

**Appendix 5 – 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) Through the use of differing materials, windows or feature elements to break up the enormous expanse of blank wall on the eastern and southern elevations.
  - (b) A notation that the proposed vehicle crossing onto Clarkes Road be constructed to the City of Melton Industrial Standards (MCC504). The vehicle crossing must match the existing vehicle crossings in the surrounding streets.
  - (c) Any amendments to plans to accord with the Waste Management Plan required by Condition 6.
  - (d) Noise mitigation measures because of Condition 7.
  - (e) The on-site detention system.
- 2 The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
- 3 Before the use starts or within two months of the completion of the development, all existing conditions affected by the development works must be reinstated at no cost to, and to the satisfaction of the Responsible Authority.
- 4 Prior to the commencement of the use, a Parking Management Plan must be submitted to and approved by the responsible authority. The Parking Management Plan must include:
  - (a) How the allocation of car spaces will be managed, including the provision of staff parking during the operating hours and the provision of parent car spaces during the morning and afternoon peak periods.
  - (b) Which car spaces will be occupied by staff.
  - (c) Availability of parent parking during the middle of the day.
  - (d) Arrangements for delivery vehicles.
  - (e) Encouraging use of bicycles and shared transport arrangements.
  - (f) Intended education of parents and staff about the Parking Management Plan such as through an orientation session or the like.
- 5 Prior to the commencement of any site works, the owner must submit a Construction Management Plan to the responsible authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in

writing by the responsible authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the responsible authority. The Plan must be to the satisfaction of the responsible authority and must also include the following:

- (a) Delivery and unloading points and expected frequency.
  - (b) A liaison officer for contact by owners / residents and the responsible authority in the event of relevant queries or problems experienced.
  - (c) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
  - (d) Hours for construction activity in accordance with any other condition of this permit.
  - (e) Measures to control noise, dust, water and sediment laden runoff.
  - (f) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan.
  - (g) Any construction lighting to be baffled to minimise intrusion on adjoining lots.
- 6 Prior to the endorsement of the plans under Condition 1, a Waste Management Plan (WMP) must be submitted to the responsible authority for approval and must address the following:
- (a) Adequate provision for the storage of garbage, bottles, solid waste and recycling materials and demonstrate an adequate number of bins can be provided within the subject site.
  - (b) Details of the collection arrangements by a private contractor including the hours of collection.
  - (c) Arrangements to maintain all bins and receptacles in a clean and tidy condition and free from offensive odour.
- All to the satisfaction of the responsible authority.
- 7 Before the development commences, a report prepared by a suitably qualified acoustic consultant must be submitted to the satisfaction of the Responsible Authority. The report must detail recommendations with respect to the provision of glazing of windows and acoustic fences around the property boundary to mitigate the emission of noise from the site. The measures to be taken must be documented on the plans to be endorsed, to the satisfaction of the Responsible Authority.
- 8 The use must operate in accordance with the approved Waste Management Plan except with the written consent of the responsible authority.
- 9 Unless with the prior written consent of the Responsible Authority, not more than 102 children are permitted on the premises at any one time. This excludes children not enrolled at the centre.
- 10 Except with the prior written consent of the Responsible Authority, the hours In which children may be cared for on-site must be confined to:

- Monday to Friday: 6.30am to 6.30pm

- 11 The site must make available at all times 22 car parking spaces for the use of staff and visitors and must be suitably line marked at all times, to the satisfaction of the Responsible Authority.
- 12 Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - (a) Constructed.
  - (b) Properly formed to such levels that they can be used in accordance with the plans.
  - (c) Surfaced with an all-weather sealcoat.
  - (d) Drained.
  - (e) Line-marked to indicate each car space and all access lanes.
  - (f) Clearly marked to show the direction of traffic along the access lanes and driveways

To the satisfaction of the responsible authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose at all times.

- 13 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, public 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.
- 14 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.
- 15 The amount of hydrocarbon and other oil based contaminants discharged to Council drains must not exceed 5 parts per million.
- 16 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.
- 17 The maximum storm water discharge rate from the proposed development is 18.18 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:
  - Time of Concentration for the catchment:  $T_c = 14.62$  minutes

Item 12.10 Planning Application PA 2019/6759 - use and development of the land for a child care centre with associated car parking and landscaping and erect and display a business identification sign At 222 clarkes road brookfield

Appendix 5 Notice of Decision to Grant a Permit Conditions - undated

---

- Travel time from the discharge point to the catchment outlet:  $T_{so} = 7.82$  minutes
- 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.

- 18 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.
- 19 All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
- 20 A minimum of one car space 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.
- 21 Prior to the commencement of works, any proposed vehicle crossing must be constructed to an industrial standard in accordance with Council's Standard Drawings.
- 22 All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
- 23 All pedestrian access to buildings must be designed and constructed to comply with the Disability Discrimination Act.
- 24 Any pit located within a proposed vehicle crossing must be modified to take vehicle loadings and the pit lid must be flush with the surrounding concrete surface, to the satisfaction of the Responsible Authority.

**The following requirements of Council's Environment Health Department must be satisfied (Conditions 25- 26)**

- 25 Acoustic testing and construction of fencing required to minimize the noise distributed to neighbouring properties.
- 26 All food businesses selling, storing, handling or preparing food from fixed, mobile or temporary premises must be registered under the *Food Act 1984*.
- 27 The amenity of the area shall not be detrimentally affected by the use or development, through:
  - (a) Transportation of materials, goods or commodities to or from the land;
  - (b) Appearance of any building, works or materials;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;
  - (d) Presence of vermin;
  - (e) Or in any other way; and

All to the satisfaction of the Responsibility Authority.

- 28 All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
- 29 No amplified public address system or other amplified sound is to be used in the external areas of the childcare centre except in cases of emergency.
- 30 All outdoor lighting must be baffled and/or located to the satisfaction of the responsible authority to prevent light from the site causing detriment to the locality.
- 31 The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the responsible authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the responsible authority in writing.
- 32 The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the responsible authority.
- 33 The location of the signs (including the size, nature, panels, position and construction) shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 34 The sign must be constructed and maintained to the satisfaction of the Responsible Authority.
- 35 The sign must not contain any flashing light.
- 36 The sign must not be illuminated by external or internal light except with the written consent of the Responsible Authority.
- 37 The permit for the display of business identification sign expires on the cessation of use of the land for a child care centre.
- 38 This permit will expire if one of the following circumstances applies:
  - (a) The development is not started within two (2) years of the issue date of this permit.
  - (b) The development is not completed within four (4) years of the issue date of this permit.
  - (c) The use is not commenced within four years of the issue date or this permit or the use ceases to operate for a period of 2 consecutive years.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**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.

Item 12.10 Planning Application PA 2019/6759 - use and development of the land for a child care centre with associated car parking and landscaping and erect and display a business identification sign At 222 clarkes road brookfield

Appendix 5 Notice of Decision to Grant a Permit Conditions - undated

---

- All vehicle pathways contained within the allotment, other than stated in this permit, must remain the property of the landowners and must 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 vehicle crossing must have clearance from other services, public light poles, street sign poles, other street furniture and any traffic management devices.