

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 use and/or 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 relocation of the shed to a position to the rear of the site, integrated into the architectural form of the building or to another location to the satisfaction of the Responsible Authority.
 - (b) The removal of Car Space No. 23 and replacement with landscaping.
 - (c) The on-site detention system.
2. Before the development starts, an amended 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 amended 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) The relocation of the shed to a position to the rear of the site, integrated into the architectural form of the building or to another location to the satisfaction of the Responsible Authority.
 - (b) The removal of Car Space No. 23 and replacement with landscaping.
3. The development as shown on the endorsed plan(s) must not be altered without the written consent of the Responsible Authority.
4. Prior to the occupation of the development, Lexcen Close must be constructed at no cost to Council and in accordance with Council's Engineering Standards.
5. Prior to the commencement of the development, detailed Engineering Plans must be submitted detailing the locations of vehicle crossings, which will be endorsed under the planning permit. The plan must also contain locations of other road infrastructure assets, including but not limited to tram crossings, street lights and street trees. The plan must reference the relevant Council standard drawing and ensure clearances to other infrastructure assets are adhered to.
6. Before the development starts, 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.

7. Prior to the occupation of the proposed development, a noise attenuation barrier must be constructed along the southern boundary of the subject land at no cost to and to the satisfaction of Vic Roads and Council.
8. 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.
9. 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.
10. Waste management must be undertaken in accordance with the Waste Management Plan dated 10 July 2019 prepared by Ratio Consultants or an alternative Waste Management Plan to the satisfaction of the Responsible Authority.
11. All food businesses storing and handling food intended for sale and/or is involved in the sale of food must be registered under the *Food Act 1984* through Council prior to trading. Food business must adhere to the *Food Act 1984* and Australian New Zealand Food Standards Code.
12. Businesses to be registered under the *Food Act 1984* are required to go through the plan assessment process prior to construction to ensure the premises and fit out is compliant under the *Food Act 1984* and the Food Standards Code.
13. Prior to lodgment of engineering construction plans, a functional layout plan for the subdivision or stage of the subdivision must be submitted to and approved by the Responsible Authority. The plan must incorporate the following:
 - A traffic management strategy and traffic engineering report identifying street classification, design traffic volumes, speed control and traffic management devices to be incorporated into the development.
 - A drainage management strategy detailing catchments both internal and external to the development, 1 percent AEP flow paths and flow volumes for the entire development. This strategy must include permanent on-site stormwater quality improvement measures.
 - A mobility plan detailing pedestrian access, bike/hike paths, public transport routes within the development and all interconnections to adjacent existing and future developments.
14. 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.

15. A minimum of two 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.
16. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
17. 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 'Consent to Work within a Road Reserve' must be obtained from Council prior to the commencement of construction.

18. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
19. All pedestrian access to buildings must be designed and constructed to comply with the Disability Discrimination Act.
20. The amount of hydrocarbon and other oil based contaminants discharged to Council drains must not exceed 5 parts per million.
21. 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.
22. The maximum storm water discharge rate from the proposed development is 59.40 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

The following design parameters for the on-site detention system must be used:

- o Time of Concentration for the catchment: $T_c = 13.20$ min
- o Travel time from the discharge point to the catchment outlet: $T_{so} = 6.80$ min
- 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/each) driveway onto the (footpath/verge).

23. 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.
24. 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.
25. 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.
26. All access ways and car parking area must be provided with as per AS 11158 compliance.
27. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
28. All works associated with the development that is retained as the responsibility of the owner of the site to upkeep must be maintained in perpetuity to a standard that is to the satisfaction of the Responsible Authority. Otherwise rectification works at the direction of and to the satisfaction of the Responsible Authority must be undertaken within a timeframe as directed by the Responsible Authority.
29. The loading and unloading of goods from vehicles must only be carried out within the designated loading bay(s) shown on the endorsed plans.
30. Before any works, including works required by other authorities, start, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the construction management plan will be endorsed and will then form part of the permit. The construction management plan must be drawn to scale with dimensions and three copies must be provided. The site management plan must include details of:
 - Working hours;
 - Haulage routes to the site;
 - Methods of dust suppression;
 - Sediment control.

In addition:

- All machinery brought on site must be weed and pathogen free.
- All machinery wash down, lay down and personnel rest areas must be clearly fenced and located in disturbed areas.
- Contractors working on the site must be inducted into an environmental management program for construction works.
- Best practice erosion and sediment control techniques must be used to protect any native flora and fauna.

Vic Roads (Conditions 31 and 32)

31. Prior to the commencement of the development, the following report and plans must be submitted to the Roads Corporation for approval:
 - (a) Acoustic report in accordance with AS3671-1989 'Acoustics- Road Traffic Noise Intrusion – Building Siting and Construction'.
 - (b) Proposed noise wall alignment and cross section plans.
32. Prior to the occupation of buildings within the development, the following works must be completed at no cost to and to the satisfaction of the Roads Corporation and the Responsible Authority:
 - a) Implementation of required noise attenuation measures and associated works.
 - b) Provide Roads Corporation a payment for 10 years maintenance costs of any noise attenuation measures required to be maintained by the Roads Corporation.

Transport for Victoria (Condition 33)

33. The permit holder must take all reasonable steps to ensure no disruption to bus operations, along Station Road, during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to the Department of Transport eight (8) weeks prior by telephoning 1800 800 007 or emailing bus.stop.relocations@ptv.vic.gov.au.
34. Before the sign is displayed, 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) Details of message to be displayed, illumination (including lux levels), lettering style and external materials and finishes for the proposed sign.
35. The location and details of the sign(s), *including those on the supporting structure*, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
36. The signs must not contain any flashing light.
37. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
38. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.
39. 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.
- (f) Any other way as determined by the Responsible Authority.

40. 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 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 three months afterwards.

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