


# PLANNING PERMIT

<b>PERMIT NUMBER:</b>	PLN/2015/204
<b>PLANNING SCHEME:</b>	Macedon Ranges Planning Scheme
<b>RESPONSIBLE AUTHORITY:</b>	Macedon Ranges Shire Council
<b>ADDRESS OF THE LAND:</b>	Crown Allotments 1, 2, 3, 20, 21, 22 Section 14 Parish of Woodend (TP 303522S), 2-4 Davy Street Woodend
<b>THE PERMIT ALLOWS:</b>	Construction of fourteen (14) double storey dwellings, construction of associated buildings and works (earthworks, roadworks and fencing), and removal of vegetation including two (2) non native trees within the Davy Street road reserve, construction of works within the Black Gum Reserve (outlet drains and reserve)

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the development commences, three (3) copies of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans, which must be drawn in scale and fully dimensioned, must be generally in accordance with the plans Revision C, dated 09 February 2016 and prepared by Buckerfield Architects but modified to show the following:
  - (a) The legend on Drawing No TP105 amended to also show the details of all proposed finishes and external colours.
  - (b) The colour of the walls for all dwellings where shown as "off-white oxide render", substituted with a cream colour to the satisfaction of the Responsible Authority.
  - (c) All plans amended to reference all retaining walls be of "Natural Finish" timber sleeper retaining walls.
  - (d) The provision of Tree Protection Zones (TPZ) for all street trees external to the site but adjoining the site or proposed works, that will be retained within Davy Street and High Street road reserves and the adjoining Crown land. The zones shall be marked "TPZ" to extend to at least the periphery of the foliage canopy to include the drip line of each tree.
  - (e) The provision of suitably sized bin collection area(s) internal to the development site to the satisfaction of the Responsible Authority. These areas must also be adequately screened so as to prevent viewing of the stored bins to the satisfaction of the Responsible Authority.
  - (f) Replacement of all grasscrete paver areas with suitable brick paving together with a suitable base, so as to prevent sagging of pavers to the satisfaction of the Responsible Authority.
  - (g) The central footpath through the development and floodplain to High Street be of a sealed construction and designed to prevent slipping. Any proposed concrete path must be




Authority.

- (g) The central footpath through the development and floodplain to High Street be of a sealed construction and designed to prevent slipping. Any proposed concrete path must be suitably coloured so as to blend into the land.
  - (h) The provision of a concrete footpath provided within the High Street road reserve starting from the sealed central internal footpath and connect and matching to the existing concrete footpath along High Street south of the site.
  - (i) The location and design detail of meter boxes for each unit. The meter boxes should be of a muted tone and be appropriately screened from the street with landscaping.
  - (j) The design detail, and location of mailbox(es) for all units.
2. Before the development commences, three copies of 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 this permit. The landscaping plan must be generally in accordance with the landscape plan Revision C dated May 2015 prepared by Zenith Concepts. The plan must be amended to include, but not limited to, the following:
- (a) The changes required by Condition 1 (c) to 1 (h).
  - (b) The changes required by the NCCMA under Condition 52.
  - (c) Any changes required by Western Water under Condition 34.
  - (d) Details of how Willow trees will be removed, treated and disposed of within the property boundaries in accordance with the permit note.
  - (e) A survey of all existing vegetation and natural features.
  - (f) An amended schedule of all proposed trees, shrubs/small trees and ground cover (common and scientific names) recognising the requirements of Condition 2(a).
  - (g) Number of each species to be planted.
  - (h) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material.
  - (i) Paving, driveway, retaining walls, fence design details and other landscape works including areas of cut and fill having regard to changes required by Condition 1.
  - (j) Details of appropriate automated irrigation systems.
  - (k) Mulch details (to be at least 75mm thick).
  - (l) A maintenance schedule.



- (m) Deletion of the "Store" (ST) and "bin collection areas" between Unit 2 and Unit 3 to match the Site Plan and detail of the new location for a bin store as per Condition 1.
3. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
4. The vegetation removal hereby approved must be carried out in accordance with the plans endorsed under this permit and only those trees marked to be removed on the endorsed plans shall be removed or destroyed to the satisfaction of the Responsible Authority. No other trees shall be removed unless with the prior written consent of the Responsible Authority.
5. Before the development commences, Crown Allotments 1, 2, 3, 20, 21 and 22, Section 14, T/Woodend P/Woodend must be consolidated to create one allotment under the *Subdivision Act 1988*.
6. Unless with the prior written consent of the Responsible Authority, before the occupation of any dwellings within the development, the following must be undertaken to the satisfaction of the Responsible Authority:
- (a) All landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- (b) All new internal and perimeter fencing shown on the endorsed plans must be constructed to the satisfaction of the Responsible Authority. All construction costs are to be borne by the permit holder and at no cost to Council and/or adjoining neighbours.
- (c) All access and egress way to the site and dwellings must be constructed and formed to an all-weather seal standard as approved within the endorsed plans.
7. Prior to development commencing (including any demolition, excavation, tree removal, delivery of building/construction materials and/or temporary buildings), tree protection fencing must be erected for all trees surrounding the construction area including within Davy Street and High Street road reserves and Black Gum Reserve to the satisfaction of the Responsible Authority in accordance with the tree protection zone(s). The fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 meters above ground level, and include signage clearly marked "Tree Protection Zone – No Entry" on all sides.
- Once erected the fencing must be inspected by the Responsible Authority.
8. The tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority. Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection such as bridging over with timber).
9. Unless with the prior written consent of the Responsible Authority, the following actions must NOT be undertaken in any tree protection Zone (TPZ) as identified on the endorsed plan, to the satisfaction of the Responsible Authority:
- (a) Materials or equipment stored within the zone;



- (b) Nothing is to be attached to any tree (including temporary service wires, nails, screws or any other fixing device);
  - (c) Open cut trenching or excavation works or filling (whether or not for laying of services) undertaken within the zone without prior written Council consent;
  - (d) Changes to the soil grade level within the zone.
  - (e) Any construction works.
10. Council is to be informed within 48 hours of any damage to tree trunks, crown or root systems of any tree required to be retained. All damage is to be immediately repaired by a qualified arborist to the satisfaction of the Responsible Authority. Cut branches and roots are not to be sealed with wound sealing products unless specified by the Responsible Authority.
11. Vegetation removal and disposal must not damage vegetation stands to be retained and to drainage lines and/or water courses to the satisfaction of the Responsible Authority.
12. No other trees/vegetation shall be removed, damaged, destroyed, felled, lopped or uprooted unless with the prior written consent of the Responsible Authority.
13. Prior to commencing any works on the land, the applicant/developer shall be required to undertake (at no cost to the Responsible Authority or owner of Islay House) a dilapidation report and a pre-development inspection of Islay House, with regards to sub-soil moisture by a suitably qualified person(s). It is also required to monitor changes in this regard during development on a regular basis and for a period of up to two years after completion of the floodway. The applicant is also responsible for any costs directly related to any damage caused to the building structure of Islay House as direct result of any adverse change of sub-soil moisture conditions to the satisfaction of the Responsible Authority.
14. Prior to the commencement of any works the site must be surveyed and pegged to clearly establish the correct boundaries of the site to the satisfaction of the Responsible Authority.

**MRSC ENGINEERING, INFRASTRUCTURE & PROJECTS UNIT CONDITIONS**

15. Prior to the commencement of works, a Waste Management Plan be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plan must specify:
- (a) Dimensions of waste collection areas.
  - (b) The number of bins to be provided.
  - (c) Method of waste and recyclables collection.
  - (d) Hours of waste and recyclables collection.
  - (e) Method of presentation of bins for waste collection.
  - (f) Private collection contractors



Waste collection from the development must be in accordance with the plan to the satisfaction of the Responsible Authority.

16. Prior to the commencement of works, an 'Asset Protection Permit' must be obtained from Council for any of the following:
- (a) Works within Council road reserves or on Council stormwater drainage assets.
  - (b) Entry into a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - (c) New crossover or existing crossover upgrading works.
17. Prior to the commencement of works, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
- (a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
  - (b) Dust control.
  - (c) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
  - (d) Where access to the site for construction vehicle traffic will occur.
  - (e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
  - (f) The location of any temporary buildings or yards.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

18. Prior to the occupation of the development, the following works must be constructed or carried out to the satisfaction of the Responsible Authority:
- (a) A new vehicle crossing off Davy Street including any culvert crossings across any watercourse or open drain. The crossing is to have a minimum width of 5.5m with larger dimensions at bends. Fill batters must not exceed 1 in 4 slope or alternatively barriers must be provided.
  - (b) A new sealed court head within the Davy Street road reservation at the connection of the new vehicle crossing. The court head is to have a minimum radius of 9.3m.
  - (c) A concrete footpath provided within the High Street road reserve starting from the sealed central internal footpath and connect and matching to the existing concrete footpath along High Street south of the site.

Detailed construction plans for the above works must be submitted to and approved by the



Responsible Authority including payment of plan checking and supervision fees.

19. Prior to the occupation of the development, the site is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- (a) The development as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - (b) Stormwater drainage, detention and quality treatment systems are generally in accordance with the Storm Water Management Plan (February 2016) prepared by Water Technology Pty Ltd.
  - (c) Storm water runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
20. Prior to the occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a) Constructed to the satisfaction of the Responsible Authority.
  - b) Properly formed to such levels that they can be used in accordance with the plans.
  - c) Drained and maintained.
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.
21. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
22. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Site (EPA 1995) to the satisfaction of the Responsible Authority.

**DEPARTMENT OF ENVIRONMENT AND PRIMARY INDUSTRIES CONDITIONS**

23. No polluted and/or sediment laden run-off or other concentrated flow of water (excluding the direct connection to the Council drainage pit) is to be discharged directly or indirectly into the adjoining Crown land.
- Works*
24. To prevent impacts on Crown land, all works are to be contained within the freehold land and must take place from the freehold side of the boundary unless directly related to the connection works to the Council drainage pit.
- Adjoining Crown Land*
25. No plant, machinery or associated equipment, is to be permitted on the adjoining Crown land unless directly related to drainage works within Black Gum Reserve.



26. Adjoining Crown land must not be used for truck turning areas, parking areas or temporary stack sites during the construction of buildings or works.

*Weeds and Pathogens*

27. To prevent the spread of weeds and pathogens all:
- (a) earth moving equipment and associated machinery must be made free of soil, seed and plant material before being taken to the works site and again before being taken from the works site on completion of the project.
  - (b) excavated material, including topsoil, taken from the works site to be returned later must be stored on a clean site free of weeds.
  - (c) areas where earth moving has occurred must be monitored for a period of three years to assess any weed infestations that may occur as a result of soil disturbance and/or the importation of sand gravel and other material used in the construction process. Any weed infestations resulting from soil disturbance and/or the importation of sand gravel and other material used in the construction process must be controlled.

Note:

- The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.
- The applicant will also need to apply for Land Owner consent and pay a fee of \$1,920.00 plus GST prior to commencement of works. The contact for this is Graeme Oxlade on 54304704.

**COUNTRY FIRE AUTHORITY CONDITIONS**

*Hydrants*

28. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
- (a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
  - (b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note:

- CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrants for Fire fighting Purposes" available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

*Roads*

29. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

30. Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.  
Note: the minimum trafficable width MUST be 3.5 metres with .5 metres unobstructed on each side.
31. Dead end roads and cul-de-sac's more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.

**WESTERN WATER CONDITIONS:**

32. The ground level over the sewer main must not be reduced to a RL below 550.00 maintaining a minimum 600mm cover over the sewer main at all times.
33. All buildings must be setback 1.5 metres from the centre line of the sewer main.
34. No trees must be planted within 1.5 metres from the centre line of the sewer main.
35. Stormwater must not be allowed to be collected or be retained over the sewer main. All stormwater must be allowed to flow naturally over the sewer main.
36. Payment of new customer contributions for each dwelling created by the development, such amount being determined by Western Water at the time of payment.
37. Prior to the commencement of any construction works the owner/developer must enter into an Agreement with Western Water to arrange for the sewer main traversing the site to be relined by a Western Water approved contractor. All works associated with the relining of the sewer must be at the owner/developers expense unless otherwise agreed in writing by Western Water and must be done to Western Water's satisfaction.
38. Prior to the commencement of any construction works the existing sewer main traversing the site must be accurately located and its location confirmed on site.
39. During construction the alignment of the existing sewer main must be clearly marked on site with clearly identifiable crossing points. Crossing points over the sewer main must be kept to a minimum and must have a mounding treatment over the sewer main.
40. Upon completion of all construction works associated within the development the owner/developer must arrange with Western Water to have the existing sewer main within the development site checked with a CC TV to determine its condition at the owner/developer's expense.
41. Any damage that may have been caused to the sewer main as a result of the construction works must be repaired or replaced at the owner/developers expense and to the satisfaction of Western Water.
42. The owner developer must enter into a Buildover Agreement with Western Water for all construction works over the existing sewer main. The form of such Agreement shall be to the satisfaction of Western Water.





43. Any existing sewerage manhole affected by the buildings and works must be raised to the finished surface level and have its lid replaced with a heavy duty trafficable manhole cover.
44. A new sewer connection point must be cut in that is capable of servicing the entire development at the owner/developers expense and to the satisfaction of Western Water.
45. The operator under this permit shall be obliged to enter into an Agreement with Western Water relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Western Water. The owner/applicant shall make a written request to Western Water for the terms and conditions of the agreement.

**GOULBURN-MURRAY WATER CONDITIONS**

46. All wastewater from each of the dwellings must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of Western Water.
47. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
48. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Note:

- Application must be made to Goulburn-Murray Water prior to construction of any dams on the subject land. A licence must be obtained where surface or groundwater supplies are taken and used for commercial irrigation purposes or if a dam is to be constructed on a waterway as defined under the *Water Act* 1989. For further information, the applicant should contact Goulburn-Murray Water Diversion Operations on 1800 013 357.

**NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY CONDITIONS**

49. The finished floor level of all new dwellings must be constructed a minimum of 600 millimetres above the 1% AEP flood level of 551.2 metres AHD, i.e. no lower than 551.8 metres AHD.
50. The new dwellings must be located on a fill pad with a finished surface level of 551.5 metres AHD. The fill pad must be limited to the area shown in the civil sketches prepared by Taylor Thomson Whitting dated 08/02/2016. No fill is permitted to be placed within two metres of the north-eastern property that adjoins 125 High Street and 6-8 Davy Street, Woodend.
51. The floodway must be constructed in accordance with the Stormwater Management Plan prepared by Water Technology dated February 2016.
52. Prior to the commencement of works, the landscape plan must be amended to ensure that the floodway area contains only lightly scattered clear trunk over-storey trees and under-storey grasses.
53. Prior to the commencement of works, a separate permit for any new or modified storm water connection, must be obtained directly from the North Central CMA. Please contact North Central



CMA on 03 5440 1896 to obtain a full understanding of the North Central CMA's requirements.

54. Prior to the commencement of any works, appropriate silt control measures must be installed to prevent sediment laden runoff from entering the waterway. The silt control measures must be maintained throughout the construction period.

Note:

- Flood levels for the 1 % AEP (100 year ARI) flood event have been determined for this area under provisions of the *Water Act 1989*. The applicable 1% AEP flood level for the location of the proposed dwellings is 551.2 metres AHD.
- North Central CMA has requested that the landscape plan be amended to ensure that the floodway remains unobstructed. Flood modelling undertaken by Water Technology indicates that some planting within the floodway and High Street interface is possible, however it is the understanding of North Central CMA that the modelling has only allowed for a light scattering of clear trunk over-storey trees and under-storey grasses. The proposed planting in the south east corner of the site (adjoining 125 High Street) includes shrubby type trees/plants and appears to be inconsistent with the modelling undertaken by Water Technology.

**VICROADS CONDITIONS**

55. Prior to the development coming into use, plans must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and copies must be provided.
56. The plans must be annotated but not restricted to show:
- (a) The provision of a 3.0 metre (min) Basic Left (BAL) turn treatment on the Calder Highway at the intersection of Owen Street.
  - (b) Kerb and channel on the south-west corner of the intersection of the Calder Highway and Owen Street.
57. Upon the approval of the functional layout, a detailed design must be carried out to the satisfaction of the Roads Corporation. Subsequent to the approval of the detailed design stage layout, a 'Detailed Design Stage' Road Safety Audit (RSA) must be submitted to the Roads Corporation for approval. The RSA must be undertaken by an independent VicRoads pre-qualified audit team and be conducted in accordance with AustRoads – Guide to Road Safety Part 6 – Road Safety Audit (2009).
58. When the detailed engineering layouts are approved, an additional copy must be submitted to the Roads Corporation. The detailed engineering plans for roadworks must be amended to address any issue raised in the Road Safety Audit to the satisfaction of the Roads Corporation and the Responsible Authority prior to the approval of the plans.
59. Before the use approved by this permit commences, all road works at the intersection of the Calder Highway and Owen Street must be completed at no cost and to the satisfaction of the Roads Corporation.

Notes:

- *Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. Please contact VicRoads prior to commencing any works.*
- The Basic Left Turn treatment must be designed in accordance with:
  - Austroads (2010) Guide to Road Design, Part 4A, Figure 8.2; and
  - *An operating speed of 70 km/h as per VicRoads Supplement to the Austroads Guide to Road Design - Part 3.*

**ONGOING REQUIREMENTS**

60. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
61. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
62. Parking areas, access lanes and driveways as indicated on the endorsed plans, must be kept available for these purposes at all times, to the satisfaction of the Responsible Authority.
63. Air-conditioning and other plant and equipment installed on the subject building(s) shall be positioned and baffled so that they are not visible from a public road nor located on the roof of any building and noise disturbance is minimised, to the satisfaction of the Responsible Authority.
64. Noise from any air conditioners or other plant and equipment must not be audible or within acceptable limits within a habitable room of any adjoining dwelling to the satisfaction of the Responsible Authority.
65. Provision shall be made for the storage and disposal of garbage in accordance with the endorsed Waste Management Plan to the satisfaction of the Responsible Authority.
66. The site shall be so ordered and maintained, including during construction, so as not to prejudicially affect the amenity of the locality by reason of appearance, noise, fumes etc.
67. Measures must be undertaken to minimise any loss of amenity to the neighbourhood from the development caused by dust, noise, the transport of materials to and from the land and the deposit of mud and debris on public roads, to the satisfaction of the Responsible Authority.
68. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.
69. The 2m wide swale drain between the site and the adjoining land known as 6-8 Davy Street and 125 High Street must be maintained, mowed and cleaned on a regular basis to ensure the proper functioning of the drain to the satisfaction to the satisfaction of the Responsible Authority.

**PERMIT EXPIRY**



70. This permit will expire if one of the following circumstances applies:

- (a) The development is not commenced within two years of the date of this permit.
- (b) The development is not completed within four 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 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

**Permit Notes:**

- Future owners of the land must be made aware of the existence of this permit.
- Willow (*Salix* sp.) is present on site and it is illegal to transport declared noxious weeds. These weeds need to be treated on site to prevent the spread of weeds listed under the Catchment and Land Protection Act 1994. All track construction and maintenance equipment, earth moving equipment and associated machinery, must be made free of soil, seed and plant material before being taken to the works site and again before being removed from the works site to the satisfaction of the Responsible Authority.