

## Planning Permit Conditions

<b>Application</b>	<b>YR-2023/303</b>
<b>Address of the land</b>	<b>68 Kingswood Drive, Chirside Park</b>
<b>Proposal</b>	<b>Building and works to construct a telecommunication facility, ancillary equipment, and fence</b>

### Amended Plans Required

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and 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 Ventia, dated 11/05/2023, drawing number VIC003984*), but amended to showing the following:
  - a. The monopole and equipment shelter must be colour treated in G54 Mist Green
  - b. Landscape Plan in accordance with condition 3All of the above must be to the satisfaction of the Responsible Authority.

### Layout not Altered

2. The 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.

### Landscape Plan

3. 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 10 metres on the north and south side of the compound.
  - b. Victorian native *Syzygium smithii* (Lilly Pilly) is to be used as the plant species, that will reach a mature height of at least 2.5 metres at maturity and have dense foliage.
  - c. The plants are to be planted at a density to provide dense screening of the compound at maturity.
  - 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.
  - 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 19.
  - f. The geographical location of the *Syzygium smithii* (Lilly Pilly) 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 Lilly Pilly plant 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 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.
4. Prior to the completion and commissioning of the permitted development 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.

#### **Prior to Commencement**

6. Before any buildings or works for the development start, an amended Construction Management Plan (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the owner will manage the environmental and construction issues associated with the development. The CMP must be generally in accordance with the CMP submitted with the application (*prepared by Ventia, dated 25/08/2023, revision 1*). The CMP must also set out measures and must address all aspects of construction management to the satisfaction of the Responsible Authority including, but not limited to:
- a. Communication with the Responsible Authority and neighbours (including after-hours communication).
  - b. Bulk excavation.
  - c. Management of the construction site.
  - d. Hours of construction.
  - e. Noise, where the use of truck engine brakes along the local road network, and any noise that are outside of the Environment Protection Authority requirements, must only be used during 7am and 8pm on weekdays, and from 9am on the weekends.
  - f. Control of dust, public safety, traffic management, construction vehicle road routes, soiling and cleaning of roadways, security of the site, on-site facilities for vehicle washing, discharge of any polluted water, disposal of site waste and any potentially contaminated materials.

- g. The road route along the local road network must only occur between the site and Maroondah Highway, via Grandvalley Drive, and Country Club Drive.
  - h. Demonstrate how the largest construction vehicle(s) is to travel through the Chirnside Park Country Club carpark to access the northern end of this carpark, if such vehicle cannot travel around the sharp bend that exists along the carpark accessway, at the north end of this carpark. This would be through a turning movement plan.
  - i. The car park is the designated loading/unloading and storage zone for all materials, equipment, and vehicles associated with the development.
7. Prior to the commencement of any buildings and/or works approved by this permit, temporary fencing must be erected around any tree shown for retention on the endorsed plans to define a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority and must:
- a. Exclude access and construction activity within the TPZs assessed in the Arborist Report (*prepared by PSY Inv, updated 24/04/2023*). If trees have not been assessed, the TPZ is a circle with a radius equal to 12x the trunk diameter measured at 1.4 metres above ground level;
  - b. Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 for temporary fencing and hoardings;
  - c. Not extend beyond the site boundaries except into roadside reserve and/or nature strip areas. Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath; and
  - d. Remain in place until all buildings and/or works are completed, unless with the prior written consent of the Responsible Authority.

Temporary fencing can be modified to accommodate encroachment into the TPZ of tree(s) as per the endorsed plans. Fencing must be modified in line with the footprint of the approved works only.

### **Removal of Existing Telecommunications Facility**

8. Within one (1) month of completion of the development permitted by this permit (or by such time agreed by the responsible authority), the existing telecommunications facility (slimline chimney) on the roof of the Chirnside Park Country Club building must be removed from the site to the satisfaction of the responsible authority.

### **General Provisions**

9. Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.
10. 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.
11. Council's assets must not be altered or damaged in any way except with the prior written consent of the responsible authority.
12. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

13. All external lighting provided on the site must be baffled so that no direct light is emitted beyond the boundaries of the site and no nuisance is caused to adjoining properties.
14. The external finish of the permitted development must remain muted and non-reflective to the satisfaction of the Responsible Authority.

### **General Amenity**

15. The 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, wastewater, waste products, grit, or oil.
  - d. presence of vermin
  - e. others as appropriate.

All to the satisfaction of the Responsible Authority

### **Engineering**

16. All vehicles must enter and exit the site in a forward direction.

### **Arboriculture**

17. All underground service pipes/conduits including storm water and sewerage must be diverted around the Tree Protection Zone (TPZ) of any retained tree, or bored underneath with a minimum cover of 600mm to top of pipe/conduit from natural ground surface to the satisfaction of the Responsible Authority. All pits, holes, joints, and tees associated with the installation of services must be located outside the TPZ, or the project arborist must demonstrate works in the TPZ will not impact viable tree retention to the satisfaction of the Responsible Authority.

### **Permit Expiry**

18. 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.

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:**

- 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.
- The owner and/or developer must ensure all relevant permits have been obtained before the development starts.
- Prior to the commencement of any works affecting or involving Council roads or drains, Asset Protection and/or Road Reserve/Easement Works permit(s) are required. An application for a permit can be obtained at the Yarra Ranges Council Community Links.
- 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.
- Before any earthworks are undertaken, contact Dial Before You Dig.
- 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.