
DRAFT PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF
THE PLANNING AND ENVIRONMENT ACT
1987

Permit No.: 2016-269

Planning Scheme: Greater Shepparton

Responsible Authority: Greater Shepparton
City Council

ADDRESS OF THE LAND:

221-229 Numurkah Road and 10 Ford Road
SHEPPARTON VIC 3630

THE PERMIT ALLOWS:

use of land for a (place of assembly) community meeting space, buildings and works in the Commercial 1 Zone, erection and display of business identification signs, a packaged liquor licence and creation of access to a Road Zone Category 1

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Amended Plans Required

Before 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 drawn to scale with dimensions and a minimum of two copies (or as specified) must be provided. Such plan must be generally in accordance with the plan submitted with the application but modified to show:

- a) Elevations and site context plan detailing how the development responds to the *Activity Centre Design Guidelines*, to the satisfaction of the responsible authority;
- b) Survey to locate sewers under the land and all structures to be setback one metre from any Goulburn Valley Water asset as required by Goulburn Valley Water;

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- c) Location of public transport stops including bus stops and taxi bays;
- d) Location and size of the bottle shop;
- e) 2m wide footpaths along the lands frontage to Ford Road, Numurkah Road and the northern side of Doody Street;
- f) Location and screening of all roof plant and air-conditioning equipment;
- g) Notation acknowledging that road works to Numurkah Road are subject to Vic Roads approval;
- h) Correction of reference of Ford Street to Ford Road;
- i) Correction of the location of the left turn arrow on Ford Road to the entries eastern most vehicle access to the land.

2. Layout Not Altered

The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

3. Civil Construction Requirements

Before any of the development starts, detailed plans with computations 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 information submitted must show the details listed in Council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual as well as show:

Drainage

- a) details (and computations) of how the buildings and works on the land is to be drained including underground pipe drains conveying stormwater to the legal point of discharge;
- b) a litter trap at the drainage outfall from the site to prevent any litter from entering Councils drainage system;
- c) documentation demonstrating how drainage will be designed so neighbouring properties are not adversely affected by the development, including water flow to and from neighbouring properties;

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Car Parking

- d) detailed plan of the car park with no less than 309 on site car parking spaces, including eight disabled bays and long vehicle parking bays unless a lesser number of car parking spaces is approved in writing by the responsible authority on account of accommodating landscaping pursuant to the landscape plan requirements under this permit;
- e) provision of at least 29 bicycle spaces on the land and one end of trip facility for employee use including a change room and showers;
- f) carparking areas, circulation lanes and access shall be designed and constructed to the satisfaction of the responsible authority;
- g) all areas associated with car parking, circulation lanes and access be surfaced with an all-weather seal coat, line marked to indicate each car space and access lane and traffic control signs installed including signage directing drivers to the area(s) set aside for car parking;
- h) provision of a signage and line marking plan for the internal accessways;
- i) location of trolley bays and rubbish bins within the car park;
- j) proper illumination with lighting designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land;
- k) detailed intersection layout of the cross intersection at the lands entry from the Numurkah Road service road.

Road Works

- l) construction plans of the extension of Doody Street in accordance with the IDM;
- m) construction details of the intersection treatments to Ford Road including right, left and through lanes, swept path movements for single articulated vehicles and intersection lighting;
- n) construction details of kerb and channel incorporating underground drainage along the lands frontage to Ford Road;
- o) removal of all redundant vehicle crossings and replacement with concrete kerb and channel along the sites frontage;
- p) traffic details including swept paths to show that the revised access arrangements to the Numurkah Road service road continue to provide for over size heavy vehicle movements that access 219 Numurkah Road;
- q) lighting of the intersections of Ford Road and entries to the land;
- r) no standing signs abutting the site on the southern side of Ford Road;
- s) construction details of the loading area and Click and Collect bays abutting Doody Street including measures to manage conflicts between vehicles and

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pedestrians;

- t) construction details of the vehicle access from the land to Doody Street;

Footpath Works

- u) a 2 metre wide footpath on the northern side of the street);
v) a 2 metre wide footpath along the lands frontage to Ford Road and across the frontage of 231 Numurkah Road to the western boundary of 231 Numurkah Road;

Noise Control

- w) design details of acoustic treatments as recommended in the Acoustic Consulting Australia Pty Ltd report dated 23 January 2017 including:
- o an acoustic fence along the entire eastern boundary of the land with a height of 2.8 metre above the roadway height;
 - o acoustic screening of the condenser platform;
 - o supermarket refrigeration compressors be located inside a dedicated and acoustically treated plant room;
 - o the supermarket loading dock acoustically treated.

Other

- x) underground power connection to the buildings and screened electrical substation;
y) fencing design of the common boundaries with 231 - 237 Numurkah Road, Shepparton;
z) construction details of the proposed shade sails.
to the satisfaction of the responsible authority.

Before the occupation of the development all civil works as shown on the endorsed plans must be constructed and be in accordance with the endorsed plans to the satisfaction of the responsible authority.

Before the occupation of the development, the extension to Doody Street must be vested to Council as a Road.

Within two months of the development being occupied a full set of as constructed plans must be provided to Council of the completed civil works.

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4. Loading and Unloading Times and Operation

The loading and unloading of goods from delivery vehicles must only be carried out in the allocated loading and unloading bays and must only be made:

- **7:00am to 10:00pm** on Monday to Saturday;
- **9:00am to 10:00pm** on Sundays and public holidays;

to the satisfaction of the responsible authority, unless otherwise agreed to in writing by the responsible authority. These requirements do not apply to the Click and Connect loading bays.

Waste collection must only be carried out in the allocated waste collection areas and waste collection must only be made during the following times:

- **7:00am to 6:00pm** on Monday to Friday;
- **7:00am to 1:00pm** on Saturdays;

No waste collection on Sunday or public holidays.

to the satisfaction of the responsible authority, unless otherwise agreed to in writing.

5. Landscaping Plan

Before construction works commence (or as otherwise agreed in writing by the responsible authority) a revised 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 revised plan must be drawn to scale with dimensions and two copies must be provided and show:

- a) a schedule of all proposed trees, shrubs and ground cover in accordance with the Draft Landscape Plan Guide for Developments in the Shire of Campaspe, City of Greater Shepparton and Moira Shire Council, including the location, number and size at maturity of all plants, the botanical names and the location of areas to be covered by grass, lawn or other surface materials;
- b) increased areas of landscaping within the car park to allow for understorey and canopy plantings and shade and canopy plantings to the outdoor dining area;
- c) the method of preparing, draining, watering and maintaining the landscaped area;
- d) garden bed heights above car-park surface;

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- e) specific details of any filter mediums to be used in associated with water quality treatment facilities;
- f) the provision of street trees in Ford Road and Numurkah Road;
- g) interim landscape treatment of the pad site and future fuel site.

All species selected must be to the satisfaction of the responsible authority.

The landscape plan must be consistent with the endorsed drainage plans associated with the development.

All trees planted as part of the landscape works must be a minimum height of 1.2 metres at the time of planting.

Before the occupation of the buildings or by such a later date as is approved by the responsible authority in writing, landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority.

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants and/or trees must be replaced to the satisfaction of the responsible authority.

6. Construction Phase

Before the development starts, a construction management plan shall be submitted to and approved by the responsible authority. The plan must detail measures to be employed for the effective management of matters including, mud on roads, dust generation and erosion and sediment control on the land, during the construction phase. When approved the plan will be endorsed and form part of the permit. The construction management plan must provide contact details of the site manager.

During the construction of buildings and/or works approved by this permit, measures must be employed to minimise mud, crushed rock or other debris being carried onto public roads from the land, to the satisfaction of the responsible authority.

Dust suppression must be undertaken to ensure that dust caused on the land does not

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cause a nuisance to neighbouring land to the satisfaction of the responsible authority.

7. Council Assets

Unless identified in a written report, any damage to public infrastructure adjacent to the land at the conclusion of construction on the land will be attributed to the land. The owner/operator of the land must pay for any damage to the Council's assets/Public infrastructure by way of the development.

8. VicRoads Requirements

Prior to the development coming into use the following mitigating works generally in accordance with Drawing No. G19863-04F prepared by TraffixGroup must be undertaken to the satisfaction of and at no cost to the Roads Corporation unless otherwise agreed by the Roads Corporation as follows:

- a) Extend the right turn lane on Numurkah Road and construct an auxiliary left turn lane at the northern entrance to the service road fronting the subject land.
- b) Closure of the entrance to the service road on the eastern side of Numurkah Road located approximately 30 metres north of Grant Court.
- c) The proposed access from the subject land to the service road fronting Numurkah Road must be constructed to the satisfaction of the Responsible Authority (Greater Shepparton City Council) and the Roads Corporation.
- d) Construct a median island to the south of the right turn lane from Numurkah Road into Ford Road.
- e) Construct the proposed service road exit on the eastern side of Numurkah Road located approximately 60 metres north of Grant Court including extending median island adjacent to right turn lane opposite the proposed service road exit.

9. Goulburn Broken Catchment Management Authority Requirements

The finished floor levels of all proposed buildings must be constructed to a level not less than 111.8 metres AHD.

10. Goulburn Valley Region Water Corporation Requirements

- a) Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of

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payment;

- b) Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;

- c) Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;

- d) Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement

The Owner and or occupier is required to submit a completed Trade Waste Application, and install the required pre-treatment facility to the satisfaction of Goulburn Valley Water's Trade Waste Section, before approval to discharge trade waste from the development into the Corporation's sewer is granted;

- e) The plan of Consolidation to be lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

- f) As there are live sewers in the property, any structure to be built must be clear of any easement in favour of the Corporation and one metre laterally clear of any assets of the Corporation. The location of any Corporation assets will need to be proven at the developer's expense.

- g) An upgrade of the Corporation sewer and water infrastructure which may include, but not be limited to the construction of a sewerage pumping station, rising mains, gravity mains and water mains.

- h) The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;

- i) Please note, should the applicant wish to subdivide each tenement onto separate titles in the future, provision of appropriate servicing arrangements to facilitate a future subdivision proposal should be investigated as part of this

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development.

The applicant should contact the Corporation to discuss current and future proposals for this development.

11. Goulburn Murray Water Requirements

- a) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- b) No works are to be constructed on Goulburn Murray Water easement, freehold or reserve without approval. It is the responsibility of the developer to locate the easement or reserve boundary.

12. Powercor Requirements

The applicant shall:-

- a) Provide an electricity supply to all properties within the development in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work may be required).
- b) Where buildings or other installations exist on the land and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- d) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- e) Set aside on the property for the use of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways where an electric substation (e.g. indoor) is required to service the development.

Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat.

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- f) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the development and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- g) Obtain for the use of Powercor Australia Ltd any other easement external to the development required to service the development.
- h) Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.

13. Time for Starting and Completion

This permit will expire if one of the following circumstances applies:

- a) the development is not started within five years of the date of this permit;
- b) the development is not completed within seven years of the date of this permit.

NOTATIONS

Vic Roads Notes

1. Separate consent for works within the road reserve and the specifications of these works will be required under the Road Management Act.
2. It should be noted that the consent application will be treated as a developer funded application which requires fees and detailed plans and specifications.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if -
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- * Any person affected may apply for a review of -
 - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
 - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
 - the failure of the responsible authority to extend the time within one month after the request for extension is made.
 - * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
 - * An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
 - * An application for review must state the grounds upon which it is based.
 - * An application for review must also be served on the Responsible Authority.
 - * Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
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