

Planning Application TP/144/2022 135 Fairburn Street, Dunkeld

Conditions

Amended Plans

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 generally in accordance with the plans prepared by Edition Office, Revision D dated 21 October 2021 but modified to show:
 - a. A notation that the existing post and wire fence is to be replaced with new post and wire fencing.
 - b. The point of connection to reticulated sewerage required by Condition 13 of this permit.

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.
3. The external finishes of the development (including walls and roof materials) must be constructed in muted, non-reflective materials and tones which blend in with the landscape of the area to the satisfaction of the Responsible Authority.

Effect of this permit

4. This permit does not come into effect until such a time as planning application TP/143/2022 is approved and a Permit is granted under the Design and Development Overlay pursuant to Clause 43.02 of the Southern Grampians Planning Scheme.

No Native Vegetation Removal

5. This permit does not allow the removal of any native vegetation (including grasses) without the prior written consent of the Responsible Authority.

Amenity

6. The use and development must be managed 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, or otherwise;
 - d. Presence of vermin.
7. Waste recycling storage area must be provided on the site. A sufficient number of watertight receptacles with close-fitting lids for the reception of garage, green waste and reuse arising from the premises must be provided. The contents of such waste and reuse receptacles are to be disposed of at least once in every seven consecutive days. The proprietor must not allow the waste or refuse to become a nuisance at any time.

8. Before any use commences of the pool and sauna, a water quality risk management plan must be submitted and be made available for use to the satisfaction of the Responsible Authority.
9. Before any use commences or any building is occupied, scaled floor plans with dimensions and use for each room must be submitted to the satisfaction of the Responsible Authority. In this regard, toilets, basins, showers and maximum number of guests accommodated in each room must be provided to the satisfaction of the Responsible Authority.
10. The number of occupants on the site must not exceed eight (8) adults at any one time.

Landscape Plan

11. Before the development starts, a landscape plan 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 provided and must show:
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b. Details of surface finishes of pathways and driveways;
 - c. 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;
 - d. Any grass to be planted from seed to be of indigenous species;
 - e. Details of all Tree Protection Zones (including fencing) to be provided around any native vegetation on site. Full details of all native vegetation is to be provided.

All species selected must be to the satisfaction of the Responsible Authority and in accordance with Section 173 Agreement AS139417M as registered on title.

12. Unless otherwise approved in writing by the Responsible Authority, no trenching, soil excavation, storage or dumping of equipment or waste is to occur within areas of existing native vegetation on the site or within the adjacent road reserve.

Drainage and Connection to Sewerage

13. All stormwater discharged from the development is either to be connected to the Legal Point of Discharge to the satisfaction of the Responsible Authority (Stormwater Management Plan is to be provided) or retained within the site without causing nuisance to the neighbouring properties.
14. Before any use commences or any building is occupied, the development must be connected to reticulated sewerage. All sewage and sullage must be discharged to the reticulated sewerage system to the satisfaction of the Responsible Authority.

Stormwater Management Plan

15. Before the development starts, a properly prepared Stormwater Management Plan (SWMP) with computations to the satisfaction of the Responsible Authority must be submitted to and approved by satisfaction of the Responsible Authority. When

approved, the plan will be endorsed to form part of the permit. The SWMP must be in accordance with the Infrastructure Design Manual and must include:

- a. How the land will be drained;
 - b. Underground pipe drains conveying stormwater to the Legal Point of Discharge;
 - c. Measures to enhance stormwater discharge quality from the site and protect downstream waterways;
 - d. A maximum discharge rate from the site;
 - e. Documentation demonstrating approval from the relevant authority for the Legal Point of Discharge;
 - f. Evidence showing rainfall occurring from 1% AEP will not affect downstream properties.
16. Before the use starts and/or the buildings are occupied, 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 and during the construction for each stage of the development, including any preliminary site preparation and establishment, the construction management works must be to the satisfaction of the Responsible Authority:
- 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;
 - f. 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

Access

18. Before the use and/or development starts:
- a. A vehicle crossover must be constructed at Fairburn Street to service the use. The crossover must comply with Infrastructure Design Manual (IDM) Standard Drawing (SD) 255 (Unsealed) and have a minimum width of 6.0m.
 - b. The redundant vehicular crossing must be reinstated to the satisfaction of the Responsible Authority.
 - c. Satisfactory clearance should be provided to any stormwater pit, power or telecommunications pole, manhole cover or marker, or street tree.

- d. A Works within Road Reserve Permit must be obtained prior to works commencing for any works being conducted within the road reserve.

Car Parking

- 19. Before the commencement of the use or occupation of any buildings, a car parking plan with all dimensions to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority. The plan must:
 - a. Ensure servicing of the drainage and maintenance of car parking;
 - b. Be line marked to indicate each car space and all access lanes (for seal finish) OR appropriately marked to indicate each car space (for other surface finish).

Engineering

- 20. Prior to commencement of the use, the intersection of Dickie Street and Victoria Valley Road must be upgraded and sealed from the current edge of seal 20m west. The design must include pavement depth to a minimum 250mm, be supported by a Geotechnical report and the design submitted to and approved by the Responsible Authority and the Road Management Authority (Department of Transport).
- 21. Prior to commencement of the development, a Project Management Plan must be submitted to and approved by the Responsible Authority. The plan must include:
 - a. Environmental management plan.
 - b. Traffic management plan.

Country Fire Authority

Bushfire Emergency Plan

- 22. Before the development is occupied or the use commences, a Bushfire Emergency Plan (BEP) must be prepared. The BEP must clearly describe the emergency management arrangements that will be implemented to reduce the risk of bushfire and should address the following matters:
 - a. Describe property and business details.
 - b. Identify the purpose of the BEP, stating that the plan outlines procedures for:
 - i. **Closure of premises** on any day with a Fire Danger Rating of Catastrophic.
 - ii. **Evacuation** (evacuation from the site to a designated safer off-site location).
 - iii. **Shelter-in-place** (remaining on-site in a designated building).
 - c. Review of the BEP:
 - i. Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
 - ii. Include a Version Control Table.
 - d. Roles and Responsibilities.
- 23. Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire and the triggers for acting. For example, when the facility will be closed and the circumstances under which guests and patrons will shelter in place or evacuate.

- a. Emergency contact details,
- b. Emergency access and firefighting water supply,
- c. Defendable space – managing vegetation on-site to reduce the fire risk,
- d. Bushfire monitoring procedures –
 - i. Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
 - ii. Describe and show (include a map) the area to be monitored for potential bushfire activity.

Wannon Water

24. The provision, at the developer's cost, of the required sewerage works necessary to serve the proposed development.
25. The provision, at the developer's cost, of the required water supply works necessary to serve the proposed development.
26. The developer entering into an agreement with Wannon Water for payment of the new customer contributions applicable to the proposed development.
27. The developer obtaining the necessary consents and approvals for –
 - a. Alteration to or connection of on-site plumbing.

Expiry

28. This permit will expire if one of the following circumstances applies:
 - a. The approved development does not start within two (2) years of the issue of the permit; or
 - b. The approved development is not completed within four (4) years of the issue of the permit; or
 - c. The approved use does not start within four (4) years of the issue of this permit, or
 - d. The approved use of the land is discontinued for a period of 2 years.

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.

Notes

- This permit does not authorise the commencement of any construction works. A Building permit must be obtained prior to the commencement of any approved works.
- Unless a permit is not required under the provisions of the Southern Grampians Planning Scheme, no signs must be constructed or displayed without prior written consent of the Responsible Authority

Wannon Water notes

- In regard to Condition 24, Wannon Water requires an application to be made for any new connection to the sewer. An application must detail separate private pump stations for each unit. A pump station Agreement must be entered between the landowner and Wannon Water for their ongoing operation and maintenance.
- In regard to Condition 25, the existing domestic water connection is insufficient for all four (4) Units. Consideration should be given to additional connections and/or a bulk meter.
- The water and sewer usage will trigger payment of a 'New Customer Contribution' charge.
- Approval to connect will only be given once all fees have been collected and all other required internal plumbing works have been completed to Wannon Water's standards and satisfaction.