

Appendix 6 – Proposed Conditions

That Council advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to the conditions outlined below:

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 on-site detention system.
 - b) A notation that the vehicle crossing in Joan Street will be constructed to Melton Industrial standards and in accordance with Melton standard drawing MCC504.
 - c) At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at the ground floor level.
 - d) All existing and proposed perimeter fencing with a minimum height of 1.8m with the exception of the front fence.
 - e) All internal fencing with a minimum height of 1.8m.
 - f) The upper floor of dwelling two, three, six and eight setback from the northern boundary in accordance with Standard B17 of Clause 55.04-1.
 - g) The south elevation of dwelling one setback from the existing north facing habitable room windows on the adjoining land in accordance with Standard B20 of Clause 55.04-4.
 - h) Dimensioned elevation of the proposed front fence including materials and colours.
 - i) Provide a passing area at the entrance at least 6.1m wide and 7m long.
 - j) A corner splay or area at least 50 per cent clear of visual obstructions extending at least 2m along the frontage road from the edge of an exit lane and 2.5m along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.
 - k) At least 2.1m headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8m in accordance with Clause 52.06-9.
 - l) Upper floor level habitable room windows and balconies on the north elevation of dwelling one to ten screened to at least 1.7m above the finished floor to limit views into existing secluded private open space and habitable room windows on the adjoining property in accordance with Clause 55-04-6.
 - m) All upper floor level windows on the south elevation of dwelling one to ten screened to at least 1.7m above the finished floor to limit views into existing secluded private open space of the property at 6 Joan Street.
 - n) Material and colour schedule.
 - o) The upper floor of dwelling ten in particular bedroom one, setback from the southern boundary in accordance with Standard B17 of Clause 55.04-1.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before the development starts, drainage plans and design calculations for the proposed development must be submitted to Council's Engineering Services Unit Att: Infrastructure Planning Coordinator for approval.

4. Prior to the commencement of development, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Plan must include the following:
- a) Recognition that a private contractor (not Council) will be responsible for waste collection and that vehicles can collect waste in a safe manner without causing nuisance to surrounding residents;
 - b) Calculation of weekly waste and recyclable volumes;
 - c) Waste pick up days and hours for general rubbish and recyclables collection;
 - d) Provision for a dedicated area on the site for bin storage and waste collection to occur, which is easily accessible by private waste collection vehicles;
 - e) Provision for a hard rubbish collection point on the site, and provision for hard rubbish collection via private contractors to be organised by the owners corporation when required;

Further a Section 173 agreement must be entered into with Council to the effect that waste will be collected by a private contractor arranged and funded by the owner's corporation.

An application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act prior to the commencement of the development. The landowner under this permit must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.

5. 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.
6. The maximum storm water discharge rate from the proposed development is 10.95 litres per second. An on-site stormwater detention system will need to be installed in accordance with plans and specifications to be submitted to Council's Engineering Services Unit Att: Infrastructure Planning Coordinator for approval
- o The following design parameters for the on-site detention system must be used:
 - o Time of Concentration for the catchment: $T_c = 15.45$ mins
 - o Travel time from the discharge point to the catchment outlet: $T_{so} = 4.92$ mins
 - o Weighted coefficient of runoff at the initial subdivision: $C_w = 0.45$

All on-site stormwater must be collected from the hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from the driveway onto the footpath.

7. 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.
8. Existing vehicle crossing must be constructed to an *industrial strength* standard in accordance with Council's Standard Drawings prior to the commencement of works. A 'Consent to Work within a Road Reserve' must be obtained from Council prior to the commencement of construction.
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
10. Stormwater must not be discharged from the site other than by means of an underground pipe drain discharged to a legal point of discharge to the satisfaction of the Responsible Authority.
11. Prior to covering of the on-site detention system, the developer must contact Council's Engineering Department to organise inspection of the works.
12. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
13. 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.
14. All recommendations contained in the endorsed Arbor Solutions Pty Ltd arborist report dated 4 August 2017 must be complied with to ensure the protection of trees on the adjoining properties during demolition, construction and post construction phases to the satisfaction of the Responsible Authority.
15. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed 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 (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

NOTES:

- All drains contained within the allotment, except in drainage easements, must remain the property of the landowners and must not be taken over by Council for future maintenance.
- Council's waste collection vehicles will not enter any allotment to collect bins.

- 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 permits, including but not limited to a road opening permit will be required from Council prior to development.
- The proposed vehicle crossing(s) must have clearance from other services, public light poles, street sign poles, other street furniture and any traffic management devices.