

**Appendix 6 – Notice of Decision to Grant a Permit conditions**

A Notice of Decision to Grant a Planning Permit is recommended to be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - (a) The location and alignment of the proposed vehicle crossovers modified to enable Trees Nos. 2 and 5 to be retained in accordance with Council's Tree Removal Policy.
  - (b) A minimum of 2 car spaces must be provided for the exclusive use of disabled persons. The dimensions of the disabled car spaces must be in accordance with the current Australian standards, AS 2890.6.
  - (c) The vehicle crossings in High Street must be designed to Melton Industrial standard crossover drawings. The width of each crossover at the kerb must be incorporated into the drawings. The vehicle crossings must match the existing vehicle crossings in the surrounding streets.
  - (d) The size of the vertical entry feature adjacent to the locker room of the Senior School increased to screen the air conditioning unit above the studio room and replicated on the adjoining entry feature adjacent to the Sports Hall.
  - (e) Incorporating additional complimentary colour treatments to the precast concrete areas nominated as 'Dulux Shale Grey'.
  - (f) A skillion roof incorporated into the Storage Shed at the south-east corner of the subject land.
2. Before the development starts, a landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (a) Location and identification of all proposed plants.
  - (b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - (c) Details of surface finishes of pathways and driveways.

All species selected must be to the satisfaction of the Responsible Authority.

3. Prior to commencement of works, detailed engineering layouts for the proposed access points shall be submitted to Responsible Authority for approval in accordance with the Austroads Guide to Road Design – Part 4A: Unsignalised & signalised intersections.
4. Prior to the commencement of the development, engineering plans and relevant design calculations for the proposed development must be submitted to the Responsible Authority. The engineering plans shall, as a minimum, comprise of the layout plan, the drainage plans, signage and line marking plans, pavement design plans and, where applicable, street lighting plans. All works within the site shall remain the property of the lot owner, except where it is located in an easement, and be maintained by the lot owner to the satisfaction of the Responsible Authority.
5. Prior to the commencement of the development, the drainage system of for the proposed development shall be designed and submitted to the Responsible Authority for approval to ensure that flows downstream of the site are restricted to pre-development flow levels.
6. The use and development hereby approved must be in accordance with the endorsed plans. The layout of the use and development must not be altered with the prior written consent of the Responsible Authority.
7. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose, including that any dead, diseased or damaged plants are to be replaced.
9. All drainage works must be designed and constructed to meet the following current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environment Management Guidelines (1999):
  - 80% retention of the typical annual load of total suspended solids
  - 45% retention of the typical annual load of total phosphorus; and
  - 45% retention of the typical annual load of total nitrogen

The amount of hydrocarbon and other oil based contaminants discharged to Council drains must not exceed 5 parts per million.

10. Stormwater must not be discharged from the site other than by means of an underground pipe drain discharged to Council's maintained legal point of discharge.
11. Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) Constructed.

- (b) Properly formed to such levels that they can be used in accordance with the plans.
- (c) Sealed with a concrete or asphalt surface.
- (d) Drained.
- (e) Line marked to indicate each car space and all access lanes.
- (f) Clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

12. Protective kerbs of a minimum height of 150mm must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
13. A minimum of 2 car spaces must be provided for the exclusive use of disabled persons. The car spaces must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the spaces must only be utilised by disabled persons. The dimensions of the disabled car spaces must be in accordance with the current Australian standards, AS 2890.6.
14. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
15. Prior to the commencement of works, any proposed vehicle crossing must be constructed to an industrial standard in accordance with Council's Standard Drawings. A vehicle crossing permit must be obtained from Council prior to construction.
16. Civil and landscape works must be fully constructed and completed to the satisfaction of the Responsible Authority prior to the commencement of use or occupancy, whichever comes first or applies.
17. All pedestrian access to buildings shall be designed and constructed to comply with the Disability Discrimination Act 1992.
18. Any existing works affected by the development works shall be reinstated at no cost and to the satisfaction of the Responsible Authority.
19. A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the areas set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.

20. The loading and unloading of vehicles, and the delivery of goods to and from the land for the use hereby approved, must be carried out entirely within the land and be conducted as to cause minimum interference with other traffic.

**Vic Roads (Conditions 21-23)**

21. Prior to the commencement of works, the developer shall engage a suitably qualified acoustic engineer to prepare an Acoustic Report that shows the traffic noise generated from the Western Freeway. The report shall be independently audited and subsequently forwarded to the Responsible Authority for approval. The report may also be forwarded to Vic Roads for review and expert advice if required.
22. The Acoustic Report must recommend any noise attenuation measures required to comply with a noise level of 63 dB (A) L10 (12 hour) or less, as measured 1 metre out from the facade of a building located within the site, at least 10 years after implementation. The Acoustic Report must also describe by means of architectural drawings and engineering specifications how a design life of 50 years will be achieved.
23. Any recommended noise attenuation measures in the Acoustic Report must be constructed within the property boundary at no cost to Vic Roads.

**Melbourne Water (Conditions 24- 29)**

24. The finished floor levels of the proposed building (Senior and Junior School, Sports Hall and Specialist studio) set no lower than 132.00 metres to Australian Height Datum (AHD) 600mm above the applicable flood level.
25. The car parking and landscaping garden should be kept at natural surface level to allow flows to pass through property unobstructed.
26. No fill is permitted outside of the proposed building envelopes.
27. All new fences and gates need to be open style to allow for flood flows with at least 50% opening up to the applicable flood level.
28. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
29. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
30. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
31. All waste collection shall be collected by a private contractor to the satisfaction of the Responsible Authority. Council's Waste Collection Services will not access the subject land to collect waste.

32. Before the development starts, a tree protection fence must be erected around the tree protection zone for each tree nominated for retention on the endorsed plans in accordance with the attached guidelines. The tree protection fence must remain in place until all construction works are completed.
33. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone without the written consent of the Responsible Authority. No storage or dumping of tools, equipment, vehicles or waste is to occur within the Tree Protection Zone.
34. Any external lighting of the building shall be so located and so designed with suitable baffles so that no direct light is emitted from the site.
35. Construction activities must be managed so that the amenity of the area is not detrimentally affected, through the:
- (a) Transport of materials, goods or commodities to or from the land.
  - (b) Inappropriate storage of any works or construction materials.
  - (c) Hours of construction activity.
  - (d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
  - (e) Presence of vermin.
36. The use hereby approved must not unreasonably adversely affect the amenity of the neighbourhood, including through the:
- (a) Transport of materials, goods or commodities to or from the land.
  - (b) Appearance of any stored goods or materials.
  - (c) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.
  - (d) Presence of vermin
37. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
38. Prior to commencing the use or occupying any buildings, all external walls visible from adjoining roads must be painted in accordance with the endorsed schedule to the satisfaction of the Responsible Authority.
39. This permit will expire if one of the following circumstances applies:

- The development is not started within two years of the date of this permit.
- The development is not completed and the use commenced within four years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

## Notes

### Engineering

- All drains contained within the allotment, except in drainage easements, shall remain the property of the landowners and shall not be taken over by Council for future maintenance.
- All vehicle pathways contained within the allotment, other than stated in this permit, shall remain the property of the landowners and shall not be taken over by Council for future maintenance.
- Relevant Council consents, including but not limited to, a 'Consent to work within a road reserve' will be required from Council prior to development commencing.
- Any proposed vehicle crossing must have clearance from other services, public light poles, street sign poles, other street furniture, trees and any traffic management devices.

### Melbourne Water

- The applicable flood level is 131.40 metres to Australian Height Datum (AHD).
- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 275174.

### **Tree protection zone requirements**

The tree protection zone must be designed by a shape defined by a circle, whose centre point is the centre point of the tree trunk at ground level, and whose radius is equal to half the height of the tree or half the crown width, whichever is the greater, plus the tree canopy plus one metre.

A consulting arborist must be employed to supervise works which may impact upon trees marked for retention on the approved plan.

The consulting arborist must conduct an induction of all personnel involved in construction that may impact on tree protection zones.

Any works within the tree protection zone should be completed or supervised by the consulting arborist.

The area inside the tree protection zone should, where considered relevant by the consulting arborist, be modified in the following manner to enhance the growing environment of the tree and to help reduce stress or damage to the tree:

- The area within the exclusion zone may require mulch with wood chips or compost matter to a depth of 150 millimetres.
- Trees may require supplementary watering, with the amount to be assessed by the consulting arborist and determined by the extent of disturbance to the trees roots and climatic conditions.
- Where severing of roots (greater than 50 millimetres in diameter) is required directly adjacent to the exclusion zone they must be cut cleanly. Where possible this is to be completed at the beginning of development of the site. Roots are not to be left exposed, but back-filled or covered with damp hessian.

The storing or disposing of chemicals or toxic materials must not be undertaken within 10 metres of any tree protection zone. Where the slope of the land suggests these materials may drain towards a tree protection zone, the storing or disposing of these materials is strictly forbidden.

Tree protection envelope fencing is to be constructed to the following requirements:

- Ring lock wire mesh approximately 1.5 metres high.
- Main posts 100mm treated pine (TP).
- Intermediate posts steel star pickets (SP).
- The corner posts are to be TP with TP stays.
- Every third post is to be TP.
- SP to be placed intermediately between the TP
- Posts at 3 metre intervals.
- The ring lock mesh to encircle the structure and be firmly secured at each post.
- Posts must be sunk into the ground by 450mm (there is to be no concrete to secure posts as this will affect p.H. levels).
- The tree protection zone is to be clearly sign posted in accordance with Condition (*insert number*).

With the agreement of the Responsible Authority, tree protection zone fencing may not be provided where permanent reserve fencing is introduced prior to construction. The specification of the permanent fencing must be to the satisfaction of the Responsible Authority.