

25 September 2023

Our reference: 2022.0590

Ashley Christie  
Planner, Development Approvals and Design  
Department of Transport and Planning (DTP)  
8 Nicholson Street  
**East Melbourne VIC 3002**

Dear Ashley,

**Re: Response to DTP RFI Comments | 51 Centre Road, Vermont (PA2302282)**

Hansen Partnership Pty Ltd continues to act on behalf of the permit applicant and owner in relation to the above planning application. We are in receipt of the DTP's letter dated 5 September 2023, which sets out a request for further information pursuant to Section 54 of the *Planning and Environment Act 1987*.

In response to DTP's request, we enclose the following:

- Revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023; and
- Revised planning report prepared by Hansen Partnership, dated September 2023.

#### Further Information

With regard to the information requested in Council's letter, a response to each of the matters raised (in the same order as Council's letter) is set out in the table in Appendix 1.

#### Conclusion

We trust that the submitted information now adequately addresses DTP's concerns and allows for the application to progress to advertising.

Should you have any questions, please do not hesitate to contact Sophie Coissieux on 0493 514 326 or via email at [scoissieux@hansenpartnership.com.au](mailto:scoissieux@hansenpartnership.com.au).

Yours faithfully,

Hansen Partnership Pty Ltd



Damian Iles | **Director**

## Appendix 1. RFI Response Matrix

Further Information	Response
<p><b>Application Documents</b></p> <p>8. The arboricultural report prepared by Howell Arboriculture Consultants updated to include:</p> <ul style="list-style-type: none"> <li>a. Permit triggers under the SLO9: <ul style="list-style-type: none"> <li>i. Remove tree 7, 8 and 12.</li> <li>ii. Propose works within 4m of trees protected under the SLO9 (tree 13, 11, 10, 9, 6, 5 and 4).</li> </ul> </li> <li>b. Tree protection measures to confirm how tree 11 will remain viable during construction and into the long-term, noting the report identifies an incursion of 52.54% into the TPZ and that it will be “severely impacted”.</li> <li>c. An assessment of the adequacy of the proposed setbacks of buildings and works from trees 13, 10, 9, 6, 5 and 4 and tree protection measures during demolition and construction, to minimise damage and ensure tree retention.</li> <li>d. Justification of the tree removal for tree 12, 7 and 8, as required by clause 42.03-4.</li> <li>e. Any other tree protection measures and assessment in relation to the SLO9. This should include updating the report to identify the trigger to remove tree 7, 8 and 12 and justifying their removal.</li> </ul>	<p>Please see revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023.</p> <p>We note that “tree 15” in the arborist report has now been changed to tree 13 in alignment with the town planning drawings.</p> <ul style="list-style-type: none"> <li>a) i) The removal of trees 7, 8 and 12 trigger a permit under the SLO9 as these trees are at least 5 metres high.</li> <li>b) Line 9.6 and chapter 10 in the revised arborist report provide tree protection measures for tree 11 to remain viable during construction and into the long-term.</li> <li>c) Assessments of the adequacy of the proposed setbacks of works to the relevant trees are provided in chapter 9 of the revised arborist report.</li> <li>d) Justification for the removal of trees 7, 8 and 12 is provided in lines 8.4, 9.4 and 9.7 in the revised arborist report.</li> <li>e) Tree protection measures are provided under Appendix 5 of the revised arborist report.</li> </ul>
<p><b>Preliminary Concerns</b></p>	<p><b>Response</b></p>
<p>Works are proposed within the TPZ of trees 6, 9, 10, 11 and 13/15 (noting that this tree is identified differently across the report and town planning drawings), which require a permit for buildings and works to occur within 4m of the tree trunk under the SLO9. The report does not sufficiently provide information on how these impacts will be managed to ensure that the trees can be retained. The report does not appear to show the works to the footpath or new grasses area which are proposed. This assessment was requested under RFI item 1(b), (c) and (e).</p>	<p>Please see revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023.</p>
<p>The report identifies that an encroachment greater than 10% is considered a major encroachment under the Australian Standard. This information is requested now, as opposed to as a conditional requirement, as if the trees are not able to be retained a permit would be required for their removal under the SLO9.</p>	<p>Please see Appendix 5.7 (in page 35) of the revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023.</p>
<p>Justification of the removal of trees 7, 8 and 12 is required, as requested at RFI item 1(d).</p>	<p>Justification for the removal of trees 7, 8 and 12 is provided in lines 8.4, 9.4 and 9.7 in the revised arborist report.</p>

Additional Information	Response
Confirmation of whether the removal of tree 12 requires a planning permit under Clause 52.17 (Native Vegetation).	Please see line 9.7 (in pages 19 and 20) of the revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023.
It is noted that the 'Proposed Design' of the arborist report at page 26 appears to be based off a different layout to the submitted town planning drawings. In particular the path and configuration of car parking spaces is a different layout.	The layout in page 26 (Appendix 2) of the revised arborist report has been changed to be aligned with the submitted town planning drawings.