

## CONDITIONS

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| Application         | YR-2023/636  |
| Address of the land | 8 Meadow Fair Way, Chirnside Park  |
| Proposal            | Development of a telecommunications facility and associated vegetation removal and trimming. |

### Amended Plans

1. 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, Ref dated 07/12/2023, Revision D), but amended to showing the following:
  - a. Relevant details in accordance with the Construction Management Plan to be submitted and endorsed under Condition 2 of this permit, to the satisfaction of the responsible authority.
  - b. Plans to show the width and construction material of the crossover
  - c. Plans to show access construction as per Condition 14 of this permit.
  - d. Landscape Plan in accordance with condition 3
  
2. 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.

- 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. Replacement planting for two native trees from EVC 47 to be planted within 20 metres of the development within the property.
  - b. Standard landscape notes included on the Landscape Plan in relation to soil preparation, irrigation of planting beds, replacement of dead plants and planting technique.
  - c. 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.
  - d. The geographical location of the *Syzygium smithii* (Lilly Pilly) proposed in the Plant Schedule on the Landscape Plan.
  - e. 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.
  - f. The type of irrigation listed on the Landscape Plan to be drippers or aqua hose.
  - g. 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.

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.

#### **Layout Not Altered**

- 4 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.

#### **General Provisions**

5. The external finish of the permitted development must remain muted and non-reflective to the satisfaction of the responsible authority.

- 6 All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.
- 7 Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.
- 8 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.
- 9 Council's assets must not be altered or damaged in any way except with the prior written consent of the responsible authority.
- 10 Prior to the occupation of the permitted development a concrete vehicle crossing must be constructed in Meadow Fair Way to serve the development to the satisfaction of the Responsible Authority.

### **Landscape Conditions**

11. 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.
12. The access track within the Tree Protection Zone (TPZ) of trees #1, 2, 3, 5, 6, 10, 11, 12, and TG#14 must be constructed above the existing grade using permeable materials to the satisfaction of the Responsible Authority. There must be no excavation within the TPZ, except for scraping the surface up to 30mm deep to remove surface organics and/or debris.
13. The pruning of any tree must comply with the Australian Standard for pruning of amenity trees 'AS 4373 – 2007' to the satisfaction on the Responsible Authority. Pruning must be undertaken by an arborist with a minimum AQF level 3 qualification.
14. This permit authorises the removal of tree #8 as shown on the arborist report (28/11/2023, TreeSpace Solutions). The proposed removal of trees #TG4, TG7, and 15 does not require a permit. All other trees must be retained to the satisfaction of the Responsible Authority.
16. All underground service pipes/conduits including stormwater and sewerage must be diverted around the Tree Protection Zone (TPZ) of any retained tree, or bored underneath with a minimum cover of 800mm to the top of pipe/conduit from the 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.

17. The existing street trees must not be removed or damaged to the satisfaction on the Responsible Authority.

### **Engineering**

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

### **General Amenity**

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

### **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 use and or development starts.
- 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.
- 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.