



Southern Grampians
SHIRE COUNCIL

Planning Committee

Minutes

24 May 2021

To be held at 3.30pm in the
Martin J Hynes Auditorium
5 Market Place, Hamilton

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1. MEMBERSHIP

Councillors

Cr Helen Henry (Chair)
Cr Greg McAdam

Officers

Mr Andrew Goodsell, Director Planning and Development
Ms Marg Scanlon, Director Infrastructure

Minutes

Mrs Sharon Clutterbuck, Executive Assistant – Director, Planning and Development

Present for Item 6.1

Roslyn Snaauw, Planning Coordinator, Southern Grampians Shire Council
Tim Beazley, Peregrine Corporation

2. WELCOME – CHAIR

3. APOLOGIES

4. CONFIRMATION OF MINUTES

Minutes of the Meeting held on 25 March 2021, have been circulated

RECOMMENDATION

That the Minutes of the Planning Committee meeting held on 25 March 2021 be confirmed as a correct record.

Moved: Cr Greg McAdam
Seconded: Cr Helen Henry

Carried

5. DECLARATION OF INTEREST

Nil

6. MATTERS FOR DECISION

6.1 TP/110/2019 – A1 - Use and development of land as a Service Station (including car wash), access to a road in a Road Zone, Category 1 and construct and display business identification signage (amendment to control building and exit from drive thru) at 86, 88 & 90 Coleraine Road in Hamilton, Lots 1 and 2 on TP535409S and TP535409S Parish of Hamilton North.

Author: Roslyn Snaauw, Planning Coordinator

Attachments:

1. Application as advertised
2. Copy of issued Planning Permit TP/110/2019
3. Copy of plans considered as part of original application.

Executive Summary

Council has received an application to amend plans to a previously issued Planning Permit for the *Use and development of land as a Service Station (including car wash), access to road in a Road Zone, category 1 and construct and display business identification signage (amendment to control building and exit from drive thru)* at 86, 88 & 90 Coleraine Road in Hamilton.

The original application was required to go before Council's Planning Committee under Council's Instrument of Delegation, for a decision, as the estimated cost of the development is to be between \$1 million and \$5 million dollars. The Planning Committee determined to issue a Planning Permit in support of the Planning Officers recommendation subject to conditions.

This application is also required to go before Council's Planning Committee for a decision under Council's Instrument of Delegation as the original development exceeded \$1 million. Council's Planning Officer is recommending that amended application be supported with amended plans be endorsed.

Proposal

Council has received an application for an amendment to a previously issued Planning Permit. Condition1 of this Planning Permit required plans to be amended as follows:

1. Before the commencement of the *use and development*, 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 the permit. The plans must be drawn to scale and dimensioned and two (2) copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a. Signage plan 12 is to show the height of the Lollipop sign to be 7 metres.
 - b. Amended site plan to show
 - a. Entire eastern boundary fence (adjacent to the control building) to have a height to 3 metres (constructed on top of any the retaining walls). All junctions are to be sealed air tight including at the ground/retaining wall must be constructed from material such as sheet steel (Colorbond) or an alternative with greater surface density in comparison to 0.42mm BMT sheet. The entire length of the eastern boundary fence must be constructed from a minimum of 6mm thick fibre cement sheet or an alternative with a greater surface density.
 - b. Increased size of the canopies to be the entire length of the eastern boundary adjacent to the control building, including the drive-thru order, payment and pick up bays to seal airtight to the boundary fence.
 - c. Install acoustic absorption material, such as 50mm thick insulation with a minimum density of 32kg/m³, to the drive through side of the boundary fence for entire eastern boundary adjacent to the control building, and also to the underside of the order, payment and pick up area canopies.

Amended Plans submitted, address, and comply with the above Condition 1 requirements, but also detail the following further requested amendments to the plans being provided for endorsement:

Western elevation

- Removal of 'C' signage replaced with OTR back illuminated signage panel (Sign 6)(north western elevation of Control Building)
- CFC Fascia cladding to blade wall and above canopy along this elevation
- Proposed OTR LED screen within upper window along this elevation
- Next to the entry along this elevation an OTR LED screen.
- Canopy above the entry to be extended
- Window near entry along this elevation to have proposed Hungry Jacks glazing
- To the right of the entry a proposed angled Hungry Jacks blade wall
- Proposed vertical fins to the outdoor dining area located to the south of the control building.

Southern elevation

- To the west of the outdoor eating area, the Hungry Jacks Glazing logo will be removed.
- Increase in the height of the Hungry Jacks glazing to the southern windows to the outdoor dining area.
- To the east of the outdoor dining area proposed OTR angled blade wall and back illuminated OTR signage
- Toward the east of the blade wall proposed painted "C" coffee signage

- Increased driveway exit to create a waiting bay for drive-thru customers
- Increase in crossover width to Coleraine Road from drive-thru traffic.
- Relocated pick up window toward the southeast corner of control building

East Elevation

- Pick up window relocated to southeast corner.



Figure 1 above: Site of the proposed use and development



Figure 2 above. Google street view of the frontage of all sites

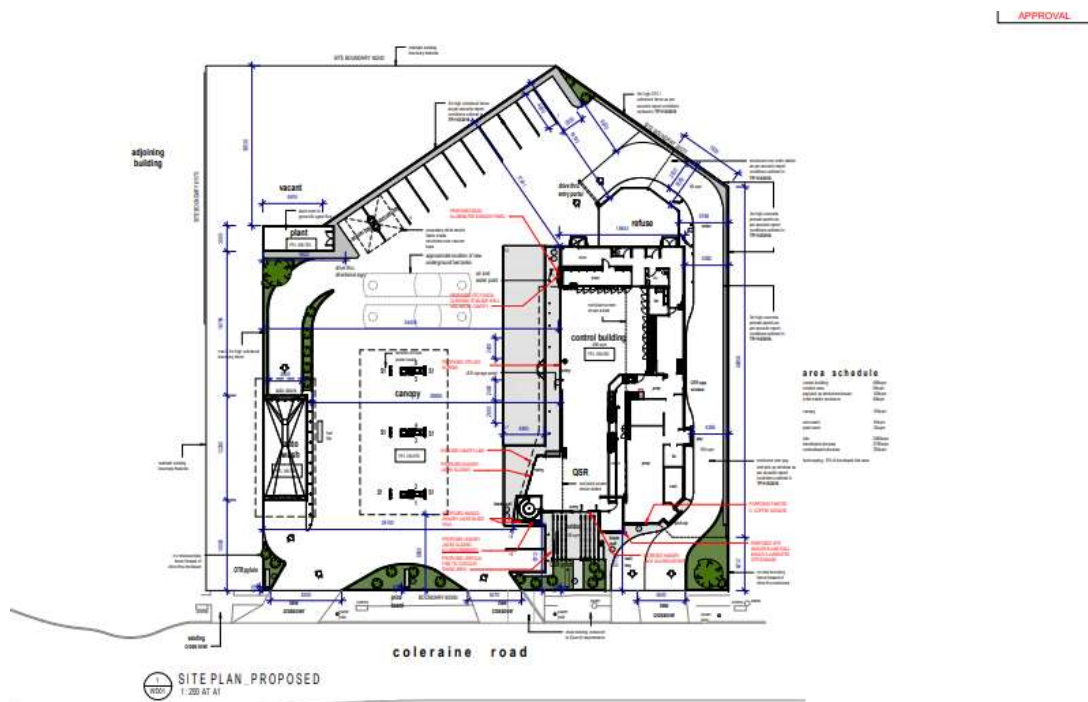


Figure 3 above. Amended Site plan of proposed use and development

Subject site and locality

The subject site is located on the north side of Coleraine Road (a divided road comprising two through traffic lanes on both sides), approximately 20 metres east of the intersection (roundabout) of Mt Bambridge Road, Coleraine Road and Kenny Street.

The proposal is over three (3) sites being 86, 88 and 90 Coleraine Road in Hamilton which have a total, combined area, of 3,580 square metres.

The sites currently contain derelict dwellings and shop, with access to all sites from Coleraine Road which is to the south of these properties.

The subject sites are located within the General Residential Zone (GRZ1) and not affected by any overlays in the Planning Scheme, with access from Coleraine Road which is a road in a Road Zone Category 1 (RDZ1).

To the west of the site is CFA offices which is located in a Special Use Zone (SUZ4) with Baimbridge College located further west also within the Special Use Zone (SUZ2) all other adjoining properties are zoned General Residential Zone (GRZ1).



Figure 4 above. Subject site highlighted in red.

Permit/Site History

A search of Council's electronic records shows the original application TP/110/2019 being the only recent planning consideration over these sites.

Planning Controls

The Planning Policy Framework that remain relevant to this proposal are as follows:

- Clause 11 Settlement
 - Clause 11.01-1S Settlement
 - Clause 11.01-1R Settlement – Great South Coast
- Clause 13 Environmental Risk and Amenity
 - Clause 13.05 Noise
 - Clause 13.05-1S Noise abatement
 - Clause 13.06 Air quality
 - Clause 13.06-001S Air quality management
 - Clause 13.07 Amenity, Human Health and Safety
 - Clause 13.07.001S Land use compatibility
- Clause 15 Built Environment and Heritage
 - Clause 15.01 Built Environment
 - Clause 15.01-2S Building design
- Clause 17 – Economic Development
 - Clause 17.01 Employment
 - Clause 17.01-1S Diversified economy
 - Clause 17.02 Commercial
 - Clause 17.02-1S Business
 - Clause 17.02-1R Business – Great South Coast

Zoning

The subject site is located within the General Residential Zone (GRZ1) pursuant to Clause 32.08 of the Southern Grampians Planning Scheme.

Pursuant to Clause 32.08-2 of the Planning Scheme, a permit is required for the use as a Service Station.

Pursuant to Clause 32.08-9 of the Planning Scheme, a permit is required for buildings and works associated with a Section 2 use (service station).

The proposed amendment to plans required this zone to be re-considered.

Clause 50 Particular Provisions**Clause 52.05 Signs**

Pursuant to Clause 32.08-14 of the General Residential Zone of the Planning Scheme, the subject site is located within Category 3 of this zone.

Pursuant to Clause 52.05-13, Category 3 relates to a High amenity area which has medium limitations and a permit is required for business identification signage including a pole sign and internally illuminated signs.

Amended plans show amendments to proposed signage and this Clause was required to be re-considered.

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5 of the Planning Scheme, Table 1 details that a *Convenience restaurant* is required to provide 0.3 car spaces to each patron. Table 1 also defines *Convenience shop* is to provide 10 car spaces to each premises that has a leasable floor area that exceeds 80 square metres. The floor area of the control building is 495 square metres. Pursuant to Clause 52.06-6 of the Planning Scheme, before a new use commences (fuel sales, vacuum bays & car wash), car parking spaces must be provided to the satisfaction of the responsible authority.

Amended Plans do not show any changes to the proposed car parking. This clause did not need to be re-considered.

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for Category 1 Road

The purpose of this clause is to ensure that there is appropriate access to identified roads. Pursuant to Clause 52.29-2 of the Planning Scheme, a permit is required to create or alter access to a road in a Road Zone, Category 1.

Coleraine Road is a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the Roads Corporation for the purpose of a road.

Amended plans received show an increase in the width to the crossover due to the addition of a waiting area for the drive-thru service.

The amendment application was referred to the Department of Transport who have not objected to the proposed amendment with conditions contained within the planning permit remaining unchanged.

Clause 65 Decision guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Council have taken into consideration Clause 65.01 Approval of an Application or Plan in the Planning Scheme with regards to the proposed amendments which included consideration of the orderly planning of the area, the effect on the amenity of the area amongst others.

The application was placed on public notification (as below) which included notification to any objectors to the previous.

No objections were received for the proposed amendment and as such, it is considered that the proposed amendments to the plans will not create any increase in amenity impacts to this area.

Public Notification

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Sending notices to previous objectors to the original application
- Placing sign(s) on the site.
- Notice on Council website.

As a result of the public notification process no objections were received for the amended application.

Referrals

The amended application was referred externally, as required by the Planning Scheme.

External Referral	Comments
Section 55 Referrals	
Department of Transport (DoT)	No objection to the granting of a permit. Conditions previously provided remain unchanged.
Section 52 Referral	

Environment Protection Authority (EPA)	No objection to the amended proposal with additional conditions to be placed in permit.
Wannon Water	No objection to the amended proposal with no amended conditions.
Internal Referrals	
SGSC Building Department	No objection to amended proposal. Note unchanged
SGSC Engineering Department	No objection to amended proposal. No additional conditions with regards to this amendment.
SGSC Environmental Health Department	No response from referral. Conditions will remain unchanged.

Summary of Key Issues

The key issues for consideration are:

- How does the amendment to the plans for this use and development respond to the relevant provisions of the Southern Grampians Planning Scheme including the Planning Policy Framework, Particular Provisions and the decision guidelines of the General Residential Zone?
- Will amended plans create any additional amenity impacts to the surrounding properties?
- Have objections to the proposal been received?

Discussion

A planning application has been submitted for an amendment to plans for the *use and development of land as a Service Station (including car wash), access to road in a Road Zone, category 1 and construct and display business identification signage.*

Clause 73.03 in the Planning Scheme defines Service Station as follows:

Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:

- Selling of motor vehicle accessories or parts;*
- Selling of food, drinks and other convenience goods;*
- Hiring of trailers;*
- Servicing or washing of motor vehicles; and*
- Installing of motor vehicle accessories or parts*

The proposed development will occur on part of the subject site with an area of approximately 785 square metres to be retained as vacant land (toward the west and north) with the area for development being proposed on the remaining 2,795 square metres.

To ensure that development is not prejudiced and community amenity is not reduced by noise emissions, conditions were provided in the original planning permit to minimise adverse off-site impacts including to the east with the provision of the proposed fuel bowsers, carwash and vacuum facilities, carparking and the kitchen extraction systems located to the western side of the development and a noise attenuation boundary wall and canopy be located along the entirety of the eastern boundary.

It is considered that the amendment plans will continue to provide an acceptable interface with the public realm and support personal safety to pedestrians, cyclists and other vehicles along Coleraine Road.

Signs

A number of signs are being proposed across the site. Amended plans provided show the removal of a number of signs and also the inclusion of signage, including internal illumination. Conditions that were included in the original planning permit to ensure that all signage does not adversely affect the character of the area, sufficiently addresses the proposed amended signage including the illumination of these additional signs.

Coleraine Road RDZ1

Clause 52.29 of the Planning Scheme provides that Coleraine Road is a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the Roads Corporation for the purpose of a road. Three (3) crossovers are being proposed via Coleraine Road comprising a left – IN only and two left – OUT only (one for the drive-thru and one for all other uses).

The amended application was referred to the Department of Transport (DoT) as this amendment is proposing to increase the width of the eastern exit from the drive-thru service to Hungry Jacks. DoT have not objected to the proposed amendment with conditions unchanged in the permit.

Conclusion

The Planning Scheme encourages new commercial enterprises in appropriate locations to create jobs within Hamilton.

For the reasons provided within this Report, Council Officers are recommending support of the amended plans which adequately address the planning policy framework and it is recommended that amended plans be endorsed which also be in accordance with Condition 1 of the issued Planning Permit. As this application is an amendment a section will be provided at the bottom of the permit that will detail what has been amended.

Financial and Resource Implications

If an application for review is lodged at the Victorian Civil and Administrative Tribunal, Council will be required to enlist the services of a Lawyer to represent Council.

Legislation, Council Plan and Policy Impacts

The *Planning and Environment Act 1987* provides that certain local government, responsibilities and functions can be delegated to Committees of Council or Council Officers. This recommendation is consistent with those provisions.

Environmental and Sustainability Considerations

The original application was referred to the Environment Protection Authority who provided comment with regards to the owners and operators responsibility with regards to contamination, waste water management, noise and air emissions,

The original application was also referred to Wannon Water who also responded and provided a comment on the proposal with regards to backflow and water supply works necessary to serve the proposed development.

Community Consultation and Communication

Council undertook public notification (as stated above) and no objections were received.

Disclosure of Interests

All Council Officers involved in preparing this Report affirm that no direct or indirect interests are held in relation to this application.

MEETING PROCESS

The meeting was held in accordance with standard meeting procedures.

Attendees were advised that there would be an opportunity for the applicant to speak, followed by the objectors and then the Planning Officer would present the report. Following this a decision would be made in camera and notification made following that decision.

Applicant

Tim Beazley, Peregrine Corporation

Applicant reviewed the recommendation before the committee and is happy to accept the conditions set out in the recommendation. The proposed variation ticks off all the requirements outlined by condition 1 of the previous planning permit. Any additional minor amendments are limited to primarily the western southern elevations of the control building. No additional impact on the operation of the site and are driven by ongoing design review and presentation.

Application was publicly notified and no objections were received.

Question – Cr Mcadam asked whether there were any objections to the original application.

Answer – Adjoining landowner objected and this was addressed during the conditions that were set out in the permit that was granted

Planning Officer – Roslyn Snaauw, SGSC

Original application was considered by Planning Committee in July 2020 due to estimated cost of the proposal was between \$1 million and \$5 million. Minor changes to the proposal relating to signage requirements, walls and outdoor eating area.

No objections have been received.

Application was referred to VicRoads with no objections

Officer recommendation is for approval of the amendment.

RECOMMENDATION

That Council having caused notice of Planning Application No. TP/110/2019 A1 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue an amended Planning Permit under the provisions of the Southern Grampians Planning Scheme in respect of the land described as Lots 1 and 2 on TP535409S, Volume 07113 Folio 545 and Lot 1 on TP129821B, Volume 09394 Folio 029, Township of Hamilton, Parish of Hamilton North and known as 86, 88 and 90 Coleraine Road, HAMILTON; for *use and development of land as a Service Station (including car wash), access to road in a Road Zone, Category 1 and construct and display business identification signage (amendment to control building and drive-thru)*, subject to the following amended conditions.

Conditions:**Amended Plans**

1. Before the commencement of the *use and development*, 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 the permit. The plans must be drawn to scale and dimensioned and two (2) copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a. Signage plan 12 is to show the height of the Lollipop sign to be 7 metres.
 - b. Amended site plan to show:
 - a) Entire eastern boundary fence (adjacent to the control building) to have a height to 3 metres (constructed on top of any the retaining walls). All junctions are to be sealed air tight including at the ground/retaining wall must be constructed from material such as sheet steel (Colorbond) or an alternative with greater surface density in comparison to 0.42mm BMT sheet. The entire length of the eastern boundary fence must be constructed from a minimum of 6mm thick fibre cement sheet or an alternative with a greater surface density.

- b) Increased size of the canopies to be the entire length of the eastern boundary adjacent to the control building, including the drive-thru order, payment and pick up bays to seal airtight to the boundary fence.
- c) Install acoustic absorption material, such as 50mm thick insulation with a minimum density of 32kg/m³, to the drive through side of the boundary fence for entire eastern boundary adjacent to the control building, and also to the underside of the order, payment and pick up area canopies.

Endorsed Plans

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Storage

- 3. No goods, equipment or materials may be stored outside the building, unless allowed for on the endorsed plans.

External lighting

- 4. External lighting must be designed, baffled and located so as to prevent any adverse effect on the adjoining land to the satisfaction of the responsible authority.

Acoustic attenuation

- 5. Before the use is started, acoustic attenuation measures to reduce noise levels are to be provided and to be designed and constructed to the satisfaction of the responsible authority as detailed in the Environmental Noise Assessment Report undertaken by Sonus dated December 2019 and further shown on the Site Plan dated 25 May 2020. Noise attenuation measures to be provided include:

- a. North western, north eastern and eastern service station boundary fence to have a height to 3 metres (constructed on top of the retaining walls). All junctions are sealed air tight including at the ground/retaining wall. The area shown red on page 9 of the Report and along the eastern boundary (for the extent of the control building) must be constructed from material such as sheet steel (Colorbond) or an alternative with greater surface density in comparison to 0.42mm BMT sheet. Portions shown green in the report must be constructed from a minimum of 6mm thick fibre cement sheet or an alternative with a greater surface density.
- b. Increased size of the canopies over the drive-thru order, payment and pick up bays to seal airtight to the boundary fence and the extent of the control building along the eastern elevation.
- c. Install acoustic absorption material, such as 50mm thick insulation with a minimum density of 32kg/m³, to the drive through side of the boundary fence for the extent shown in blue on page 11 of the Report for the length of the control building (along the eastern elevation) and also to the underside of the order, payment and pick up area canopies.
- d. Car wash facility – installation of glass doors to the entry of the automatic car wash which automatically close during operation. The doors must be constructed from a minimum of 10.38 mm thick laminated glass (or a material with a higher surface density of kg/m²) and be sealed as close to airtight as possible at all junctions when closed.

- e. Incorporate a layer of 6mm thick compressed fibre cement sheet (or equivalent material with surface density of at least 8kg/m²) to the underside of the roof structure and include insulation in the ensuing cavity (with a density of at least 11kg/m³). Line the underside of the sheet with 50mm thick acoustic insulation (having a minimum density of 32kg/m³) in accordance with Detail 1 on page 12 of the Report.
 - f. Car wash plant room – access to the plant room is only via the door. The doors must incorporate acoustic seals which seal airtight when closed and ensure that any other ventilation to the plant room is acoustically treated by incorporating an acoustically lined duct or proprietary attenuator which will achieve the minimum insertion loss as detailed on page 12 of the Report.
 - g. Locate the Mechanical Plant on the western side of the control building roof, in the area shown on page 13 of the Report. The Mechanical Plant must incorporate a proprietary in-line attenuator to the discharge side of any significant exhaust fan, such as those servicing the kitchen. The height of the mechanical plant barriers are to be no less than 0.5 metre taller than the highest piece of equipment with the barriers located as close as practicable to the units whilst allowing appropriate airflow and be constructed from sheet steel or material with an equivalent surface density and sealed air tight along all vertical line. Install 50mm thick acoustic insulation with a minimum density of 32 kg/m³ to the unit side of the mechanical plant barriers. The insulation must extend for the full practicable height of the screen and be in accordance with Detail 1 on page 12 of the Report.
6. Before the commencement of the use, all ventilation and extractor fans should be noise efficient or fitted with silencers, and all ducts should be lined with sound-absorbent material.

Hours of operation

7. The proposed restricted operational hours of the site are as follows:
 - a. Deliveries (including fuel)
 - Monday to Saturday between the hours of 7:00am and 10:00pm
 - Sunday and public holidays 9:00am to 10:00pm
 - b. Waste collection from the site will be:
 - One collection per week
 - Monday to Saturday between the hours of 6:30am and 8:00pm
 - Sunday and public holidays 9:00am to 8:00pm
 - Two or more collection per week
 - Monday to Saturday between the hours of 7:00am and 8:00pm
 - Sundays and public holidays 9:00am to 8:00pm.
 - c. Automatic car wash facility and vacuum bays
 - Daily 7:00am and 10:00 pm.
 - d. Drive through restaurant
 - Sunday to Thursday between the hours of 6:00am to 12:00am
 - Friday and Saturday 6:00am to 2:00am or as otherwise agreed

Landscape Plan

8. Before the development starts, a 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 generally in accordance with the landscape concept plan provided with the application but modified to show:

- a. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant. It is required that the species are native and indigenous to the Southern Grampians Shire. The Plan must not include the use of any environmental or declared noxious weeds

All species selected must be to the satisfaction of the responsible authority.

Signage Conditions**Endorsed signage**

9. The location, size, material of construction and details (colours and wording) of the signage and any supporting structures, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

No sign without permit

10. Unless no permit is required under the provisions of the Southern Grampians Planning Scheme, other signs must not be constructed or displayed without further written consent of the Responsible Authority

Maintenance

11. All signage, including the structure and advertising material as shown on the endorsed plan, must at all time be maintained in good order and condition to the satisfaction of the responsible authority.

Signs within the boundary

12. The permitted sign(s) must be located wholly within the boundaries of the subject site.

No Flashing Light

13. The sign(s) hereby permitted must not be animated or contain any flashing or intermittent lighting.

Signage relevance

14. The sign(s) shall only contain an advertisement which provides or supplies information relating to the business conducted on the above mentioned land.

Signage illumination specified hours

- The lollipop sign (sign 12), fuel price sign (sign 13) and pylon sign (sign 14) may only be illuminated between the hours of 6:00 am to 10:00pm at a lux level 5 and then dimmed to a maximum lux level of 1 across the boundary line between the hours of 10:00pm and 6:00am.

Signage expiry

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

- a. The erection or display of the signage is not started within two years of the date of this permit.
- b. The erection or display of the signage is not completed within four years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be made to the Responsible Authority to extend the periods referred to in this condition.

SGSC Engineering Department conditionsDrainage Discharge Plan:

16. Before any development starts, a properly prepared Drainage Discharge Plan with computations must be submitted to and approved by the responsibility 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. The information submitted must show the details listed in the Council's Infrastructure Design Manual. The plan must include:

- a. How the land will be drained
- b. Identify any existing drainage on the site
- c. Underground pipe drains conveying stormwater to the Legal Point of Discharge
- d. Measures to enhance stormwater discharge quality from the site and protect downstream waterways
- e. Maximum discharge rate from the site
- f. Evidence showing rainfall occurring from 1% AEP will not affect downstream properties

Before the use or occupation, all works constructed or carried out must be in accordance with those plans to the satisfaction of the responsible authority.

Construction and Site Management

17. Before the commencement of any works for each stage of the development (including any preliminary site preparation and establishment works, demolition or material removal) the construction management works must be to the satisfaction of the responsible authority and include:

- a. Measures to control noise, dust, mud and water
- b. Prevention of silt or other pollutants from entering into the Council's drainage system or road network
- c. The location of where building materials are to be kept during construction
- d. On-site parking of vehicles associated with construction of the development
- e. Details of public safety, amenity considerations and site security

The permit holder must use appropriate site management practices to prevent the transfer of mud, dust, sand or slurry from the site into drains or onto nearby roads and properties. In the event that a road, drain or adjoining property is affected, the owner

must upon direction of the responsible authority, take the necessary steps to clean the affected portion of road or drain to the satisfaction of the responsible authority.

SGSC Environment EHO conditions

18. The use and development must be managed so that the amenity of the area around the premises and the wellbeing of the persons and/or their property in the area around the premises is not, 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, oil or otherwise.
 - d. Presence of vermin.
19. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the responsible authority.
20. All plant and equipment must be in good repair and attend promptly to loose or rattling covers, worn bearings and broken equipment.
21. All ventilation and extractor fans should be noise efficient or fitted with silencers, and all ducts should be lined with sound-absorbent materials.
22. The emission of noise from the use and works shall not exceed the noise limits determined in accordance with Victorian Environmental Protection Authority Document *Noise from industry in regional Victoria (NIRV)*.
23. Any contamination of soils by the residues from fuels or other chemicals that occurs or is discovered during the course of the use and/or development must be immediately reported to Council and the development site remediated at the expense of the owner and/or permit holder, and to the satisfaction of the responsible authority.
24. Goods or materials are to be handled in a proper and efficient manner which does not cause air, land, water pollution or otherwise, to the satisfaction of the responsible authority.
25. Sediment traps or similar, must be installed to prevent the transportation of sediment, litter and waste oil, grease and detergents from vehicles to the stormwater system.
26. The filling of storage tanks and the fuelling of vehicles and the loading and unloading of goods must be carried out, and all vehicles awaiting service or collection, must be parked entirely within the boundaries of the subject land.
27. Waste and recycling storage areas must be provided on the site, to the satisfaction of the responsible authority. In this regard, a sufficient number of watertight receptacles with close fitting lids for the reception of garbage and reuse arising from the premises must be provided. The contents of such garbage receptacles are to be disposed of at least once in every seven consecutive days. The proprietor must not allow the garbage or refuse to become a nuisance at any time.
28. All car washing must only be carried out within the approved wash bay provided for this purpose.

Wannon Water conditions

29. The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development.

30. The provision, at the developers cost, of the required backflow and water supply works necessary to serve the proposed development.
31. The developer is to ensure all proposed buildings (or any overhang) and other infrastructure are clear of existing sewer easements and at least 1 metre horizontally clear of the outside edge of existing sewers and water mains on or adjacent to the property.
32. The developer entering into an agreement with Wannon Water for payment of the new customer contributions applicable to the proposed development.
33. The developer obtaining the necessary consents and approvals for: -
 - Alteration to or connection of on-site plumbing.
 - The discharge of “trade waste” (other than domestic sewage) from the property.

Vic Roads conditions

34. Before the use approved by this permit commences, the following roadworks on the Coleraine Rd must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:
 - a. Left turn lane (minor kerb relocation west of the entry crossover).
 - b. Kerb extension (preventing parking) installed between the entry crossover and the western-most exit crossover.
35. All signage is to be wholly within the site boundary.
36. Prior to the works commencing, the applicant must enter into a works agreement with the Head, Transport for Victoria, confirming design plans and works approvals processes, including the determination of fees and the level of the Head, Transport for Victoria service obligations. Contact: southwestworks@roads.vic.gov.au

Environment Protection Authority (EPA) conditions

37. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:
 - a. The environment in the area around the premises; and
 - b. The wellbeing of persons and/or their property in the area around the premises.
38. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard.
39. Pollution control devices must be installed to prevent the discharge of waste to the environment and stormwater system.
40. The permit holder must ensure that litter originating from the premises is not present beyond the boundaries of the premises
41. Prior to the commencement of use, Vapour Recovery must be installed to ensure vapours are recovered and prevented from escaping to the atmosphere.
42. All tanks must be decommissioned by suitably qualified professionals, as outlined in EPA Publication 888.4 Underground Petroleum Storage Systems (UPSSs) 2015 or as amended and the Australian Standards referenced therein
43. Petroleum storage tanks must be designed, installed and operated in accordance with the *Guidelines on the Design, Installation and Management Requirements for Underground Petroleum Storage Systems (UPPS)*(EPA Publication No. 888.4, August 2015).

44. On cessation of the use, tanks must be decommissioned by suitably qualified professionals, as outlined in EOA Publication 888.4 Underground Petroleum Systems (UPSSs) 2015 or as amended and the Australian Standards referenced in therein.

Expiry

45. This permit will expire if one of the following circumstances applies:
- a) The development and/or use has 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.
- In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

NOTE:

- a. This permit does not authorise the commencement of any building works. Building approval must be obtained prior to the commencement of any approved works.
- b. Unless no permit is required under the planning scheme, no sign must be erected, constructed or displayed on the land without the written permission of the Responsible Authority.
- c. Food Premises
Food Premises that sells food must comply with the following Victorian legislative requirements:
 - i. Food Act 1984;
 - ii. Food Standards Australia and New Zealand Food Standards Code:
 1. Food Safety Standards Chapter 3.2.2 Food Safety Practices and General Requirements; and
 2. Food Safety Standards 3.2.3 Food Premises and Equipment
- d. Toilet hand washing facilities
To enable hands to be effectively washed and minimise the transmission of infectious disease such as influenza and gastroenteritis following people using the toilet and prior to consuming food:
 - i. Provide a hand basin with a supply of potable warm running water through a mixing device in toilet and food preparation areas.
 - ii. A supply of single use towels or drying equipment and soap are required the hand basin at all times.

EPA notes

- e. Petroleum storage tanks must be designed, installed and operated in accordance with the *Guidelines on the Design, Installation and Management Requirements for Underground Petroleum Storage Systems* (UPSS) (EPA Publication No. 888.4, August 2015).

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>
	1. Additional EPA conditions 43 & 44	Southern Grampians Shire Council
	2. Expiry of permit renumbered to 45	Southern Grampians Shire Council
	3. Approval of amended plans that show changes to the control building including materials, signage, pick up window location, and the provision of a vehicle waiting area with a widened exit from the drive-thru for Hungry Jacks to the east.	Southern Grampians Shire Council

Moved: Cr McAdam

Seconded: Cr Henry

Carried

7. CLOSE OF BUSINESS

Meeting close at 3.45