

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:

Amended Plans Required

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) All footpaths with a minimum width of 1.5m including fibre reinforced polymer tactiles at road crossings.
 - b) A notation on the plans that the vehicle crossing in Leakes Road will be constructed to Melton Industrial standards.
 - c) The 7.15m pylon height reference on Drawing No.TP05 deleted.
 - d) The proposed internal footpath adjacent to car space 7 to the north extended to connect to the existing north eastern footpath located outside the subject land that connects to Riders Circuit.
 - e) The dry stone wall on the eastern boundary fully retained and sections of the eastern boundary with the proposed landscaping deleted to allow retention of the existing dry stone wall.
 - f) Incorporate an additional fenestration treatment on the western wall of the office to provide additional activation to the buildings primary façade.
 - g) An amended Stormwater Management Strategy (SWMS) report prepared by Sustainable Development Consultants dated April 2019 and drainage plans either addressing how stormwater within the site's boundaries will be fully contained discharging to a point on the allotment a minimum of 18m downslope and away from all buildings or proposing to construct a pipe drainage system in the road reserve leading to the existing underground drainage system. For the latter option, the drainage system of the proposed use and development must be designed to ensure that flows out of the site are restricted to pre-development levels.

VicRoads

2. Before the development starts, amended plans must be submitted to and approved by Roads Corporation. When approved by Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Concept layout plan of the access point on Leakes Road showing the ultimate left-in and left-out access arrangement overlaying on to the ultimate Leakes Road plan;
3. Any alterations to the ultimate access point or any internal alterations must be implemented by the applicant/owner at cost to the Roads corporation at the time duplicate Leakes Road and the access arrangement is converted to left-in left-out.
4. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Infrastructure Planning Unit

Engineering Plans for Works within a Road Reserve Required

5. Prior to the commencement of works, detailed engineering plans must be submitted to and approved by the Responsible Authority. The engineering plans must show:
- a) Any drainage pit or pipe added (e.g. Drainage pipe to outlet)
 - b) Formation of pram/pedestrian crossing across proposed vehicle crossing.
 - c) Tactile Ground Surface Indicators (TGSI's) must be provided on both sides of pedestrian crossing.
 - d) A Pedestrian refuge within central median. Pedestrian refuge to be in line with existing footpath and Tactile Ground Surface Indicators (TGSI's) must be provided in pedestrian refuge.
 - e) Kerb details of central median.

Prior to the issue of a certificate of occupancy for the development, or by such later date as is approved by the Responsible Authority in writing, the works shown on the approved engineering plan and ancillary works must be carried out and completed to the satisfaction of the Responsible Authority.

Engineering Plans Internal to the Site Required

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.
7. All works within the site must 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.

Vehicle manoeuvring

8. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.

Vehicular crossings

9. Prior to the commencement of works, any proposed vehicle crossing must be constructed to an industrial standard in accordance with Council's Standard Drawings.
10. A 'Consent to Work within a Road Reserve' must be obtained from Council prior to the commencement of construction.

Stormwater Quality within the Site

11. The amount of hydrocarbon and other oil based contaminants discharged to Council drains must not exceed 5 parts per million.
12. In addition to hydrocarbon removal, a Spill control mechanism equivalent to the maximum capacity of a single compartment fuel tanker also to be installed as stormwater quality measure within the site.

Stormwater

13. 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.

Verification of Spill control System

14. Prior to covering of the spill control system, the developer must contact Council's Engineering Department to organise inspection of the works.

Car Park Construction – Sealed

15. 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.

Protective kerbs

16. 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.

Existing works

17. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
18. 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.

City Environment and Sustainability Unit

19. No environmental weeds are to be planted (refer to Melton City Council's *Gardens for Wildlife Booklet* (2018) and the Department of Environment, Land, Water and Planning's *Advisory list of Environmental Weeds in Victoria* (DELWP 2018; Arthur Rylah Institute for Environmental Research technical Series Report Number 287).
20. Before works start, an Environmental Management Plan (EMP) must be prepared and implemented to the satisfaction of the Responsible Authority. The EMP must include:
- Contractors working on the site must be inducted into an environmental management program for construction work;
 - Any native vegetation permitted to be removed must be clearly marked on site;

- Proposed working hours;
 - Haulage routes to the site;
 - Methods of dust suppression;
 - Sediment control and gross pollutant management;
 - Procedures to ensure that no significant adverse environmental impacts occur as a result of the development;
 - Location of stockpiling, machinery wash down, lay down, storage and personnel rest areas and vehicle exclusion areas;
 - A Weed Management Plan, which outlines measures to manage weeds before, during and post works to the satisfaction of the Responsible Authority. The Weed Management Plan must be implemented to the satisfaction of the Responsible Authority. This plan must include (not limited to):
 - Protocols for management of weeds before, during and post works.
 - All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens.
 - Location of a designated wash-down area to achieve the above.
 - All declared noxious weeds must be controlled.
 - All weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material must be controlled.
 - All construction stockpiles and machinery must be placed away from areas supporting native vegetation to be retained and watercourses/drainage lines to the satisfaction of the Responsible Authority;
 - Measures must be taken to ensure that no polluted water and/or sediment laden runoff is to be discharged directly or indirectly into stormwater drains or watercourses during the works (including the removal of native vegetation);
 - All earthworks must be undertaken in a manner that will minimise soil erosion and adhere to *Construction Techniques for Sediment Pollution Control* (EPA 1991) and *Environmental Guidelines for Major Construction Sites* (EPA 1995);
 - Water run-off must be designed to ensure that native vegetation to be protected on adjacent sites and watercourses are not compromised; and
 - Non-compliance identified by the Responsible Authority must be rectified immediately at no cost to Council.
21. Prior to felling any tree which is to be removed, the tree must be examined by a suitably qualified zoologist for the presence of fauna in hollows or external nests. If native fauna species are located, they must be salvaged and translocated to the closest suitable vegetation in consultation with the Department of Environment, Land, Water and Planning.

Waste Management Plan

22. Prior to commencement of the development, an amended waste management plan prepared by a person suitably qualified or experienced in waste management must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed under the permit. The Plan must detail:
- a) Management of litter in and around the site.
23. All waste collection must be collected by a private contractor to the satisfaction of the Responsible Authority in accordance with the endorsed Waste Management Plan forming part of this permit.

Landscaping

24. Before the use and development starts, an amended landscape plan to the satisfaction of the Responsible Authority 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 landscaping plan must be generally in accordance with the landscape plan prepared by CDA Design Group Pty Ltd, Revision A dated 8 May, 2019 except that the plan must show:

- a) A planting schedule of all proposed trees on Old Leakes Road, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- b) Sections of the eastern boundary with the proposed landscaping deleted to allow retention of the existing dry stone wall.

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

25. 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.

26. Before the use/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.

Signage

27. The location and details of the signs, including those on the supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

28. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

29. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.

30. The signage approved by this permit expires 15 years from the date of issue. All signage must be removed to the satisfaction of the Responsible Authority by this date.

Plant equipment and air conditioning

31. Before commencement of the use, all air-conditioning equipment and other plant equipment must be screened or concealed from view to the satisfaction of the Responsible Authority.

Amenity

32. Construction activities must be managed so that the amenity of the area is not detrimentally affected, through:

- 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.

33. The use and development hereby approved must be managed to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected, through:

- 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.
- e) Any other way as determined by the Responsible Authority.

In the event of any nuisance being caused to the neighbourhood by activities related to the use, the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance being undertaken.

34. 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.

35. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.

36. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

37. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

38. Unless with the written consent of the Responsible Authority, waste collection, fuel deliveries and general deliveries may only occur between the hours of 7.00am and 8.00pm on any day.

39. Unless with the written consent of the Responsible Authority, the use may operate only between the hours of:

- a) Monday to Sunday – 6am to 10pm.

Powercor Conditions 35 - 41

40. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

41. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

42. Apply for a site visit and permit to work assessment. This can be done via the Powercor website.

43. The property owner/builder should contact Dial before you Dig, before any excavation works are undertaken on the property.
44. The applicant shall provide an electricity supply to the development in accordance with the Distributor's requirements and standards.
Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
45. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
46. The applicant shall, when required by the Distributor, set aside areas for the purposes of establishing a substation or substations.
Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
- RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.
The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

Permit Expiry

47. This permit will expire if one of the following circumstances applies:
- a) The use and 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.
 - c) The use is discontinued for a period of two years.

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

Habitat compensation obligations

- The development covered by the application is subject to the Final approval for urban development in three growth corridors under Melbourne urban growth program strategic assessment 5 September 2013 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). All actions associated with urban development must be undertaken in accordance with the requirements of the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (DEPI 2013). Persons taking actions associated with urban development must comply with the habitat compensation arrangements and fees described in the *Biodiversity Conservation Strategy and Habitat Compensation* under the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (DEPI 2013)). The developer must contact DELWP to determine habitat compensation obligations applicable to the proposed development. Salvage and translocation of threatened flora and fauna species must be undertaken in the carrying out of development to the satisfaction of the Secretary of the Department of Environment, Land, Water and Planning. DELWP must be consulted to determine if any salvage and translocation

Item 12.11 Planning Application PA 2019/6452/1 - Use and development of a Service Station,
Creation of access to a road in a Road Zone, Category 1 and display of Advertising Signs
At 1062 - 1066 Leakes Road, Grangefields

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

applies to the proposed development. The Environmental Services Department recommends the use of the Construction/Site Environmental Management Plan template and guidance notes developed by Melbourne Water, available at: <http://www.melbournewater.com.au/Planning-and-building/Standards-and-specifications/site-management/Pages/Develop-a-site-management-plan.aspx>

- 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, 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 proposed vehicle crossing(s) must have clearance from other services, public light poles, street sign poles, other street furniture and any traffic management devices.