



# Application for a Planning Permit

## Section 1: LAND DETAILS

Unit Number:	Street Number: <b>21</b>	Street Name: <b>Weerong Road</b>
Town: <b>Drouin</b>		Postcode: <b>3818</b>

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

### Option A:

Lot No:	<b>3</b>
Type of Plan: Please tick ✓	Lodge Plan <input type="checkbox"/> Title Plan <input type="checkbox"/> Plan of Subdivision <input checked="" type="checkbox"/>
Plan Number:	<b>333843</b>

### Option B:

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

## Section 2: PERMIT APPLICANT

Name:	<b>ABAN Planning</b>
Business:	
Postal Address:	
Telephone No. (H)	
Email Address:	

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

Name(s):	
Postal Address:	
Telephone No. (H)	
Email Address:	

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

<b>100,000</b>
----------------

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

**Advertised**

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

**Development:**

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

**Use:**

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

**Subdivision:**

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

**Subdivision / Vegetation Removal:**

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

**Other:**


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

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

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

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**FURTHER DETAILS OF PROPOSAL** (optional)

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

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

Existing building used for a Warehouse

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

No

Yes

If yes, with whom?

Date of this meeting

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

A. I declare that I am the Applicant and owner of this land and that all information given is true and correct.

Owner/ Applicant signature:

6/10/2024  
Date:

B. I/We the Applicant declare that I/We have notified the owner about this application and that all information given is true and correct.

Applicant Signature:

Date:

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



A fully completed and signed copy of this form.

Most applications require a fee to be paid. *Please make payment at time of lodgement if submitting at Councils Customer Service Centre or submitting through our on-line portal. If emailing your application, a payment link will be sent to your nominated email once registered on the system.*



**Contact Council to determine the appropriate fee.**

Full and current copy of title and title plan (no older than 60 days) for each individual parcel of land forming the subject site. The title includes: the covering register search statement, the title plan and the associated title documents (known as instruments).



Provided plans showing the layout and details of the proposal



Provided any information required by the planning scheme, requested by Council



Provided a description of the likely effect of the proposal (if required)



Completed the declaration in Section 8



Provided a contact phone number and e-mail address

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PLEASE FORWARD THIS APPLICATION TO

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<b>E-mail:</b>	planning@bawbawshire.vic.gov.au	<b>Mail:</b>	Planning Department, Baw Baw Shire Council PO Box 304 Warragul VIC 3820
<b>Phone:</b>	5624 2411		
<b>In Person:</b>	Customer Service Centre: 33 Young Street Drouin		

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

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

Transport Infrastructure Agencies such as VicRoads and VLine

Energy/Utilities Providers

Catchment Management Authorities and Water Corporations

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

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review of the application as part of a planning process specified in the Planning and Environment Act 1987.

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

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

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

Page 1 of 1

VOLUME 10182 FOLIO 456

Security no : 124116133555D  
Produced 26/06/2024 11:05 AM

**LAND DESCRIPTION**

Lot 3 on Plan of Subdivision 333843P.  
PARENT TITLE Volume 10032 Folio 260  
Created by instrument PS333843P 09/08/1994

**REGISTERED PROPRIETOR**

Estate Fee Simple

**ENCUMBRANCES, CAVEATS AND NOTICES**

**DIAGRAM LOCATION**

SEE PS333843P FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

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

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

Street Address: 21 WEERONG ROAD DROUIN VIC 3818

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 22/12/2023

DOCUMENT END

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Document Identification	<b>PS333843P</b>
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Document Assembled	<b>26/06/2024 11:05</b>

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**PLAN OF SUBDIVISION** STAGE NO. **LTO use only** **EDITION 2** Plan Number **PS 333 843 P** Advertised

**Location of Land**  
**Parish:** Drouin West  
**Township:** Drouin  
**Section:** A  
**Crown Allotment:** 43 (Part)  
**Crown Portion:** —  
**LTO base record:** Chart 9 - 2548  
**Title references:**  
 Vol.10032 Fol.260  
**Last plan reference:** PS 308016 U Lot 2  
**Postal Address:** Weerong Road (at time of subdivision) Drouin, 3818.  
**AMG co-ordinates** 5 780 340N Zone: 55 (of approx. centre of plan) 397 540

**Council Certification and Endorsement**  
 Council Name: Buln Buln Ref: 66 / 93  
 1. This plan is certified under section 6 of the Subdivision Act 1988  
 2. ~~This plan is certified under section 11(7) of the Subdivision Act 1988~~  
~~Date of original certification under section 6: / /~~  
 3. ~~This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~  
**Open Space:**  
 (i) The requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.  
 (ii) ~~The requirement has been satisfied.~~  
 (iii) ~~The requirement is to be satisfied in stage~~  
 Council delegate  
 Council seal  
 Date 2 / 6 / 94  
~~Re-certified under section 11(7) of the Subdivision Act 1988~~  
~~Council delegate~~  
~~Council seal~~  
 Date / /

**LTO use only**  
 Statement of Compliance/ Exemption Statement  
 Received   
 Date: 11 / 7 / 94

**LTO use only**  
 PLAN REGISTERED  
 TIME 9.50 A.M.  
 DATE 9/8/94  
*[Signature]*  
 Assistant Registrar of Titles

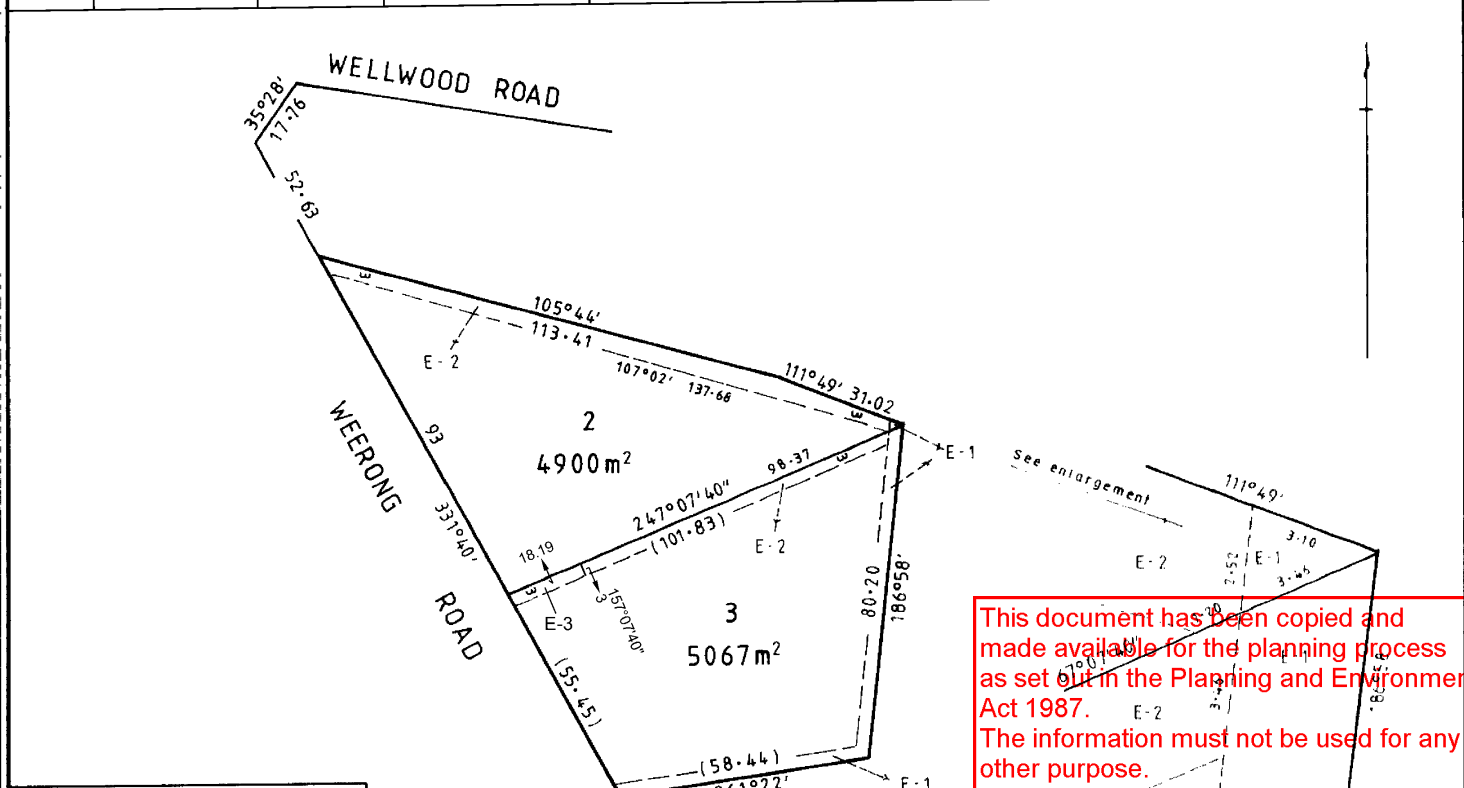
**Notations**  
**Depth Limitation:** Does not apply  
 The land being subdivided is enclosed within thick continuous lines  
 Lot 1 has been omitted from this plan  
 Only lot 3 has been determined as a result of this survey  
 The area and dimensions of lot 2 have been obtained by deduction from title  
**Staging:** This is/is not a staged subdivision  
 Planning Permit No. 66/93  
**Survey:**  
 This plan is/is not based on survey  
 This Survey has been corrected to permanent mark NO. (b) in Proclaimed Survey Area No.

**Vesting of Roads or Reserves**

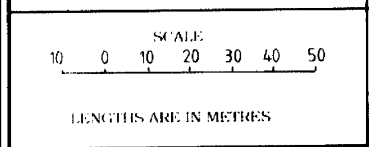
Identifier	Council/Body/Person
Nil	Nil

**Easement Information**  
**Legend:** E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement  
 A - Appurtenant Easement R - Encumbering Easement (Road)

Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Drainage and Sewerage	3	PS.308016 U	Land in PS.308016 U
E-2	Drainage	See diagram	This plan	Land in this plan.
E-3	WATER SUPPLY & SEWERAGE	3	AV586240D	CENTRAL GIPPSLAND REGION WATER CORPORATION



LEA CALDWELL  
 LICENSED LAND SURVEYOR  
 28 PRINCES WAY DROUIN 3818  
 Bus: (056) 25 2543  
 A.H.: (056) 25 2337



LICENSED SURVEYOR (PRINT).....Lea Caldwell  
 SIGNATURE.....  
 DATE 13th May 1994  
 REF 484 VERSION

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 COUNCIL DELEGATE SIGNATURE



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

**AJ134795H**

15/08/2011 \$107.50 173  


Lodged by:  
Name:  
Phone:  
Address:  
Ref:  
Customer Code:

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

**Land:** Certificate of Title Volume 10182 Folio 456

**Authority or Council:**  
Baw Baw Shire Council  
Civic Place  
WARRAGUL VIC 3820

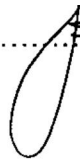
**Section and Act under which agreement is made:**  
Section 173 of the Planning & Environment Act, 1987

A copy of the agreement is attached to this application.

DATED the 27 day of JULY, 2011.

SIGNED .....

POSITION HELD IN COUNCIL ..... SENIOR PLANNING OFFICER



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

**WHEREAS:**

- A. The Owner is the registered proprietor of the land described in the Schedule ("the land").
- B. The Owner has made an application to the Shire for a planning permit to develop the land with a warehouse and to reduce car parking requirements and the Shire has resolved to issue a permit on certain terms and conditions the number of which permit is set out in the Schedule ("the Permit").
- C. That it is a condition of the permit that the Owner will enter into an agreement pursuant to Section 173.

**AJ134795H**

16/08/2011 \$107.50 173



**NOW THIS AGREEMENT WITNESSES:**

- 1. The parties confirm the recitals to this agreement.
- 2. In this agreement the terms and words set out in this clause shall have the following meanings unless otherwise indicated by the context:
  - 2.1. "Owner" shall mean the person or persons entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the subject land.
- 3. This agreement is made pursuant to Section 173 of the Planning & Environment Act, 1987.
- 4. The Owner will:-
  - 4.1 maintain and not modify the existing on-site stormwater detention system without prior Council written approval, and will allow the on-site stormwater detention system to be inspected by a duly appointed office of the Council at mutually agreed times.
  - 4.2 pay for all the costs associated with the operation and maintenance of the on-site stormwater detention system.
- 5. Once this agreement has been executed by both parties the Owner will make application for the registration of this at the Land Titles Office Agreement pursuant Section 181 of the Act and consequently enter a memorandum of this agreement

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on the Certificate of Title to the subject land and shall take all necessary steps to sign all documents reasonably required to enable such entry to take place and pay any duty or fees in connection with this.

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

SCHEDULE



Owner:

Land: The land described in Certificate of Title Volume 10182 Folio 456.

Permit: PLA0120/10

IN WITNESS WHEREOF the parties hereto have placed their hands and seals on the day of 27 JULY 2011.

SIGNED SEALED AND DELIVERED by the said \_\_\_\_\_ in the presence of: \_\_\_\_\_ )

SIGNED SEALED AND DELIVERED by the said \_\_\_\_\_ in the presence of: \_\_\_\_\_ )

\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

Signed on behalf of Baw Baw Shire Council by \_\_\_\_\_ )

\_\_\_\_\_, Director of Growth and Development )

pursuant to Instrument of Delegation dated \_\_\_\_\_ )

10 November 2010 in the presence of: \_\_\_\_\_ )

~~\_\_\_\_\_~~

~~\_\_\_\_\_~~

~~Executive Officer / Authorised Officer~~

Witness

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Advertised

DATED: 27 JULY 2011

BETWEEN:

BAW BAW SHIRE COUNCIL

AND:

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SECTION 173 AGREEMENT

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**AJ134795H**

16/08/2011 \$107.50 173



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## ARBORIST INSPECTION SUMMARY REPORT

**Client:** CRE Excavations

**Date of Inspection:** 20/10/2021

**Location:** 21 Weerong Road, Drouin – Project 254B

**Work Brief:** Arborist inspection and supervision of exploratory excavation within the TPZ of 1 tree (ID T2)

**Reference No.** 21124 (DTS Ref. No.)

**Project Arborist** (dip. arb)

### ASSESSMENT/TREE LOCATION MAP



### BACKGROUND

- The installation of an underground sewer main is proposed within portions of the Weerong Road and Longwarry-Drouin Road reserves. Underground boring and open trenching is proposed to facilitate its construction. This work will include open trench excavation within the tree protection zone (TPZ) of one tree (ID T2) located at 21 Weerong Road, Drouin.
- A site meeting and consultation was held between M. Sorenson (Drouin Tree Services) & A. Pedersen (CRE Excavations) on the 20/10/2021. The extent of the open trenching was discussed during the site meeting and it was identified that the work would result in a major TPZ encroachment of T2. It was determined that to best progress the planning/design process, that an exploratory excavation within the encroachment area, using sensitive methods, would be required.
- On the 20/10/2021 the exploratory excavation was carried out under direct supervision of the consulting arborist.
- Records were taken by the consulting arborist, whilst conducting the arborist supervision work, and are detailed within this report.
- T2 (*Eucalyptus strzeleckii*) is subject to permit conditions pursuant to clause 52.17 of the Victorian Planning Provisions, and under the *Flora and Fauna Guarantee Act 1988* (state legislation) and the *Environmental Protection and Biodiversity Conservation Act 1999* (federal legislation).

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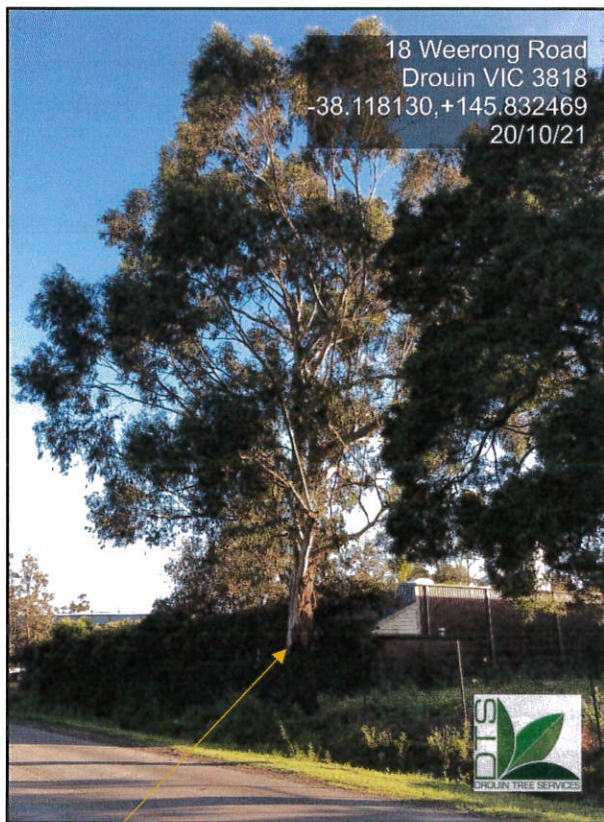
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TREE DETAILS

Tree ID	T2
Botanical Name	<i>Eucalyptus strzeleckii</i>
Common Name	Strzelecki Gum
Origin	Indigenous
Age	Mature
Height (m)	20
Spread(m)	N-6, S-10, E-7, W-9
D.B.H (cm)	111*
D.A.B (cm)	111*
Health	Fair
Structure	Fair
ULE	20 – 30 years
Significance	Ecological
Retention Value	High
T.P.Z (AS 4970)	13.30m (radius)
S.R.Z (AS 4970)	3.4m (radius)

\*Measured at 1m



T2 Strzelecki Gum

TREE RISK CALCULATION

Tree Part of Concern	Primary Targets	Target Range	Size Range	PoF	RoH
Deadwood	Construction Personnel	4	3	2	1/500K

COMMENTS

Tree T2 is a native (indigenous) canopy tree growing within private property at 21 Weerong Road, Drouin with portions of the tree's canopy overhanging the Weerong Road reserve to the west. T2 appears to be growing as the result of natural regeneration and is growing less than 1m from the boundary fence. The stem of T2 is rubbing against the existing chainmesh fence. Existing storm water drains are present to the east and west of the tree.

	HEALTH	STRUCTURE
CANOPY	Foliage colour and density indicative of fair health and consistent with mature trees of the same species. Large deadwood up to 300mm dia. visible throughout the mid and upper canopy.	Canopy spread bias toward the south and west. Wide open canopy with substantial epicormic branch growth throughout the canopy. Previous large branch failures evident within the mid-canopy.
TRUNK/STEM(S)	Sapwood damage and decay, including small open cavities and visible heartwood decay, visible at 3.5m & 4-6m. Approximately 40% sapwood decay visible at 9m on the western codominant stem.	Single stemmed structure with a bias toward the south-west, before forming codominant stems at 8m. Heartwood decay visible throughout the trunk and major stems.
ROOT ZONE	Open drain running north-south to the west of the tree and within the tree's SRZ. Evidence of previous earthworks occurring within much of the tree's TPZ including previous excavation for stormwater to the east of the tree.	Minimal surface roots visible. Mounding of the soil at the base of the tree, predominantly on the tension side (north).

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INSPECTION DETAILS

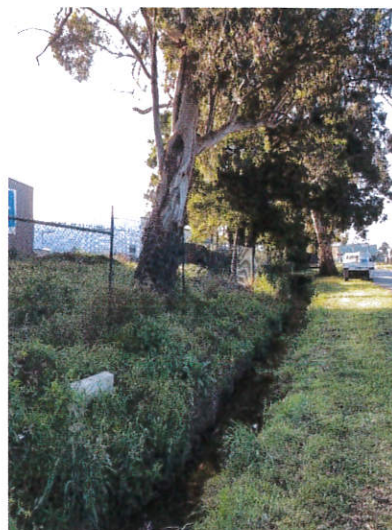
Date	Work Description	Details
20/10/2021	Exploratory excavation within the TPZ of T2	Project arborist on site to supervise NDD. Hydro-excitation utilised to perform exploratory excavation to expose the extent of possible impact to tree roots.



Large open canopy with a bias toward the south-west



Large wound with visible sapwood and heartwood decay at 9m



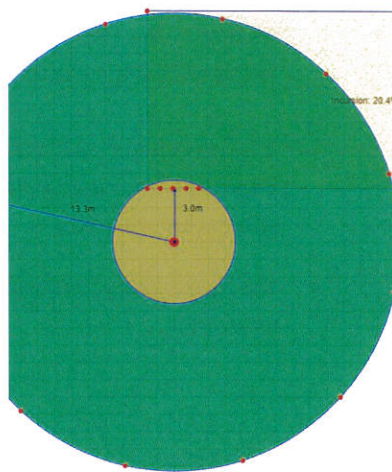
Open drain and road to the west of the tree



Existing stormwater pits and underground pipes running north-south to the east of the tree



Hydro-excitation uncovered significant roots (60mm dia.) up to 4.5m from the base of the tree



If the proposed manhole pit was excavated as planned it would result in unacceptable damage to critical tree roots

**Observations & Discussion**

A 3.6m x 2.0m manhole pit is proposed to be excavated within the TPZ of tree T2. Although there is some flexibility within the design the existing easement and connection points on the western side of Weerong Road ultimately impose restrictions on the location of the manhole pit. The hydro excavated trench revealed the presence of significant root growth, with roots 60mm dia. and greater up to 4.5m from the base of the tree. The number of live roots uncovered to the north of the tree is likely attributed to both the stem and canopy bias of the tree and the truncated TPZ as a result of the existing storm water drains. Open trench excavation for the manhole pit within the easement between the boundary fence and up to 4.5m from the base of T2 will result in significant root loss and could affect the stability of the tree. Excavation within the easement between the existing storm water pipe (8.5m to the east) and 4.5m from the base of the tree is unlikely to affect the stability of the tree, however will still result in a major encroachment and may lead to a reduction in tree health. Excavation east of the existing storm water pipe is not expected to impact the health of T2.

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## SUMMARY & MANAGEMENT RECOMMENDATIONS

- The exploratory excavation within the TPZ of tree **T2** uncovered significant live tree roots, with larger structural roots (up to 60mm dia.) present at 4.5m from the base of the tree, and smaller but still significant roots up to 8m from the base of the tree.
- Regardless of the proposed sewer works, **T2** is displaying symptoms of moderate tree disease which has likely been exacerbated by routine maintenance within the Weerong Road reserve and previous excavation within the subject property. The ecological value of **T2** is high and the tree is protected under local, state and federal legislation.
- Open trench excavation for the manhole pit within the easement between the boundary fence and up to 4.5m from the base of **T2** will result in significant root loss and could affect the stability of the tree. Excavation for the manhole pit within this portion of the tree's TPZ is not recommended and if carried out is expected to result in the loss of the tree.
- Excavation within the easement between the existing storm water pipe (8.5m to the east) and 4.5m from the base of the tree is unlikely to affect the stability of the tree, however will still result in a major TPZ encroachment and increase the speed of tree decline. Such work would trigger a permit pursuant to clause 52.17 of the VPP.
- Excavation east of the existing storm water pipe is not expected to impact the health of **T2** as the previous trenching performed during the installation of this pipe has already truncated the TPZ. If the remaining portion of the TPZ of **T2** is protected during the excavation process, the construction of the manhole pit to the east of the existing stormwater pipe is considered acceptable.
- It is recommended that the project arborist be invited to inspect the open trench during or immediately after the trench is completed and provide certification that the extent of the work is within the approved encroachment area.
- The hydro excavated trench should be backfilled with suitable topsoil within 48 hours of the exploratory excavation.

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## Appendix A TREE PROTECTION GUIDELINES

### A.A ESTABLISHMENT OF THE TPZ

A.A.A The tree protection zone(s) shall be established prior to the commencement of any construction works, including demolition and shall remain in place until the completion of all construction works.

### A.B TREE PROTECTION ZONE FENCING

A.B.A The perimeter of the calculated TPZ(s) should be clearly marked and identified to all personnel involved throughout the development.

A.B.B Generally, it is not possible to erect tree protection fencing on adjoining properties, however fencing will still need to be erected for any portions of TPZ/s that occur within the subject site.

A.B.C The tree protection fencing shall be a minimum of 1.5 meters high above ground level and be constructed of prefabricated wire mesh (or similar) with a high visibility plastic tape at the top or high visibility barricade mesh supported by a straining wire, or similar.

A.B.D The tree protection fencing shall be supported by steel fence posts or similar driven into the ground to create a fixed position for the protection fencing. Fence posts and supports shall have a diameter greater than 20mm and be located clear of roots.

### A.C TPZ SIGNAGE

A.C.A All TPZ areas need to be clearly identified by suitable signs. Signs should be attached to the TPZ fencing at intervals no less than 15m apart. See figure A.A.



Figure A.A. Standard TPZ Sign

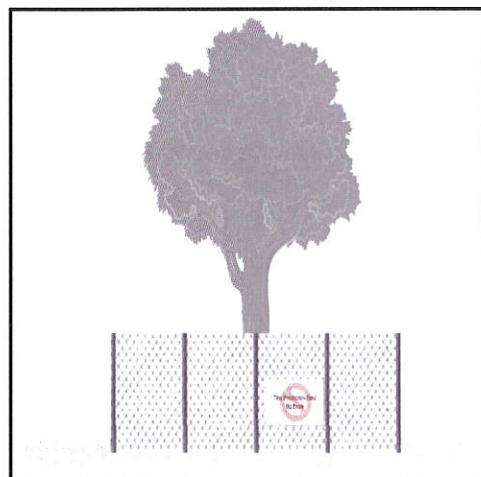


Figure A.B Tree Protection Zone

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#### A.D APPROVED WORK WITHIN TPZ(s)

- A.D.A A minor encroachment (work within <10% of the TPZ area and outside of the SRZ) is generally considered acceptable if expressed so by the project arborist. If any construction personnel are unsure of the permitted work within a TPZ area, they should contact the project arborist prior to the commencement of work.
- A.D.B In areas where TPZ encroachment has been approved the TPZ fencing is permitted to be reduced by the minimum extent necessary to facilitate the approved work.
- A.D.C All earthwork (cut, fill, boring and trenching) within the TPZ area must be supervised by the project arborist. Sensitive techniques may be required when excavating in the unfenced TPZ areas. This may include, the use of hand tools along the extent of work (closest to the base of the tree) to identify possible roots, NDD (non-destructive digging) and the use of the smallest size machine capable of carrying out the approved work.
- A.D.D Any tree roots encountered <30mm dia. that require pruning, need to be done so by a suitably qualified person using sterilized and sharp cutting instruments. Pruning of tree roots >30mm dia. is not permitted unless directly authorized by the project arborist.
- A.D.E All exposed tree roots need to be covered with suitable topsoil within 48 hours of the excavation process. If this is unachievable temporary covering of exposed tree roots with moist material (i.e. hessian or similar) needs to be carried out until the excavation can be permanently backfilled.

#### A.E CARE OF PROTECTED TREES

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

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#### **A.F TEMPORARY ACCESS FOR MACHINERY.**

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

#### **A.G FOOTING HOLES FOR FENCES**

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

#### **A.H INSTALLATION OF UNDERGROUND SERVICES**

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

#### **A.I OTHER RESTRICTIONS**

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

## Appendix B TREE DESCRIPTORS

### B.A TREE ID

- B.A.A **For trees assessed individually** a tree number is allocated for quick referencing and corresponds to the site map.
- B.A.B **For populations of trees assessed collectively;** 'G' following the tree ID indicates the assessment of a group of trees.

### B.B TREE NAME

- B.B.A **Botanical name** is the name given to the tree which is universally recognised and expressed in Latin, consisting of both the Genus and Species name.
- B.B.B **Common name** is the most common informal name the tree is referred to in a regional context.

### B.C TREE DIMENSIONS

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

<b>D.B.H</b>	Diameter at Breast Height. Measured 1.4 Meters above the ground.
<b>D.A.B</b>	Diameter at Base. Measured immediately above root buttress/flare.
<b>Height</b>	The estimated height of the tree in meters.
<b>Spread</b>	A measurement of the tree canopy in meters. Measured on the ground by walking out the distance along the widest axis under the canopy.

### B.D ORIGIN

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

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

### B.E AGE

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

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

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**B.F HEALTH**

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

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

**B.G STRUCTURE**

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

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

**B.H USEFUL LIFE EXPECTANCY**

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

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

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**B.I SIGNIFICANCE –**

B.I.A Significance can be described in many contexts including amenity, landscape, ornamental, heritage and ecological.

B.I.B The table below details the significance criteria used to determine the significance of the assessed each tree.

Descriptor	Category	Criteria
<b>Low (Lo)</b>	<b>(All)</b>	The tree does not meet the criteria of any of the categories listed below. The tree is considered to have a low value in the context of all other significance categories.
<b>Amenity (A)</b>	<b>Amenity</b>	The tree has a medium amenity value based on its functionality. Examples include (but not limited to); the tree provides important shade, wind suppression, water management and/or erosion management.
<b>Ecological (E)</b>	<b>Ecological</b>	The tree has a medium ecological value due to its contribution to native flora and fauna (in a local, regional, state or national context). Examples include (but not limited to); the tree forms part of remnant vegetation which is now restricted and/or threatened within the area. Tree provides significant amounts of habitat for local Fauna. Tree is protected under local, state or national agreements/Acts.
<b>Heritage (H)</b>	<b>Heritage</b>	The tree is protected by local, state or national heritage classification.
<b>Landscape (L)</b>	<b>Landscape</b>	The tree has a medium landscape value due to its contribution to the local landscape. Examples include (but not limited to); the tree is of exceptional size and/or age. Tree forms a focal point within the local landscape. Tree is part of a uniform and collective planting iconic to the local area.
<b>Ornamental (O)</b>	<b>Ornamental</b>	The tree has a medium ornamental value due to its ornamental or botanical features. Examples include (but not limited to); the tree is of exceptional size and/or age for its species, is considered to be uncommon within cultivation or of particular importance within the wider horticultural community, the tree may contribute to the heritage of the site although not officially recognised.
<b>High (Hi)</b>	<b>(All)</b>	The tree has a high value in one or more of the above categories or a medium value in three (3) or more of the above categories.

**B.J RETENTION VALUE**

B.J.A A value (see below) given to the tree that considers all the above information. It provides the necessary guide for which trees are suitable for retention and which trees are recommended for removal with consideration to the current and future intended land use.

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

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B.K TARGET ISOLATION

Target Isolation Category	Recommended Examples of Control
Limit	Limit the land use within identified target isolation area by avoiding the construction of park furniture, play equipment and other structures which will attract high human occupancy rates.
Restrict	Ensure no fixed structures (incl. buildings, play equipment, park furniture, shelters, above ground services and carparking spaces) are located within the identified target isolation area. Walking/cycling paths and roads should be avoided within the area where possible. Mulch and plant out as much of the area as possible with ground covers aimed at reducing the duration of human occupation within the area.
Prohibit	Establish permeant fencing around the perimeter of the identified target isolation area, such as chain and bollard fencing or post and wire fencing. Erect advisory signs identifying the area as 'No access' or 'Beware of falling branches'. Mulch and plant out the area with ground covers and understory plants aimed at reducing the desirability of people accessing the area.

Target Isolation Areas	Details
Tree Protection Zone	The area around the tree identified by the consulting arborist in accordance with AS 4970 – 2009, <i>Protection of Trees on Development Sites</i> .
Dripline	The area directly beneath the canopy of the tree. <b>NB this may increase over time</b>
Fall Zone	The area between the base of the tree and extending out to the equal distance of the height of the tree (1 x tree height). <b>NB this may increase over time</b>
Other	Specific area identified by the consulting arborist, i.e., <i>the area beneath the large northern scaffold branch</i> .

B.L REMEDIAL TREE WORK

Pruning Class	Description
Tree Removal (R1)	Removal of the tree's branches, stems and trunk to a near ground level. In some situations, the stump may be retained at a recommended height (e.g. 1, 3 or 5m high). If regrowth (e.g. root suckers, basal shoots or epicormic growth) is expected, treating the cut stump appropriately with a herbicide designed and approved for such purposes is recommended.
Tree & Stump Removal (R2)	Removal of the tree's branches, stems, trunk and stump. It is generally recommended that a stump grinding machine be used to remove the stump to limit soil disturbance and erosion. However, excavation of the tree stump and root zone area may also be recommended, this is often the case when a serious pathogen is identified (e.g. <i>Armillaria luteobubalina</i> ) and could be further spread.
Formative Pruning (FP)	This is a form of preventative tree pruning undertaken on young trees aimed at encouraging a desirable form and one that is less likely to develop structural weaknesses or interfere with future land use, assets and services. This form of pruning can lead to a reduction of risk presented by the tree in the future
Deadwood Pruning (DW)	Pruning to remove dead branches (including hangers) from throughout the tree canopy/part of the tree canopy where a target is present. The size of dead branches is generally identified when deadwood pruning is recommended and is expressed as the branch diameter (e.g. prune deadwood >75mm dia. from above carparking area).
Clearance Pruning (CP)	This includes pruning in order to maintain clearance from utilities, services, buildings, walking paths and roads. Regular small amounts of pruning are generally recommended opposed to major infrequent cutting back of large branches.
Weight Reduction (WR)	Weight reduction pruning may be recommended on a specific scaffold branch or leader where a defect has been identified (e.g. large overextended, lateral branch over a target or branch with evidence of significant decay and/or damage, such as cracking/splitting).
Restorative Pruning (RES)	Restorative pruning is recommended on mature, senescent and or structurally compromised trees where the tree poses an unacceptable level of risk. Restorative pruning can sometimes be considered to be the lesser of two evils when the only other viable risk control option is complete tree removal. It is recommended to reduce the crown or height/weight of the entire tree or stems where a defect (such as: large cavities with significant decay, partial stem failure, previous failure or poor management resulting in poorly developed codominant stems, branches and canopy). Restorative pruning is aimed at reducing both the static and dynamic forces imposed on the defected tree part. Restorative pruning can often result in further poor tree structure which may require ongoing monitoring and management.
Habitat Pruning (HP)	Habitat pruning is a form of remedial tree maintenance aimed at balancing the risk posed by a tree at the same time as maintaining important fauna habitat. Habitat pruning is generally only carried out on dead trees, however in some situations it may be appropriate to carry out on mature or senescent trees. Although the practice of habitat pruning is common within Australia, particularly in regions with native tree populations found within road and bushland reserves, AS 4373-2007 does not specifically detail the procedure.

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## Appendix C      ASSUMPTIONS & LIMITATIONS

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## Town Planning Report

21 Weerong Road, Drouin

Buildings and Works associated with alterations to an Existing Industrial building used as a Warehouse.

ĀBAN Planning

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Date: 6 October 2024

Document Number: 001

Revision A

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Document checking / Quality control

Project	21 Weerong Road, Drouin
Document Number	001
Prepared by	TH
Reviewed by	HP

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Project overview

Background

Applicant

Owner

Address

21 Weerong Road, Drouin

Lot Description

Lot 3 PS333843P

Relevant Planning Controls

Planning Policy Framework

- 11.01 - Victoria
- 11.02 - Managing Growth
- 12.01 - Environment and Landscape Values
- 13.01 - Environmental Risks and Amenity
- 15.01 - Built Environment
- 16.01 - Residential Development

Zone

33.01 - Industrial 1 Zone

Overlays

45.06 - Development Contributions Plan Overlay - Schedule 1

Particular Provisions

Clause 52.06 - Carparking

Application Details

Proposal

Buildings and Works associated with alterations to an Existing Industrial building used as a Warehouse.

Permit Triggers

Clause 33.01-4 of the Industrial 1 Zone.

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## 1. Introduction

### 1.1. Instruction / Purpose

ĀBAN Planning has been instructed by \_\_\_\_\_ to prepare a town planning report for a planning permit application which proposes buildings and works associated with alterations to an existing industrial building used as a Warehouse. The proposal seeks to remove one native tree, however, a permit is not required to remove this tree under clause 52.12-2 exemption relates to trees in proximity to an existing fence on land addressed 21 Weerong Road, Drouin.

This report assesses the proposal against relevant provisions of the planning policy framework, zoning, overlays and particular provisions of the Baw Baw Planning Scheme.

We submit that the proposal for buildings and works associated with alterations to an existing industrial building used as a Warehouse should be supported for the reasons detailed in the body of this report and which are summarised below:

- The proposed development reflects the overriding objectives of urban consolidation promoted in state planning policies specified in **Clause 11.02-1S - Supply of urban land.**
- The proposed landscaping will improve the landscape character of the area.
- The proposed development accords with the purpose and decision guidelines of the **Clause 33.01 - Industrial 1 Zone** which encourages manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.
- The proposal is consistent and complies with the decision guidelines stated within **Clause 65 - Decision Guidelines.**

### 1.2. Considerations / limitations / Scope

This report has considered the following:

- Baw Baw Planning Scheme.
- Certificates of Title.
- Architectural Plans prepared by DB Design.
- Arboricultural Assessment prepared by Drouin Tree Services.

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## 2. Site Description

### 2.1. Title Particulars

The subject site is formally described as Lot 3 on Plan of Subdivision 333843 within Volume 10182 Folio 456 and was created on the 9th of August 1994.

The title documents show the subject site is affected by a Section 173 Agreement. The Agreement refers to on-site detention systems associated with the development of buildings on the land. The proposed works do not affect this agreement.

### 2.2. Site Context

The subject site is located in an industrial precinct in the township of Drouin. The site has been developed with two industrial sheds which are located in the north-east and south of the subject site. A newly constructed crossover provides access to the site is from Weerong Road. Land surrounding sheds constructed on the site is gravel hardstand.

The land is generally flat in topography and there are native trees which have established within the Weerong Road reserve.

To the north, south and west are large industrial sites which have been developed for industrial purposes. To the east is a residential neighbourhood comprising of single dwelling on large residential lots.



**Image 1** - Aerial of subject site

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**Image 2** - View looking south towards subject site.



**Image 3** - View looking south towards existing Medical Centre (west of subject site)

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**Image 4** - View looking north towards Sinclair Street.

For further details please refer to the town planning drawings at Appendix B.

### **2.3. Previous Planning Permits**

Planning Permit PLA0120/10 approved development of land with a warehouse (to store boats and caravans), reduce carparking requirements associated with a Warehouse and removal of native vegetation on 3 May 2011.

Planning Permit PLA0113/17 approved an extension to a Warehouse (Boat and Caravan Storage) and associated works in accordance with the endorsed plans on 3 October 2017. The permit approved the subject building as shown in figure 1 below.

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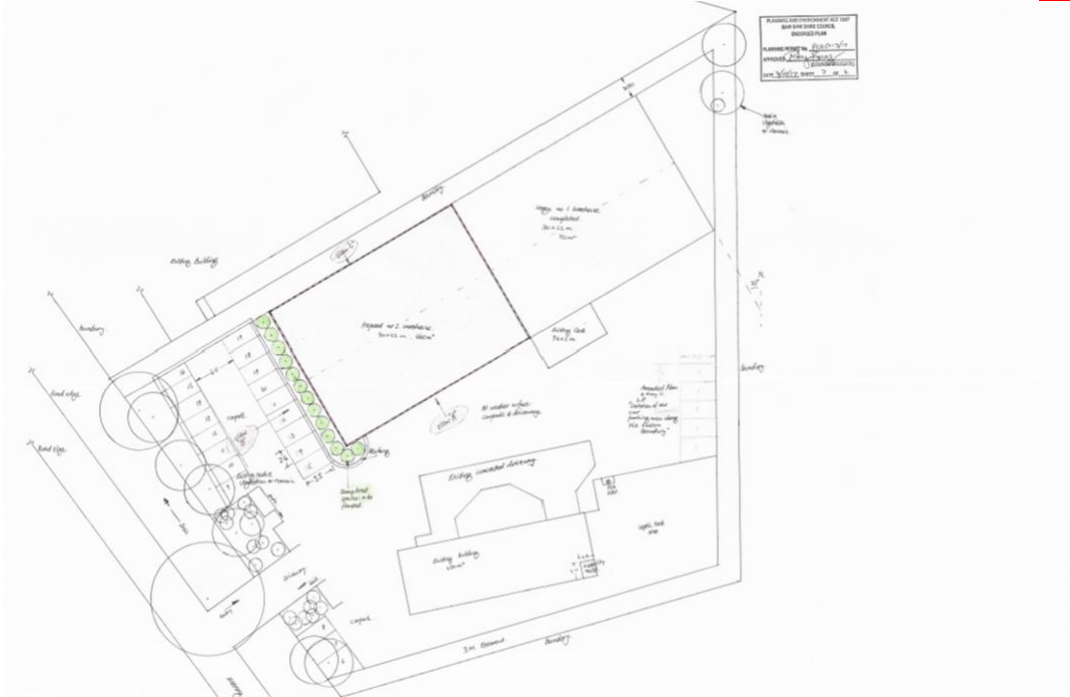


Figure 1 - Endorsed site plan under PLA113/17.

**2.4. Site Planning History and Contamination Assessment.**

Planning Practice Note 30 relates to potentially contaminated land and provides a range of information sources to identify potentially contaminated land uses. Information sources are set out in Table 1. These include Council records, EPA/DELWP publicly available database, and applicant information.

PPN30 notes obtaining information is a shared responsibility between Council and the applicant. It is noted the practice note states every effort should be made by the applicant or proponent to obtain this information prior to submitting an application or planning scheme amendment.

**Table 1: Basic information sources for identifying potentially contaminated land**

<b>Planning/responsible authority information</b>	<ul style="list-style-type: none"> <li>• There is no EAO identified on the subject site.</li> <li>• No known contamination investigations or other relevant environmental assessment.</li> </ul>
<b>Public Databases</b>	<ul style="list-style-type: none"> <li>• Victorian Unearthed does not indicate any known contamination on the subject site or surrounds.</li> <li>• An assessment of the EPA priority sites register shows there are no priority sites within the surrounding area.</li> </ul>
<b>Application/proposal information</b>	<ul style="list-style-type: none"> <li>• A site visit was undertaken 9 September 2024.</li> <li>• Planning Permits PLA120/10 and PLA113/17 have been issued for the use and development of land for a Warehouse.</li> </ul>

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## 2.5. Aboriginal Cultural Heritage Sensitivity

The subject site is located within an area of cultural sensitivity.



Figure 2 - Aboriginal cultural heritage mapping.

Extensive works to the site were undertaken under planning permit PLA0120/10 including construction of the building proposed to be externally altered. The works included significant earthworks to create a carpark area in the frontage of the subject building demonstrating the site has been significantly disturbed. Regulation 14 of the *Aboriginal Heritage Regulations 2018* states the exterior alteration of a building is an exempt activity.

## 2.6. Bushfire Prone Area

The subject site is mapped in a bushfire prone area.

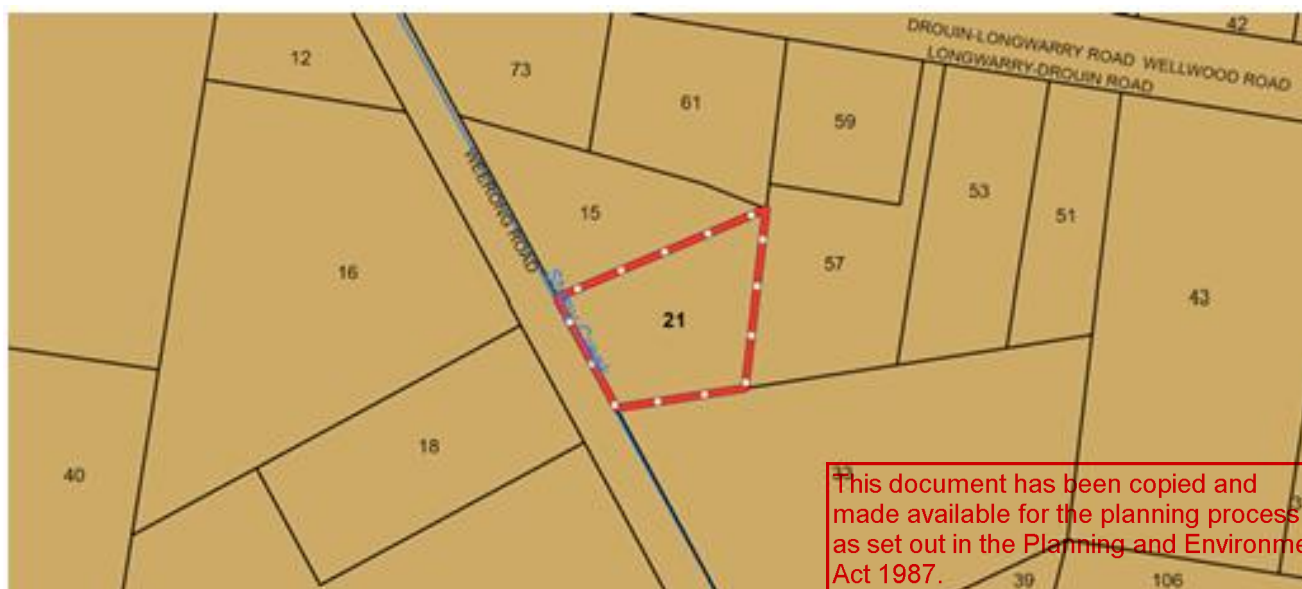


Figure 3 - Bushfire prone area mapping.

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### 3. Proposal

#### 3.1. Overview

The proposed development seeks to use and develop an existing building for a Warehouse. The works proposed seek to alter the western elevation to inset windows and an entry to the southern elevation of the existing building. The remaining works are internal and seek to construct an office space and staff amenities area. Access to the site will remain unchanged.

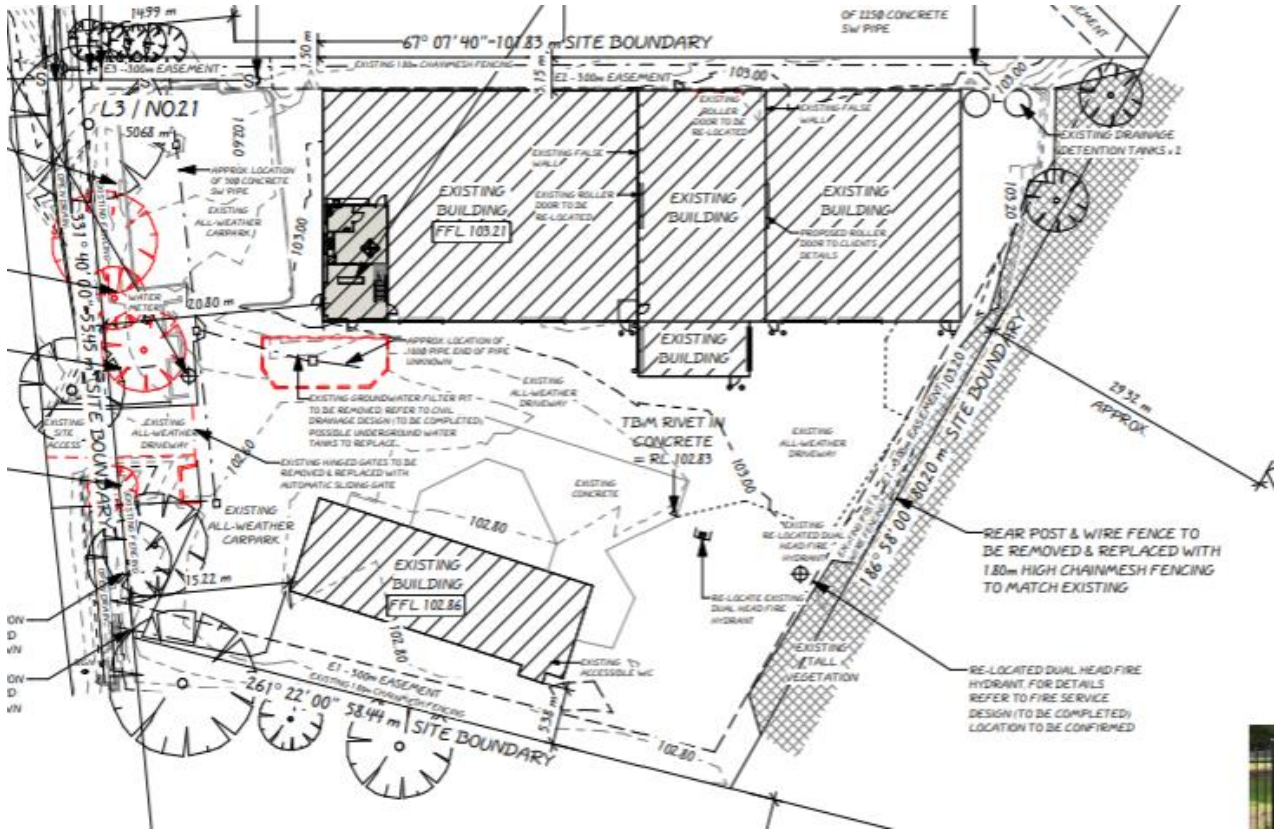


Figure 4 - Proposed site plan.

The application seeks to remove three trees within the property which is shown in figure 4 above. A permit is not required to remove these trees. A 1.8m fence is proposed to be constructed along the frontage of the property for security purposes.

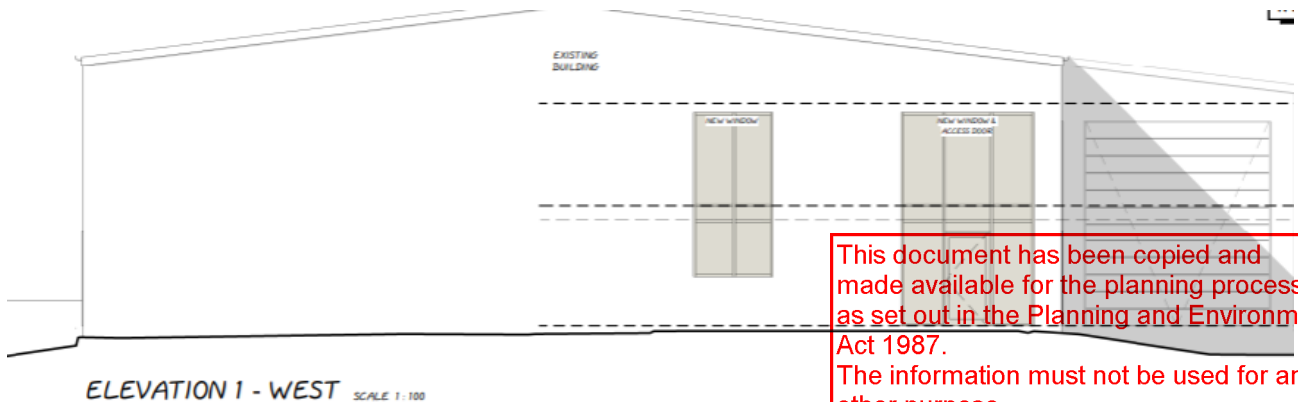


Figure 5 - Proposed western elevation.

For further details please refer to the town planning drawings at Appendix B and the Arboricultural Assessment at Appendix C.

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### 3.2. Planning Permit Triggers

The relevant planning permit triggers under the Baw Baw Planning Scheme are set out below:

Pursuant to **Clause 33.01-4** of the Industrial 1 Zone, a planning permit is required to construct a building or construct or carry out works.

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## 4. Planning Policy and Controls

### 4.1. Planning Policy Framework

- 11.01 - Victoria
  - 11.01-1S - Settlement
  - 11.01-1R - Settlement - Gippsland
  - 11.01-1L-02 - Main Towns - High growth
- 11.02 - Managing Growth
  - 11.02-1S - Supply of urban land.
- 15.01- Built Environment
  - 15.01-1S - Urban Design
  - 15.01-2S - Building Design
- 17.02-1S - Commercial
  - 17.02-1S - Business

#### **Clause 11 - Settlement**

##### Clause 11.01-1S - Settlement

The objective of the clause is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

##### Clause 11.01-1R - Settlement - Gippsland

Strategies for the Gippsland region in achieving settlement objectives include support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

##### Clause 11.01-1L-02 - Main towns - High growth

This policy applies to land within Warragul and Drouin as shown on the Framework Plans to this Clause.

##### *Strategies Drouin*

- *Prioritise higher population and growth within the defined township boundary of Drouin.*
- *Promote the role of Drouin as the second largest town centre of the Shire.*
- *Support Drouin as one of the primary centres (along with Warragul) for commercial development and service industry in Baw Baw.*
- *Support large scale retailing in appropriate locations within Drouin, including bulky goods retailers and major core retailers such as discount department stores.*
- *Consolidate where appropriate retail, entertainment, community, mixed use and medium density residential uses within the Commercial 1 Zone and the General Residential Zone in Drouin.*

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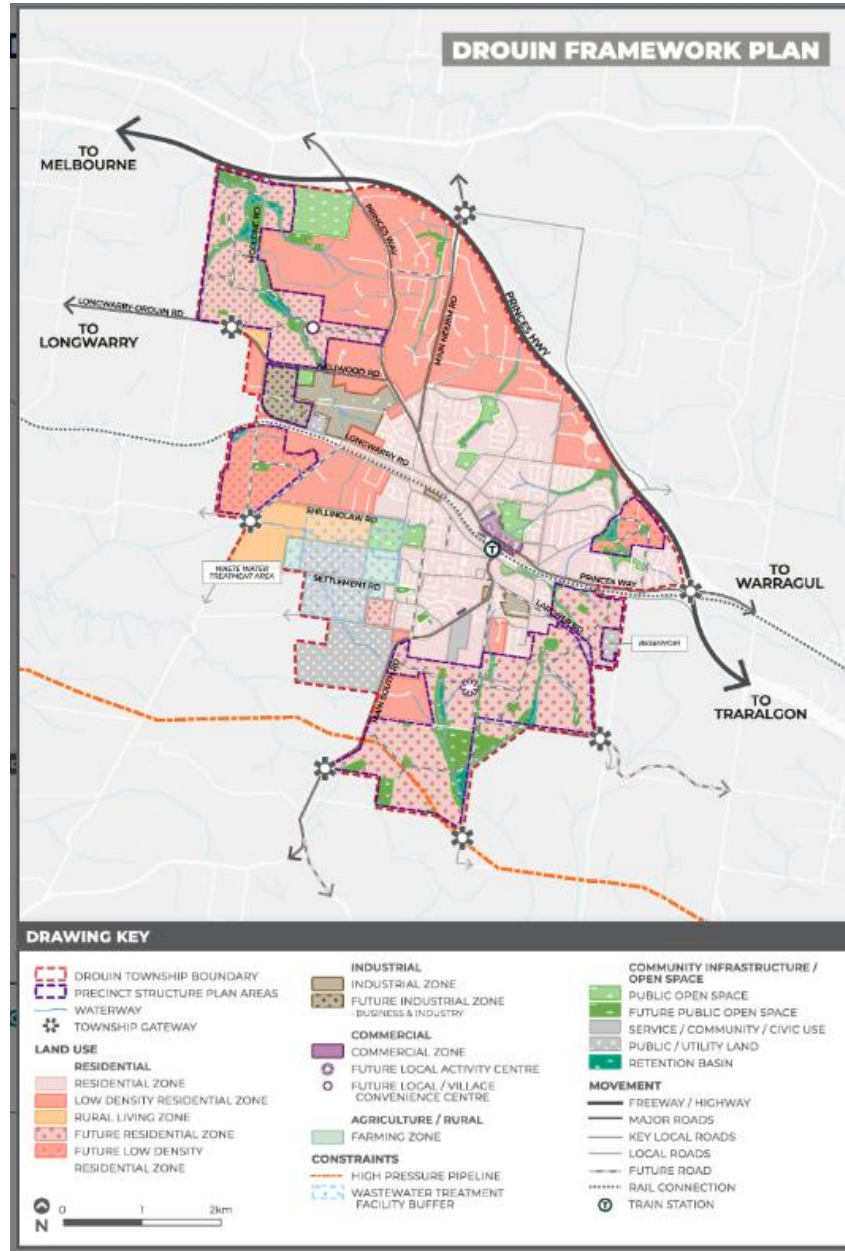


Figure 6 - Drouin Framework Plan.

Clause 11.02-1S - Supply of urban land

The objective of the clause is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses through strategies such as planning for opportunities for the consolidation, redevelopment and intensification of existing urban areas and neighbourhood character and landscape considerations.

Clause 15 - Built Environment

Clause 15.01-1S - Urban design

The objective of the clause is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity through strategies such as requiring development to respond to its context in terms of character, cultural identity, natural features, current, long-term knowledge and assets that only will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited

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Clause 15.01-2S - Building Design

The objective of the clause is to achieve building design outcomes that contribute positively to the local context and enhance the public realm through strategies such as ensuring a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development and minimises the detrimental impact of development on neighbouring properties, the public real and the natural environment.

**Clause 17 - Economic Development**

Clause 17.02-1S - Business

The objective of the clause is to encourage development that meets the community's needs for retail, entertainment, office and other commercial services through strategies such as ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure and locating commercial facilities in existing or planned activity centres.

**4.2. Industrial 1 Zone (IN1Z)**

The subject site is situated within the Industrial 1 Zone (IN1Z).



**Figure 7 - Zoning context.**

The purpose of the Industrial 1 Zone is to:

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

*To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The subject site is located within 30m of a residential zone. A planning permit is required to use land for a Warehouse if the conditions of Clause 33.01-1 are not met. The business is currently an existing use of land for a Warehouse under planning permit PLA113/17.

A planning permit **is required** to construct a building or construct or carry out works under Clause 33.01-4 of the Baw Baw Planning Scheme.

This document is a copy of an existing use of land for a Warehouse under planning permit PLA113/17. This document is made available for the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.

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### 4.3. Overlays

#### 4.3.1. Development Contributions Plan Overlay - Schedule 1 (DCPO1)

The subject site is affected by Development Contributions Plan Overlay - Schedule 1 (DCPO1).



Figure 8 - Development Contributions Plan Overlay - Schedule 1.

The Plan applies to all land within the boundaries of the 63 areas designated in Baw Baw Shire Development Contributions Plan from area 1a to area 48. The Plan provides for different amounts of levy to be payable in specified areas, which are shown on the Plans to this Schedule, and in the Baw Baw Shire Development Contributions Plan (23 March 2007).

An industry levy applies under clause 3 of the DPO1.

### 4.4. Particular Provisions

#### 4.4.1. Clause 52.05 - Signs

##### Purpose

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The subject land is in a Category 2 area.

A planning permit is required to display a business identification sign greater than 8sqm. The business will utilise a maximum of 8sqm for a business identification sign and as such the display of sign does not form part of this planning application.

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#### 4.4.2. Clause 52.06 - Carparking

##### Purpose

The purpose of the Car Parking Particular 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.

Clause 52.06-6 states *where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.*

Part of the building is proposed to be an amusement parlour which has the following carparking rate.

##### Number of Car Parking Spaces Required

Pursuant to Table 1 of Clause 52.06-5, the carparking requirements for an amusement parlour use is required as follows:

Use	Rate	Carparking Measure
<b>Warehouse</b>	2 plus 1.5	To each 100 sq m of net floor area.

The above car parking rate applies to the proposal as follows:

Total net floor area:	1,625sqm
Total car parking required:	26
Total car parking proposed:	18
Shortfall	8
Previous reduction permitted	15

Planning permit PLA0120/10 supported a carparking reduction associated with the use of land for a warehouse on 3 May 2011. Council's delegate report stated 23 carspaces were required for the proposed development. The permit supported a reduction of seven carspaces with 15 provided on the subject site.

The endorsed plans under PLA113/17 show an increase in carparking to 18 carspaces within the frontage of the property. The carparking provided is within the 15 carspaces previously supported by Council and as such we submit no carparking reduction is required with the proposed development.

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#### 4.4.3. Clause 52.17 - Native vegetation

##### Purpose

*To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*

- 1) *Avoid the removal, destruction or lopping of native vegetation.*
- 2) *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3) *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

*To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation. A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.*

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

##### **Response:**

The submitted town planning drawings show two trees proposed for removal. The submitted arborist report states a permit is required to remove one native tree (Strezlecki Gum).

The submitted arborist report has assessed this tree and states the tree appears to have established as a result of natural regeneration and seeding. The stem of this tree is rubbing against the existing chainmesh fence constructed along the frontage of the property. The tree is displaying symptoms of moderate disease.

The intention of the proposed design has sought to minimise the extent of removal through design of access. Planning Permit PLA120/10 permitted the removal of vegetation from the property. The trees located in the frontage of the site appear to have been purposefully retained, however, there is ample opportunity to provide replacement planting towards the northern boundary of the subject site.

The proposed development is located on a property which is greater than 0.4ha and as such the proposal does not provide further opportunities to remove vegetation without the requirement for a planning permit. The tree is located within 4m of a fence. Exemptions for removal of vegetation under clause 52.12-2 apply under the Baw Baw Planning Scheme.

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## 5. Assessment

### 5.1. Overview

The proposal has been carefully informed by a review of relevant planning policy and provisions of the Baw Baw Planning Scheme in addition to the feasibility and demand for the industrial land within Drouin. The proposal strongly aligns with key considerations, objectives and strategies of state and local planning policy.

Having regard to the site history, surrounding development context, relevant planning guidance and policies and other planning considerations, the proposal can be broken down to a series of questions and discussions that are explored in more detail to demonstrate the proposed development should be supported by Council. The following key considerations are relevant to the assessment of the proposal:

- Is the proposal consistent with the Planning Policy Framework?
- Is the proposal consistent with the purpose of the Industrial 1 Zone?
- Does the proposal contribute to improved built form and landscape outcomes?
- Does the proposal suitably mitigate off-site amenity impacts?
- Is the proposed carparking appropriate with regard to carparking demand and traffic generation within the existing street network?

### 5.2. Key Considerations

#### 5.2.1. Is the proposal consistent with the Planning Policy Framework?

State settlement policies seek to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Clause 11.01-1R supports urban growth in Latrobe City as Gippsland’s regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Clause 11.01-1L -02 supports Drouin as one of the primary centres (along with Warragul) for commercial development and service industry in Baw Baw Shire. The subject site is in an existing industrial estate which provides a supply of land for service industries within the township. The site has access to reticulated services which allows for an intensification of development on the land.

Clause 12 refers to environmental and landscape values. The policies seek to protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value. The proposal supports clause 12.01-1L - Protection of biodiversity through the siting, design and providing for opportunities to incorporate native vegetation throughout the site. A landscape plan has been previously approved under planning permit PLA0113/17, the plan shows landscaping throughout the site including within the frontage of the subject building. Two trees are proposed to be removed from the subject site to facilitate the use and development of the site. An arborist report has been prepared to support the removal of these trees.

Clause 15.01-2S seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm through relevant strategies. These include ensuring a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development and minimises the detrimental impact of development on neighbouring properties, the public realm and the natural environment. Clause 15.01-5S seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place through supporting development that respects the existing neighbourhood character.

A description of existing development has been discussed in section 2.2 and 2.3 of this report. The development has been informed by a feature and level survey which details existing development on adjacent lots as well as existing vegetation on the site and within the road reserve. The proposed alterations to the existing building provide improved activation to the Weerong Road and has considered the prevailing site and the prevailing form and height of buildings within the streetscape.

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**5.2.2. Is the proposal consistent with the purpose of the Industrial 1 Zone?**

The purpose of the Industrial 1 Zone is to *provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.* The proposed works are associated with a packaging and distributing eggs for wholesale. It is considered a warehouse is the most appropriate land use definition as a Warehouse is defined as *land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.*

A permit was issued to use land for a warehouse (boat and caravan storage) under PLA120/10 and PLA113/17. This business ceased operating from the site in December 2023. It is considered existing use rights apply to the subject site under the above planning permits as the use of land for a Warehouse has occurred within the last two years.

The endorsed plans under PLA120/10 and PLA113/17 set out carparking and landscape areas associated with the use of land for a Warehouse. The proposed site plan shows the landscaping and carpark area in the frontage of the building will be retained. Goods will be packaged within the building and transfer into distribution vehicles will occur from the within the building ensuring outdoor areas are maintained in tidy condition.

The proposed development will provide for 18 off-street carparks within the frontage of the existing building. This carpark area was permitted under PLA120/10 and PLA113/17. A reduction in carparking of 15 carparks was approved under these previous planning permits. The proposed site layout increases the level of parking on site to 18. The carparks will be available throughout the day for staff and customers.

A landscape buffer has been provided to the northern boundary of the site which adjoins a residential neighbourhood. It is considered this landscape buffer provides an appropriate visual barrier between residential and industrial areas.

**5.2.3. Does the proposal contribute to improved built form and landscape outcomes?**

The built form of the surrounding area can be described as generally single-storey industrial and commercial shedding constructed of facing sheet metal or pre-fabricated concrete panels. The majority of nearby business are industrial uses although could be considered light industrial uses which reflects the site’s proximity to residential areas.

The proposed development will improve activation to Weerong Road. Carparking and small scale landscaping opportunities are presented within the front setback of the property which were approved under previous planning permits and materials have been selected to achieve a contemporary industrial design. Activation of the frontage will provide an attractive outlook to Weerong Road from the property.

The proposed development will achieve the objectives of clause 15.01-1L-02 as low scale landscaping will be incorporated into the frontage of the site. Existing native canopy trees will be retained in the rear of the site to provide a landscape buffer to nearby residential areas and combined with low scale vegetation to soften the visual impact of the proposed built form which will be visible from Weerong Road.

Overall, the proposed use and development will facilitate an improved built form and the redevelopment will improve the public realm and will ensure the site is protected from surrounding businesses. Existing landscaping on the site will be retained.

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**5.2.4. Does the proposal suitably mitigate off-site amenity impacts?**

The subject site is zoned Industrial1 Zone (IN1Z) which is considered a heavy industrial area. A residential neighbourhood is located to the northern boundary of the subject site. The use of the site for a warehouse has been previously issued by Council under planning permit PLA0120/10 which considered a Warehouse use as compatible with nearby residential areas.

Surrounding businesses include warehouses, building yards, transport and . These types of uses are considered industrial in nature and reflects the purpose of the zone.

It is considered any off-site impacts such as hours of operation and impact from adjoining industrial uses associated with the proposed development have been considered and addressed through the design response to ensure the amenity of surrounding residential areas is not unreasonably impacted by the use and development as proposed.

**5.2.5. Does the proposal accord with the relevant carparking design standards?**

The existing accessway to Weerong Road will be retained and is at least 4m in width as shown on the submitted plans. Space has also been provided for landscaping along the accessway.

The submitted plans show a carpark area within the front setback of the existing building which is proposed to be retained.

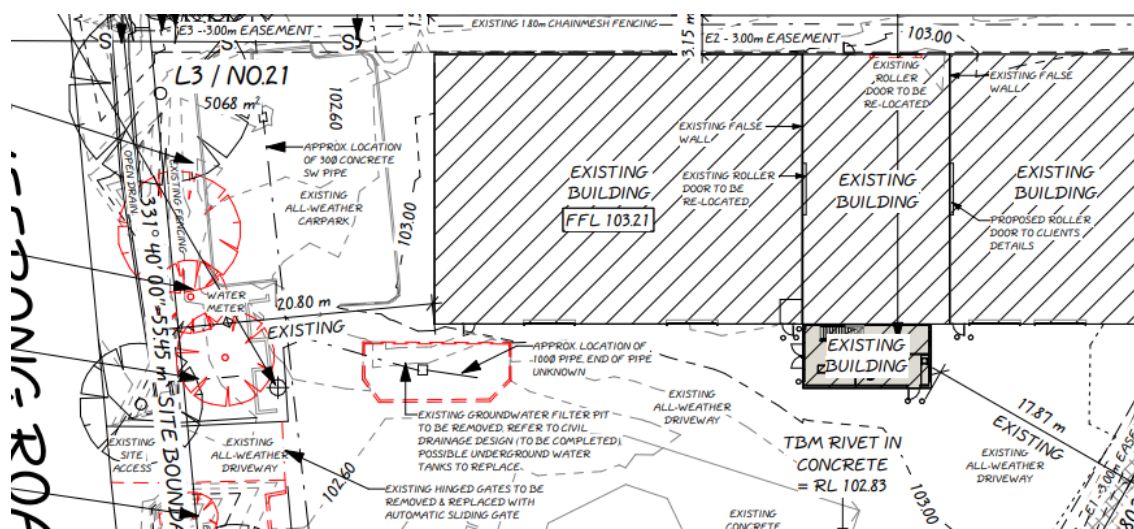


Figure 9 - Proposed carpark layout.

The carparking area reflects the plans endorsed under PLA0113/17 as shown in figure 10 below.

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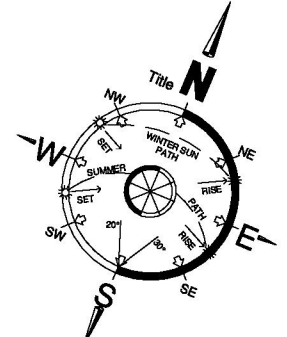
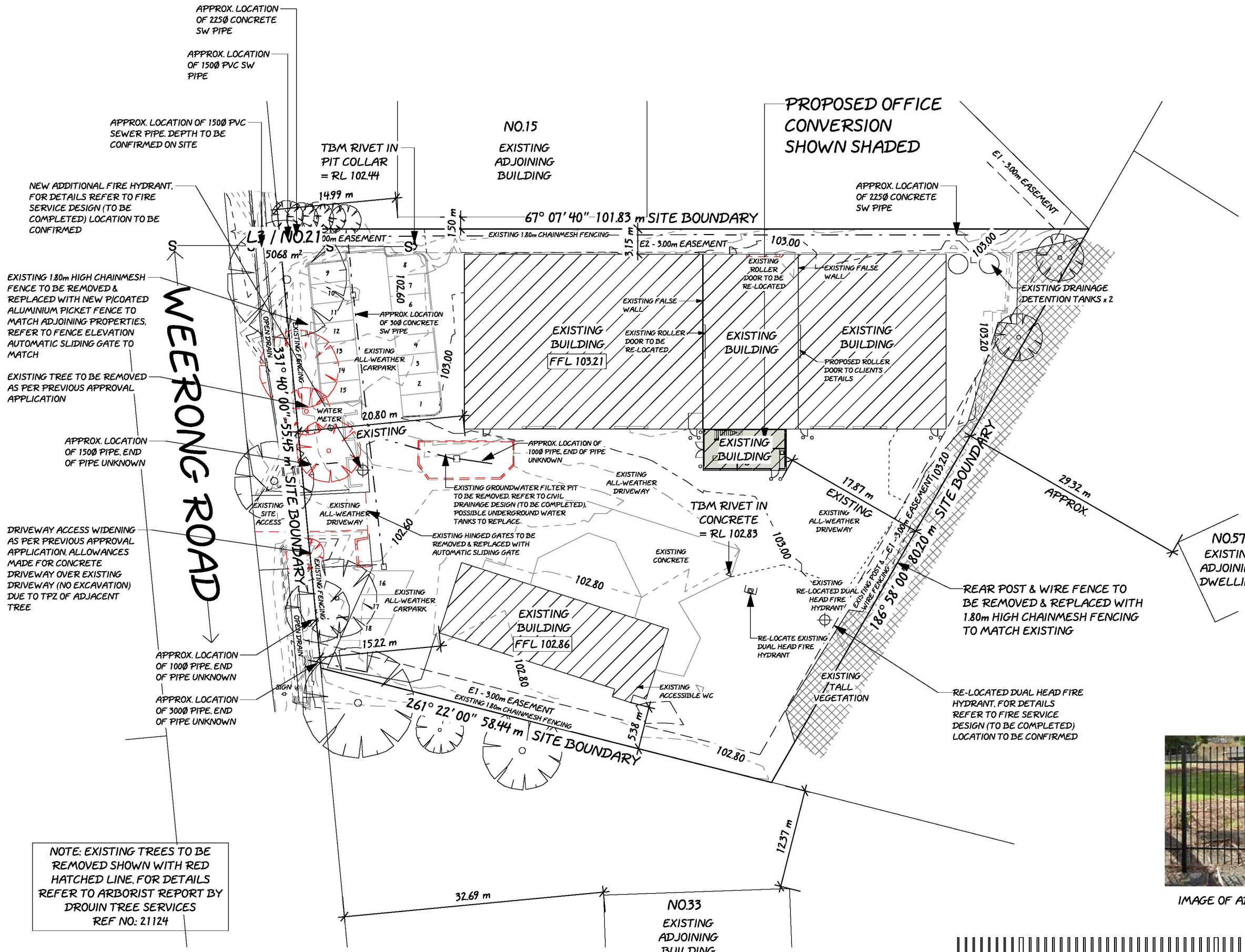




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SITE FEATURES AND LEVELS SHOWN ARE INDICATIVE AS AT TIME OF SITE INSPECTION AND SHALL BE CONFIRMED PRIOR TO COMMENCEMENT OF ANY WORKS.  
 FOR DETAILS REFER TO FEATURE & LEVELS SURVEY BY:  
 - BEVERIDGE WILLIAMS  
 - SURVEYORS REF: 2401714



PD8	Council Req's	28-11-24	rl
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PROJECT:  
**PROPOSED OFFICE CONVERSION**  
 ADDRESS:  
**L3/NO21 WEERONG ROAD DROUIN**

CLIENT:  
**DB DESIGN**



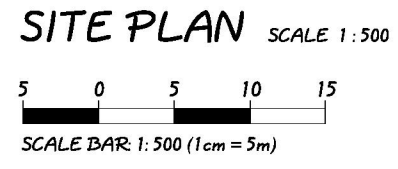
IMAGE OF ADJOINING FENCE

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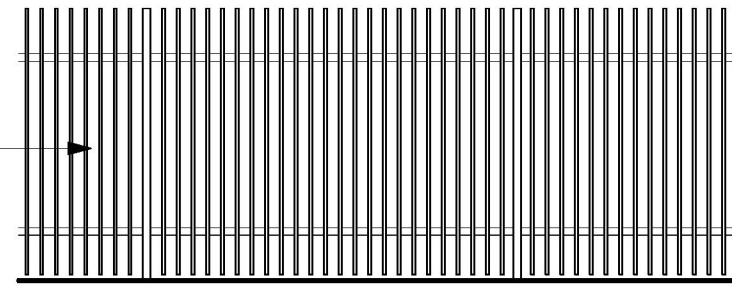
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NOTE: EXISTING TREES TO BE REMOVED SHOWN WITH RED HATCHED LINE. FOR DETAILS REFER TO ARBORIST REPORT BY DROUIN TREE SERVICES REF NO: 21124

CONVEY STORMWATER TO OPEN DRAIN AT FRONT OF PROPERTY (LEGAL POINT OF DISCHARGE), AS DIRECTED BY LOCAL AUTHORITY.



EXISTING 1.80m HIGH CHAINMESH FENCE TO BE REMOVED & REPLACED WITH NEW PICOATED ALUMINIUM PICKET FENCE TO MATCH ADJOINING PROPERTIES. SEE PHOTO AUTOMATIC SLIDING GATE TO MATCH

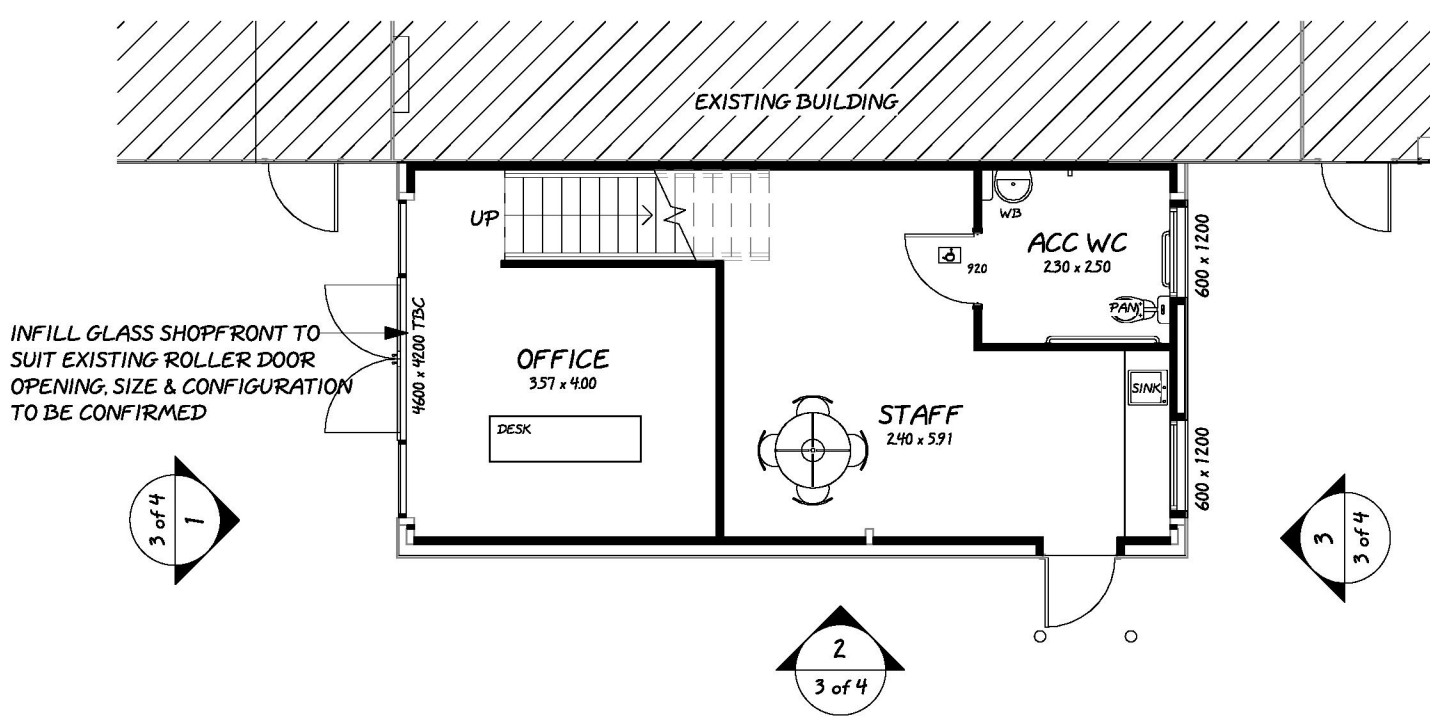


FENCE ELEVATION SCALE 1:50

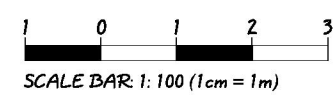


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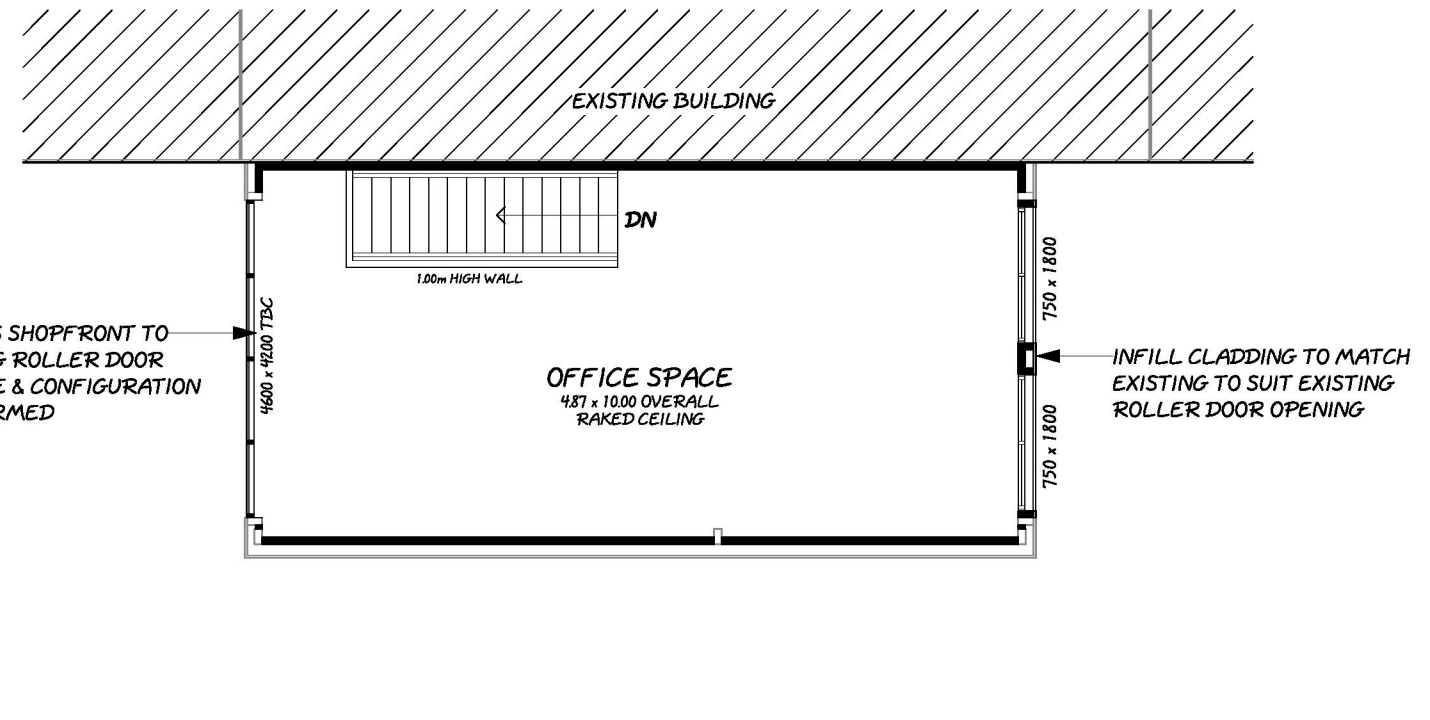


**PROPOSED FLOOR PLAN** SCALE 1:100



**NOTES:**  
 - WINDOW SIZES SHOWN ON PLAN ARE HEIGHT x WIDTH  
 - ROOM SIZES SHOWN ON PLAN ARE UP/ DOWN SHEET x ACROSS SHEET

**NOTES:**  
 EXISTING DOWNPIPES INTERNALLY  
 TO BE RE-DIRECTED EXTERNALLY IN  
 CONSULTATION WITH CIVIL DESIGN,  
 PLUMBER & CLIENT



**PROPOSED UPPER FLOOR** SCALE 1:100

AREAS		
NAME	AREA	SQUARE
UPPER FLOOR AREA:	54.71 m <sup>2</sup>	5.89
LOWER FLOOR AREA:	54.71 m <sup>2</sup>	5.89
<b>GRAND TOTAL:</b>	<b>109.41 m<sup>2</sup></b>	<b>11.78</b>

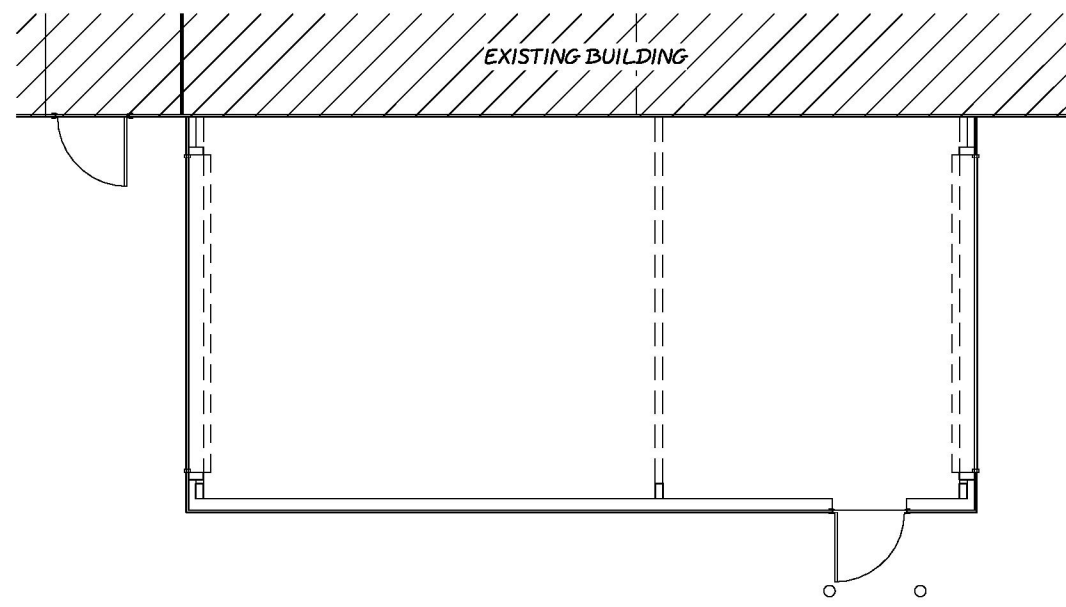
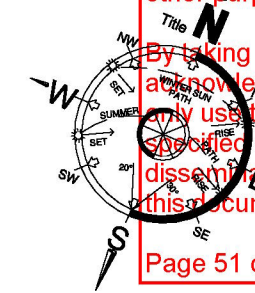
REV	DESCRIPTION	DATE	BY
PD8	Council Req's	28-11-24	rl
PD7	Planning Req's	26-09-24	rl
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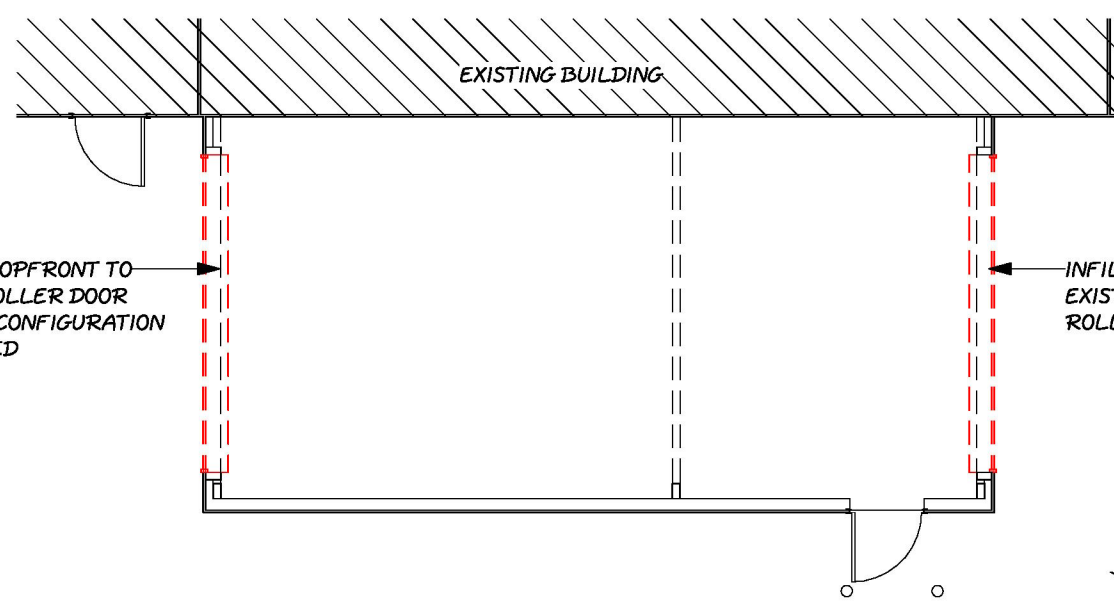
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**EXISTING FLOOR PLAN** SCALE 1:100

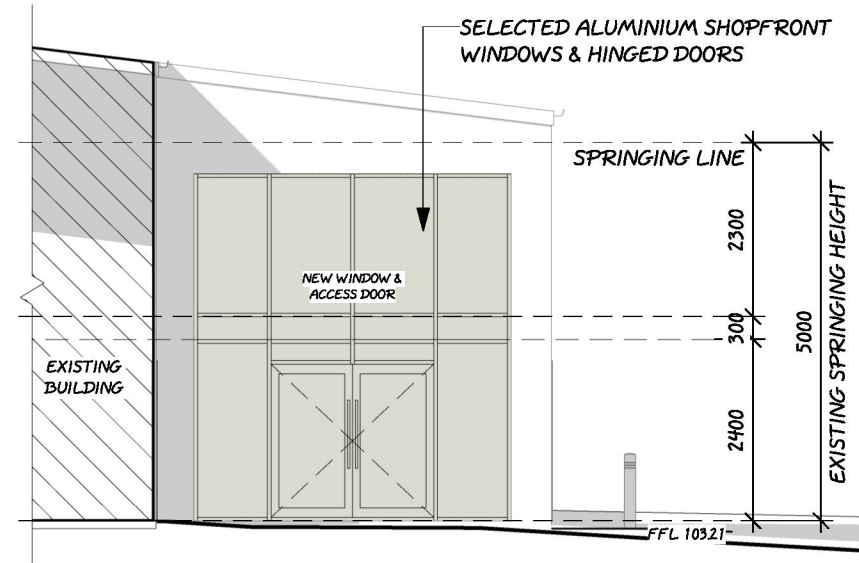


**DEMOLITION PLAN** SCALE 1:100

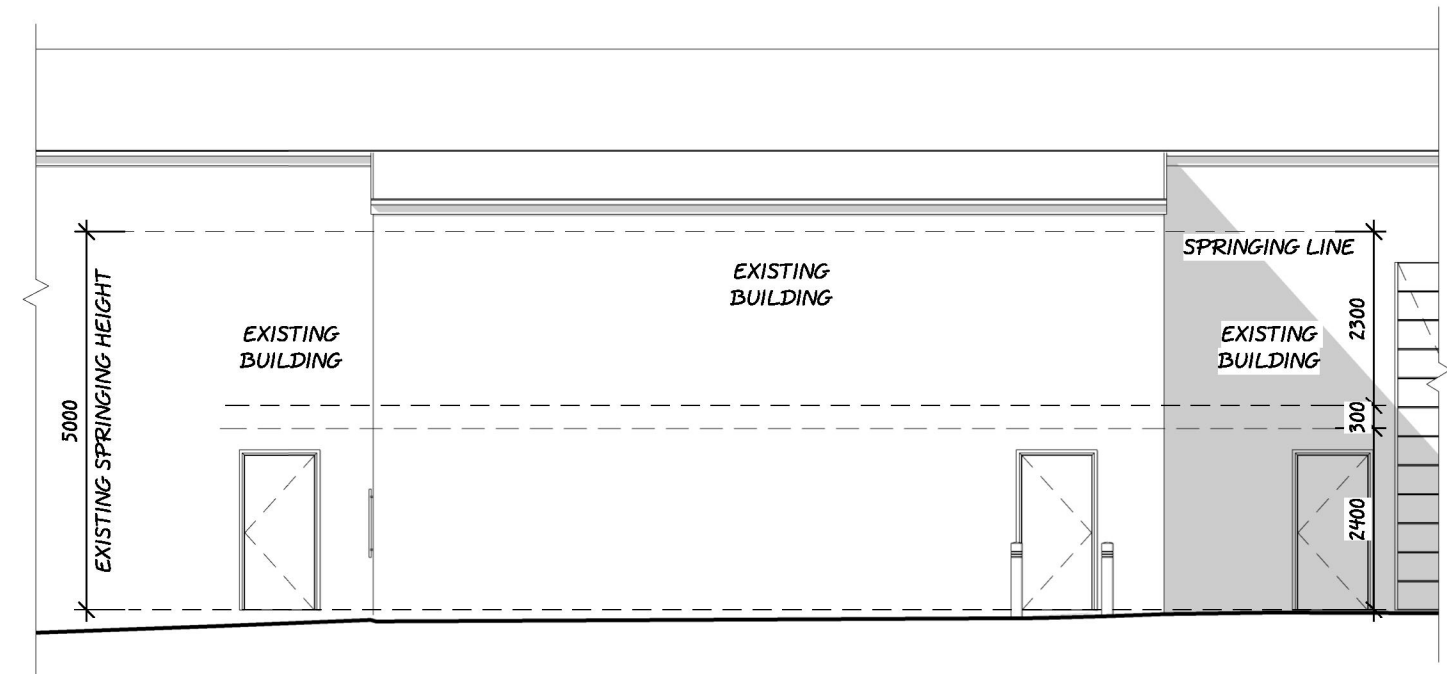
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SHEET SIZE:	A3	SHEET No:	2 of 4
REF No:	D24080	ISSUE:	PD8

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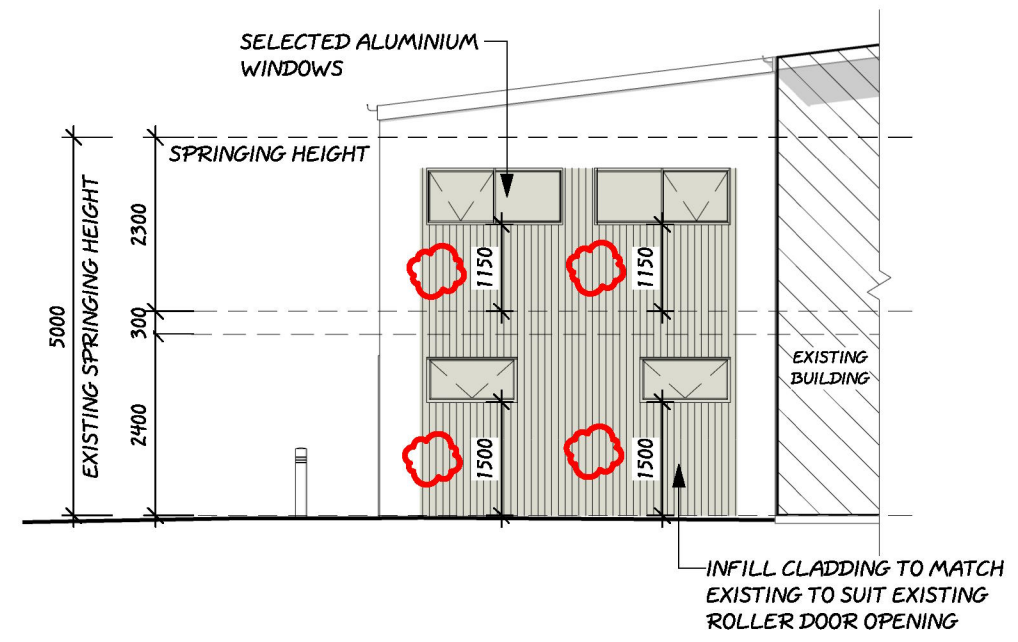


ELEVATION 1 - WEST SCALE 1:100

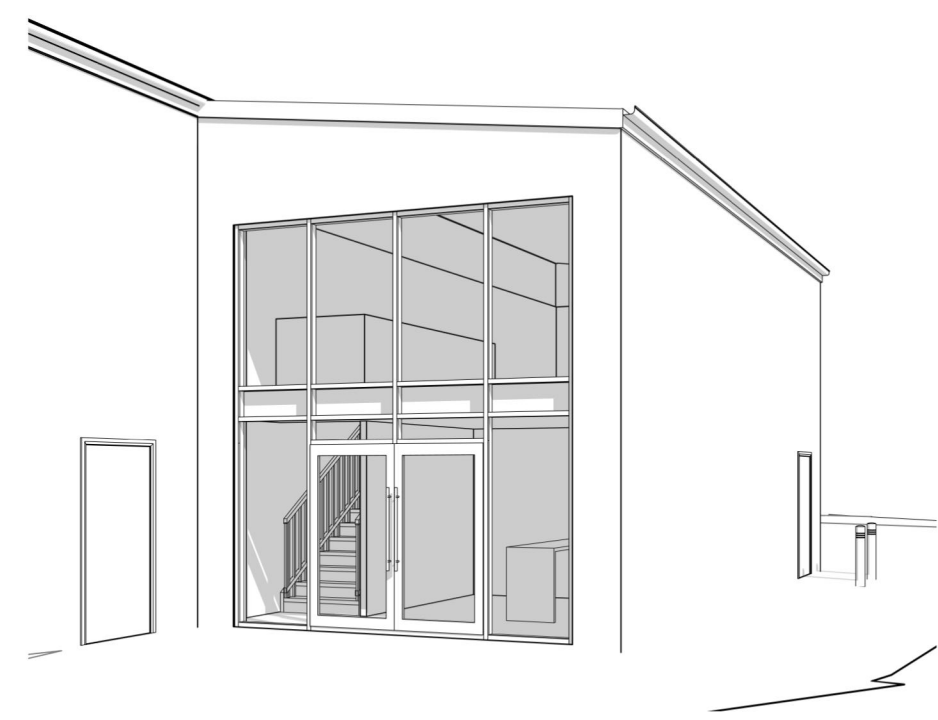


ELEVATION 2 - SOUTH SCALE 1:100

ELEVATION 4 - NORTH  
 TO REMAIN UNCHANGED



ELEVATION 3 - EAST SCALE 1:100



PERSPECTIVE 1 NOT TO SCALE

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