal involves the retention of the existing single storey dwelling including existing vehicle access and driveway located to the south-western boundary of the review site. A double storey dwelling will be built to the rear of the review site and behind the existing dwelling. It will contain a double garage built on the boundary for a length of 6.48 metres, adjoining the western boundary at 6 Clive Court. At ground level contains open plan living/meal/kitchen area, laundry/store, main bedroom with ensuite. Three bedrooms, ensuite and bathroom are located at the first floor. The secluded private open space located to the rear of the dwelling includes an alfresco area. A 1.9 metres high colourbond fence runs along the eastern and

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<sup>1</sup> The submissions of the parties, any supporting exhibits given at the hearing and the statements of grounds filed have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.

<sup>2</sup> Near Map 1 February 2025.

western boundaries, and 1.8 metre high paling fence along the northern boundary with 20 Winifred Road. The proposed dwelling will be constructed from weatherboard cladding with colourbond roof as depicted in the plans below.

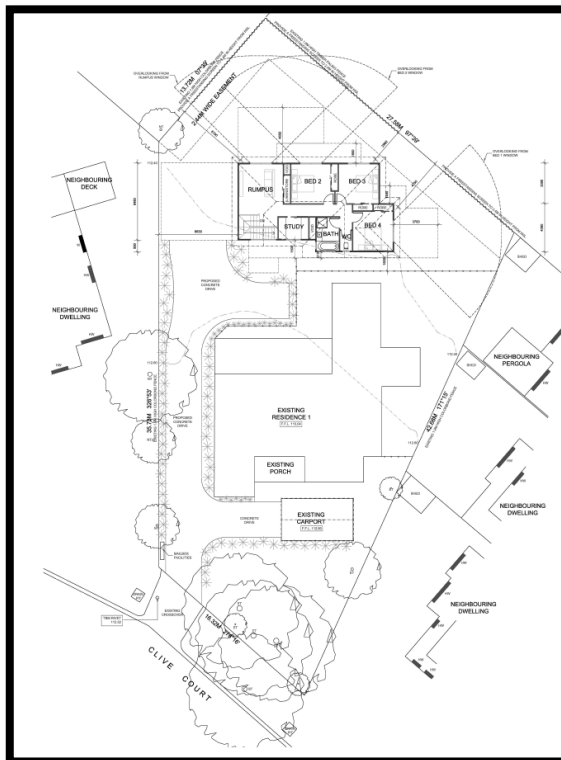
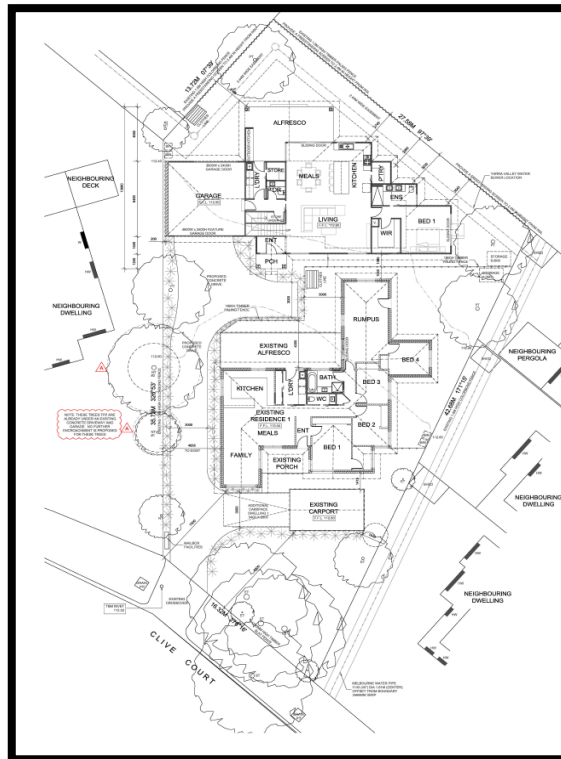


Figure 2 Floor Plan.<sup>3</sup>

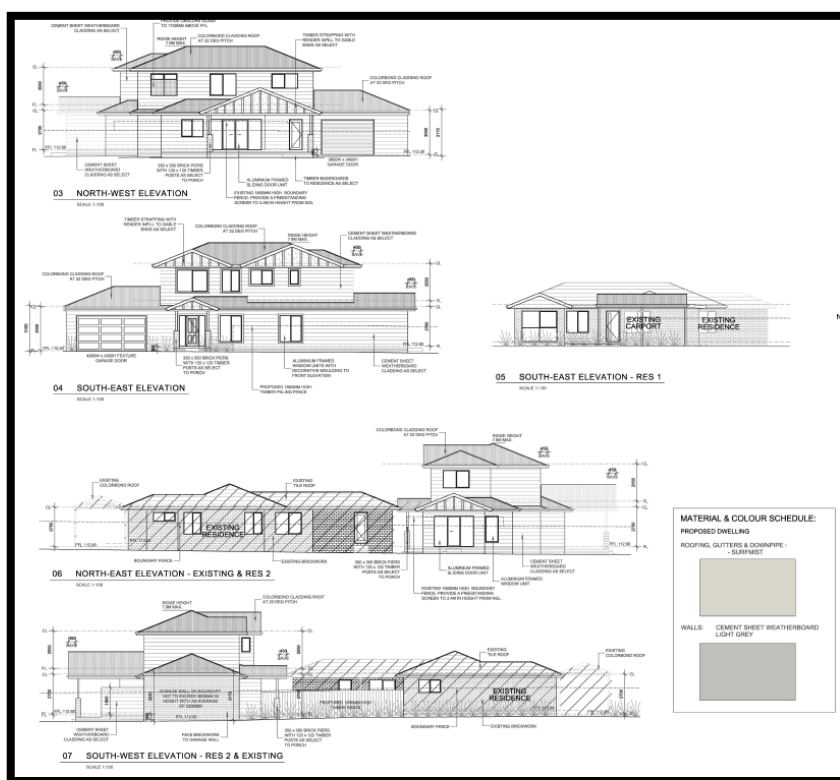


Figure 3 Elevation Plans.<sup>4</sup>

- 3 Council issued a Notice of Decision to Grant the Permit ('NOD') on 23 April 2024. The decision was based on council's view that the proposed double storey dwelling is considered to have an appropriate design which is in proportion with the site and surrounds. The siting is not a concern in terms of being located to the rear of the existing single-storey dwelling. The council contends the proposal is responsive to the Yarra Ranges Planning Scheme ('Scheme').
- 4 The applicant resides to the rear of the review site. They are concerned that the proposed two storey dwelling will have a significant impact on their privacy, from both the dwelling and the alfresco area. They are concerned about devaluation of their property. They are also concerned the proposed two-storey built form and the creation of the second dwelling at two storeys is not in keeping with the neighbourhood character.
- 5 Andrew Gladwell ('respondent') disagrees with the applicant. The respondent asserts the proposal is consistent with the Scheme (including the zoning of the land and clause 55). They disagree with the applicant about the loss of privacy due to overlooking from the first-floor habitable rooms given the proposal accords with the relevant standards at clause 55. The

<sup>3</sup> Application Plans.

<sup>4</sup> Application Plans.



applicant also refutes the issue relating to devaluation of property value, as they say is not a valid planning consideration.

## **WHAT ARE THE KEY ISSUES?**

- 6 The key issues for determination in this review relate to the following:
  - a Is the two-storey built form consistent with the prevailing neighbourhood character?
  - b Will the proposed dwelling cause a loss of amenity due to overlooking?
- 7 The Tribunal must decide whether a permit should be granted and, if so, what conditions should be applied. Having considered all submissions with regard to the applicable policies and provisions of the Scheme, I have decided to vary the decision of the council to make some minor changes to conditions for reasons I set out below. My reasons are provided as follows.

## **SITE LOCATION**

- 8 The review site is located in an established residential area of Mooroolbark. As described by council, the area consists of a mixture of predominantly single and double storey brick veneer and weatherboard dwellings, with several multi-unit developments within proximity of the review site. The established housing stock dates to the late 1980s, with several lots developed with townhouses and subdivided in a battle-axe arrangement.
- 9 The council confirms the location of the review site for two dwellings is appropriate given the review site is well serviced by local community facilities and centres such as pre-school, primary school, playgrounds and centres. The Mooroolbark train station is approximately 2 kilometres west of the review site.
- 10 None of the parties disputed the principle of the land to be accommodated for two dwellings.

## **PLANNING CONTEXT**

- 11 The review site is located within the Neighbourhood Residential Zone ('NRZ'). The purpose of the NRZ as it relates to this review is to recognise areas of predominantly single and double storey residential development, and to manage and ensure that development respects the identified neighbourhood character, or landscape characteristics.
- 12 The neighbourhood character objectives at clause 32.09-1 refers to the schedule to the zone. An application to construct a dwelling on a lot greater than 650 square metres must have a minimum garden area of 35%. In this instance, the garden area must be at least 369.25 square metres. The plans show a garden area of 470.1 square metres, 40.1%. The garden area requirements are met.

- 13 At clause 32.09-7 a permit is required to construct a dwelling if there is at least one dwelling existing on the lot, construct two or more dwellings on a lot, and construct a fence. The requirements of clause 55, applies if the schedule to the zone does not vary these requirements. The maximum building height must not exceed 9 metres and must contain no more than 2 storeys at any point, if it is not varied in the schedule to the zone.
- 14 Clause 55 (ResCode) relates to the construction of two or more dwellings on the lot. Clause 55 has the following purposes:
- To implement the Municipal Planning Strategy [MPS] and the Planning Policy Framework [PPF].
  - To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
  - To encourage residential development that provides reasonable standards of amenity for existing and new residents.
  - To encourage residential development that is responsive to the site and the neighbourhood.
- 15 The requirements of clause 55 include that all objectives that apply to the application must be met, and standards should be met. If a development meets standards B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard. In such circumstances, the decision guidelines do not apply to the application.
- 16 The review site is also located with Significant Landscape Overlay – Schedule 23 (‘SLO23’). A permit is not required to construct a building or carry out works because the proposal meets the requirements at section 3.0 of SLO23. Given there is no permit trigger I will not recite this policy.
- 17 Car parking requirements are outlined at clause 52.06 of the Scheme. Two car spaces are provided to each dwelling. The car parking requirements are met as two spaces are required for three or more dwellings.
- 18 A range of policies were identified by both council and the permit applicant and I have had regard to them. I will not recite them but will refer to them in my consideration as appropriate.

**Is the proposal an appropriate response to the existing and preferred neighbourhood character?**

- 19 The applicant is concerned the proposed double storey dwelling is not responsive to the existing neighbourhood character and prefer a single storey dwelling. They say this is more respectful to the neighbourhood character because there are only two, two storey dwellings in the immediate area, that being at 2 Clive Court and 34 Lancaster Road. The respondent on the other hand, argued that the emerging character includes two storey dwellings.



- 20 The applicant argued that they were not concerned about the wider area of Mooroolbark, and more concerned about what has occurred within their residential pocket of Clive Court/Lancaster Road/Winifred Street. Their main concern was the double storey dwelling in the back yard realm, they did not raise concern with two dwellings on the lot, but rather the intrusion of the double storey dwelling.
- 21 The council described the review site and the surrounding area as being mixed, although single storey and double storey dwellings are predominant within the streetscape. They were satisfied that the proposed double storey dwelling responded to the neighbourhood character.
- 22 *Planning Practice Note 43: Understanding Neighbourhood Character* (DELWP, January 2018) makes it clear that respecting character does not mean preventing change. It states that the neighbourhood character standard is not intended to result in the replication of existing building stock or stop change.
- 23 I am satisfied that the proposal is consistent with the existing neighbourhood character. The creation of one additional dwelling on a lot as proposed will not in any obvious sense, be an unreasonable character outcome. Given the irregular shaped allotment, the proposed double storey dwelling, will be set back from all site boundaries to comply with clause 55 (side and rear set backs), with the exception of the garage built on the boundary. The wall on the boundary is not out of character with the prevailing neighbourhood character, it is single storey and responds to clause 55. This ensures that there are no unreasonable building bulk or sense of enclosure when viewed from the adjoining properties.
- 24 Further, I am satisfied that the proposal is consistent with the purpose and decision guidelines of the NRZ. The proposal will provide the opportunity for a modest residential development which is encourage by NRZ.
- 25 I am satisfied that the proposal is respectful of the existing neighbourhood character of the area as follows:
- It is an established residential area, lots vary in shape and size, with varying dwellings contained within the allotments.
  - The proposed dwelling will be built behind the existing dwelling and will continue to address Clive Court as a single dwelling allotment.
  - The irregular shaped allotment can accommodate the additional dwelling, utilising the existing cross-over, creating a shared driveway. This arrangement will not impact the streetscape character.
  - Except for the garage, built on the boundary, the proposed dwelling is setback from all site boundaries, consistent with its neighbours and the backyard realm.

- The proposed dwelling is appropriately articulated, with varying setbacks and varying roof form, with a built form responding to the existing neighbourhood character. There are no sheer walls.
  - The proposed dwelling will be built behind the existing dwelling, therefore retaining all elements of the front setback. This will allow for landscaping within the front setback as outlined by NOD.
- 26 Council requested the materials to be changed to include brickwork. Whilst the NOD required this to be changed to the first floor, it became clear during the hearing that the change in materials is for the ground floor. Council says the use of cement sheet weatherboard at ground level does not respect the existing neighbourhood character given the surrounding dwellings incorporate brick at ground level. As such they requested this change in the NOD.
- 27 I am not persuaded that a change to the materials is necessary. The proposed dwelling is significantly setback from the front of the site, behind the existing dwelling and is largely concealed by the existing dwelling, except for the proposed garage. Even so, this is unlikely to be highly visible when viewed from Clive Court given the irregular shaped allotment. I do not share the same view as council on this matter and therefore deleted this condition.

**WILL THE PROPOSED DWELLING CAUSE AN UNREASONABLE LOSS OF PRIVACY TO THE ADJOINING NEIGHBOURS?**

- 28 The proposal has been assessed against clause 55, and council is satisfied that the proposal achieves compliance with the codified standards. I am satisfied that the proposal responds well to the objectives of clause 55.
- 29 The applicant is concerned about the loss of privacy from the first-floor bedroom windows (Bedroom 2 and Bedroom 3) and the outdoor entertaining area (alfresco area). There was considerable discussion about the loss of their privacy with the applicant contended that a commonsense approach as the bedroom windows will look straight into their bedroom windows (particularly 18 Winifred Road).
- 30 The council is satisfied that Standard B22 (overlooking) of clause 55 is met. The council's delegate report addresses overlooking as follows:

No overlooking impacts from Dwelling 2 on the first floor from the rear northeastern fence and the north-western fence which will incorporate a freestanding trellis on top of the existing 1.8 high to a height of 2.4 metres.

Overlooking from Bedroom 1 is minimised by the inclusion of the 2.4 metre high fence with the freestanding screen.

The proposal will limit views into the existing secluded private open space of adjoining lots on 32 Lancaster Road and 20 Winifred Road.



Windows with slight overlooking have been notated as to be obscure glass to 1.7 metre above FFL.

- 31 Council's NOD included a condition stating the free-standing screen must be erected on the north-eastern and north-western boundary to prevent overlooking by the dwelling into the adjoining residential property.
- 32 The respondent confirms it is one of the deemed to comply provisions in clause 55 and the standard is met. The respondent provided a detailed analysis of Standard B22. I agree with this assessment.
- 33 The proposed plans show that there are four habitable room windows at first floor level. Three habitable room windows face the rear properties, and one habitable room window faces the eastern boundary and the secluded private open space of the existing dwelling. This is demonstrated in the plan below.

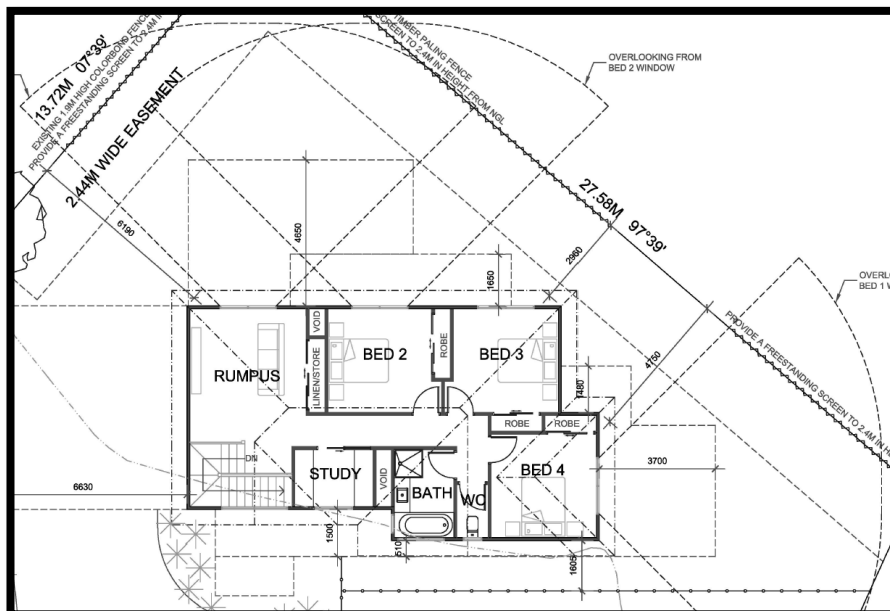


Figure 4: Overlooking plan.<sup>5</sup>

- 34 Bedroom 3 window is proposed to be screened with obscure glass to 1.7 metres above finished floor level. The rumpus room, bedroom 2 and 4 windows will be clear glass but rely on the construction of a 2.4 metre high free-standing screen, within the property boundary, adjacent to the existing 1.8 metre high paling fence (north-eastern boundary) and 1.9 metre high colorbond fence (north-western boundary).
- 35 The respondent confirmed the section plans show the critical 9 metre horizontal distance from the first-floor habitable room windows and the downward viewing opportunity taken at a height of 1.7 metres above finished floor level. In each case, the single storey roof form at ground level, obscures the downward view within the 9 metre arc. That is the 9 metre arc includes some of the secluded private open space of the adjoining

<sup>5</sup> Overlooking diagram, application plans.

properties at 18 and 20 Winifred Road and 32 Lancaster Road. The addition of the 2.4-metre-high free-standing screen obscures the downward view into these areas as demonstrated in the section plan below.

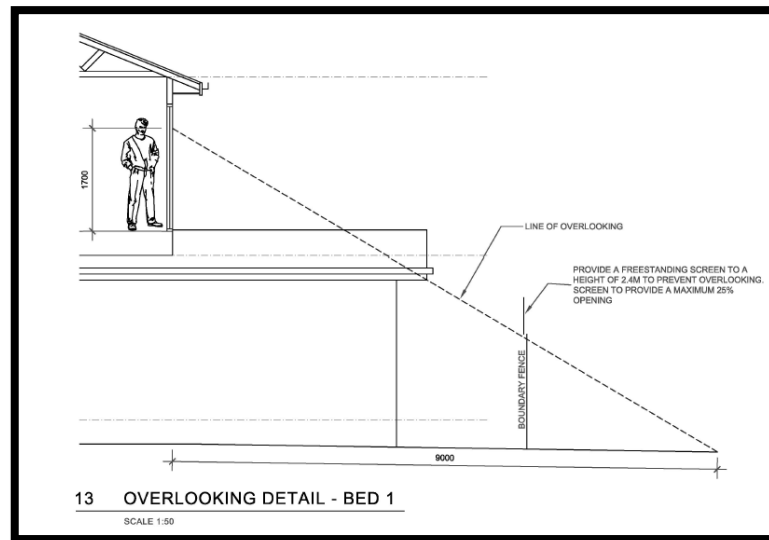


Figure 5: section plan demonstrating overlooking detail.<sup>6</sup>

- 36 The applicant was not satisfied that the proposed screen will limit overlooking into his private open space and was concerned about the overlooking into their bedroom windows. However, this is beyond the requirements in Standard B22 of clause 55. I am unable to request the permit applicant to provide any further screening of these windows that is beyond the scope of Standard B22. I am satisfied the objective is met and measures have been included in the proposal to limit views into existing secluded private open space of the applicant's properties as outlined in the requirements in Standard B22.
- 37 The applicant was also not persuaded that the alfresco area adjoining his property will not overlook his backyard. As demonstrated in the ground floor plan below, the angle of the allotment has the alfresco area setback from the pointiest section of the land by 12 metres.<sup>7</sup> The proposed 2.4 metres high screen will limit any overlooking from the alfresco area, even with the decking area 300mm above finished floor level. I am satisfied Standard B22 is met.

<sup>6</sup> Application plans.

<sup>7</sup> This was confirmed by the respondent.

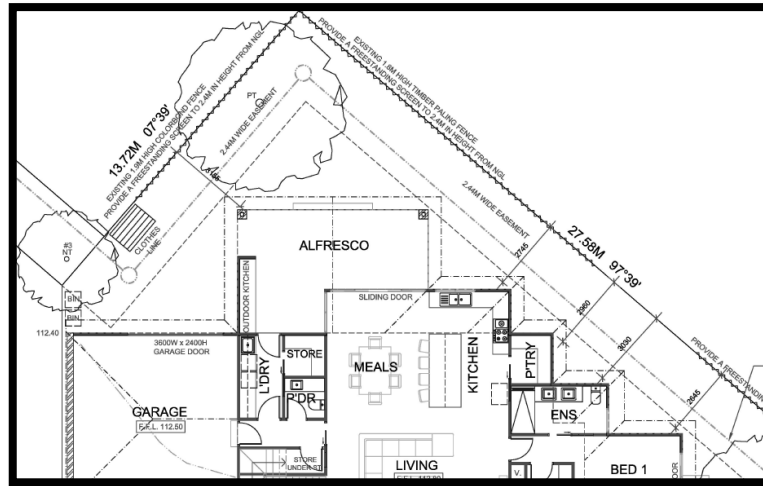


Figure 6: part ground floor plan showing alfresco area.<sup>8</sup>

- 38 I will vary the conditions relating to the overlooking conditions in the NOD. The floor and section plans are inconsistent and the section plan for bedroom 4, does not limit overlooking into the existing dwellings secluded private open space. Further details will be required to demonstrate compliance with Standard B22.
- 39 I have reworded condition 11 to ensure the details of the screen is provided in accordance with the Standard B22 and given it is free-standing, must be appropriately framed and maintained. These details were not included in the original drafting of the condition.

## OTHER MATTERS

- 40 The applicant also refers to impact of the proposal in terms of loss in property value. My decision is confined to the planning scheme, and I do not make any findings on this issue. Impact on property values is not a planning consideration or valid reason to refuse a planning permit.

## WHAT CONDITIONS ARE APPROPRIATE?

- 41 As outlined above I have deleted condition 1d) which related to the change of materials for the ground floor to brick. I have explained my reasons for not supporting council's position on this matter, as outlined above. As outlined above I have reworded condition 11 and modified condition 1d) 1e) and 1f).
- 42 All other conditions as discussed have been retained.

<sup>8</sup> Application Plans – Part ground floor plan outlining alfresco area and its relationship with the adjoining properties.

## CONCLUSION

- 43 For the reasons given above, the decision of the responsible authority is varied. A permit is granted subject to conditions.

Donna D'Alessandro  
**Member**





## APPENDIX A – PERMIT DESCRIPTION AND CONDITIONS

<b>PERMIT NO</b>	YR-2023/596
<b>PLANNING SCHEME</b>	Yarra Ranges Planning Scheme
<b>RESPONSIBLE AUTHORITY</b>	Yarra Ranges Shire Council
<b>ADDRESS OF THE LAND</b>	4 Clive Court MOOROOLBARK VIC 3138

### THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
Clause 32.09-7	Construct a dwelling if there is at least one dwelling existing on the lot.  Construct two or more dwellings on a lot.

### CONDITIONS TO APPLY TO THE PERMIT:

#### Amended Plans

- 1 Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application New Edge Building Design, 22-0985, Revision A, November 2022 but amended to show the following:
  - (a) The internal dimensions of the proposed garage for Dwelling No. 2 to be a minimum of 5.5 metres wide and 6.0 metres in length.
  - (b) The internal driveway radius dimensions must be clearly annotated and have a minimum radius of 4.0 metres in accordance with the requirements of Clause 52.06-9.
  - (c) An additional 500mm in length must be provided between the tandem space and proposed carport for Dwelling No. 1 in accordance with the requirements of Clause 52.06-9.
  - (d) A notation stating “Provide obscure glass to 1700mm above FFL and fixed shut” on the first floor study window and bedroom 3 of Dwelling 2.
  - (e) Overlooking section plans corrected to show the corrected roof form and bedrooms. The section plans to include details of the 2.4-metre



high screen, notes to include it is a framed free-standing screen, not attached to the existing boundary fences and complies with Standard B22 of clause 55.

- (f) Screening of the first floor bedroom 4 window in accordance with Standard B22 of Clause 55, measures to include the secluded private open space of the existing dwelling.
- (g) A notation stating “A Build Over Easement permit is required for the eaves of Dwelling No. 2 on the northern side of the boundary”, to the satisfaction of the responsible authority.
- (h) Details in accordance with the Landscape Plan to be submitted under Condition 2 of this permit.

## **Landscaping**

2 Before the development starts, a Landscape Plan to the satisfaction of the responsible authority and prepared by a suitably qualified person must be submitted to and approved by the responsible authority. When approved, the Landscape Plan will be endorsed and will then form part of the permit. The plan must be drawn to scale, fully dimensioned and a digital copy must be provided. The plan must show:

- (a) A survey (including botanical names, trunk location, trunk diameter and canopy spread) of all existing vegetation. The survey must clearly mark existing vegetation to be retained and removed. The survey must also include any street trees.
- (b) Buildings and trees (including botanical names, trunk location, trunk diameter and canopy spread) on neighboring properties where the Tree Protection Zones of such trees fall within the subject site as calculated in accordance with Australian Standard 4970-2009 or its successor.
- (c) Details of surface finishes of pathways and driveways.
- (d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the responsible authority.
- (e) Landscaping and planting within all open areas of the site including:
  - i Landscaping along the Clive Court frontage.
  - ii Landscaping and planting on both sides of each driveway and around the internal driveway.
- (f) Trees in the following locations:
  - i A minimum of two canopy trees (2 metres high at time of planting) reaching a minimum mature height of 10 metres within the Clive Court frontage of Dwelling No. 1.



- ii A minimum of one canopy tree (2 metres high at time of planting) reaching a minimum mature height of 5 metres within the private open space of each dwelling.
- (g) Landscaped areas must be planted with shrub and groundcover species capable of achieving a minimum density of at least 85 per cent coverage 12 months after planting in accordance with Council's Landscaping Guidelines.
- (h) The use of sustainable practices and if irrigation is to be provided it must not use potable water.
- (i) Any planting within an easement must utilise species suitable for planting within easements and must have a natural growing height of no more than 5 metres.
- (j) All garden beds adjoining turf or gravel surfaces must have hard garden edging.
- (k) 1200mm organic mulch diameter around any retained or proposed trees in lawn areas.
- (l) The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- (m) The location of any tree protection zones and protection measures including for street trees accurately drawn to scale, labelled and notations referring to any endorsed Tree Management and Protection Plan, or Arboricultural Report.

The landscaping shown on the endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the responsible authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants are to be replaced after becoming aware of the dead, diseased or damaged plants. The responsible authority may amend the endorsed Landscape Plan from time to time.

### **Layout Not Altered**

- 3 The development as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.

### **General Amenity**

- 4 The development must be managed so that the amenity of the area is not detrimentally affected including through the:
  - (a) Transportation of materials, goods or commodities to or from the land.
  - (b) Appearance of any building, works or materials.



- (c) Emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.
  - (d) Presence of vermin
- 5 Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.
- 6 All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.
- 7 Before the development is occupied, or by such later date as approved in writing by the responsible authority, all new on-boundary walls must be constructed, cleaned and finished to the satisfaction of the responsible authority.

### **Prior to Commencement**

- 8 Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around any tree shown for retention on the endorsed plans to define a Tree Protection Zone (TPZ) to the satisfaction of the responsible authority and must:
- (a) Exclude access and construction activity within the TPZs assessed in the Arborist Report by Specialist Arboricultural Services, 23/09/2023. If trees have not been assessed, the TPZ is a circle with a radius equal to 12x the trunk diameter measured at 1.4 m above ground level, and
  - (b) Have a minimum height of 1.8 metres and comply with Australian Standard AS4687 for temporary fencing and hoardings, and
  - (c) Not extend beyond the site boundaries except into roadside reserve and/or nature strip areas. Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath, and
  - (d) Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.

Temporary fencing can be modified to accommodate encroachment into the TPZ of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only.

- 9 Prior to the commencement of any buildings and/or works approved by this permit, ground protection must be installed on top of the natural ground surface to cover the Tree Protection Zone (TPZ) of tree(s) number #1 and 2 to the satisfaction of the responsible authority. All ground protection must comply with the following:
- (a) Ground protection must consist of a permeable geotextile filter fabric beneath a 100mm layer of crushed rock beneath rumble boards, and
  - (b) Rumble boards must be strapped together and be a minimum 40mm thickness to prevent soil compaction and root damage, and
  - (c) Ground protection must not extend beyond the site boundaries, and





- (d) Ground protection must be maintained and remain in place for the duration of works unless to install approved works located in the TPZ.
- 10 Prior to the commencement of any works as required by this permit, Development Stormwater Drainage Engineering Plans and Computations must be submitted to, and approved by, the Responsible Authority. Development Stormwater Drainage Engineering Plans and Computations must be in line with all the requirements of the approved point of discharge certificate.
- <https://www.yarraranges.vic.gov.au/Development/Roads-drains/Applications/andpermits/Submit-stormwater-drainage-and-computations>

### **Prior to Occupation**

- 11 Before the development is occupied, screening must be erected in accordance with the endorsed plans on the north-eastern and north-western boundary to an overall height of 2.4 metres above natural ground level, to limit overlooking by the Dwelling 2 first floor habitable room windows, into the private open space areas of the adjoining residential properties (in accordance with Clause 55.04-6) to the satisfaction of the responsible authority. The screening must be framed, formed, and must be maintained at all times to the satisfaction of the responsible authority.
- 12 Before the development is occupied, or by such later date as approved in writing by the responsible authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 13 Before the development is occupied, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the responsible authority.
- 14 Prior to the occupation of the permitted development piped drainage must be constructed to drain all impervious areas incorporating Water Sen
- 15 At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
- 16 Prior to the occupation of the permitted development the construction of all civil works within the site, including detention system must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the responsible authority.

## **Landscape Conditions**

- 17 The existing street tree must not be removed or damaged to the satisfaction on the responsible authority.
- 18 All underground service pipes/conduits including storm water and sewerage must be diverted around the Tree Protection Zone (TPZ) of any retained tree, or bored underneath with a minimum cover of 600mm to top of pipe/conduit from natural ground surface to the satisfaction of the responsible authority. All pits, holes, joints, and tees associated with the installation of services must be located outside the TPZ, or the project arborist must demonstrate works in the TPZ will not impact viable tree retention to the satisfaction of the responsible authority.
- 19 The driveway within the Tree Protection Zones (TPZs) of trees #1 and 2 must be constructed above the existing grade using permeable materials to the satisfaction of the responsible authority. There must be no excavation within the TPZ, except for scraping the surface up to 30mm deep to remove surface organics and/or debris.

## **No reticulated gas connection - dwellings**

- 20 Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

## **Expiry - Development**

- 21 This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
  - (a) The development is not started within two (2) years of the issued date of this permit.
  - (b) The development is not completed within four (4) years of the issued date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987* (Vic), an application may be submitted to the responsible authority for an extension of the periods referred to in this condition

**– End of conditions –**



## **AMENDMENT C212 MONBULK TOWNSHIP CONSIDERATION OF SUBMISSIONS AND RECOMMENDATION FOR ADOPTION**

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Report Author: Senior Strategic Planner  
 Responsible Officer: Director Planning & Sustainable Futures  
 Ward(s) affected: Chandler;

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### **CONFIDENTIALITY**

This item is to be considered at a Council meeting that is open to the public.

### **SUMMARY**

Amendment C212 proposes to implement Action 16 from the Monbulk Structure Plan (adopted by Council in 2017) and Action A29 from the Monbulk Urban Design Framework (adopted in 2023) by applying a Design and Development Overlay to the Monbulk Town Centre and introducing a planning policy for the Monbulk Township into the Yarra Ranges Planning Scheme to guide new development in Monbulk.

The amendment was placed on public exhibition from 27 March until 28 April 2025 and three submissions were received. Of those, one submission was generally in support of the amendment, one submission made no comment, and the third submission opposed the amendment citing concerns regarding the development of two-three storey additions above shops in the Main Street and concerns that surrounding streets will be transformed into main roads.

Following a discussion with the opposing submitter it was found that their main concern related to height controls already in the planning scheme. Following discussion with the submitter they withdrew their submission.

This report discusses the submissions received to the amendment and recommends that Council adopt Amendment C212 with changes and following adoption, submit the amendment to the Minister for Planning for approval.

**RECOMMENDATION*****That Council***

- 1. *Consider the submissions received to Amendment C212 to the Yarra Ranges Planning Scheme.***
- 2. *Adopt Amendment C212 to the Yarra Ranges Planning Scheme with changes, generally in accordance with Attachments 2 to 7.***
- 3. *Submit the adopted Amendment C212 to the Minister for Planning for approval.***
- 4. *Write to all submitters to advise them of Council's decision.***

**RELATED COUNCIL DECISIONS**

- At the Council Meeting of 11 December 2017, Council unanimously resolved that it would request the Minister for Planning to authorise the preparation and exhibition of a planning scheme amendment to introduce a new Design and Development Overlay and Local Planning Policy to the Monbulk Town Centre in accordance with the adopted Monbulk Structure Plan.
- At the Council Meeting of 13 December 2022, Council resolved to place the draft Monbulk Urban Design Framework on public exhibition between 16 December 2022 and 12 March 2023.
- At the Council Meeting of the 28 November 2023 Council unanimously resolved to adopt the Monbulk Urban Design Framework generally in accordance with an updated plan.
- At the Council Meeting of the 23 July 2024 Council unanimously resolved: That Council:
  1. *In accordance with the requirements of the Planning and Environment Act 1987, request the Minister for Planning to authorise the preparation of Amendment C212 to the Yarra Ranges Planning Scheme that proposes to include a new schedule to the Design and Development Overlay for the Monbulk Town Centre (DDO21) and a new local policy for the Monbulk Township, and the removal of reference to Monbulk under the existing DDO12 generally in accordance with the attachments.*
  2. *Subject to the Minister's authorisation, publicly exhibit Amendment C212 to the Yarra Ranges Planning Scheme.*



## DISCUSSION

### *Purpose*

Planning Scheme Amendment C212 was exhibited from 27 March until 28 April 2025. The purpose of this report is to discuss the submissions received and the recommended officer response to submissions (Attachment 1).

### *Background*

Monbulk is identified as a Large Neighbourhood Activity Centre in the Yarra Ranges Planning scheme, as it serves a catchment that extends into outlying rural-residential areas and performs a significant role in the provision of community and civic services, with some also providing a range of facilities and services for tourists.

### Monbulk Structure Plan, 2017

The Monbulk Structure Plan was adopted in November 2017 to guide the future growth and development of the township. It contains a number of actions for implementation that were reviewed and updated in December 2022, including the following:

Table 1 – Relevant actions from the Monbulk Structure Plan

Action No	Structure Plan Action
4	Encourage the clustering of retail, food and entertainment-based land uses within the town centre.
5	Support improved street activation by: a) widening the footpath on the east side of Main Road as per Section 4.3 of the Structure Plan, b) Improving the footpath treatments as per Section 4.3 of the Structure Plan, c) Implementing public realm improvements as per Section 4 of the Structure Plan, d) encouraging dining and retail displays on the footpath, e) maintaining safe access for people of all abilities
6	Provide for commercial uses that interact with the street (e.g. glass frontages).
7	Discourage large format retail uses and any commercial uses that require setbacks.
8	Encourage 'shop-top' housing or small apartments to be located above commercial uses.
9	Require any new development in the commercial area between Emerald-Monbulk Road and Moxhams Road to be of a commercial or retail nature.

Action No	Structure Plan Action
10	Discourage the establishment of any new service industrial uses within the commercially zoned areas.
11	Encourage varied shop sizes to improve function and flexibility of land uses.
12	Require all new industrial and service uses to be located on the industrial land north of Monbulk Road.
13	Encourage land uses that will service the town at a local level.
16	Apply a Design and Development Overlay (DDO) to Monbulk town centre area as identified in the Strategic Framework Plan, using the design guidelines set out at Chapter 5 of this report.

### Monbulk Urban Design Framework, 2023

To assist implementation of Actions 5 and 16 of the Structure Plan an Urban Design Framework for Monbulk was prepared, exhibited and subsequently adopted by Council in November 2023. The Framework provides guidelines, standards and plans to help decision making and provide practical design solutions for design, development and the public realm within the Monbulk Town Centre.

The draft version of the Urban Design Framework for Monbulk underwent public exhibition between 16 December 2022 and 12 March 2023, which resulted in extensive Community feedback. A total of 448 submissions were received. The feedback from submissions was utilised to develop a final version of Monbulk UDF. Action A29 of the UDF is to undertake a Planning Scheme Amendment to update planning controls to reflect the design and built form outcomes of the Urban Design Framework.

Currently, the Design and Development Overlay Schedule 12 in the Planning Scheme (Attachment 4) applies Town Centre design requirements to Monbulk along with Healesville, Seville, Warburton, Yarra Glen and Yarra Junction. These townships were included together as part of a rural townships group by Amendment C126 which has operated in the Yarra Ranges Planning Scheme since 19 June 2014.

### Design and Development Overlay Schedule 21

The purpose of a Design and Development Overlay (DDO) is to identify areas which are affected by specific requirements relating to the design and built form of new development.

Action 16 of the Monbulk Structure Plan is to apply a Design and Development Overlay (DDO) specific to the Monbulk town centre.

The Monbulk Town Centre design objectives as set out in the UDF are to reinforce Main Road as a centre of pedestrian activity and to provide for development that enhances the appearance and operation of the town centre by complementing existing

buildings and the town's landscape and built form character. The UDF provides design responses to town structure, public realm, movement and access and built form.

The proposed DDO21 translates the design responses from the UDF into built form design requirements for Precinct 1 'Main Road' and Sub Precinct 1A – '44-58 Main Road', which comprise precinct boundaries as set out in Attachment 5.

More specifically, the Schedule describes the design outcome and design requirements to be achieved for built form, building frontages and activation, safety, design detail, landscaping, service and loading areas, bin storage and car parking and traffic access and parking.

Under the current DDO12 for Town Centres, including Monbulk, building heights should not exceed two storeys (7.5 metres); with a third level permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street.

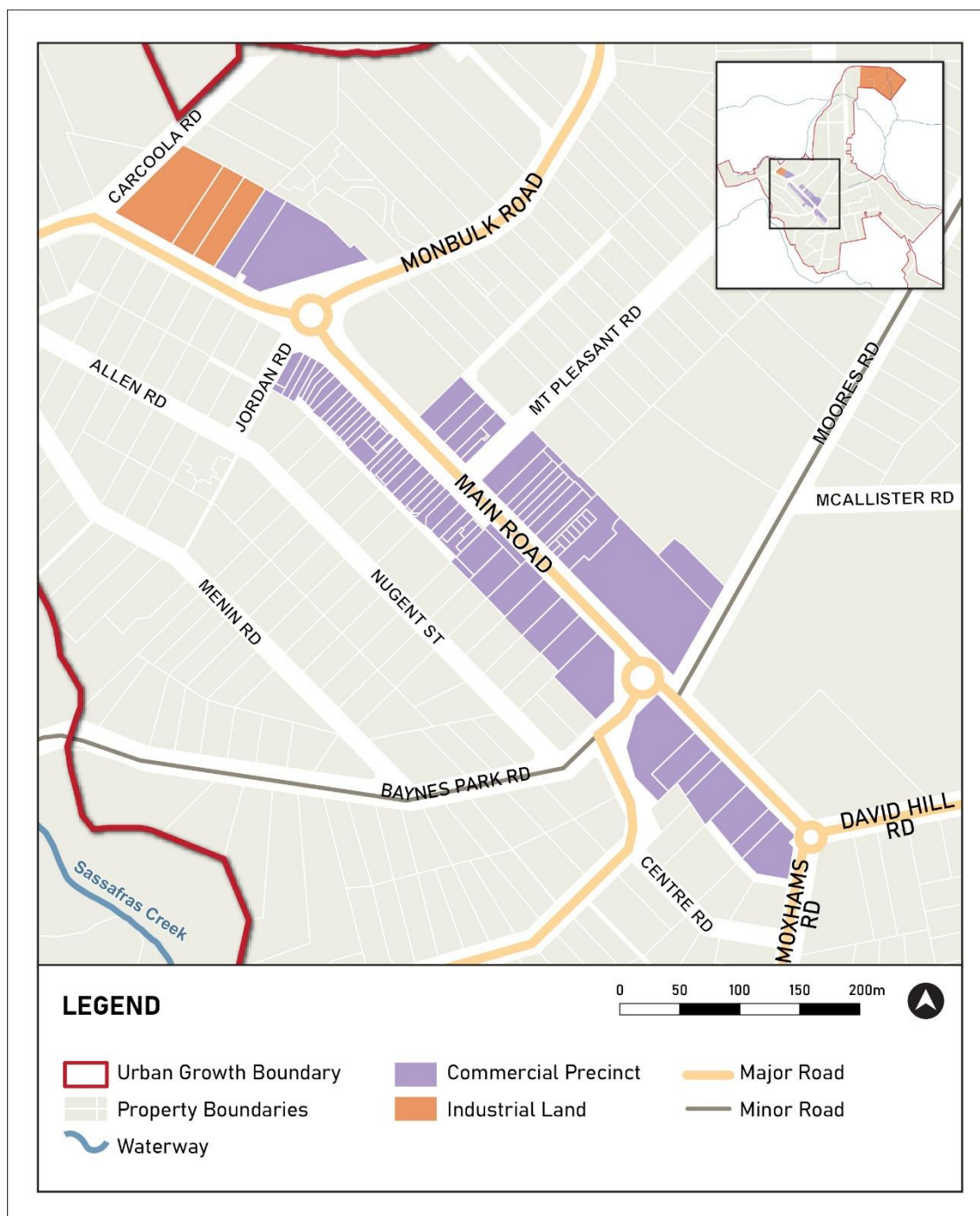
The new DDO21 for Monbulk proposes a similar result with a preferred two storey outcome and new development should be no more than three storeys (10.5 metres). Any built form above 7.5 metres (including any roofed balcony structure) should be set back a minimum of four metres from the building frontage. This new 'setback' requirement provides clearer guidance than the current DDO wording which had previously relied on an interpretation of "discernible" being determined.

### Local Planning Policy

The Monbulk Structure Plan included a number of actions as detailed in Table 1 above, to provide clear policy direction for the future direction of the Monbulk Township. The proposed policy for inclusion in the Planning Scheme is at Clause 11.03-1L-06. This part of the Planning Scheme relates to Planning for Places and contains both State and local policy.

This new Monbulk Neighbourhood Activity Centre policy includes strategies to support and guide commercial and industrial precincts. The area to which the policy will apply to is shown on Map 1 below. A copy of the local policy is at Attachment 6.

The attached explanatory report at Attachment 2 provides further details about the amendment.



**Map 1 – Monbulk Town Centre Map (from Local Planning Policy – 11.03-1L-06)**

## Key Issues

### Submissions

A total of three (3) submissions were received in response to the amendment. A summary of submissions is at Attachment 1 and further discussed below.



Submission 1: 14 Nugent Street, Monbulk

The submitter expressed concerns that the amendment would enable two to three storey heights for the shops on the Main Road and cause Nugent Street to become a main street in the township. The submission states that these heights would impact sunlight and privacy.

Response to submission: Officers contacted the submitter to discuss their concerns.

The officer explained that the current Planning Scheme controls allow for heights of up to two storeys (7.5 metres) and a third level is also able to be permitted under certain circumstances.

Amendment C212 does not propose changes to the current allowable heights, rather it proposes clearer wording around setbacks for development at these heights.

This was discussed with the submitter who indicated they understood and has since followed up in writing advising that she has withdrawn her submission on this basis.

With respect to the submitter's concerns with sunlight and privacy, whilst outside the scope of the amendment, these matters would be considered through existing planning controls if a planning application is made to for development, and the impact on adjacent shops and properties would be considered. This has also been explained to the submitter.

Recommendation: No change required.

Submission 2: Melbourne Water

Melbourne Water (being the relevant floodplain manager, drainage and water management Authority) is generally in support of the planning scheme amendment and provided general feedback regarding hydrology and hydraulic assessment, Melbourne Water assets and waterways, guidelines for development in flood affected areas and Melbourne Water flood modelling projects currently under preparation with Council.

Response to submission: The feedback and recommendations provided by Melbourne Water are noted.

Recommendation: No change required.

Submission 3: CFA

The CFA reviewed the proposed planning scheme amendment and stated that it offers no comments in relation to the exhibited amendment.

Response to submission: The feedback provided by CFA is noted.

Recommendation: No change required.

Minor correction

Following exhibition of the amendment it was noted that the labelling of Moxhams and David Hill Roads in the local policy map needed to be amended to be consistent with the map legend. As such the amendment will need to be adopted with changes to amend this error.

***Options considered***

*Option 1 – Adopt Amendment C212 with changes*

As no submissions were received requesting changes to the proposed provisions in the amendment it can proceed to approval from the Minister for Planning, subject to the Council's endorsement, without the need for a Planning Panel to be appointed. The Amendment has been developed in response to strategic planning specific to the Monbulk township, which have been subject to significant community engagement. As a minor mapping error has been noted as discussed above, the amendment will need to be adopted with changes. This option is recommended.

*Option 2 – Abandon Amendment C212*

The exhibited documents and subsequent discussions with submitters has achieved community support for the Amendment. The amendment has also been envisaged by years of carefully considered planning with its basis in the Monbulk Structure Plan and Monbulk Urban Design Framework, each containing future actions including the application of a Design and Development Overlay which caters specifically to the Monbulk township. Abandoning the amendment would be a poor community and planning outcome. This option is not recommended and would result in continued ambiguity and confusion in the interpretation of current controls for planning applications to be considered against.

***Recommended option and justification***

It is recommended that Option 1 should be pursued.

**FINANCIAL ANALYSIS**

The costs associated with Amendment C212 are covered by the recurring Planning Scheme Amendments operational budget allocation for Strategic Planning. The cost to submit the Amendment to the Minister for Planning for approval is \$530.70.

**APPLICABLE PLANS AND POLICIES**

This report contributes to the following Council strategies and plans:

- Council Plan 2021-2025

- Yarra Ranges Community Values Statement. Yarra Ranges Council recognises the Community Values Statement and will ensure that these values remain at the forefront of all council decision making and inform council planning for the future.
- Yarra Ranges Community Vision 2036
- Our Planning - Strategies and plans - Council has a number of strategies which guide our delivery to achieve Council's vision and five strategic objectives. Council also has a number of policies and management plans that focus on a particular topic and describe Council's position and actions to address these issues.
- Council has identified five strategic objectives to describe what we are working towards:
  - Connected and Healthy Communities
  - Quality Infrastructure and Liveable Places
  - Protected and Enhanced Natural Environment
  - Vibrant Economy, Agriculture and Tourism
  - High Performing Organisation
- Yarra Ranges Planning Scheme - To provide a clear and consistent framework within which decisions about the use and development of land can be made.
  - Clause 11 (Settlement) of the Yarra Ranges Planning Scheme states that planning - is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.
  - Clause 11.02-2S Structure Planning strategies includes - ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.
  - Clause 11.03-1S Activity Centres objective states - To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. It is noted that a strategy to implement this objective includes - Undertake strategic planning for the use and development of land in and around activity centres.

The proposed Design and Development Overlay for Monbulk and local policy will enable Council's strategic directions for Activity Centres to be realised and provide clearer direction for planning applications.

## RELEVANT LAW

The planning scheme amendment requests have been prepared in accordance with the legislative requirements of the *Planning and Environment Act 1987*.

## SUSTAINABILITY IMPLICATIONS

### *Economic Implications*

The amendment is not anticipated to have any adverse economic impacts. Inclusion of the Design and Development Overlay and local policy provides greater guidance for planning assessment in the Monbulk Town Centre.

The emphasis of the Amendment relates to Precinct 1 – Main Road which is the existing commercial precinct of Monbulk. The cost estimates as contained under the Urban Design Framework anticipate a timeframe from one to 10+ years for projects and design solutions proposed within the Monbulk Town Centre. These include public realm projects, access projects, movement projects, major and other developments.

### *Social Implications*

The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics, while enabling for greater structure, more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety.

The amendment is based on the Monbulk Structure Plan and Monbulk Urban Design Framework to which the community have been comprehensively consulted on. The Framework's translation through the DDO and local policy is the realisation of the Framework for consistency with future development in the area.

### *Environmental Implications*

The amendment is not anticipated to have any adverse environmental impacts. The clear upper-level setbacks will assist in reduced overshadowing of the Main Road and kerbside trading areas. The provision of upper-level terraced space will support outdoor plants and greenery within developments.

## COMMUNITY ENGAGEMENT

Amendment C212 was publicly exhibited from 27 March until 28 April 2025, in accordance with the statutory notification requirements under the *Planning and Environment Act 1987*. Notice comprised:

- Letters sent by mail to all affected landowners and occupiers and properties adjacent to affected properties, totalling 116 letters.
- Letters sent by email to local stakeholders and interest groups.



- Letters sent by email to prescribed and relevant government agencies and departments.
- Notice published in 25 March 2025 edition of the *Ranges Trader Mail*.
- Notice published in the Government Gazette on 27 March 2025.

In addition, information was made available from Council's and the Department of Transport and Planning's websites.

As discussed above, a total of three (3) written submissions were received (refer to Attachment 1 for summary).

Several phone calls and enquiries generally requesting further assistance navigating the exhibition documentation were received during the exhibition period.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

The strategic planning team has collaborated extensively with internal departments, in particular the urban design and landscape architecture team in preparing the amendment.

Consultation with other Council departments in preparation of the Structure Plan and UDF included Council working groups with:

- Statutory Planning
- Place Recovery
- Community Development
- Economic Development
- Engineering
- Recreation and Leisure
- Indigenous Development
- Gender Equity
- Disability Inclusion
- Waste Management
- Emergency Management, and
- Communications and Engagement

Council's Indigenous Advisory Committee, Disability Advisory Committee, Positive Ageing Reference Group and Youth Advisory Group were consulted with during the

development of the UDF. Regular meetings with the Monbulk and District Community Opportunities Working Group (MADCOW), was undertaken as part of the preparation of the Structure Plan and UDF. Collaboration with these groups provided valuable assessment on how the plans responded to community perceptions.

The development of the final version of the Monbulk UDF relied on a mix of previous engagement undertaken for the Monbulk Community Plan and Monbulk Structure Plan and was updated following more recent extensive community consultation.

State Government agencies/departments were invited to provide comment on the Monbulk UDF including:

- Melbourne Water
- Department of Transport & Planning
- Department of Jobs, Skills, Industry & Regions
- Yarra Valley Water
- Country Fire Authority
- Heritage Council of Victoria
- SP Ausnet, and
- the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

## **RISK ASSESSMENT**

Until the Design and Development Overlay and local policy guiding new development in Monbulk is implemented into the Yarra Ranges Planning Scheme, development will continue being assessed against the existing DDO Schedule 12 which is a generic Town Centre policy that includes Monbulk as part of the other town centres including Healesville, Seville, Warburton, Yarra Glen and Yarra Junction.

The current controls contain language relating to upper-level setbacks that is very ambiguous and open to interpretation and creates ambiguity for planners assessing planning applications.

These townships are equally diverse in their existing and preferred characters and over time as further place plans, township design frameworks or structure plans are prepared, each of these rural town centres will be identified by their own DDO schedules.

While the risk is not severe in terms of community safety and economics in terms of performance, a better opportunity is available when planning controls for new development are based on specific town centre analysis and community consultation.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. Summary of Submissions
2. Explanatory Report for adoption
3. Strategic Assessment Guidelines
4. Current Clause 43.02 Design and Development Overlay Schedule 12
5. Schedule 21 to Clause 43.02 Design and Development Overlay for adoption
6. Local Planning Policy for Monbulk included under Clause 11.03 Settlement of the Yarra Ranges Planning Scheme for adoption
7. DDO21 Map for Yarra Ranges Planning Scheme for adoption

## Summary of Written Submissions to Amendment C212

The below table provides a summary of the written submissions, together with an officer response to the submission and recommendations.

Submitter No.	Theme	Summary of Submission	Response to submission
1	Opposed – Submission withdrawn	<p>The submitter does not support an amendment which enables two to three storey heights for the shops on the Main Road; or cause Nugent Street to become a main street in the township.</p> <p>The submitter also raises the following:</p> <ul style="list-style-type: none"> <li>• The development of two to three storey shops could impact sunlight and privacy.</li> </ul>	<p>Thank you for making a submission. In response to your submission, we advise that your position is noted. Current planning controls already allow for two to three storey heights in the commercial area of Main Road and Amendment C212 does not propose to make changes to this provision. Sunlight and privacy concerns are outside of the scope of the amendment but are matters that can be considered as part of a planning permit application.</p> <p>Following our discussions, we note that you have withdrawn your submission in writing.</p> <p><b>Recommendation:</b> No change is required to the amendment</p>
2	In Support	Melbourne Water advised of their support for the planning scheme amendment and provided general feedback on hydrology and hydraulic assessment, Melbourne Water assets and waterways, guidelines for development in flood affected areas and comments regarding the Melbourne Water flood modelling project being undertaken with Yarra Ranges Council.	<p>Thank you for making a submission. In response to your submission, we advise that your position is noted.</p> <p><b>Recommendation:</b> No change is required to the amendment.</p>
3	No Comments	The CFA advised that they offer no comments in relation to the exhibited amendment.	Thank you for making a submission. In response to your submission, we advise that your position is noted.



Submitter No.	Theme	Summary of Submission	Response to submission
			<b>Recommendation:</b> No change is required to the amendment.

# **Yarra Ranges Planning Scheme**

## **Amendment C212**

### **Explanatory Report**

#### **Overview**

The amendment seeks to implement the Monbulk Structure Plan 2017 and Monbulk Urban Design Framework 2023 by introducing a new local policy at Clause 11.03-1L-06 and a new Schedule 21 to the Design and Development Overlay (DDO21) in the Yarra Ranges Planning Scheme which applies to the Monbulk town centre. The amendment replaces the current Design and Development Overlay (Schedule 12) for Monbulk and will improve the operation of the Yarra Ranges Planning Scheme by implementing specific design and development requirements and local policy.

#### **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Yarra Ranges Shire Council web site at [www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au) by searching “Amendment C212”; or

The amendment is available for public inspection, free of charge, during office hours at the following Yarra Ranges Community Link Centres:

- Lilydale – 15 Anderson Street, Lilydale
- Monbulk – 21 Main Road, Monbulk
- Healesville – 110 River Street, Healesville
- Upwey – 40 Main Street, Upwey
- Yarra Junction – 2442-2444 Warburton Hwy, Yarra Junction

The amendment can also be inspected free of charge at the Department of Transport and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

#### **Details of the amendment**

##### **Who is the planning authority?**

This amendment has been prepared by Yarra Ranges Shire Council, which is the planning authority for this amendment.

## Land affected by the amendment

The amendment applies directly to 96 properties in the Monbulk Town Centre as shown on the map below and detailed in the mapping reference table to this Explanatory Report (Attachment 1).



## What the amendment does

The amendment implements the *Monbulk Structure Plan* (Yarra Ranges Council, November 2017) and *Monbulk Urban Design Framework* (Yarra Ranges Council, November 2023) by:

- Introducing a new local policy for the Monbulk Neighbourhood Activity Centre at Clause 11.03-1L-06.
- Introducing a new Schedule 21 to the Design and Development Overlay for the Monbulk Neighbourhood Activity Centre.
- Amending Schedule 12 to the Design and Development Overlay (Town Centres) to remove references to Monbulk.
- Applying Design and Development Overlay Schedule 21 to the Monbulk

Neighbourhood Activity Centre.

- Deleting Design and Development Overlay Schedule 12 from the Monbulk Township.

Specifically, the amendment proposes to:

#### Planning Scheme Ordinance

- Insert new local policy at Clause 11.03-1L-06 (Planning for Places and Activity centres) relating to Monbulk Neighbourhood Activity Centre.
- Amend Schedule 12 to Clause 43.02 (Design and Development Overlay) (DDO12) by deleting references to Monbulk Township.
- Introduce a new Schedule 21 to Clause 43.02 (Design and Development Overlay) (DDO21) for Monbulk Neighbourhood Activity Centre.
- Amend the Schedule to Clause 72.08 (Background Documents) by inserting two background documents titled *Monbulk Structure Plan (Yarra Ranges Council, November 2017)* and *Monbulk Urban Design Framework (Yarra Ranges Council, November 2023)*.
- Amend the Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) by including Schedule 21 to the Monbulk Neighbourhood Activity Centre.

#### Overlay Maps

- Delete DDO12 from land in Monbulk in the planning scheme maps 67DDO and 68DDO.
- Apply DDO21 to land in Monbulk in the planning scheme maps 67DDO and 68DDO.

## **Strategic assessment of the amendment**

### **Why is the amendment required?**

The amendment will improve the operation of the Yarra Ranges Planning Scheme by implementing specific design and development requirements and local policy for the Monbulk Town Centre developed in the *Monbulk Structure Plan (Yarra Ranges Council, November 2017)* and *Monbulk Urban Design Framework (Yarra Ranges Council, November 2023)*. Both documents provide specific guidance on preferred character and design guidelines and strategies to guide the function of Monbulk as a commercial and community hub, supporting land uses that create an active and vibrant town centre with increased pedestrian movement and surveillance.

### **How does the amendment implement the objectives of planning in Victoria?**



The amendment is relevant to objectives of planning in Victoria, as contained in Section 4(1) of the *Planning and Environment Act 1987*:

*(a) to provide for the fair, orderly, economic and sustainable use and development of land;*

*(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*

*(c) to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

*(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*

*(g) to balance the present and future interests of all Victorians.*

The amendment will contribute to these objectives by:

- Ensuring that new development is appropriately guided by updated requirements which are consistent with the Monbulk Structure Plan (Yarra Ranges Council, November 2017) and Monbulk Urban Design Framework (Yarra Ranges Council, November 2023).
- Providing for fair, orderly, economic and sustainable use and development of land through the application of appropriate planning controls which offers specific design guidance for place to guide use and development.
- The application of a new local policy and Design and Development Overlay Schedule will improve the functionality and operation of the Yarra Ranges Planning Scheme through providing clear and specific policy and design guidelines for new development in Monbulk.

### **How does the amendment address any environmental, social and economic effects?**

The amendment is not anticipated to have any adverse environmental, social or economic impacts. Rather it will provide greater guidance for planning assessment in the Monbulk Town Centre including public realm projects, access projects, movement projects, major and other developments.

#### *Social*

The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics while enabling more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety.

### *Environmental*

The amendment will help facilitate new development which will be positively influenced by the environment where the location and shaping of buildings will be encouraged to accommodate local topography and the natural and cultural features of the site. Development will incorporate appropriate solar access to design making optimal use of natural light. Older buildings will be encouraged to be reused and readapted where appropriate. The use of sustainable and resilient building materials will be incorporated into new buildings as well as stormwater and recycled water infrastructure.

### *Economic*

The amendment is not anticipated to have any adverse economic impacts. Inclusion of the Design and Development Overlay and local policy specific to Monbulk provides greater guidance for planning assessment in the Monbulk Town Centre, specifically the existing Main Road commercial precinct. This also flows onto public realm, access, and movement projects and major and other developments.

## **Does the amendment address relevant bushfire risk?**

The properties in this amendment are within a Bushfire Management Overlay (BMO) and a Bushfire Prone Area (BPA). Clause 13.02- 1S (Bushfire) of the Yarra Ranges Planning Scheme has been considered in preparing the amendment, and the amendment is not considered to increase the risk to life from bushfire, or direct population growth to areas of bushfire risk.

Future planning permit applications will need to satisfy Clause 13.02 and other relevant parts of the planning scheme. Future building approvals of any land in a BPA will need to meet the requirements of AS3959-2018 for buildings with a residential use.

Currently, relevant planning applications for Monbulk are assessed against the DDO12. Under 'Town Centre Character' which says *"while building heights should not exceed two storeys (7.5 metres). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street"*.

The proposed DDO21 does not seek to create building heights which are not already currently permitted in the planning scheme, or landscaping requirements that would increase bushfire risk. The DDO21 does however seek to make controls clearer for Monbulk.

In terms of landscaping, this should be integrated with the design of the development and complement the landscaping of adjoining public places. Established canopy trees should be retained and protected and additional canopy trees should be planted wherever practical, to provide shade and visual interest.

A place-based bushfire risk assessment of Monbulk has been undertaken. The

*Monbulk Bushfire Study (Terramatrix, 2019)* concluded that most of the areas proposed for modest housing change or town centre housing (as shown in the Monbulk Structure Plan) can be BAL-12.5 compliant. While the broader landscape around the Monbulk town centre has the potential for significant bushfire behaviour (typical of BMO landscapes) the report notes that vegetation within 1km of the township boundary in all directions is heavily fragmented by low density residential development, associated clearing and substantial cultivated areas. Buildings and works associated with residential uses would likely require a planning application and through this, a place-based bushfire assessment would be required.

The amendment will not result in any significant risk to life, property, community infrastructure or the natural environment from bushfire. While the CFA will be notified of the amendment, consultation with the CFA was undertaken during the preparation of the bushfire study and also formed part of the broader agencies notification that occurred when the *Monbulk Urban Design Framework* was exhibited in 2023.

### **Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the *Ministerial Direction – The Form and Content of Planning Schemes* (section 7(5) of the PE Act).

The amendment complies with the *Ministerial Direction 9 – Metropolitan Planning Strategy*. The amendment is consistent with the principles contained in *Plan Melbourne 2017-2050*.

- Direction 1.2: Improve access to jobs across Melbourne and closer to where people live.
  - Policy 1.2.1: Support the development of a network of activity centres linked by transport.
- Direction 2.5: Provide greater choice and diversity of housing.
- Direction 3.3: Improve local travel options to support 20-minute neighbourhoods.
  - Policy 3.3.1: Create pedestrian-friendly neighbourhoods.
- Direction 4.1: Create more great public places across Melbourne.
  - Policy 4.1.1: Support Melbourne's distinctiveness.
- Direction 4.3: Achieve and promote design excellence.
  - Policy 4.3.1: Promote urban design excellence in every aspect of the built environment.
- Direction 5.1: Create a city of 20-minute neighbourhoods.
  - Policy 5.1.2: Support a network of vibrant neighbourhood activity centres.
- Direction 5.2: Create neighbourhoods that support safe communities and healthy lifestyles.
  - Policy 5.2.1: Improve neighbourhoods to enable walking and cycling as a part of daily life.

The amendment also supports the Desired planning outcomes for green wedges and peri-urban areas in *Plan Melbourne*, specifically: “*Manage the growth and sustainable development of green wedge townships and settlements, having regard for their distinct character and environmental and servicing constraints.*”

The introduction of place-based built-form controls for Monbulk ensures its distinct country town character is retained.

The amendment complies with the requirements of *Ministerial Direction No. 11 Strategic Assessment of Amendments* as evidenced in this Explanatory Report.

The amendment complies with *Ministerial Direction 15 – The Planning Scheme Amendment Process*.

The amendment complies with *Ministerial Direction 17 – Localised Planning Statements*. The Localised Planning Statement refers to Monbulk as a ‘Large Neighbourhood Activity Centre’ which has a role in providing a retail mix focussing on convenience and grocery shopping, a range of community services and a range of tourist facilities and services. The proposed amendment is considered to be consistent with the Localised Planning Statement. The amendment’s proposed local policy that supports the Monbulk Town Centre as a commercial and community hub aligns with the role identified in the Localised Planning Statement, as well as policy and objectives within Settlement at Section 6.1 and Economic Development at Section 6.4.

## **Regional Strategy Plan**

### **How does the amendment implement the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan?**

The role of the *Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan (RSP)* is to ensure that planning in the Region continues to protect the special character and features of the Region in accordance with the Principles of Statement of Planning Policy No 3. It is administered under Section 46F of the *Planning and Environment Act 1987*, which prohibits the Minister for Planning from approving any amendment to the Yarra Ranges Planning Scheme that is inconsistent with the RSP and its key policy directions.

The RSP applies to all land within the Shire of Yarra Ranges and was prepared to have regard to matters to enable increased protection for the special features and character of the Region.

Section 3 Township Policy Areas makes specific reference to township policies which “have been developed to ensure efficient use of the existing infrastructure such as roads, railways, sewerage, water supply systems and human services. The policies will also assist to conserve the Region’s natural resources, protect the amenity of the Region’s residents and provide opportunities for a variety of lifestyles.”



Notably, while “the Regional Strategy Plan specifies that there will be only limited township expansion; the Region, however must provide opportunities for the enhancement of living for existing communities, and must ensure that facilities and services are available and appropriate to the nature of the communities and to their location on the fringe of metropolitan Melbourne.”

Specifically, within section 3.07 Policies for development in Township Policy Areas, “there should be promotion of good townscape design.”

Section 13 Activity Centres policy identifies Monbulk as a ‘main centre’ in the southern section, comparable with Belgrave and Upwey.

The new policy and Design and Development Overlay controls action guidance to implement the RSP’s objectives for Activity Centres, specifically to:

- Ensure that activity centres are well designed places where people can enjoy shopping, doing business and participating in community activities.
- Manage future use and development within activity centres that recognise and strengthen the role of the centre as set out in the Yarra Ranges Activity Centre Hierarchy Table.
- Promote additional housing within and adjoining activity centres.
- Ensure services are clustered and provided in a convenient location which is accessible to many by travel on foot, bicycle or improved public transport.
- For those activity centres expected to experience further significant development pressure, prepare structure plans to set strategic directions for future land use, development and the provision of supporting infrastructure.

## **How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

In February 2025, the Victorian government released *Plan for Victoria (Department of Transport and Planning, February 2025)* which is a long-term plan for Victoria that addresses the needs of our diverse and growing population.

The amendment supports:

- Pillar 2: Accessible jobs and services, and
- Pillar 3: Great places, suburbs and towns.

The amendment seeks to strengthen Monbulk as a commercial and community hub by promoting a concentration of commercial uses within the Monbulk town centre and to locating industrial uses on existing industrial land. This enables stronger connections to jobs, education, healthcare, shops and services in locations closer to existing communities. The proposed DDO21 sets out design outcomes specific for Monbulk that will deliver well-designed buildings, and liveable places.

The amendment supports and implements Strategic Directions of the Yarra Ranges Planning Scheme, specifically state and local policies including:

## **Clause 11 Settlement**

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

## **Clause 02.03-1 and Clause 11.03-1S Activity centres**

The Municipal Planning Strategy (MPS) identifies Monbulk as a large Neighbourhood Activity Centre in the Yarra Ranges Activity Centre Hierarchy. The centre plays an important role in providing a range of services and employment opportunities and a complementary range of housing types, commercial services and community infrastructure.

The amendment helps to better facilitate the Activity Centres policy for Monbulk, particularly where it would support well-designed and integrated activity centres that service the needs of local residents and visitors and contribute to a sense of local identity.

The amendment would help support State policies including Clause 11.03-1S (Activity centres) by providing policy guidance and supporting design in the Monbulk Town Centre that would be compatible with the policy objective: “To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.”

Further, compatible strategies from Clause 11.03-1S in support of the amendment include:

- Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:
  - Comprises a range of centres that differ in size and function.
  - Is a focus for business, shopping, working, leisure and community facilities.
  - Provides different types of housing, including forms of higher density housing.
  - Is connected by transport.
  - Maximises choices in services, employment and social interaction.

The amendment would specifically support development under local policy for large neighbourhood activity centres which:

- Provides for a mix of convenience and grocery shopping and community, tourist and civic services for the surrounding communities.
- Provides for additional housing, (noting that this would be based on moderate

expectations in keeping with housing which can achieve a BAL-12.5 and an approved bushfire management statement).

### **Clause 13.01-1S Natural hazards and climate change**

The amendment would support Clause 13.01-1S which seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Relevant strategies include:

- Respond to the risks associated with climate change in planning and management decision making processes.
- Identify at risk areas using the best available data and climate change science.
- Integrate strategic land use planning with emergency management decision making.
- Direct population growth and development to low risk locations.
- Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.
- Ensure planning controls allow for risk mitigation and climate change adaptation strategies to be implemented.
- Site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.

### **Clause 15.01 Built Environment**

The amendment would support Clause 15.01 (Built Environment) specifically the Urban Design objective and strategies under Clause 15.01-1S, which include:

Objective “To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”

Strategies

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

The current DDO12 relies on a generic character statement, objectives and requirements for a group of rural town centres. The amendment provides a specific local policy and new DDO21 which clearly communicates urban design and built form requirements for Monbulk's commercial and industrial land. The amendment meets the objective and strategies of this policy by promoting tailored outcomes for new development in this area.

### **Clause 15.01-1L Urban Design in Activity Centres**

The amendment is consistent with the local policy Clause 15.01-1L (Urban design in activity centres), specifically the strategies which encourage:

- Provide active frontages to main streets and other key public domain areas of activity centres to encourage pedestrian activity.
- Encourage pedestrian links between an activity centre, car parking, public transport facilities, recreational trails and parklands.
- Design new development to respect the amenity of adjoining residential areas.
- Design car parking, vehicle accessways and drive through facilities to avoid disruption to continuous retail frontages or create impediments to pedestrian circulation.
- Design development to provide accessibility including accommodating motorised scooters, wheelchairs and prams.
- Encourage underground cabling, cable bundling or co-location of services and telecommunications infrastructure to improve the amenity of streetscapes and increase opportunities for substantial street trees.

The amendment is based on the *Monbulk Urban Design Framework* which provides specific design strategies for Monbulk based on an understanding of the town's characteristics.

### **Clause 15.01-2S Building Design**

The amendment is consistent with Clause 15.01-2S (Building design) where applying a specific DDO Schedule for Monbulk will assist in achieving building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development; in accordance with the policy



objective.

### **Clause 15.01-4S Healthy Neighbourhoods**

Clause 15.01-4S Healthy neighbourhoods is a state policy which has its objective in achieving neighbourhoods that foster healthy and active living and community wellbeing. The proposed amendment would facilitate this objective through the design principles emboldened by the proposed DDO Schedule and local policy.

### **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment would support strategic directions for built environment under Clause 02.03-5 (Built environment and heritage) by:

- Protecting and respecting sensitive environments, significant landscapes and cultural and natural heritage.
- Incorporating best practice environmental design to contribute to sustainable building form.
- Encouraging development that contributes to a sense of place and adds to the character and identity of the distinct localities in Yarra Ranges.

The amendment helps better facilitate economic development in Yarra Ranges consistent with Clause 02.03-7 Economic development by:

- Consolidating retail and office-based businesses in activity centres; and
- Providing for new businesses in accessible locations that broadens the economic base and range of employment opportunities in Yarra Ranges.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The Victoria Planning Provisions include the Design and Development Overlay in its suite of controls. The purpose of this overlay is to implement planning scheme provisions that better reflect the specific needs of the Monbulk commercial centre, including development planning objectives and requirements for the township.

The amendment would provide more tailored design requirements for the Monbulk Neighbourhood Activity Centre, given that the existing Town Centre DDO guides development across several rural townships, utilising the same requirements, without

recognising their distinguishing features.

The Amendment will result in provisions that better reflect the specific Monbulk commercial centre. The amendment makes appropriate use of the Victoria Planning Provisions through the implementation of a new Design and Development Overlay and local policy to appropriately guide use and development.

### **How does the amendment address the views of any relevant agency?**

The relevant agencies will be notified of the amendment and will be given an opportunity to make a submission.

### **Approval stage**

Following the exhibition stage of the amendment, two submissions were received by agencies including Melbourne Water and the CFA. Melbourne Water offered support of the amendment and CFA provided no comment. No other agencies offered submissions.

### **Does the amendment address relevant requirements of the *Transport Integration Act 2010*?**

The amendment will not impact the relevant requirements of the *Transport Integration Act 2010*, in particular the need for the transport system to provide for the effective integration of transport and land use.

### **How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?**

The amendment will not impact the requirements and principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017*. It is noted that the area of land to which the subject of this amendment applies does not fall within the land to which Yarra Strategic Plan may apply or any other Yarra River land. This has been determined by reviewing part 3 of the Act. No part of the amendment is adjacent to the Yarra River, or any part of which is within 500 metres of a bank of the Yarra River.

### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is expected to improve the administration of the Yarra Ranges Planning Scheme by providing greater certainty for Council, landowners, developers and the community seeking to develop in the Monbulk Neighbourhood Activity Centre.

There are existing planning permit requirements under the DDO for buildings and works therefore it is not anticipated that the amendment would cause increases in applications, merely that requirements and policy is catered to Monbulk commercial and industrial land.

Council has operational funds set aside for planning scheme amendments to be processed.

## Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Monbulk	254 Emerald-Monbulk Road	Yarra Ranges C212yran 001d-ddoMaps67_68 Exhibition			D-DDO12
Monbulk	2-8 Main Road	And		DDO21	D-DDO12
Monbulk	10-12 Main Road	Yarra Ranges C212yran 002ddoMaps67_68 Exhibition		DDO21	D-DDO12
Monbulk	14-16 Main Road			DDO21	D-DDO12
Monbulk	18-20 Main Road			DDO21	D-DDO12
Monbulk	22 Main Road			DDO21	D-DDO12
Monbulk	24-26 Main Road			DDO21	D-DDO12
Monbulk	27-35 Main Road			DDO21	D-DDO12
Monbulk	28 Main Road			DDO21	D-DDO12
Monbulk	36 Main Road			DDO21	D-DDO12
Monbulk	37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 1/37-39 Main Road			DDO21	D-DDO12

Location	Land /Area Affected	Mapping Reference	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Monbulk	Unit 2/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 3/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 4/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 5/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 6/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 7/37-39 Main Road			DDO21	D-DDO12
Monbulk	Unit 8/37-39 Main Road			DDO21	D-DDO12
Monbulk	41A Main Road			DDO21	D-DDO12
Monbulk	41 Main Road			DDO21	D-DDO12
Monbulk	43 Main Road			DDO21	D-DDO12
Monbulk	44 Main Road			DDO21	D-DDO12
Monbulk	45 Main Road			DDO21	D-DDO12
Monbulk	46 Main Road			DDO21	D-DDO12
Monbulk	47 Main Road			DDO21	D-DDO12
Monbulk	48 Main Road			DDO21	D-DDO12
Monbulk	49 Main Road			DDO21	D-DDO12
Monbulk	50-56 Main Road			DDO21	D-DDO12



Location	Land /Area Affected	Mapping Reference	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Monbulk	50-56A Main Road			DDO21	D-DDO12
Monbulk	51A Main Road			DDO21	D-DDO12
Monbulk	51B Main Road			DDO21	D-DDO12
Monbulk	53B Main Road			DDO21	D-DDO12
Monbulk	53A Main Road			DDO21	D-DDO12
Monbulk	53 Main Road			DDO21	D-DDO12
Monbulk	55 Main Road			DDO21	D-DDO12
Monbulk	57 Main Road			DDO21	D-DDO12
Monbulk	58 Main Road			DDO21	D-DDO12
Monbulk	59B Main Road			DDO21	D-DDO12
Monbulk	59C Main Road			DDO21	D-DDO12
Monbulk	59 Main Road			DDO21	D-DDO12
Monbulk	59A Main Road			DDO21	D-DDO12
Monbulk	61-63 Main Road			DDO21	D-DDO12
Monbulk	65-69 Main Road			DDO21	D-DDO12
Monbulk	Unit 3/65 Main Road			DDO21	D-DDO12
Monbulk	66 Main Road			DDO21	D-DDO12
Monbulk	Unit 2/67 Main Road			DDO21	D-DDO12
Monbulk	68 Main Road			DDO21	D-DDO12
Monbulk	Unit 1/69 Main Road			DDO21	D-DDO12

Location	Land /Area Affected	Mapping Reference	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Monbulk	70 Main Road			DDO21	D-DDO12
Monbulk	72 Main Road			DDO21	D-DDO12
Monbulk	74 Main Road			DDO21	D-DDO12
Monbulk	76 Main Road			DDO21	D-DDO12
Monbulk	80A Main Road			DDO21	D-DDO12
Monbulk	80B Main Road			DDO21	D-DDO12
Monbulk	80 Main Road			DDO21	D-DDO12
Monbulk	81-85 Main Road			DDO21	D-DDO12
Monbulk	87 Main Road			DDO21	D-DDO12
Monbulk	88 Main Road			DDO21	D-DDO12
Monbulk	90 Main Road			DDO21	D-DDO12
Monbulk	92 Main Road			DDO21	D-DDO12
Monbulk	94 Main Road			DDO21	D-DDO12
Monbulk	94A Main Road			DDO21	D-DDO12
Monbulk	96 Main Road			DDO21	D-DDO12
Monbulk	98 Main Road			DDO21	D-DDO12
Monbulk	100 Main Road			DDO21	D-DDO12
Monbulk	102 Main Road			DDO21	D-DDO12
Monbulk	104 Main Road			DDO21	D-DDO12
Monbulk	108 Main Road			DDO21	D-DDO12

Location	Land /Area Affected	Mapping Reference	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Monbulk	108-114 Main Road			DDO21	D-DDO12
Monbulk	110-112 Main Road			DDO21	D-DDO12
Monbulk	114 Main Road			DDO21	D-DDO12
Monbulk	116 Main Road			DDO21	D-DDO12
Monbulk	118 Main Road			DDO21	D-DDO12
Monbulk	120 Main Road			DDO21	D-DDO12
Monbulk	122 Main Road			DDO21	D-DDO12
Monbulk	124 Main Road			DDO21	D-DDO12
Monbulk	126 Main Road			DDO21	D-DDO12
Monbulk	128 Main Road			DDO21	D-DDO12
Monbulk	130 Main Road			DDO21	D-DDO12
Monbulk	132 Main Road			DDO21	D-DDO12
Monbulk	134 Main Road			DDO21	D-DDO12
Monbulk	136 Main Road			DDO21	D-DDO12
Monbulk	138 Main Road			DDO21	D-DDO12
Monbulk	140 Main Road			DDO21	D-DDO12
Monbulk	1/142 Main Road			DDO21	D-DDO12
Monbulk	2/142 Main Road			DDO21	D-DDO12
Monbulk	3/142 Main Road			DDO21	D-DDO12
Monbulk	5 Moores Road			DDO21	D-DDO12





## Strategic Assessment Guidelines Checklist

This checklist is a tool that provides a quick snapshot of the abovementioned information. It may be useful to use while preparing an amendment assessment.

**Note:** In the 'click in the top left part of the field to enter any comments.

Strategic Consideration		Yes	No	N/A	Comment
Why is an amendment required?	<ul style="list-style-type: none"> <li>What does the amendment intend to do and what is its desired outcome?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment proposes to introduce a new Schedule to the Design and Development Overlay for the Monbulk Town Centre to provide specific design and development requirements relating new development. The amendment also proposes to include a new local policy for the Monbulk Town Centre under Clause 11.03
	<ul style="list-style-type: none"> <li>How does it intend to do it?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Introduce a new schedule to the DDO - Schedule 21 (DDO21). of the Yarra Ranges Planning Scheme and a new local policy at clause 11.03-1L. Currently Monbulk forms part of the existing Schedule 12 to the Design and Development Overlay (DDO12) which is a general Rural Townships Schedule.
	<ul style="list-style-type: none"> <li>Is it supported by or is it a result of any strategic study or report?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes, the DDO would align specifically with the Monbulk Structure Plan 2017 and Monbulk Urban Design Framework 2023
	<ul style="list-style-type: none"> <li>Will the planning policy, provision or control result in the desired planning outcome?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Will the amendment have a net community benefit?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Will the community benefit outweigh the cost of the new control?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Does the amendment repeat provisions already in the scheme?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is noted that Monbulk, where it is referenced under the current DDO12 (Town Centres) will be deleted from this overlay so that there would no repetition.
	<ul style="list-style-type: none"> <li>Is the planning scheme the most appropriate means of controlling the issue or can other existing regulatory or process mechanisms deal with the issue?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Is the matter already dealt with under other regulations?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does the amendment implement the objectives of planning and any environmental, social and economic effects?	<ul style="list-style-type: none"> <li>Does the amendment implement the objectives of planning in Victoria? (Refer to section 4 of the <i>Planning and Environment Act 1987</i>)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Does the amendment adequately address any environmental effects?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	New development will be positively influenced by the environment where the location and shaping of buildings will be encouraged to accommodate local topography and the natural and cultural features of the site. Development will incorporate appropriate solar access to design making optimal use of natural light. Older buildings will be encouraged to be reused and readapted where appropriate. The use of sustainable and resilient building materials will be incorporated into new buildings as well as stormwater and recycled water infrastructure.

	<ul style="list-style-type: none"> <li>Does the amendment adequately address any social effects?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics while enabling for greater structure, more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety. The amendment is based on the Urban Design Framework to which the community have been comprehensively consulted with. The Framework's translation through the DDO and local policy is the realisation of the Framework for consistency with future development in the area.
	<ul style="list-style-type: none"> <li>Does the amendment adequately address any economic effects?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inclusion of the Design and Development Overlay and local policy provides greater guidance for planning assessment in the Monbulk Town Centre. The emphasis of the Amendment relates to Precinct 1 – Main Road which is the existing commercial precinct of Monbulk. The cost estimates as contained under the Urban Design Framework anticipate a timeframe from 1 to 10+ years and include associated projects and design solutions proposed within the Monbulk Town Centre. These include public realm projects, access projects, movement projects, major and other developments.
Does the amendment address relevant bushfire risk?	<ul style="list-style-type: none"> <li>Does the amendment meet the objective and give effect to the strategies to address the risk to life as a priority, property, community infrastructure and the natural environment from bushfire in the Planning Policy Framework (Clause 13.02 of the planning scheme)?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The properties in the amendment are within a Bushfire Management Overlay or a Bushfire Prone Area. Clause 13.02- 1S (Bushfire) of the Planning Scheme has been considered in preparing the amendment, and the amendment is not considered to increase the risk to life from bushfire, or direct population growth to areas of bushfire risk.
	<ul style="list-style-type: none"> <li>Has the view of the relevant fire authority been sought in formulating the amendment?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The CFA has been consulted with as part of the amendment process. They have been notified and have provided no comments.
	<ul style="list-style-type: none"> <li>If the planning scheme includes a Local Planning Policy Framework at Clause 10, is the amendment consistent with the Local Planning Policy Framework objectives and strategies that apply to bushfire risk?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no local policy specifically for bushfire planning. The state provisions under Clause 13.02 are relied on and complied with.
	<ul style="list-style-type: none"> <li>Is local policy for bushfire risk management required to support the amendment?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>Does the amendment comply with all the relevant Minister's Directions?</p>	<ul style="list-style-type: none"> <li>Does the amendment comply with the requirements of the Ministerial Direction - The Form and Content of Planning Schemes?</li> <li>Do any other Minister's Directions apply to the amendment? If so, have they been complied with?</li> <li>Is the amendment accompanied by all of the information required by a Minister's Direction?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the PE Act). The amendment complies with the Ministerial Direction 9 – Metropolitan Planning Strategy. The amendment is consistent with the principles contained in Plan Melbourne 2017-2050.</p> <p>The amendment also supports the Desired planning outcomes for green wedges and peri-urban areas in Plan Melbourne. The amendment complies with the requirements of Ministerial Direction No. 11 Strategic Assessment of Amendments. The amendment complies with Ministerial Direction 15 – The Planning Scheme Amendment Process.</p> <p>The amendment will also not impact the requirements and principles set out in the <i>Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017</i>. It is noted that the area of land to which the subject of this amendment applies does not fall within the land to which Yarra Strategic Plan may apply or any other Yarra River land. This has been determined by reviewing part 3 of the Act. No part of the amendment is adjacent to the Yarra River, or any part of which is within 500 metres of a bank of the Yarra River.</p> <p>For more information refer to the Explanatory Report.</p>
<p>Does the amendment support or implement the PPF?</p>	<ul style="list-style-type: none"> <li>Does the amendment support or give effect to the PPF?</li> <li>Are there any competing PPF objectives and how are they balanced?</li> <li>Does the amendment support or give effect to any relevant adopted state policy?</li> </ul> <p>If the planning scheme includes a Municipal Planning Strategy (MPS) at Clause 02 and the amendment seeks to introduce or amend a local planning policy in the PPF:</p> <ul style="list-style-type: none"> <li>Does the new or amended local planning policy: <ul style="list-style-type: none"> <li>respond to a demonstrated need?</li> <li>implement a strategic direction in the MPS?</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>It is noted that the proposal includes a local policy for the Monbulk Town Centre.</p> <p>There are several policies which relate to Activity Centres and settlement, however this policy relates specifically to Monbulk and is consistent with other local policies which highlight certain activity centres, major and large neighbourhood (like Coldstream).</p>



	<ul style="list-style-type: none"> <li>– relate to a specific discretion or group of discretions in the planning scheme?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>– assist the responsible authority to make a decision?</li> <li>– (assist any other person to understand whether a proposal is likely to be supported?</li> <li>• Does the amendment affect any existing local planning policy or tool?</li> <li>• Is a local planning policy necessary OR is the issue adequately covered by another planning tool or decision guideline?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A local policy is necessary as it will be consistent with the approach already taken for other centres, under Clause 11.03 Planning for Places.
<p>Does the amendment support or implement the LPPF?</p> <p>*This strategic consideration only applies if the planning scheme includes an LPPF at Clause 20</p>	<ul style="list-style-type: none"> <li>• Does the amendment implement or support the MSS?</li> <li>• Does the amendment seek to change the objectives or strategies of the MSS? If so, what is the change?</li> <li>• What effect will any change to the MSS have on the rest of the MSS: <ul style="list-style-type: none"> <li>– Is the amendment consistent/inconsistent with strategic directions elsewhere in the MSS?</li> <li>– Has the cumulative effect of this amendment on the strategic directions in the MSS been considered?</li> </ul> </li> <li>• Does the new or amended local planning policy: <ul style="list-style-type: none"> <li>– respond to a demonstrated need?</li> <li>– implement an objective or strategy in the MSS?</li> <li>– relate to a specific discretion or group of discretions in the scheme?</li> <li>– assist the responsible authority to make a decision?</li> <li>– assist any other person to understand whether a proposal is likely to be supported?</li> </ul> </li> <li>• Does the amendment affect any existing local planning policy or tool?</li> <li>• Is a local planning policy necessary OR is the issue covered by another planning tool or decision guideline?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>Does the amendment support or implement the MPS?</p>	<ul style="list-style-type: none"> <li>• How does the amendment seek to implement or support the MPS?</li> <li>• Does the amendment seek to change the strategic directions of the MPS? If so, what is the change?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment is consistent with the MPS

*This strategic consideration only applies if the planning scheme includes an MPS at Clause 02	<ul style="list-style-type: none"> <li>What effect will any change to the MPS have on the rest of the MPS? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </li> <li>Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> <li>Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> <li>What is the cumulative effect of this amendment on the other directions in the MPS? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </li> </ul>				
Does the amendment make proper use of the VPP?	<ul style="list-style-type: none"> <li>Does the amendment use the most appropriate VPP tool to achieve the strategic objective of the scheme? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> <li>Does the amendment affect, conflict with or duplicate another existing provision in the planning scheme that deals with the same land, use or development? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> <li>If so, have the provisions been reconciled? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </li> <li>Does the control capture matters that do not specifically relate to the purpose or objectives of the control or matters that should not be dealt with under planning? <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> </li> <li>Does the amendment make any existing provision in the planning scheme redundant? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> <li>Is the amendment consistent with any relevant planning practice note? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </li> </ul>			<p>Yes, DDO12, however it has been noted that it is intended to remove the Monbulk township from the DDO12 which is a generic town centre DDO schedule that includes several townships.</p> <p>In the sense that it would supersede reference to Monbulk only.</p>	
How does the amendment address the views of any relevant agency?	<ul style="list-style-type: none"> <li>Have the views of any relevant agency been addressed? <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> </li> </ul>			The amendment has been exhibited to all relevant agencies. No contrary submissions have been received.	
Does the amendment address the requirements of the <i>Transport Integration Act 2010</i> (TIA)?	<ul style="list-style-type: none"> <li>Is the amendment likely to have a significant impact on the transport system as defined by section 3 of the TIA? If so, explain how the amendment addresses the transport system objectives and decision-making principles set out in Part 2, Divisions 2 and 3 of the TIA. <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> </li> <li>Are there any applicable statements of policy principles prepared under section 22 of the TIA? If so, assess how the amendment addresses any specified policy principles that apply to the proposal. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </li> </ul>				

<p>What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?</p>	<ul style="list-style-type: none"> <li>• Has the council considered the cost implications in implementing and administering the new planning provisions including: <ul style="list-style-type: none"> <li>– estimated increase in number of planning permit applications</li> <li>– planning staff resources</li> <li>– other miscellaneous costs including legal or other professional advice, for example, heritage advisers</li> <li>– capacity to consider the new application within the prescribed time?</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Council would be administering the same cost implications with or without the amendment. The amendment will lead to better decisions for a town centre that aligns with the analysis and recommendations of the structure plan and urban design framework for Monbulk which has had the benefit of community engagement input.</p>
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08/07/2021  
C189yran**SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO12**.

**TOWN CENTRES - HEALESVILLE, ~~MONBULK~~, SEVILLE, WARBURTON, YARRA GLEN AND YARRA JUNCTION**1.0  
19/06/2014  
C126**Character statement**

These town centres will be dominated by a main street that retains a classic and attractive country town character. The built form of new development will reinforce this character and retain the distinctive features associated with the historic development of the town, including established trees and views to rural features such as nearby wooded hills or farmland.

2.0  
19/06/2014  
C126**Design objectives**

- To enhance the distinctive built form and streetscape characteristics of the town centre.
- To reinforce the main street as the focus of business and pedestrian activity in the town centre.
- To maintain visual links between the town centre and its rural hinterland.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0  
08/07/2021  
C189yran**Buildings and works**

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

4.0  
19/06/2014  
C126**Design requirements**

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

**Town centre character**

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- Building heights should not exceed two storeys (7.5 metres). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street.

For the purpose of this schedule 'Building height' means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

- New development should complement the character and appearance of existing heritage buildings.



- Views from the main street to surrounding hills, trees and other rural landscape elements should be retained.
- Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.
- Building facades should be articulated by incorporating a variety of materials, textures and colours that enhance the particular qualities of buildings in the town centre.
- The facades of new development on corner lots should be detailed to provide visual interest from both streets.
- Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.
- Building designs should reinforce a rural town character adopting disaggregated building forms, articulated facades, and design detailing that uses lighter materials such as timber.
- Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures.
- Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.
- Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.
- All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

### **Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.
- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.
- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.

### **Interface with public places and residential areas**

- New buildings should be constructed with zero setbacks from the main street frontage.
- Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.
- Reflective and opaque glazing is discouraged particularly on street frontages.
- Buildings should avoid large expanses of blank walls particularly at street level.
- New crossovers and car parking between a building and its frontage are discouraged.
- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.
- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.
- Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.
- Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.

## Car park design

- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the Centre.
- Basement car parks should be naturally ventilated wherever possible.
- Views of cars on upper level car parks should be screened from the public realm.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

**5.0**  
08/07/2021  
C189yran

## Subdivision

None specified.

**6.0**  
08/07/2021  
C189yran

## Signs

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

**7.0**  
08/07/2021  
C189yran

## Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.

- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.

**8.0**  
08/07/2021  
C189yran

### **Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the design requirements of this schedule.

**9.0**  
08/07/2021  
C189yran

### **Background documents**

*Vision 2020 by Design – Shire of Yarra Ranges (May 2008)*

--/--/---  
Proposed C212yran

## SCHEDULE 21 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO21**.

### MONBULK NEIGHBOURHOOD ACTIVITY CENTRE

#### 1.0 Design objectives

--/--/---  
Proposed C212yran

To reinforce Main Road as a centre of pedestrian activity.

To provide for development that enhances the appearance and operation of the town centre by complementing existing buildings and the town's landscape character.

#### 2.0 Buildings and works

--/--/---  
Proposed C212yran

A permit is not required to construct a building or construct or carry out works for the purpose of:

- The installation of an automatic teller machine.
- The alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

The following requirements apply to an application to construct a building or construct or carry out works.

**Table 1: Precinct 1 (Main Road) and Sub Precinct 1A (44-58 Main Road)**

Design Outcome	Design Requirement
<b>Built Form</b> Improved pedestrian amenity with buildings that relate to the pedestrian scale. New development will contribute positively to any adjoining residential and public land. Building design will contribute positively to streetscapes.	New development should be no more than three storeys (10.5 metres). Any built form above 7.5 metres (including any roofed balcony structure) should be set back a minimum of 4 metres from the building frontage (Figure 1 and Figure 2). Upper levels of building facades facing Main Road should present as a continuous built form with adjoining buildings, and should avoid side setbacks breaking the continuity of built form. Recess rear setbacks on levels 2 and 3 of commercial and mixed use buildings adjacent to residential and public land. In Precinct 1 (Figure 3), new buildings should be constructed to the front and side boundaries at ground level. In Sub Precinct 1A (Figure 3), buildings should be setback a minimum of 8 metres from the front boundary. New buildings should be located and designed to accommodate natural features of the town centre including topography and significant vegetation.



Design Outcome	Design Requirement
<p><b>Building frontages and activation</b></p> <p>Main Road is the centre of pedestrian activity.</p> <p>New development will assist to improve amenity and visual interest.</p>	<p>New development should reinforce the fine grain pattern of existing development in the town centre.</p> <p>Buildings should present frontages to Main Road.</p> <p>Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.</p> <p>Buildings should provide a minimum of 70 percent clear glazing at ground level.</p> <p>Maximise physical and visual connections and viewlines between the street and commercial spaces.</p> <p>The facades of new development on corner lots should be detailed to provide visual interest from the secondary frontage, such as through articulation and windows.</p> <p>Limit any expanse of blank wall at ground level to a maximum of 2 metre width.</p> <p>Building designs should avoid bulky, unarticulated built form, and should include windows, awnings and balconies.</p> <p>Awnings should be provided on the street frontage of buildings to provide continuous weather protection, with a minimum 2.5 metre depth.</p> <p>Large format retail uses should be sleeved behind fine grain specialty retail built form addressing the street.</p>
<p><b>Safety</b></p> <p>New development will enhance the safety of streets and public places.</p>	<p>Locate principal entrances of residential uses within the ground floor façade to Main Road.</p> <p>Maximise opportunities to enhance passive surveillance of the public realm.</p> <p>Encourage under awning lighting to enhance pedestrian safety at night.</p> <p>Wall recesses should be less than 300mm deep along the street edges of buildings to avoid their use as concealment places.</p> <p>In landscape design, avoid creating areas of concealment between buildings and the public realm.</p> <p>Where fences are necessary for safety or security they should provide a sense of visual interest, such as integration with landscape design.</p>
<p><b>Design Detail</b></p> <p>Building construction will be durable, sustainable and attractive.</p>	<p>Building materials should be durable, sustainable and attractive, including timber and brick. Selective use of render elements is acceptable.</p>

Design Outcome	Design Requirement
<p><b>Landscaping</b></p> <p>Landscaping associated with new development will complement the town's landscape character and provide shade and improved pedestrian amenity.</p>	<p>Established canopy trees should be retained, protected and incorporated into the landscaping of sites in Sub Precinct 1A (Figure 3).</p> <p>Where opportunities for new landscaping exist, landscaping should incorporate indigenous species that complement existing landscape character in the town centre.</p> <p>Canopy trees should be planted wherever practical in open lot car parks to provide shade and visual interest.</p>
<p><b>Service and loading areas, bin storage and car parking</b></p> <p>Limited visibility of service and loading areas and car parking in the streetscape.</p> <p>Bin storage areas designed to avoid visual impacts on adjoining public spaces.</p>	<p>Locate service and loading areas and car parking to the rear of buildings.</p> <p>Screen views of service and loading areas and car parking from the public realm.</p> <p>All roof mounted mechanical equipment should be concealed by screens that are integrated into the design of the building.</p> <p>Provide facilities for the storage, collection and recycling of waste materials and screen them from view, with convenient access to Main Road for collection.</p>
<p><b>Traffic Access and Parking</b></p> <p>Minimise the impact of vehicle access and parking on the pedestrian amenity of the Main Road.</p> <p>Car parking will be visually unobtrusive and will include safely designed access points.</p>	<p>Provide car and loading access from the rear of the site, wherever possible.</p> <p>Car parking should be designed to be integrated into the built form.</p> <p>Design car parking with entry and exit points that provide safe vehicle and pedestrian access and movement, are well lit and clearly signed.</p> <p>Avoid car parking and significant level changes within the front setback.</p> <p>Provide underground or undercroft parking, wherever possible.</p> <p>Lighting in car parks should be unobtrusive and minimise high-mast poles and light spill beyond the car park.</p>

Figure 1 - Third storey building setback, indicative diagram (Main Road 26m road reserve)

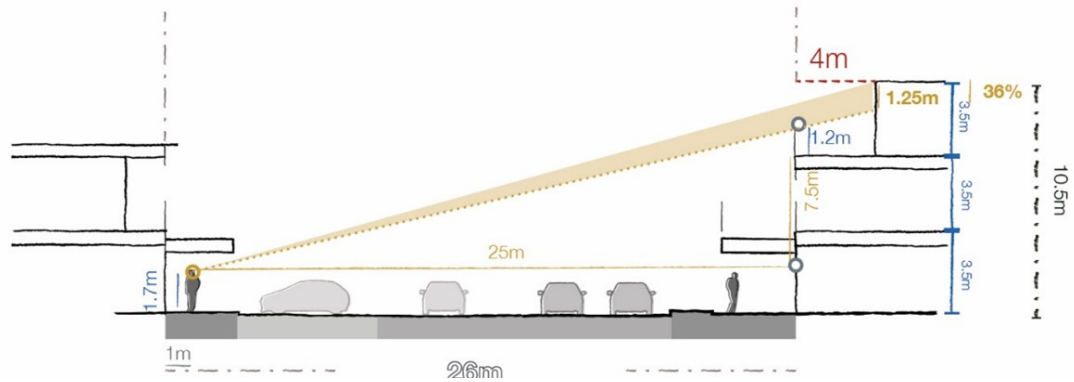
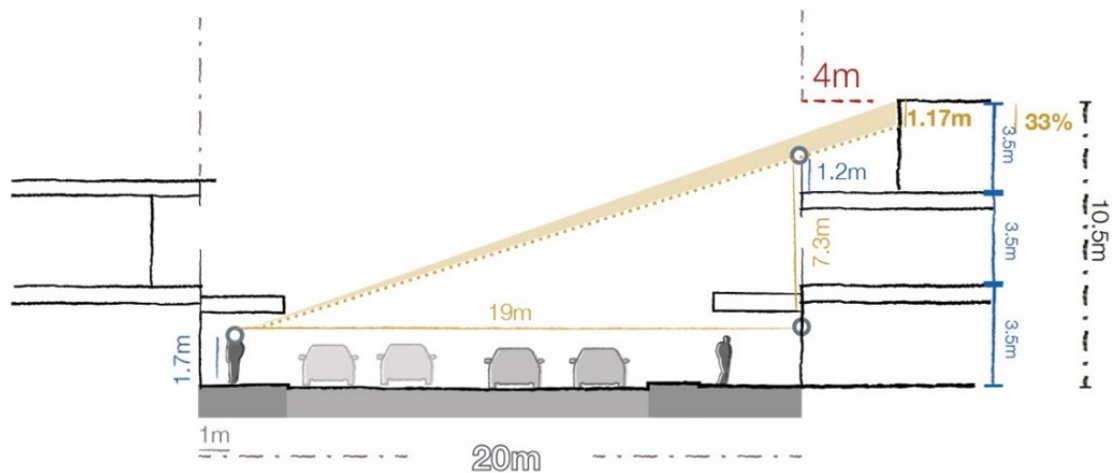


Figure 2 - Third storey building setback, indicative diagram (Main Road 20m road reserve)



A permit may be granted to vary a design requirement set out in Table 1, providing that the relevant Design Outcome is met.

### 3.0 Subdivision

---/---/---  
Proposed C212yran

None specified.

### 4.0 Signs

---/---/---  
Proposed C212yran

Sign requirements are at Clause 52.05.

### 5.0 Application requirements

---/---/---  
Proposed C212yran

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report explaining how the proposal achieves the relevant Design outcomes set out in Table 1.
- Plans, elevations and a landscape plan to demonstrate adherence to the relevant Design requirements set out in Table 1.
- Sight line diagrams showing the visual impact of upper levels on adjoining streetscapes and public spaces.

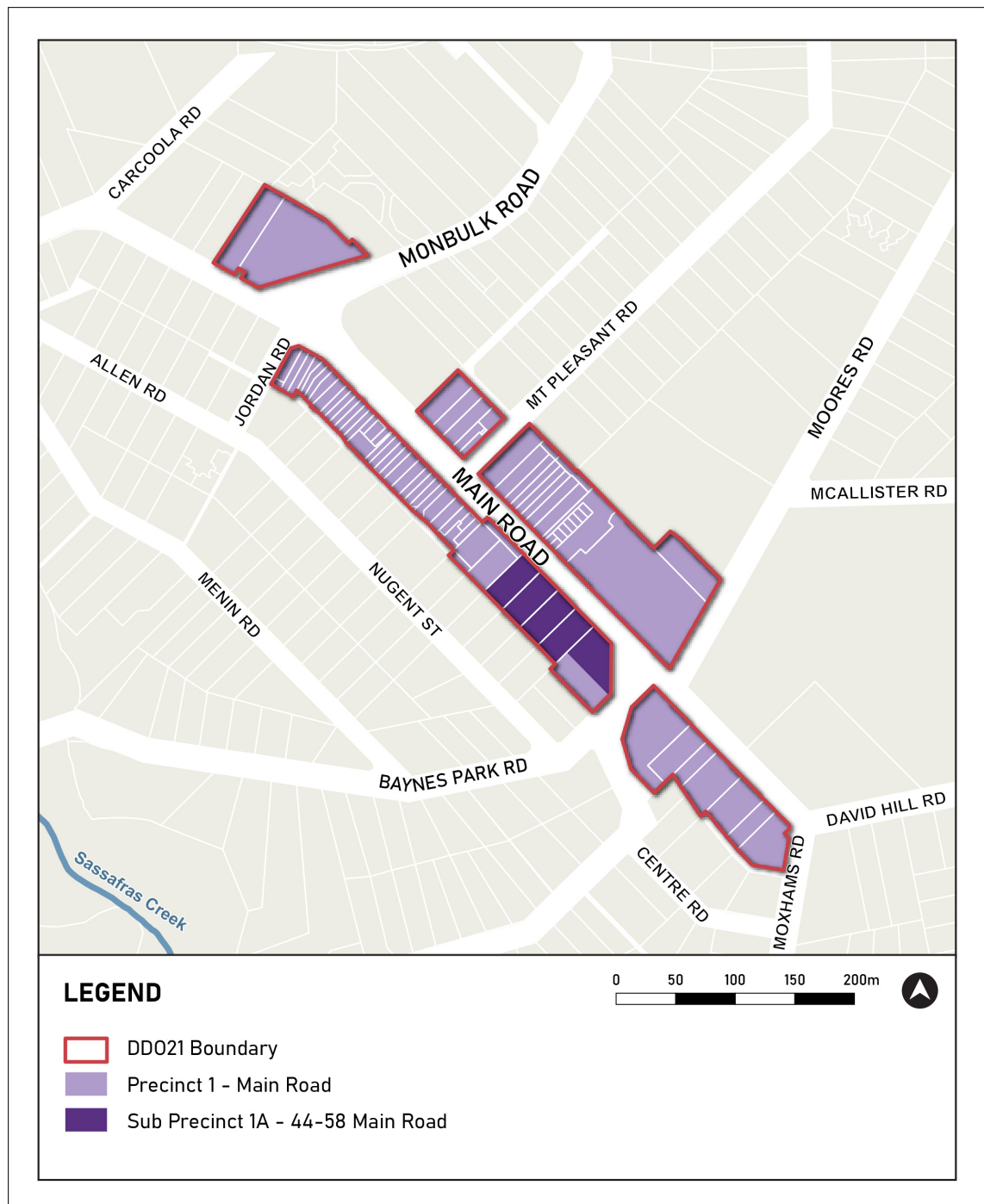
**6.0**

---/---/---  
Proposed C212yran

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the proposed development responds to its site and context.
- Whether the proposed development in Precinct 1 or Sub Precinct 1A achieves the relevant Design outcomes in Table 1

**Figure 3 - Precinct Boundaries**



**11.03-1L-06 Monbulk Neighbourhood Activity Centre**

C212yran

**Policy application**

This policy applies to land shown in the Monbulk Town Centre Map to this clause.

**General strategies**

Retain and support land uses that strengthens Monbulk as a commercial and community hub.

Support land uses that create an active and vibrant town centre with increased pedestrian movement and passive surveillance.

**Commercial precinct strategies**

Concentrate retail, food and entertainment activities within the commercial centre.

Encourage varied shop sizes to improve function and flexibility of land uses.

Encourage commercial and retail development in the area between Emerald-Monbulk Road and Moxhams Road.

Support commercial uses that activate frontages.

Discourage new service industrial uses in the commercial zoned areas.

Encourage shop-top housing or apartments above commercial uses.

**Industrial precinct strategies**

Locate new industrial and service uses on land at 93-95 Monbulk Road, 91 Main Road and 89A Main Road.

Support the use of existing industrial land for services that will support the local area's needs and employment.

Discourage horticultural service industries and transport uses in the town centre.

**Transport and access strategies**

Improve pedestrian links and vehicular movement to prioritise active transport and provide safe roads.

Incorporate signage to attract motorists into the town centre.

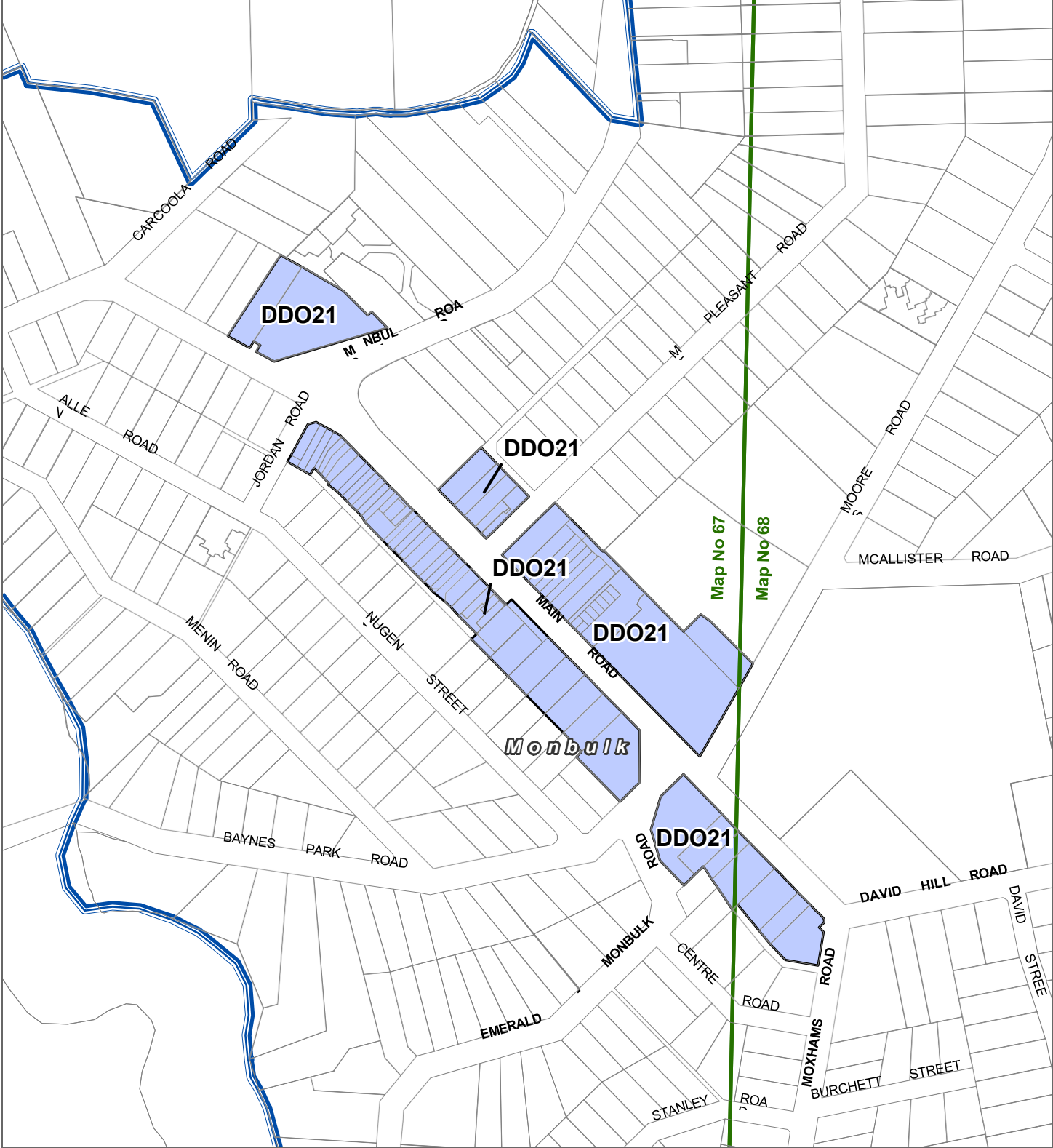
**Policy document**

Consider as relevant:

- *Monbulk Structure Plan (Yarra Ranges Council, November 2017)*
- *Monbulk Urban Design Framework (Yarra Ranges Council, November 2023)*
- *Yarra Ranges Housing Strategy (Yarra Ranges Council, June 2024)*
- *Yarra Ranges Activity Centres Network Strategy (Yarra Ranges Council, April 2013)*

**Monbulk Town Centre Map**





LEGEND

- DDO21 - Design and Development Overlay - Schedule 21
- Local Government Area
- Urban Growth Boundary

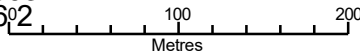


Part of Planning Scheme Maps 67DDO & 68DDO

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Planning Group  
Print Date: 25/02/2025  
Amendment Version: 1



## COMMEMORATION OF THE 80TH ANNIVERSARY OF THE HIROSHIMA AND NAGASAKI BOMBINGS - CR MCILWAIN

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Ward(s) affected: All Wards;

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*In accordance with Governance Rule 26 developed by Council in accordance with section 60 of the Local Government Act 2020.*

### SUMMARY

The 80th anniversary of the nuclear bombings of Hiroshima and Nagasaki will be marked in August 2025. These tragic events, which occurred on August 6th and 9th, 1945, respectively, resulted in the deaths of hundreds of thousands of people and had a profound and lasting impact on the survivors and their descendants.

### COUNCILLOR MOTION

***On the occasion of the 80th anniversary of the nuclear bombings of Hiroshima and Nagasaki, Council***

- 1. Acknowledges the historical and moral significance of these events.***
- 2. Supports the tradition of commemorating this anniversary as a moment to reflect on and assert the fundamental importance of peace between all people, everywhere.***



## **12. ITEMS THROUGH THE CHAIR**

### **13. REPORTS FROM DELEGATES**

## 14. DOCUMENTS FOR SIGNING AND SEALING

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Report Author: Senior Governance Officer  
 Responsible Officer: Director Corporate Services  
 Ward(s) affected: All Wards;

---

*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020 and in accordance with Clause 87 of the Meeting Procedures and Use of Common Seal Local Law 2015, as prescribed by Section 14(2)(c) of the Local Government Act 2020.*

### CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

### SUMMARY

It is requested that the following document be signed and sealed:

#### **Retirement Letter under Council Seal - Harry Harrison**

A letter under seal has been prepared in recognition of Harry Harrison who is retiring after 26 years of service with Yarra Ranges Council, working most recently in the role of Print Room Coordinator.

### RECOMMENDATION

*That the following listed document be signed and sealed:*

1. **Retirement Letter under Council Seal - Harry Harrison.**

## 15. INFORMAL MEETINGS OF COUNCILLORS

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Report Author: Governance Officer  
 Responsible Officer: Director Corporate Services  
 Ward(s) affected: All Wards

---

*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public

### SUMMARY

Chapter 8, Rule 1, of the Governance Rules requires that records of informal meetings of Councillors must be kept and that the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

An 'informal meeting of Councillors' is defined in the Governance Rules as a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

The records for informal meetings of Councillors are attached to the report.

### RECOMMENDATION

***That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.***

### ATTACHMENTS TO THE REPORT

1. 26 June 2025 – Sustainable Environment Advisory Committee
2. 1 July 2025 – Council Briefing
3. 1 July 2025 - Council Forum



# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Sustainable Environment Advisory Committee	
<b>Date:</b>	26 June 2025	Start Time: 5.30pm      Finish Time: 7.40pm
<b>Venue:</b>	Conference Room B, 15 Anderson Street Lilydale	
<b>Attendees:</b>	<b>Councillors:</b>	Councillor Peter McIlwain
	<b>Other attendees:</b>	Rowan Barr (member), Emily Russo (member), Ann-Maree Graham (member), Jackson Ellis (member), Jennifer Lyndon (member), Madeline Anne Brenker (member), Robin Oakley (member), Oliver McLeod (member).
	<b>Manager:</b>	Corinne Bowen
	<b>Officers:</b>	Jessica Harrison, Suzanne Burville, Sarah Bond, Nicola Rooks
<b>Apologies</b>	Jared Wake (member), Peter Martin (member), Maxine Harrison (member), Brenda Dobia (member),	
<b>Disclosure of Conflicts of Interest:</b>	None	
<b>Matter/s Discussed:</b>	1.1	Council Plan Climate Change Statement
	1.2	Green Wedge Management Plan
	1.3	Yarra Ranges Environment Strategy
	1.4	Recruiting of Executive Officer Resource Recovery
<b>Completed By:</b>	Suzanne Burville	

## Informal Meeting of Councillors

### Public Record

Meeting Name:	Council Briefing		
Date:	1 July 2025	Start Time: 6.15pm	Finish Time: 6.21pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference		
Attendees:	<p><b>Councillors:</b> Cr Higgins (Deputy Chair), Cr Heenan, Cr McIlwain, Cr Ward, Cr Mazzarella and Cr Marriott</p> <p><b>Via Zoom:</b> Cr Child and Cr McAllister</p> <p><b>CEO/Directors:</b> Tammi Rose, Leanne Hurst, Hjalmar Philipp, Kath McClusky and Vincenzo Lombardi</p> <p><b>Officers:</b> Ameer Cooper, Gina Walter, Beck Stevens, Joanne Hammond and Stuart Wilson</p>		
Apologies:	Cr Cox		
Disclosure of COI:	Nil		
Matter/s Discussed:	This briefing covered the following items of business to be considered at the 8 July 2025 Council Meeting.		
	10.1	Draft Council Plan, Asset Plan, Long Term Financial Plan – Release for Community Consultation	
	10.2	Audit and Risk Management Committee Biannual Report	
	10.3	Draft Health and Wellbeing Strategy 2025-2029 for Endorsement	
	10.4	Disability Action Plan 2024-2028 for Endorsement	
	14.0	Documents for Signing and Sealing - Doongalla Reserve Native Vegetation Offset – Landowner Agreement	
	17.1	Confidential – Property Matter in Kallista	
	17.2	Confidential - 9A Wannan Court, Kilsyth - Consideration of Land Purchase Offer	
Completed By:	Gina Walter		

## Informal Meeting of Councillors

### Public Record

<b>Meeting Name:</b>	Council Forum		
<b>Date:</b>	1 July 2025	Start Time: 5.30pm	Finish Time: 8.54pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference		
<b>Attendees:</b>	<p><b>Councillors:</b> Cr Higgins (Deputy Chair), Cr Heenan, Cr McIlwain, Cr Ward, Cr Mazzarella and Cr Marriott</p> <p><b>Via Zoom:</b> Cr Child and Cr McAllister (From 5.34pm)</p> <p><b>CEO/Directors:</b> Tammi Rose, Leanne Hurst, Hjalmar Philipp, Kath McClusky and Vincenzo Lombardi</p> <p><b>Officers:</b> Ameer Cooper, Gina Walter, Beck Stevens, Ben Waterhouse, Joanne Hammond, Stuart Wilson, Amanda Kern, Marcella Simone, Philip Knight, Tracey Pascoe, Alison Fowler, Nicola Rooks, Phil Murton, Graham Brewer, Enrique Gutierrez and Karen Greer</p> <p><b>Via Zoom:</b> Rachael Giddens, Alanna Ford and Craig Sutherland</p> <p><b>Externals:</b> Nil</p>		
<b>Apologies</b>	Cr Cox		
<b>Disclosure of COI:</b>	For transparency, Cr Mazzarella noted a general conflict of interest in relation to item 6.2 - Property Optimisation Project.		
	1.1	Acknowledgement of Country	
	1.2	Declaration of Interest	
	1.3	Action and Agreement Record – 17 June 2025	
	2.1	YR-2024/269 - 7 Ryrie Street, Healesville – Planning Report	
	3.1	Green Wedge Management Plan Introduction	
	4.1	Review of the Public Agenda for Council's Meeting on 8 July 2025	
	6.1	Draft - Property Management Framework	

	6.2	Property Optimisation Project
	6.3	Draft Council Plan 2025-2029 – Verbal Update
	6.4	Draft Health and Wellbeing Strategy 2025 - 2029 – Verbal Update
	6.5	Historical Native Timber Harvesting Permits Asset Optimisation
	7.0	Mayor & CEO Update
	8.0	General Business
	9.0	Forum Finish
<b>Completed By:</b>	Gina Walter	



**16. URGENT BUSINESS**

*In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

## **17. CONFIDENTIAL ITEMS**

*In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no Confidential Items listed for this meeting.

**18. DATE OF NEXT MEETING**

The next meeting of Council is scheduled to be held on Tuesday 12 August 2025 commencing at 7.00pm, at Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference.



**In providing for the good governance of its community, Councillors are reminded of their obligation to abide by the provisions as set within the Local Government Act 2020 and the Code of Conduct for Councillors.**

**When attending a Council Meeting, Councillors should adhere to the procedures set out in the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.**

The following is a guide for all Councillors to ensure they act honestly, in good faith and in the best interests of Yarra Ranges as a whole.

1. Councillors will respect the personal views of other Councillors and the decisions of Council.
2. Councillors may publicly express their own opinions on Council matters but not so as to undermine the standing of Council in the community.
3. The Mayor is the official spokesperson for Council.
4. Councillors will incur expenditure in a responsible manner and in accordance with the Councillor Expenditure and Policy.
5. Councillors will avoid conflicts of interest and will always openly disclose any direct and indirect interests where they exist.
6. Councillors will act with integrity and respect when interacting with Council staff and members of the public.
7. Councillors will demonstrate fairness in all dealings and conduct and be open with and accountable to the community at all times.
8. Councillors will conduct themselves in a manner that does not cause detriment to Council or the Yarra Ranges community.