

CONDITIONS

Application	YR-2022/430
Address of the land	727-729 Maroondah Highway (Lots 1/8 TP414861 & Lot 1 TP159672), Coldstream
Proposal	Buildings and works to construct three warehouses to an existing winery and associated vegetation removal

1. Prior to the commencement of the use and/or development (including the removal of any trees or other vegetation), amended plans 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 be generally in accordance with decision plans prepared by Beca, dated 14 April 2022, Revision A, but modified to show:
 - a. A staged tree removal and replanting plan.

Trees to be removed in at least two stages, with trees from the area of warehouses 13 and 14 removed first. Trees from the area of warehouse 15 and adjacent to the north and northeast must not be removed until after completion of the construction of warehouse 14. Trees on this plan must be numbered in accordance with the arborist report prepared by dB Horticulture, dated 14 April 2022.

Replanting of at least 30 trees must occur prior to the completion of each of Stage 1 and Stage 2 of development, and the remaining trees must be replanted prior to the completion of Stage 3 of the development.
 - b. A landscape plan in accordance with condition 2 of this permit.All of the above must be to the satisfaction of the Responsible Authority.
2. Prior to the commencement of Stage 1 of the development (including the removal of any trees or other vegetation), amended plans 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 be generally in accordance with decision plans prepared by Beca, dated 14 April 2022, Revision A, but modified to show:
 - a. A landscape plan prepared in accordance with Council's Landscape Guidelines which must show in relation to the area of the site around warehouses 13, 14 and 15;
 - I. The species (botanical names) and quantities of trees to be removed on the Landscape Plan;
 - II. Staging of landscape screen planting to match the three stages of warehouse construction;
 - III. Replacement planting of 106 locally indigenous trees to the east and north of the warehouses;
 - IV. The Plant Schedule of the Landscape Plan adjusted to include a minimum of 50% indigenous plant species and does not include any listed environmental weeds known in the Yarra Ranges Council;
 - V. 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;
 - VI. Adequate instruction on the Landscape Plan for the protection of existing vegetation to be retained during construction;
 - VII. The geographical location of all plant species proposed in the Plant Schedule on the Landscape Plan;
 - VIII. 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;

- IX. The type of irrigation listed on the Landscape Plan to be drippers or aqua hose;
- X. 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;
- XI. 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;
- XII. 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*); and
- XIII. 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.

Landscaping in accordance with this approved plan must be completed prior to occupation of each stage of the permitted development, or if not occupied, within 3 months of completion of each stage of the permitted development. New planting must be maintained or replaced as necessary. When approved the landscape plan will be endorsed to form part of this permit.

- 3. The layout of the site and the size of any proposed buildings and works shown on the endorsed plans shall not be altered or modified without the written consent of the Responsible Authority.
- 4. The external finish of the permitted building(s) must match the existing building(s) to the satisfaction of the Responsible Authority.
- 5. Stormwater runoff from warehouses 13, 14 and 15 and the associated access road must be discharged on the subject land. Stormwater must not be directed into the Yarra River or any other water course on the site to the satisfaction of the Responsible Authority.
- 6. This permit authorises the removal of trees numbered #1–53 as shown on the endorsed plans (Beca, 14/04/2022). All other trees must be retained to the satisfaction of the Responsible Authority.
- 7. Replacement planting of 106 trees must be conducted within the first planting season (May to September) following the completion of the permitted buildings and/or works to the satisfaction of the Responsible Authority. The trees must be chosen from the Yarra Ranges Council's Vegetation Community No. 83.
The planting must be maintained or replaced as necessary to the satisfaction of the Responsible Authority.
- 8. 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. If trees have not been assessed, the TPZ is a circle with a radius equal to 12x the trunk diameter measured at 1.4 m 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.

9. 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.

10. This permit will expire if:

- Stage 1 of the development is not started within two years of the date of this permit;
- Stage 2 of the development is not started within three years of the date of this permit; and
- Stage 3 is not started within four years of the date of this permit.

The Responsible Authority may extend this period if a request is made in writing before the permit expires or within six months afterwards.

This permit will expire if:

- Stage 1 of the development is not completed within four years of the date of this permit;
- Stage 2 of the development is not completed within five years of the date of this permit;
- Stage 3 is not completed within six years of the date of this permit.

A request may be made to Responsible Authority to extend the time to complete a development or a stage of the development if:

- a. The request for an extension is made within 12 months of the permit expiry; and
- b. The development or stage has lawfully commenced before the permit expiry.

NOTES:

The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.

Building works approved under this planning permit shall not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2018*.