

CONDITIONS

Application	YR-2023/32
Address of the land	275 Edward Road, Chirnside Park
Proposal	Use and development of a telecommunications facility, ancillary equipment, and construction of a fence

1. Amended Plans

Before the use and 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 form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application (prepared by Indara Digital Infrastructure, dated 17/01/2023, Revision A), but amended to showing the following:

- a. The proposed crossover to be reduced to 8 metres wide at the road and 5.5 metres wide at the property boundary.
- b. A Landscape Plan in accordance with Condition 3 of this permit.
- c. A Construction Management Plan in accordance with Condition 4 of this permit.

All of the above must be to the satisfaction of the Responsible Authority.

2. The use(s) and development as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.

3. Landscape Plan

Prior to the commencement of any buildings or works a landscape plan prepared in accordance with Council's Landscape Guidelines must be submitted to and approved by the Responsible Authority. The landscape plan must show:

- a. Landscaping for a length of 15 metres on the west side of the compound.
- b. The Plant Schedule of the Landscape Plan to incorporate Lilly Pilly trees or Middle Storey Shrubs chosen from Council's Vegetation Community 30 list, that will reach a mature height of at least 2.5 metres and have dense foliage.
- c. The plants are to be planted at a density to provide dense screening of the compound.
- d. Standard landscape notes included on the Landscape Plan in relation to soil preparation, irrigation of planting beds, replacement of dead plants and planting technique for trees and shrubs.
- e. Adequate instruction on the Landscape Plan for the protection of existing vegetation to be retained during construction and tree protection requirements outlined in condition 14.
- f. The geographical location of all plant species proposed in the Plant Schedule on the Landscape Plan.
- g. The botanical name, common name, quantity, average size at maturity and intended pot size for each plant species in the Plant Schedule of the Landscape Plan.
- h. The type of irrigation listed on the Landscape Plan to be drippers or aqua hose.
- i. A note on the Landscape Plan specifying that all planted areas will to be mulched to a minimum 75 mm thickness using an appropriate timber species such as Pine or local common Eucalyptus species avoiding rare timber species such as Red Gum or Jarrah.

- j. A 24 month maintenance plan with notes on appropriate weed control, irrigation, mulch replenishment, dead plant replacement and pruning is included on the Landscape Plan to ensure the successful establishment, and on-going health, of new planting.
 - k. New lawn areas on the Landscape Plan being established with seed from a non-invasive grass species. Appropriate grass species include Queensland Blue-grass (*Dicantheum sericeum*), Red-leg Grass (*Bothriochloa macra*), Weeping Grass (*Microlaena stipoides*), Creeping Bent Grass (*Agrostis stolonifera*), Clustered Wallaby Grass (*Danthonia racemosa*), Kentucky Blue-grass (*Poa pratensis*), Tall Fescue (*Festuca arundinacea*).
 - l. Timber edging around lawn areas or garden beds that does not utilise Jarrah, Red Gum or Native (White) Cypress Pine (*Callitris columellaris*) unless it can be demonstrated that they are a recycled product. Acceptable products include treated pine, recycled plastic, moulded concrete, plantation grown Sugar Gum, brick edging or local stone.
4. Before the development is occupied and/or before the use starts or by such later date with the prior written consent of the responsible authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
5. The landscaping shown on the endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the responsible authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants are to be replaced after becoming aware of the dead, diseased or damaged plants. The responsible authority may amend the endorsed Landscape Plan from time to time.

6. **Construction Management Plan**

Before the development starts, a Construction Management Plan (CMP) 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 CMP must specify how the environmental and construction issues associated with the development will be managed and must address the following as applicable:

- a. A detailed schedule of works including a full project timing.
- b. A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
- c. The location for the parking of all construction vehicles and construction worker vehicles during construction.
- d. Construction times, noise and vibration controls.
- e. Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
- f. Proposed traffic management signage indicating any inconvenience generated by construction.
- g. Fully detailed plan indicating where construction hoardings would be located.
- h. A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
- i. Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
- j. Site security.

- k. Public safety measures.
- l. Restoration of any Council assets removed and/or damaged during construction.
- m. Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
- n. Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
- o. An emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experience.
- p. Traffic management measures to comply with the relevant Australia Standard.
- q. All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
- r. Details of crane activities, if any.
- s. Discharge of any polluted water.
- t. Erosion control measures.
- u. Sediment control measures.

The development must be carried out and implemented in accordance with the endorsed Construction Management Plan at all times to the satisfaction of the responsible authority. The responsible authority may amend the endorsed Construction Management Plan from time to time.

- 7. The monopole must be painted grey and the external finish of the permitted development must remain muted and non-reflective to the satisfaction of the responsible authority.

8. **General Amenity**

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.
- d. presence of vermin
- e. others as appropriate.

- 9. Once development is complete, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the responsible authority.

- 10. Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.

- 11. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

12. **Tree Protection Conditions**

All underground service pipes including storm water and sewerage must be diverted around any Tree Protection Zones of trees to be retained, or bored underneath with a minimum cover of 800mm to top of conduit from natural surface level. If the trees have not been assessed the TPZ is calculated by 12x the trunk diameter measured at 1.4m above ground level.

13. The existing street trees must not be removed or damaged to the satisfaction on the Responsible Authority.
14. Before the development starts, a tree protection barrier/fence must be installed around the street tree(s) located on Paynes Road and remain in place until all works on site are carried out and completed (including the construction of any new crossover). The following tree protection measures must be followed to the satisfaction of the responsible authority:
- The fencing is to be a 1.8-metre-high temporary fence constructed using steel or timber posts fixed to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.
 - The fencing is to encompass the entire nature strip area (between any footpath and kerb and channel) and must extend to the identified tree protection radial distance.
 - The fencing can be moved to the edge of any existing crossover(s) for site access.
 - The fencing may only be moved to construct any approved crossover.
15. **Construction of Vehicle Crossing**
Prior to the occupation of the permitted development a concrete vehicle crossing must be constructed in Paynes Road in accordance with the endorsed plans to serve the development to the satisfaction of the Responsible Authority.
16. **Permit Expiry**
This permit will expire if:
- a. The development is not started within two years of the date of this permit; or
 - b. The development is not completed within four years of the date of this permit; or
 - c. The use does not start within one (or two) year(s) of the completion of the development; or
 - d. 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 of expiry of permit of the commencement date. An extension of time to complete the development or a stage of the development may be requested if:

- The request for an extension of time is made within 12 months after the permit expires; and
- The development or stage started lawfully before the permit expired.

NOTES:

- (i) The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority, under this or any other Act, Regulation or Local Law.
- (ii) The owner and/or developer must ensure all relevant permits have been obtained before the use and or development starts.
- (iii) Building works approved under this planning permit must not be commenced until a building permit has also been obtained under the Building Act 1993 and the Building Regulations 2006.
- (iv) Before any earthworks are undertaken, contact Dial Before You Dig.

- (v) For further information with regard to the Telecommunications Conditions above, please refer to Advisory Note 49 – Telecommunications Services & Facilities in Subdivisions available from the Victorian State Government.