

Item 12.7 Planning Application PA 2016/5303/1 - Use and Development of the Land for the Sale of Christmas Decorations and Christmas Themed Products (Market) with Associated Car Parking in Conjunction with the Melton Christmas Tree Farm At 319-391 Leakes Road Plumpton

Appendix 6 Notice of Decision to Grant a Permit conditions - undated

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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) A car parking plan detailing the layout, dimensions, parking bay types and aisle widths in accordance with Clause 52.06 of the Melton Planning Scheme.
  - (b) The existing vehicle crossovers in Leakes Road upgraded to accord with Council's Rural Engineering Standards. The vehicle crossings must match existing vehicle crossings in the surrounding area, and any existing road side hazards, such as rocks, concrete blocks and totem poles must be shown on the plan as being removed;
  - (c) The crossover to the site must be sealed directly adjacent to Leakes Road to prevent the migration of mud and other debris onto the roadway;
  - (d) A suitable intersection treatment and upgrade of Leakes Road at the frontage of the site to include left and right hand turn treatments in accordance with the functional layout plan required by condition 2 of this permit.
2. Before the use starts functional layout plans and a traffic and parking management plan 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 functional layout plan must be in accordance with AustRoads guidelines. Traffic access and parking operations on and adjacent to the site must conform to these endorsed plans. Three copies of each plan must be submitted. The plan must include:
  - (a) A suitable intersection treatment and the upgrade of Leakes Road at the frontage of the site, which must include right and left turn treatments into and from the site;
  - (b) The location of all areas on-site to be used for staff and patron parking.
  - (c) Specification of staff numbers adequate to enable efficient operation of car parking areas on-site.
  - (d) The number and location of all on-site security staff.
  - (e) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled on-site.
  - (f) Measures to discourage patron car parking in Leakes Road.
  - (g) Measures to preclude staff parking in designated patron car parking areas.
  - (h) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time.
  - (i) Servicing of the drainage and maintenance of car parking areas.
  - (j) The crossover into the site to be constructed as per Councils' standard drawings, including the removal of road side hazards such as rocks, concrete blocks and totem poles;
  - (k) The crossover to the site sealed directly adjacent to Leakes Road to prevent the migration of mud and other debris onto the roadway.

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3. Prior to the commencement of the use hereby permitted, all roadworks, access and car parking measures required by condition 2 of this permit must be constructed to the satisfaction of, and at no cost to Council.
4. Prior to the commencement of use, a waste management plan must be submitted to and approved by the Responsible Authority. If municipal collection is not possible, an on-site waste collection must be arranged and managed by the owner to the satisfaction of the Responsible Authority.
5. The use hereby permitted may operate only between the hours of:
  - (a) 9am-3pm (Sundays) from the 1<sup>st</sup> September to the 31 December each year. Stall holders may set up between 8am and 9am and pack up between 3pm and 4pm.These hours must not be altered or varied without the further written consent of the Responsible Authority.
6. The use hereby permitted must only sell Christmas decorations and Christmas themed products. No other items are permitted for sale at the market without the further written consent of the Responsible Authority.
7. The use and development as shown on the endorsed plan(s) must not be altered without the written consent of the Responsible Authority.
8. 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 nitrogenThe amount of hydrocarbon and other oil based contaminants discharged to Council drains must not exceed 5 parts per million.
9. All stormwater discharge shall be directed to the lowest point on the site. Any discharge off site due to the development shall be restricted to sheet flow conditions.
10. With the exception of the sealed crossover and roadworks required by condition 2 of this permit, before the use or occupation of the development starts, the area set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) Paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the sub-grade and the vehicles which will use the areas.
  - (b) Adequately drained.
  - (c) Marked to indicate each car space and all access lanesto the satisfaction of the Responsible Authority.  
Car spaces, access lanes and driveways must be kept available for these purposes at all times.
11. 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 AS2890.6.

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12. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
13. The vehicle crossing shall be constructed in accordance with Melton Rural standards. A vehicle crossing permit shall be taken out for the construction of the vehicle crossing.
14. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
15. All pedestrian access to buildings must be designed and constructed to comply with the Disability Discrimination Act 1992.
16. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
17. 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.
18. Prior to the commencement of the use, an application must be made under the Food Act to Council's Environmental Health Services Department.
19. The use and development must be managed to the satisfaction of the Responsible Authority 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) 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.
20. The subject land must be kept neat and tidy at all times. Any rubbish generated from the proposed market must be removed from the site at the end of each market day to the satisfaction of the Responsible Authority.
21. Noise levels emanating from the land must comply with the requirements of the Environment Protection Authority's Information Bulletin No. N3/89 *Interim Guidelines for the Control of Noise in Country Victoria*.
22. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
23. This permit will expire if one of the following circumstances applies:
  - The use is not commenced within two years of 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, must remain the property of the landowners and must not be taken over by Council for future maintenance.

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- 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 Council consents, including but not limited to a 'Consent to work with a road reserve' will be required from Council prior to development.
- Any proposed vehicle crossings must have clearance from other services, public light poles, street sign poles, other street furniture, trees and any traffic management devices.

Melbourne Water

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference 282916.