Notice of Application for a Planning Permit



The land affe		L1 TP241532 390 Westernport Road, Lang Lang VIC 3984	
The application is for a permit to:		Use of Land for Plant Nursery and Associated Building and Works and Creation of Access from TRZ2	
A permit is re	A permit is required under the following clauses of the planning scheme:		
35.04-1	35.04-1 Use of the land for a Plant Nursery		
35.04-5 Construct a building or construct or carry out works associated with a Plant Nursery			

APPLICATION DETAILS

Create or alter access to a road in a Transport Zone 2

The applicant for the permit is:	
Application number:	T240143

You may look at the application and any documents that support the application at the office of the responsible authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:

21 February 2025

WHAT ARE MY OPTIONS?

52.29-2

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

If you object, the Responsible Authority will notify you of the decision when it is issued. An objection must:

- be made to the Responsible Authority in writing;
- include the reasons for the objection; and
- state how the objector would be affected.

The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.



Application

lodged

Council initial assessment

Application is here

Notice

Consideration of submissions

5

6

ation Assessment

Decision



ePlanning

Application Summary

Basic Information

Proposed Use	Wish to start a plant nursery on the property while we wait for our fruit and nut orchards to produce commercial yields.
Current Use	Private property with single dwelling being used as our primary place of residence. Currently planting Fruit and nut trees to eventually harvest.
Site Address	390 Westernport Road Lang 3984

Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	No such encumbrances are breached
☐ Note: During the application process you may be required to provide more information in relation to any encumbrances.	

Contacts

Туре	Name Address Contact Details		
Applicant			
Owner			
Preferred Contact			

Fees

Regulation	Fee Condition	Amount	Modifier	Payable
9 - Class 1	Change of use only	\$1,415.10	100%	\$1,415.10

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Total

Civic Centre 20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot) Purton Road, Pakenham, Victoria Postal Address
Cardinia Shire Council
P.O. Box7, Pakenham VIC, 3810

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am-

5pm

\$1,415.10

Phone: 1300 787 624 After Hours: 1300 787 624 Fax: 03 5941 3784

Documents Uploaded

Date	Туре	Filename
17-03-2024	A Copy of ⊺itle	00721870380012024031709390001.pdf
27-03-2024	Site plans	ScalePlan-zoomed.pdf
27-03-2024	Site plans	ScalePlan.pdf
27-03-2024	Written Explanation	Proposal.docx

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

Lodged By

Site User	
Submission Date	27 March 2024 - 09:15:PM

Declaration

Use the second of the application of the application of the application. When the second of the application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



Civic Centre 20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot)Purton Road, Pakenham, Victoria

Postal Address Cardinia Shire Council P.O. Box 7, Pakenham VIC, 3810

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ePlanning

Application Summary

Portal Reference	D224741C
Reference No	T240143

Basic Information

Cost of Works	so .
Site Address	390 Westernport Road Lang Lang VIC 3984

Covenant Disclaimer

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

No such encumbrances are breached

□ Note: During the application process you may be required to provide more information in relation to any encumbrances.

Documents Uploaded

Date	Туре	Filename	
15-05-2024	Additional Document	Revised Site Plan.pdf	

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

Lodged By

Lougea Dy		
Site User		
Submission Date	15 May 2024 - 08:40:PM	

Declaration

By ticking this checkbox, declare that all the information in this application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



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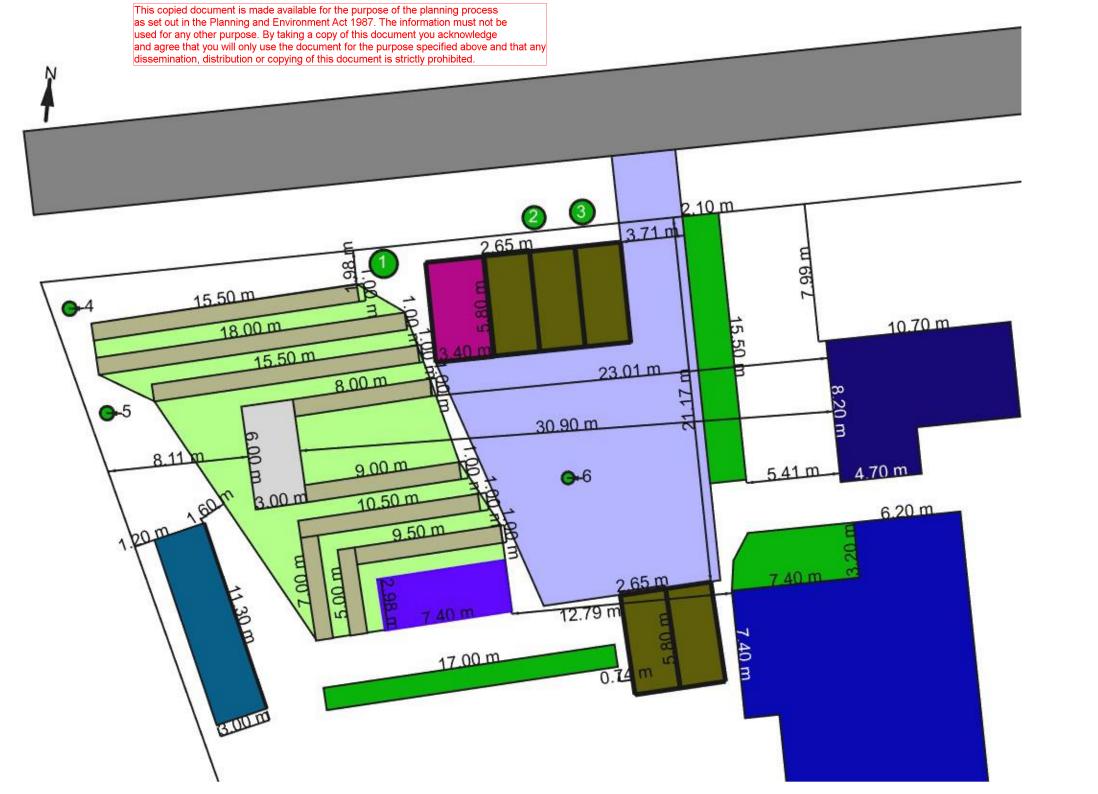
Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am-

5pm

Phone: 1300 787 624 After Hours: 1300 787 624 Fax: 03 5941 3784 This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

Fax: 03 5941 3784



Plan Details

Colour				
Code	Туре	Area (m2)	Changes/ Earthworks	Material
	Point of Sales - Portable building	18	No Earthworks - Portable to be placed on leveling pads	
				Geotextile with crushed
	Total Nursery Area	293.82	No Earthworks - Lay geotextile cloth and crushed rock	rock
				Geotextile with crushed
	Plants Areas	96	No Earthworks - Lay geotextile cloth and crushed rock	rock
	Existing Propagation Area	22.2	No Changes	Scoria
	Driveway	223.17	Existing Driveway - will have a new layer of crushed rock added	crushed rock
			No Earthworks - Lay geotextile cloth, crushed rock and paint	Geotextile with crushed
	Car Park - Standard size	76.85	lines	rock
			No Earthworks - Lay geotextile cloth, crushed rock and paint	Geotextile with crushed
	Car Park - Wide Space	19.72	lines	rock
	Existing Vegetation/Trees		No Changes to be made - No removals	
	Existing Building -Dwelling			
	Existing Building - Sheds			
	Existing Building - Wood Sheds			

Tree List

ld no.	Tree Species	Trunk Diameter (mm)	Changes (retained/removed/pruned)	10 metres of Earthworks
1	Callitris glaucophylla - White Cypress	800	Retained - no changes	No - no earthworks required
2	Pinus radiata - radiata Pine	650	Retained - no changes	No - no earthworks required No - no earthworks
3	Pinus radiata - radiata Pine	700	Retained - no changes	required No - no earthworks
4	Pinus radiata - radiata Pine	700	Retained - no changes	required No - no earthworks
5	Pinus radiata - radiata Pine Araucaria heterophylla - Norfolk Island	400	Retained - no changes	required No - no earthworks
6	Pine	350	Retained - no changes	required

Development Summary

Item	Details					
Site coverage	Property size (m2) 60702.8	Proposed Total Nursery area inc. Car Parking (m2) 390.39	% Coverage 0.64%			
Car Parking Coverage	Nursery Area (m2) 293.82	Car Parking Area - Wide and Standard Spaces (m2) 96.57	% Coverage 32.9%			
Earthworks		all vegetation, no earthworks will be performed. Grasses will be ing will have specially selected geotextile fabric laid prior to 20n	•			
Westernport Road	No works are propos	ed for the existing crossover to Westernport Road.				

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390 Westernport Rd Plant Nursey Permit Proposal

Current Use:

We are currently using the property as our primary place of residence and hobby farm/homestead. We are also planting out the property with various varieties of Fruit and Nut trees, shrubs, and vines (around 2000 over the next few years). These will eventually be harvested and sold at market.

Proposed Use:

In addition to our current use of the property we wish to start an on farm plant nursery to help generate an income while we wait for our orchards to start producing crops with yield large enough to be profitable (expecting 5-7 yrs minimum) the following document will detail how we wish to use the area in the plan submitted including hours of operation, expected customer density and allocated parking. Initially we expect to be selling a mixture (80:20) of plants bought at wholesale and plants propagated on farm (first 1-2 yrs), following that we expect to be abled to supply majority of the plants from propagations made on farm.

Hours of operation:

Initially we would start the nursery as a "by appointment" arrangement minimising the number of customers that could be on site at one time. As we become more established, we would move to a 10am-3pm Mon-Fri, 9am-1pm Sat, Closed Sun opening hours.

Staff/Employees:

Due to the size of the operation, we do not plan to have any staff or employees working on site that are not part of our family living on the property.

Car Parking and Expected customers:

We have allocated an area of 12.25*5.8m for car parking as indicated on the plan, this should be adequate for 5 vehicles which we believe will exceed the number of customers we would expect to have on site at any one time. Should we require more parking, there is an area we can use as "Overflow Parking" (also 12.25*5.8m) that customers would be guided to use. Initially we would never have more than 1-2 customers on site at any one time as it will be by appointment, once we are trading with the proposed hours, we expect the most customers to be on sites at any one time to remain under 5.

Dangerous Goods/Chemicals:

We are a chemical free farm and will maintain that in the nursery, any products used to add nutrients or control pests are natural products and will be stored outside the area where the public can access to ensure no safety issues.

Portable Building:

The portable building shown on the plans will be used to take payments from the customers and to house our smaller/indoor plants and gifts. It will be self-powered and comply with the Disability (Access to Premises-Buildings) Standards 2010.

Additional Information:

- Our "round a bout" style driveway will remain to allow customers to easily enter and exit the property in the forward direction, minimising any safety issues with pulling out onto Westernport rd.
- Ample signage and a well-defined area will be utilised, separating the "vehicle areas" and the "pedestrian areas" to minimise the risk of injury.
- The Nursery area will be single level with Disability access to the Point of Sales area to ensure easy access for all.
- The propagation area shown is for staff only and will be where propagations and small plants that are not ready for sale will be stored.
 It will be sectioned off with expanding barrier so that it can be easily accessed outside of trading hours.



Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been

before any notice of the Environment Act 1987)	application	is given (p	ursuant to se	ections 5	0 / 50A of the <i>Plannin</i>				
PERMIT APPLICATION DE	ETAILS								
Application No.:	Application No.: T240143 PA								
Address of the Land:	390 Wes	ternport	Rd Lang La	ng 3984	4				
APPLICANT DETAILS									
Name:									
Organisation:									
Address:									
Phone:									
Email:									
AMENDMENT TYPE									
Under which section of th	e Act is this a	amendment	being made?	(select or	ne)				
Section 50 - Amendment	t to applicatio	on at reque	st of applicant	before no	otice:				
Section 50A - Amendmen	nt to application	on at reque	st of responsi	ble author	rity before notice:	~			
Section 57A - Amendme	nt to applicat	ion after no	otice is given:						
AMENDMENT DETAILS									
What is being amended? (select all that apply)									
What is being applied for		Plans / oth	er documents	V	Applicant / owner det	ails			
Land affected	i	Other							
Describe the changes. If	Describe the changes. If you need more space, please attach a separate page.								
Response to a Requ	est for Fu	rther info	rmation for	Elevation	ons of POS portable	Э.			

the permit is required:
New amount \$

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.

Name:		
Signature:		
Date:	09/12/2024	

LODGEMENT

Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au

You can also make amendments to your application via the Cardinia ePlanning Portal at https://eplanning.cardinia.vic.gov.au/

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

IMPORTANT INFORMATION

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

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

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

HISTORICAL SEARCH STATEMENT

Land Use Victoria

Page 1 of 6

Produced 09/12/2024 09:45 PM

Volume 8092 Folio 754

Folio Creation: Created as paper folio continued as computer folio

Parent title Volume 07680 Folio 006

RECORD OF HISTORICAL DEALINGS

Date Lodged for Date Recorded Registration on Register

Dealing

Imaged Dealing Type and

Details

RECORD OF VOTS DEALINGS

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22/10/2014

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AT819378V (E)

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AT819379T (E)

N

MORTGAGE OF LAND

MORTGAGE AT819379T 30/11/2020 WESTPAC BANKING CORPORATION

Title 8092/754 Page 1 of 6



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HISTORICAL SEARCH STATEMENT

Land Use Victoria

Page 2 of 6

STATEMENT END

VOTS Snapshot

VOLUME 08092 FOLIO 754 124052662226D Produced 22/10/2014 12:28 pm

LAND DESCRIPTION

Lot 1 on Title Plan 241532G.
PARENT TITLE Volume 07680 Folio 006
Created by instrument 2645105 03/06/1954

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP241532G FOR FURTHER DETAILS AND BOUNDARIES

Paper Title Images

8092/754 - Version 2, Date 04/12/2001

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Title 8092/754 Page 2 of 6



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Document Type	Plan
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Number of Pages	1
(excluding this cover sheet)	
Document Assembled	23/05/2021 08:25

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EDITION 1 TP 241532G TITLE PLAN **Notations** Location of Land

Parish: LANG LANG

Township: Section:

Crown Allotment: 44A(PT)

Crown Portion:

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ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON

THIS TITLE PLAN

Last Plan Reference:

Derived From: VOL 8092 FOL 754

50 FEET Depth Limitation:

Description of Land / Easement Information

All that piece of Land, delineated and coloured purple on the map in the---

margin containing Fifteen acres Thirty perches and one-half of a perch or theresbouts

being part of Crown Allotment 44A Perish of Leng Lang County of Mornington -----

Together with a right to use the land coloured yellow on the said map for drainage---

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 09/12/1999

VERIFIED: M.P.

CRB 15A OR 30 1/2P ROAD COLOUR CODE P = PURPLE Y = YELLOW OF **TABLE** PARCEL **IDENTIFIERS**

PARCEL 1 = CA 44A (PT)

WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962

LENGTHS ARE IN Metres = 0.3048 x Feet LINKS

Metres = 0.201168 x Links

Sheet 1 of 1 sheets

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OF



Entered in the Register Book

Vol. 8092 Fol. 754

VICTORIA

Certificate of Title

UNDER THE "TRANSFER OF LAND ACT 1928" 1954"

27.3.56

Married Woman and

both of Main Street

Lang Lang are -

now the joint proprietors - - -

of an Estate in Fee-simple subject to the Encumbrances notified hereunder inthe surface and down to the depth of Fifty feet below the surface of--piece of Land, delineated and coloured purple on the map in the ---

margin containing Fifteen acres Thirty perches and one-half of a perch or thereabouts

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Together with a right to use or copying of this document is strictly prohibited said map for drainage---

Dated the

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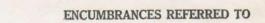
day of

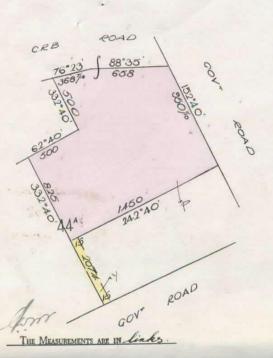
thousand nine hundred and fifty-four.

June



Assistant Registrar of Titles





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Vol. 7680 Fol. 006

Transfer & 6 45/05

Application

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T09092-754-1-

For Continuation of Endorseases See Annexed Sheet Manhaut



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

Page 1 of 1

VOLUME 08092 FOLIO 754

Security no : 124090081352Q Produced 23/05/2021 08:07 AM

LAND DESCRIPTION

Lot 1 on Title Plan 241532G.
PARENT TITLE Volume 07680 Folio 006
Created by instrument 2645105 03/06/1954

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ACTIVITY IN THE LAST 125 DAYS

NIL							
		END OF	REGISTER	SEARCH	STATEMENT-		
Additional	information:	(not pa	ert of the	Regist	er Search	Statement)	

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

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EDITION 1 TP 241532G TITLE PLAN

Location of Land

LANG LANG Parish:

Township: Section

Crown Allotment: 44A(PT)

Crown Portion:

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VERIFIED: M.P.

CRB 15A OR 30 1/2P POAD COLOUR CODE P = PURPLE Y = YELLOW

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LENGTHS ARE IN LINKS

Metres = 0.3048 x Feet Metres = 0.201168 x Links

Sheet 1 of 1 sheets

JOB No. 2239

PROJECT:

PROPOSED PLANT NURSERY

PROJECT ADDRESS: 390 WESTERNPORT RD, LANG LANG 3984

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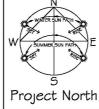
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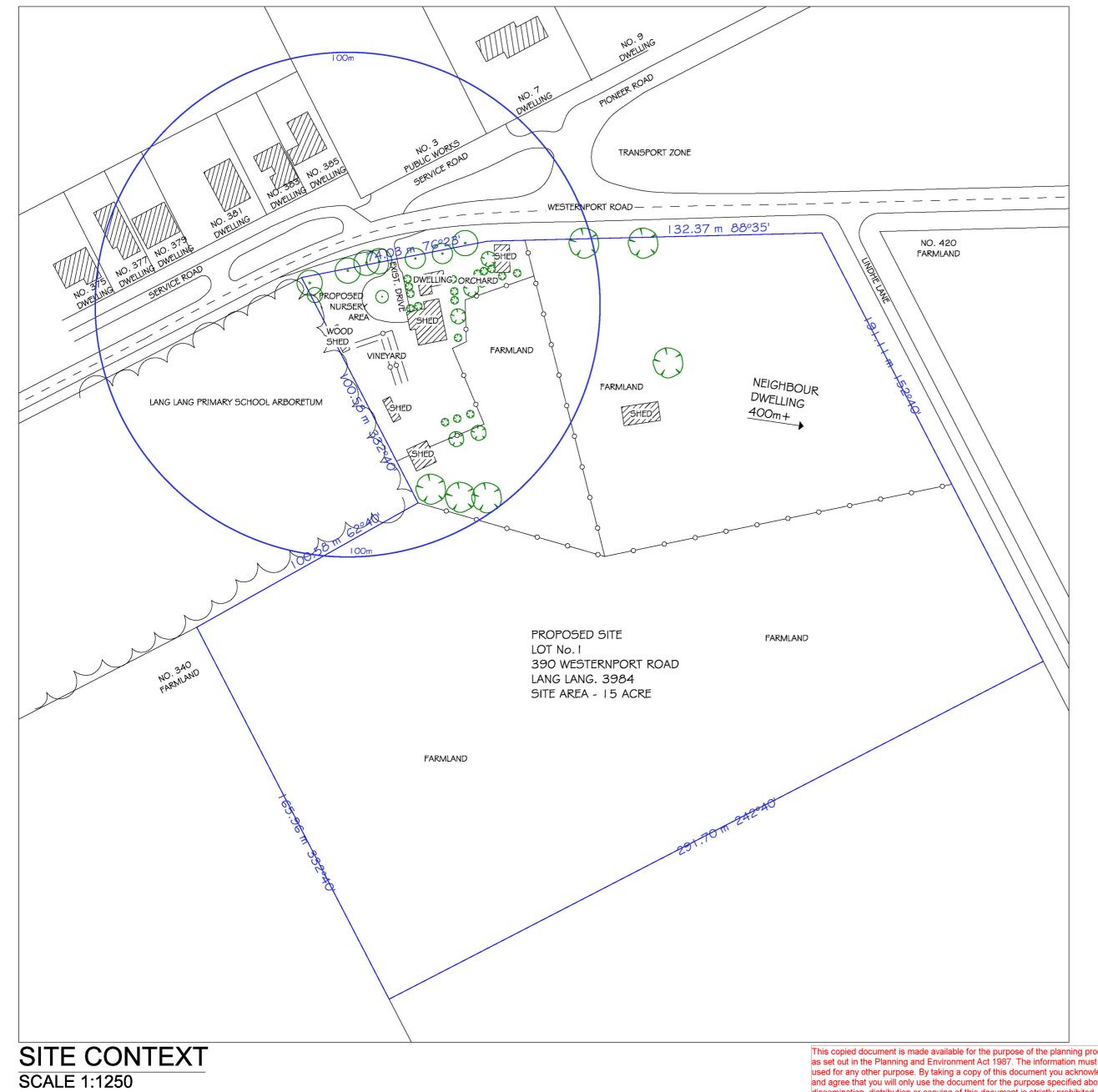






	Planning Drawi	ngs		Cover Sheet
PROPOSED PLANT NURSERY	Job No:	Drawing No.:	Rev	Plot Date:
390 WESTERNPORT RD, LANG LANG 3984	2239		B	8/12/2024

Drawing Title:



390 Westernport Rd Plant Nursey Permit Proposal

Current Use:

We are currently using the property as our primary place of residence and hobby farm/homestead. We are also planting out the property with various varieties of Fruit and Nut trees, shrubs, and vines (around 2000 over the next few years). These will eventually be harvested and sold at market.

Proposed Use:

In addition to our current use of the property we wish to start an on farm plant nursery to help generate an income while we wait for our orchards to start producing crops with yield large enough to be profitable (expecting 5-7 yrs minimum) the following document will detail how we wish to use the area in the plan submitted including hours of operation, expected customer density and allocated parking. Initially we expect to be selling a mixture (80:20) of plants bought at wholesale and plants propagated on farm (first 1-2 yrs), following that we expect to be abled to supply majority of the plants from propagations made on farm.

Hours of operation:

Initially we would start the nursery as a "by appointment" arrangement minimising the number of customers that could be on site at one time. As we become more established, we would move to a 10am-3pm Mon-Fri, 9am-1pm Sat, Closed Sun opening hours.

Staff/Employees:

Due to the size of the operation, we do not plan to have any staff or employees working on site that are not part of our family living on the property.

Car Parking and Expected customers:

Clause 52.06 of the Cardinia Planning Scheme requires plant nursery uses to set aside 10% of the site area for car parking. Our current proposal alocates 274m² for the Plant Nursery, so requireing a minimum area of 28m2. We have allocated an area of 63m2 for car parking as indicated on the plan. This should be adequate for 4 vehicles which we believe will exceed the number of customers we would expect to have on site at any one time. Allocated carpark area has been designed in accordance with AS-2890. I. Initially we would never have more than I-2 customers on site at any one time as it will be by appointment, once we are trading with the proposed hours, we expect the most customers to be on sites at any one time to remain under 4.

Dangerous Goods/Chemicals:

We are a chemical free farm and will maintain that in the nursery, any products used to add nutrients or control pests are natural products and will be stored outside the area where the public can access to ensure no safety issues.

Portable Building:

The portable building shown on the plans will be used to take payments from the customers and to house our smaller/indoor plants and gifts. It will be self-powered and comply with the Disability (Access to Premises-Buildings) Standards 2010.

Additional Information:

- · Our "round a bout" style driveway will remain to allow customers to easily enter and exit the property in the forward direction, minimising any safety issues with pulling out onto Westernport rd.
- · Ample signage and a well-defined area will be utilised, separating the "vehicle areas" and the "pedestrian areas" to minimise the risk of injury.
- · The Nursery area will be single level with Disability access to the Point of Sales area to ensure easy access for all.
- · The propagation area shown is for staff only and will be where propagations and small plants that are not ready for sale will be stored. It will be sectioned off with expanding barrier so that it can be easily accessed outside of trading hours.

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Travis Davidge _ Mod Design





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Drawing Title:

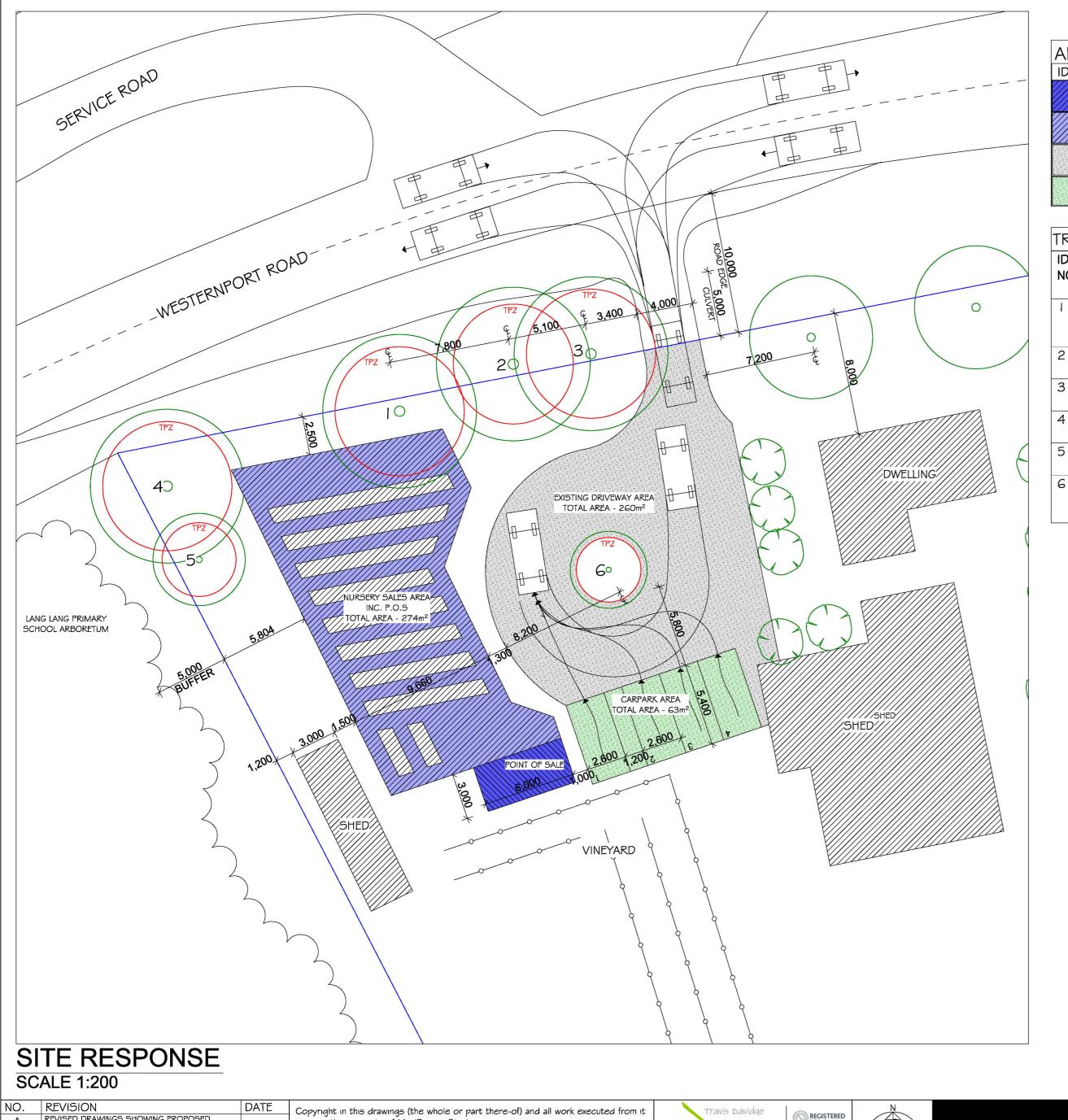
Plot Date: 8/12/2024

Site Context 1:1250

Drawing No.: 2239

Rev В





AREA ANALYSIS:

ID. PROPOSED COVERAGE AREA m2 CHANGES & MATERIAL

POINT OF SALES PORTABLE BUILDING NURSERY AREA

252m² NO EARTHWORKS - PORTABLE PLACED ON LEVELING PADS

NO EARTHWORKS - GEOTEXTILE CLOTH AND CRUSHED ROCK

PRINCENARY EVICTING DRIVENARY NEW CRUSHED ROCK ADDED

DRIVEWAY - EXISTING
260m²

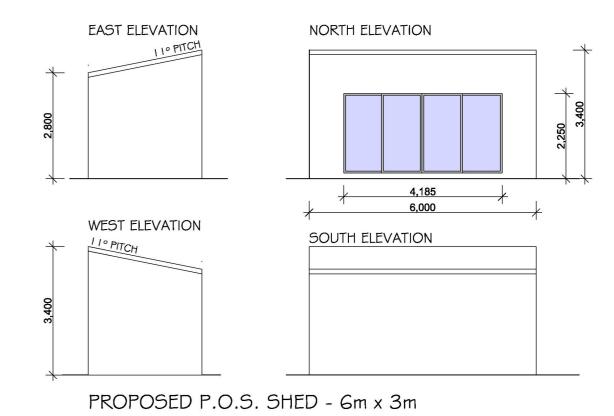
EXISTING DRIVEWAY - NEW CRUSHED ROCK ADDED

CAR PARK AREA

63m²

NO EARTHWORKS - GEOTEXTILE CLOTH AND CRUSHED ROCK

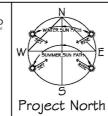
TREE	ELEGEND				
ID NO.	TREE SPECIES	TRUNK DIAMETER (MM)	TREE PROTECTION ZONE TRUNK DIA. X 12	CHANGES (RETAINED/REMOVED/ PRUNED)	TPZ ENCROACHMENT (TREETEC.NET.AU)
1	CALLITRIS GLAUCOPHYLLA - WHITE CYPRESS	700mm	8.4m	RETAINED/PRUNED	20.88%
2	PINUS RADIATA - RADIATA PINE	650mm	7.8m	RETAINED	NONE
3	PINUS RADIATA - RADIATA PINE	700mm	8.4m	RETAINED	NONE
4	PINUS RADIATA - RADIATA PINE	700mm	8.4m	RETAINED	NONE
5	PINUS RADIATA - RADIATA PINE	400mm	4.8m	RETAINED	NONE
6	ARAUCARIA HETEROPHYLLA - NORFOLK ISLAND PINE	350mm	4.2m	RETAINED	NONE



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Drawing Title:					
Planning Drawings			Site Response 1:20		
Job No:	Drawing No.:	Rev		Plot Date:	
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