



***City of*
Whittlesea**

A G E N D A

OF ADJOURNED COUNCIL MEETING

HELD ON

FRIDAY 21 DECEMBER 2018

AT 11AM

SUMMONS

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Friday, 21 December 2018 in Council Chamber, 25 Ferres Boulevard, South Morang at 11am for the transaction of the following business.

**S OVERLAND
CHIEF EXECUTIVE OFFICER**

COUNCILLORS

LAWRIE COX	MAYOR, SOUTH WEST WARD
STEVAN KOZMEVSKI	SOUTH WEST WARD
CAZ MONTELEONE	SOUTH WEST WARD
KRIS PAVLIDIS	SOUTH WEST WARD
TOM JOSEPH	DEPUTY MAYOR, NORTH WARD
RICKY KIRKHAM	NORTH WARD
EMILIA LISA STERJOVA	NORTH WARD
SAM ALESSI	SOUTH EAST WARD
ALAHNA DESIATO	SOUTH EAST WARD
NORM KELLY	SOUTH EAST WARD
MARY LALIOS	SOUTH EAST WARD

SENIOR OFFICERS

SIMON OVERLAND

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

NICK MANN

DIRECTOR CITY TRANSPORT & PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS, PLANNING &
ENGAGEMENT

MICHAEL TONTA

MANAGER GOVERNANCE

ORDER OF BUSINESS

The Chief Executive Officer submits the following business:

1.	OPENING.....	9
1.1	MEETING OPENING AND PRAYER.....	9
1.2	ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT	9
1.3	PRESENT.....	9
2.	APOLOGIES.....	9
3.	DECLARATIONS OF INTEREST.....	9
5	QUESTIONS, PETITIONS AND JOINT LETTERS.....	9
5.1	QUESTIONS TO COUNCILLORS.....	9
5.2	PETITIONS.....	9
	NIL REPORTS.....	9
5.3	JOINT LETTERS.....	9
	NIL REPORTS.....	9
6.	OFFICERS' REPORTS	11
6.1	PARTNERSHIPS, PLANNING & ENGAGEMENT.....	11
6.1.7	1410A AND 1410C PLENTY ROAD AND 610 BRIDGE INN ROAD, MERNDA - MULTI-LOT SUBDIVISION, STAGED USE AND DEVELOPMENT OF THE LAND FOR RETAIL, OFFICE, LEISURE AND RECREATIONAL PURPOSES, CREATION OR ALTERATION OF ACCESS TO A ROAD WITHIN A ROAD ZONE CATEGORY 1, WORKS WITHIN A HERITAGE OVERLAY, REMOVAL OF NATIVE VEGETATION, REMOVAL OF AN EASEMENT, DISPLAY OF INTERNALLY ILLUMINATED ADVERTISING SIGNAGE, AND THE SALE AND CONSUMPTION OF LIQUOR ON THE PREMISES	11
6.2	COMMUNITY SERVICES.....	71
	NIL REPORTS.....	71
6.3	CITY TRANSPORT AND PRESENTATION	71
	NIL REPORTS.....	71
6.4	CORPORATE SERVICES.....	71
	NIL REPORTS.....	71
6.5	EXECUTIVE SERVICES.....	71
	NIL REPORTS.....	71

7.	NOTICES OF MOTION	73
	NIL REPORTS.....	73
8.	QUESTIONS TO OFFICERS	73
9.	URGENT BUSINESS	73
10.	REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	73
11.	CONFIDENTIAL BUSINESS.....	73
11.1	PARTNERSHIPS, PLANNING & ENGAGEMENT.....	73
	NIL REPORTS.....	73
11.2	COMMUNITY SERVICES.....	73
	NIL REPORTS.....	73
11.3	CITY TRANSPORT AND PRESENTATION	73
	NIL REPORTS.....	73
11.4	CORPORATE SERVICES.....	73
	NIL REPORTS.....	73
11.5	EXECUTIVE SERVICES.....	73
	NIL REPORTS.....	73
11.6	NOTICES OF MOTION.....	73
	NIL REPORTS.....	73
12.	CLOSURE.....	73

Note:

At Council's discretion, the meeting may be closed in accordance with Section 89 of the Local Government Act 1989. The provision which is likely to be relied upon to enable closure is set out in each item. These reports are not available for public distribution.

Question Time:

During the meeting, Council will answer questions from residents and ratepayers. Questions should be submitted in writing no later than 3pm on the day of the ordinary Council Meeting unless this unreasonably prevents or hinders you from participating. A Question Time form can be downloaded from Council's website and copies of the form are available at the meeting. Refer: <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council is committed to ensuring that all residents and ratepayers of the municipality may contribute to Council's democratic process and therefore, if you have special requirements, please telephone the Governance Team prior to any Council Meeting on 9217 2294.

Large Attachments:

Where large attachments form part of the Report, due to the size of the attachments – a copy has not been provided in the Agenda document

Copies of these attachments are available for inspection by the public at the following locations:

- a) Council offices at 25 Ferres Boulevard, South Morang; and
- b) Council's internet site – <http://cam.whittlesea.vic.gov.au/>

1. OPENING

1.1 MEETING OPENING AND PRAYER

The Chief Executive Officer will open the meeting with the reading of the prayers:

Almighty God, we humbly beseech thee, to vouchsafe thy blessing upon this council. Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Whittlesea City Council.

Our father who art in heaven, hallowed be thy name, Thy kingdom come, Thy will be done in earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive them that trespass against us; and lead us not into temptation but deliver us from evil, For thine is the kingdom, the power and the glory, for ever and ever.

Amen

1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT

The Mayor will read the following Acknowledgement of Traditional Owners Statement.

On behalf of the Whittlesea City Council I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan as the traditional owners of this place.

I would ask that you may consider a conversation with our traditional owners to understand their depth of feelings around treatment of first nations peoples and events that have shaped their lives.

1.3 PRESENT

2. APOLOGIES

3. DECLARATIONS OF INTEREST

5 QUESTIONS, PETITIONS AND JOINT LETTERS

5.1 QUESTIONS TO COUNCILLORS

5.2 PETITIONS

NIL REPORTS

5.3 JOINT LETTERS

NIL REPORTS

6. OFFICERS' REPORTS**6.1 PARTNERSHIPS, PLANNING & ENGAGEMENT****6.1.7 1410A AND 1410C PLENTY ROAD AND 610 BRIDGE INN ROAD, MERNDA - MULTI-LOT SUBDIVISION, STAGED USE AND DEVELOPMENT OF THE LAND FOR RETAIL, OFFICE, LEISURE AND RECREATIONAL PURPOSES, CREATION OR ALTERATION OF ACCESS TO A ROAD WITHIN A ROAD ZONE CATEGORY 1, WORKS WITHIN A HERITAGE OVERLAY, REMOVAL OF NATIVE VEGETATION, REMOVAL OF AN EASEMENT, DISPLAY OF INTERNALLY ILLUMINATED ADVERTISING SIGNAGE, AND THE SALE AND CONSUMPTION OF LIQUOR ON THE PREMISES**

Attachments:

1	Locality Maps ↓
2	Development Plans ↓
3	Mernda Town Centre Comprehensive Development Plan ↓

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Principal Planner

APPLICANT: Fabcot Pty Ltd and Akeg Pty Ltd

COUNCIL POLICY:

22.10	River Redgum Protection Policy
22.11	Development Contribution Plan Policy

ZONING:

Comprehensive Development Zone, Schedule 1

OVERLAY:

Development Contributions Plan Overlay, Schedule 9
Development Plan Overlay, Schedule 15
Heritage Overlay, Schedule 19
Incorporated Plan Overlay, Schedule 1
Vegetation Protection Overlay, Schedule 1

REFERRAL:**- INTERNAL**

Development Engineering
Strategic Transport
Parks and Open Space
Strategic Planning and Design
Sustainability
Heritage Coordination

- EXTERNAL

APT O&M Services (Gas)
Yarra Valley Water
Melbourne Water
VicRoads
Transport for Victoria
AusNet Electricity Services
Department of Environment, Land, Water and Planning (s. 52)
VicTrack (s.52)
Heritage Victoria (s.52)

OBJECTIONS: Not applicable

RECOMMENDATION SUMMARY

That Council resolve to approve Planning Application No. 714577 and issue a Planning Permit for the subdivision of land and the staged development of the Mernda Town Centre comprising of retail, office, leisure and recreation, creation/alteration of access to a road within a Road Zone Category 1, works within a heritage overlay, removal of native vegetation, removal of an easement, display of internally illuminated advertising signage, and the sale of liquor on the premises.

KEY FACTS AND / OR ISSUES

- The staged development of the Mernda Town Centre will provide the core of the town centre including a supermarket, specialty retail stores, food and drink premises, a medical centre, gym and a pedestrian friendly main street connecting to the adjoining Mernda Train Station.
- The development appropriately subdivides the land to create the core of the town centre as part of this development, adjoining balance lots for future development, and the surrounding local road network including the Berry Lane and Plenty Road and Bridge Inn Road and Plenty Road signalised intersection upgrades.
- The development will include land to be vested with Council for a future Community Facility, providing the opportunity for early activation of the site.
- The application includes the preparation and implementation of a Conservation Management Plan for Mayfield Farm and Berry Lane to protect the heritage values of this locally significant heritage place.
- The development will require archaeological investigations into the remains of the Berry Lane bluestone pavement to inform an appropriate design response to this heritage place, and partial demolition of the existing pavement for the construction of a required north-south road.
- Eleven River Red Gums (Tree Numbers 15-17, 20-25, 59 and 60) are proposed for removal, however this is generally in accordance with the Mernda Town Centre Development Plan which only shows the retention of Tree 60. Tree 60 is located within the Berry Lane road reserve proposed to be removed due to shared path and road pavement encroachment into the Tree Protection Zone.

REPORT**BACKGROUND**

The subject site is located within the Mernda Town Centre Development Plan (2018) and is part of the Mernda Strategy Plan (2016) as described in greater detail in this report.

The original application for the development of the Mernda Town Centre was submitted to Council on 31 January 2014. Due to significant differences between the approved Development Plan and the planning application relating to the land uses, arrangement of the town centre core and the main street, as well as consideration of the Mernda Rail extension, various amendments to the Development Plan have been required in order to facilitate the proposal.

Council has worked closely with the applicant to prepare a Development Plan that appropriately responds to the requirements of the Development Plan Overlay (DPO15), considers the relationship with the Mernda Train Station, and integrates appropriate elements of the current planning application all while remaining consistent with the Mernda Town Centre Comprehensive Development Plan (2002) and the Mernda Strategy Plan (2016).

At its meeting on 18 July 2017, Council resolved to approve the amended Development Plan subject to the landowner entering into a Section 173 Agreement for the development contributions on the land.

This represented a key milestone in the planning and development of the site and allowed for the operation of a higher order level of commercial services and provision for community facilities with linkages to the Mernda Train Station.

A formal amendment to the planning application was submitted to Council on 6 October 2017. At this time, the Section 173 Agreement was still under negotiation and the Development Plan was yet to be formally approved, however Council facilitated the progression of the application through assessments and providing detailed feedback to the applicant.

The Section 173 Agreement was signed on 28 November 2018, thus allowing for the formal approval of the amended Mernda Town Centre Development Plan (2018) and allowing a decision to be made on the planning application.

SITE AND SURROUNDING AREA

The subject site is located on the south-east corner of Plenty Road and Bridge Inn Road, Mernda (*see Attachment 1*), directly adjacent to the Mernda Train Station. The site is generally square in shape with an approximate area of 26.4 hectares.

The site is currently vacant with the exception of the Mayfield Farm, Dairy and Berry Lane heritage place.

The topography is generally flat. There are a number of mature trees within the application area that are identified in the associated Mernda Town Centre Development Plan (2018) for removal and retention.

The site is located entirely within the Mernda Town Centre Development Plan (2018). The development is located primarily in the north-eastern portion of the site and is proposed to be staged.

Large areas of former pastoral and agricultural land within Mernda have been designated for urban development under applicable planning controls and strategies, with many areas already experiencing residential growth.

RESTRICTIONS AND EASEMENTS

The subject land (1410A and 1410C Plenty Road and 610 Bridge Inn Road, Mernda) is made up of a number of titles and there are no restrictions on these titles, other than an easement located across the subject sites for drainage purposes. This application seeks the removal of this easement.

PROPOSAL

The application includes the subdivision of land at 1410A Plenty Road, 1410C Plenty Road and 610 Bridge Inn Road, Mernda. The proposal seeks to develop part of the core retail area of the emerging Mernda Town Centre located in the north east precinct of the site. The proposal includes multi-lot subdivision, staged use and development of the land for retail, office, leisure and recreational purposes, creation or alteration of access to a road within a Road Zone Category 1, works within a heritage overlay, removal of native vegetation, removal of an easement, display of internally illuminated advertising signage, and the sale and consumption of liquor on the premises (*see Attachment 2*).

Specific details of the proposal are outlined below:

- Subdivision generally in accordance with the DP, including the subdivision allowing for Berry Lane, Riverdale Boulevard, Main Street and Station Street to be constructed and vested as Council roads.
- Use and development of the north eastern portion of the land for the Mernda Town Centre.
- Development of two supermarkets, 10 specialty retail, a bottle shop, two mini major shops, four food and drink premises, a gym and a medical office.
- Associated car and bicycle parking.
- Construction of Riverdale Boulevard, Main Street, Station Street and Berry Lane.
- Signalised intersection of Berry Lane and Plenty Road, and Bridge Inn Road and Plenty Road.
- Landscaping works.
- Eleven River Red Gums (Tree Numbers 15-17, 20-25, 59 and 60) are proposed for removal. Retention of River Red Gums is in accordance with the Development Plan other than Tree 60.
- Design response to Berry Lane shared path.
- Advertising signage.

The car park provides a total of 548 on-site car spaces and 52 bicycle spaces with associated on-site staff facilities.

The primary supermarket is proposed to be open 24 hours a day and 7 days a week.

PUBLIC NOTIFICATION

Pursuant to Clause 43.04-2 an application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Planning Policy Framework

The following provisions of the Planning Policy Framework are relevant to this proposal:

Clause 11.03-1R Activity Centres – Metropolitan Melbourne seeks to support the development and growth of Metropolitan Activity Centres by ensuring they are able to accommodate significant growth for a broad range of land uses, are supported with appropriate infrastructure, are hubs for public transport services, offer good connectivity for a regional catchment and provide high levels of amenity.

Clause 15.01-1R Urban Design – Metropolitan Melbourne seeks to ensure that high quality urban environments are created.

Clause 15.03-1S Heritage Conservation seeks to ensure the conservation of places of heritage significance.

Clause 17.02 Commercial seeks to 'encourage development that meets the community's needs for retail, entertainment, office and other commercial services' which includes ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Clause 18.01-1S Land use and transport planning seeks to create a safe and sustainable transport system by integrating land-use and transport.

Comments:

- The location of the application area is within the Mernda Town Centre as identified in the Mernda Strategy Plan (2016).
- The development seeks to create a Town Centre Main Street environment.
- A Conservation Management Plan is required for the on-going protection of Mayfield Heritage Place and the development sensitively incorporates a design response to Berry Lane.
- A number of River Red Gums are to be retained within the precinct to enhance the neighborhood character and amenity.
- The proposal will enhance the economic prosperity of the Mernda Town Centre and deliver a wide range of retail services.
- The development appropriately integrates with the Mernda Train Station.

Local Planning Policy Framework

The following provisions of the Local Planning Policy Framework (LPPF) contained in the Scheme are relevant to this proposal:

Clause 21.04-1 Activity Centre Planning identifies that activity centres are 'the focus for a range of shopping, employment and entertainment activities'.

Clause 21.08-1 Urban Design seeks to 'progressively upgrade the image and appearance of the City of Whittlesea focussing on retention of local environmental features, landscape qualities and urban and landscape design improvements.'

Clause 21.10-1 Employment Opportunities seeks to 'to provide greater balance between housing supply and employment opportunities.'

Clause 21.11-1 Integrated Transport seeks to 'establish an efficient, interconnected multi modal transportation system which increases the level of accessibility and choice within and beyond the City of Whittlesea.'

Clause 22.04 Heritage Conservation contributes greatly to the identity of the City. It is essential that significant heritage places are protected, retained and integrated as the City develops.

Clause 22.10 River Redgum Protection recognises the River Red Gum as an asset to the City of Whittlesea. This policy seeks to protect River Red Gums from encroaching developments in urban and rural areas.

Comments:

- The Mernda Town Centre is an identified Activity Centre within the City of Whittlesea. The proposal provides local employment opportunities as well as providing for the appropriate subdivision for the surrounding sites to develop in accordance with the Development Plan.
- The development of the north eastern part of the Mernda Town Centre ensures the provision of a Main Street environment.
- The proposal will generate a range of employment opportunities. This includes the Woolworths development itself as well as subdivided lots allowing for future development of the town centre.
- The proposal contributes to the interim intersection to Berry Lane and Plenty Road (with VicRoads undertaking the ultimate works concurrently), the signalisation of Bridge Inn Road and Plenty Road Intersection, as well as a local road network that allows for the appropriate transportation through and surrounding the site.
- The development seeks to ensure the on-going protection of the Mayfield Farm Heritage Place through the preparation and implementation of a Conservation Management Plan.
- The proposal retains several River Red Gums on site. These will be design features to enhance the local amenity.

PLANNING ASSESSMENT**Zone****Clause 37.02 - Comprehensive Development Zone, Schedule 1***Schedule 1 – Mernda Town Centre Comprehensive Development Plan*

Under the schedule to this zone, a planning permit is required to use land for Retail, Office, and Leisure and Recreation Premises.

The Comprehensive Development Plan (*see Attachment 3*) designates the land uses on this site as Retail/Mixed Use, Community Facility, Medium and High Density Residential and Transport Interchange. The proposal is consistent with the requirements of the zone and Comprehensive Development Plan.

Overlays**Clause 45.06 - Development Contributions Plan Overlay (DCPO), Schedule 9**

Schedule 9 to the DCPO refers to the incorporated Mernda Precinct 5 Development Contributions Plan. The development must meet the obligations outlined within this schedule and described within the DCP. A specific condition obligating the required contributions will form part of any permit issued.

Clause 43.04 - Development Plan Overlay (DPO), Schedule 15

The DPO states that a permit should not be granted until a Development Plan is in place (there are exceptions if allowed by the Schedule). The subject DP was approved on 28 November 2018 and supersedes the Development Plan approved in 2015.

Mernda Town Centre Development Plan (2018)

The DP provides a high level urban layout with designated land uses for the site. The proposal includes the subdivision of land that allows for appropriate future development of the site, as well as the use and development of the north eastern part of the Mernda Town Centre nominated in the DP as 'Retail/mixed use.'

This proposal is considered in accordance with the approved DP.

Clause 43.03 - Incorporated Plan Overlay, Schedule 1

The Incorporated Plan Overlay states that any permit issued must be generally in accordance with the Incorporated Plan.

Schedule 1 to the Incorporated Plan Overlay identifies that the Mernda Strategy Plan applies to the subject site.

The application to create the town centre core is considered generally in accordance with the Mernda Strategy Plan which designates this site as Retail/Mixed Use.

Clause 42.02 - Vegetation Protection Overlay, Schedule 1

According to the requirements of the schedule to the Vegetation Protection Overlay, only vegetation that is native requires a permit for removal.

Eleven River Red Gums (Tree Numbers 15-17, 20-25, 59 and 60) are proposed for removal, however this is generally in accordance with the requirements of the Development Plan. The approved Development Plan identifies the trees to be retained on the design response plan (Figure 15). Retention of River Red Gums is in accordance with that shown on the Development Plan other than Tree 60 which is proposed for removal.

Tree 60 is a River Red Gum of low arboricultural rating. The applicant proposes to remove this tree given that it is located within the Berry Lane road reserve and impacts on the proposed indented parking bays and the Berry Lane shared path would have significant encroachment of the Tree Protection Zone if retained.

It is considered appropriate to remove the vegetation as part of the development.

Clause 43.10 - Heritage Overlay, Schedule 19

The site is affected by Heritage Overlay (HO19) for the protection of the Mayfield Farm, Dairy and Berry Lane heritage place.

Through the development of the town centre, the landowner will be required to enter into a Section 173 Agreement for the preparation and implementation of Conservation Management Plan (CMP) generally in accordance with the CMP submitted with this application. The CMP will outline immediate stabilisation and restoration works that will be required to be undertaken, as well as short, medium and long term works.

It should be noted that the CMP submitted with the application proposes the installation of 3m wide raised gravel path above the existing bluestone cobbles to Berry Lane. This treatment is proposed to provide a consistent and durable surface for pedestrian/shared path use whilst protecting the heritage fabric of the bluestone surfacing. Notwithstanding, a condition of permit will require an archaeological investigation to determine the exact extent of remains of Berry Lane. This report will then be used to help inform an appropriate design response and interpretation plan that is sensitive to the significance of this heritage place.

Particular Provisions

The relevant Particular Provisions of the Whittlesea Planning Scheme are as follows:

Clause 52.02 – Easements, Restrictions and Reserves

Currently there is an easement for drainage purposes located across the site at 1410A and 1410C Plenty Road, Mernda. The easement is proposed to be removed and a permit is required for its removal.

A condition of permit will require the preparation of a Stormwater Management Strategy to appropriately manage the drainage requirements for the development and the removal of the easement.

Clause 52.05 – Advertising signs

The application proposes a range of large business identification signage and associated internally illuminated centre signage.

The proposed advertising signage includes:

Sign	Type	Size	Location
Sign A	Internally illuminated pylon sign.	17574 x 5486 mm	The corner of Bridge Inn Road and Riverdale Boulevard and the corner of Plenty Road and Berry Lane
Sign B	Centre logo sign.	8000 x 2400 mm	Above Main Street entrance and the south-east alfresco
Sign C	Internally illuminated major signage.	2262 x 2046 mm	Externally on the north, east, south and west façade.
Sign D	Loading dock sign.	1200 x 930 mm	All roads leading to the loading dock.
Sign E	Way-finding sign.	930 x 2000 mm	At vehicular access points to the site from main roads.
Sign F	Internally illuminated major signage lettering.	4681 x 1000 mm	Externally along all building bulk heads.
Sign G	Internally illuminated major signage lettering.	1280 x 1000 mm	Externally along all building bulk heads.
Sign H	Pick up location signage.	1840 x 590 mm and 1000 x 1265 mm	East façade parallel to Station Street.

The height of the pylon sign (Sign A) is excessive and has a greater height than the building itself. A condition of any permit issued will restrict the height of this pylon sign to a maximum of 12 metres.

The remainder of the proposed advertising signage is considered appropriate for a town centre environment and consistent with the requirements of Clause 52.05.

Clause 52.06 – Car Parking

The number of car spaces exceeds the requirements of Clause 52.06. There is a requirement of 484 spaces to be provided with a recommendation of 529 spaces considering the parking demands of the gym. The proposal allows for the provision of 548 car spaces.

The Development Engineering team has provided feedback stating the proposed level of on-site car spaces is satisfactory.

Clause 52.17 – Native Vegetation

A permit is required to remove, destroy or lop native vegetation. The proposal seeks to remove 11 native trees from the site. All trees identified for removal as part of the application

are consistent with what is depicted in the Design Response Plan (Figure 15) of the DP, other than Tree 60.

Tree 60 is a River Red Gum of low arboricultural rating. The applicant proposes to remove this tree given that it is located within the Berry Lane road reserve and impacts on the proposed indented parking bays. In addition, the tree impacts on the alignment of the Berry Lane shared path and would have significant encroachment of the Tree Protection Zone if retained.

It is considered appropriate to remove the vegetation as part of the development.

Clause 52.29 – Create access to a Road Zone Category 1

A permit is required to create, access or subdivide land adjacent to a road zone. Plenty Road is located within a Road Zone Category 1. Bridge Inn Road is located within a Road Zone Category 2. The proposal seeks to create access to Plenty Road via the construction of a signalised intersection at Berry Lane. In addition, a signalised intersection will be constructed at the Plenty Road and Bridge Inn Road intersection. Two access points will also be required along Bridge Inn Road, at both Riverdale Boulevard and Station Street.

All access points are considered in accordance with the DP and are supported.

In addition, widening is required adjacent to Bridge Inn Road for the future duplication. The land provided for the widening is considered appropriate.

VicRoads has provided a referral response indicating it does not have an objection to a permit being issued subject to conditions.

Clause 52.27 – Licensed Premises

A permit is required for the sale of packaged liquor on the premises for the bottle shop.

A condition on any permit issued will restrict the sale of liquor to the bottle shop and will not allow for the consumption of alcohol on the premises.

Clause 52.34 – Bicycle Facilities

The proposal meets the statutory requirement for bicycle facilities. The statutory requirement for employee bicycle spaces and visitor bicycle spaces is 20 and 28 respectively. The development will provide 24 employee and 28 visitor bicycle parking spaces.

The proposal also provides staff showers and change rooms which is compliant with the requirements of the planning scheme and considered satisfactory.

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the Council for public open space in an amount specified in the schedule to this clause.

The schedule to Clause 52.01 describes that for all land within Precinct 5 of the Mernda Strategy Plan, an open space contribution must be provided as 10.7% of the Gross Developable Area generally in accordance with the Mernda Strategy Plan.

The Section 173 Agreement entered into between the landowner and Council appropriately manages the development and open space contributions.

Clause 66.01 – Referral and Notice Provisions

According to Clause 66.01-1, a permit for subdivision must contain mandatory conditions for the provision of telecommunication services. These conditions will be reflected in the permit.

REFERRAL COMMENTS**External**

The application was referred to the following authorities:

External	Conditions	Comments
APT O & M Services	Yes	No objection to issue of permit subject to conditions.
Yarra Valley Water	Yes	No objection to issue of permit subject to conditions.
Melbourne Water	Yes	No objection to issue of permit subject to conditions.
VicRoads	Yes	No objection to issue of permit subject to conditions.
Transport for Victoria	Yes	No objection to issue of permit subject to conditions.
AusNet Electricity Services	Yes	No objection to issue of permit subject to conditions.
Department of Environment, Land, Water and Planning (s. 52)	No	No response.
VicTrack (s.52)	No	No response.
Heritage Victoria (s.52)	No	Feedback provided on the application and information forwarded to the applicant.

Internal**Development Engineering**

The Development Engineering Department have provided advice regarding the required infrastructure to be delivered by this development, including components within the road reserve and drainage requirements.

A condition of the permit will require the preparation and approval of functional layout plans to demonstrate the spatial provisions of each road reservation consistent with Council's requirements. In addition, a condition will require the preparation of a Stormwater Management Strategy to ensure the development appropriately considers the drainage requirements of the land.

Heritage Coordination

The Heritage Coordinator sought expert heritage advice to inform Council's response to proposals that will have impacts on HO19 Mayfield Farm, Dairy and Berry Lane. A comprehensive Conservation Management Plan and archaeological investigation of Berry Lane are required from the applicant as part of the S173 Agreement to ensure that the development sensitively addresses heritage conservation land and ongoing management of the place.

Strategic Transport

The Strategic Transport team have liaised with the applicant and VicRoads to ensure the coordinated and timely delivery of the Plenty Road duplication including the signalised intersection at Berry Lane and Plenty Road and Bridge Inn Road and Plenty Road.

VicRoads have imposed a condition that Statement of Compliance cannot be issued until these intersection works are complete.

Parks and Open Space

The Parks and Open Space Department have provided input into the design and the landscaping of the town centre, in particular the car parking area. The landscaping of the car park ensures an appropriate provision of tree planting to protect the amenity of the area and provide a high quality public realm.

Strategic Planning and Urban Design

The Strategic Planning and Urban Design teams have provided on-going advice to ensure the development of a high quality town centre core that provides a pedestrian friendly main street environment and maintains a relationship with the adjoining Mernda Train Station. In addition, the Strategic Planning team has been heavily involved in negotiations to resolve development contributions through the Section 173 Agreement and securing the land for Council's future community facility.

It was noted that the approval of the planning application would be the final step in the planning process and an acknowledgement of the culmination of strategic work that had been undertaken for the preparation of the Mernda Town Centre Comprehensive Development Plan (2002), Mernda Strategy Plan (2016) and the Mernda Town Centre Development Plan (2018).

Sustainability

The Sustainability Planning Department have advised that the Biodiversity Assessment provided is acceptable and consistent with the proposal. A condition of any permit issued will require the offsets to be secured prior to the removal of any native vegetation.

In addition, a condition of any permit issued will require the preparation and implementation of a Kangaroo Management Plan. The Kangaroo Management Plan will be required to be approved by Council and the Department of Environment, Land, Water and Planning.

PLANNING COMMENTS

The Mernda Town Centre is a strategically important site within the City of Whittlesea. The current application will create the town centre core, creating a retail and commercial activity hub directly adjacent to a major transport node within the municipality. The subdivision of land will allow for the balance lots to appropriately develop over time as the town centre expands.

Through negotiations of the Section 173 Agreement, 7,900sqm of unencumbered land for the future development of the town square and community facility is required to be vested with Council. The provision of this land as part of the current application will provide Council with the opportunity to deliver early community services within the town centre core.

The development will include the construction of the surrounding road network consistent with the requirements of the Development Plan. This includes the extension of Berry Lane, the delivery of Riverdale Boulevard (north-south road through the centre of the site), a portion of Station Street directly adjacent to the rail corridor, and the east-west Main Street across the development frontage and adjoining the Mernda Train Station, placing an emphasis on the pedestrian focused environment with linkages to the mixed use centre. The works will also include upgrades to the intersections of Plenty Road and Berry Lane, and Bridge Inn Road and Plenty Road through the VicRoads duplication works and signalisation of these intersections.

The site is impacted by a Heritage Overlay (HO19) for the protection of Mayfield Farm, Dairy and Berry Lane. Through the development of the town centre, the landowner will be required to enter into a Section 173 Agreement for the preparation and implementation of Conservation Management Plan (CMP) generally in accordance with the CMP submitted with this application. The CMP will outline immediate stabilisation and restoration works that will be required to be undertaken, as well as short, medium and long term works. In addition, a condition of permit will require an archaeological investigation to determine the extent of

remains of Berry Lane. This report will be used to help inform an appropriate design response that is sensitive to the heritage significance of this heritage place.

Other than Tree 60 that is located within the Berry Lane road reserve, the development seeks to retain the existing River Red Gums on the site, consistent with those identified for retention in the Development Plan. The River Red Gums in the core of the town centre will be integrated into public tree reserves that provide additional amenity and character to the area.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

CONCLUSION

The application has been assessed against the Whittlesea Planning Scheme and is deemed to show a satisfactory level of compliance subject to minor modifications as outlined within this report. It is considered that the development has been logically designed to fit within the strategic expectations of the Mernda Town Centre Development Plan (2018) and will make a positive contribution to the future growth of Mernda. Accordingly, it is recommended that the proposal be supported subject to conditions.

RECOMMENDATION

THAT Council resolve to approve Planning Application No. 714577 and issue a Planning Permit for multi-lot subdivision, use and a staged development of the land for retail, office, leisure and recreational purposes, creation or alteration of access to a road within a Road Zone Category 1, works within a heritage overlay, removal of native vegetation, removal of an easement, display of internally illuminated advertising signage, and the sale of liquor on the premises in accordance with the endorsed plans and subject to the following conditions:

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATION OF THE PLAN OF SUBDIVISION

1. Stormwater Management Strategy

Prior to the submission and approval of Functional Layout Plans, a revised Stormwater Management Strategy must be submitted to and approved by the Responsible Authority. The Stormwater Management Strategy for the entire site must contain information on the relevant catchments and the proposed direction of major and minor stormwater flows. It must also demonstrate how minor and major flows will be managed both in and around the site, and clarify what is proposed for storm water quality treatment.

2. Functional layout plan

Before the submission and approval of construction plans (engineering plans) and the certification of the relevant plan of subdivision for each stage, a functional layout plan for the subdivision or stage of subdivision, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

When approved, the functional layout plan will be endorsed and will then form part of

the permit. Three copies of the functional layout plan must be drawn at a scale of 1:500 to acceptable drafting standards and an electronic copy (PDF) must be provided. The functional layout plan must be generally in accordance with the Functional Layout Plan (Project Number: 10014250, Issue: 02) submitted with the application, but amended to show:

- a. a fully dimensioned subdivision layout, including proposed street names (utilising the list of approved street names in Council's letter dated 6 April 2018), approximate lot areas, lot numbers, open space areas, and widths of street reservations;
- b. topography and existing features, including contours for the subject land and any affected adjacent land;
- c. identification by survey of all trees (or group of trees) existing on the site, including dead trees and those that overhang the site from adjoining land;
- d. details of tree protection zones (TPZs) to the City of Whittlesea standard, for all trees to be retained on site;
- e. all trees proposed for removal from the site (including dead native trees) clearly designated;
- f. the size and location of the lots nominated as community facility land comprising a combined area of 7,900m² in accordance with the relevant Section 173 Agreement applying to the land, to the satisfaction of the Responsible Authority;
- g. tree reserves to be vested with Council that completely encompass the TPZs to the City of Whittlesea standard around Trees 18 and 19 and Trees 26, 27 and 28;
- h. typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Mernda Town Centre Development Plan and Council's Guidelines for Urban Development to the satisfaction of Council;
- i. where a nature strip is required, a minimum nature strip width of 2.5 metres measured from back of kerb, up to the adjacent pedestrian path.
- j. the southern boundary of the proposed Lot 1 shifted north in line with the proposed building line to the satisfaction of Council in order to accommodate the requirements of the Main Street road reserve;
- k. the eastern boundary of the proposed Lot 1 shifted west in line with the proposed building line to the satisfaction of Council in order to accommodate the requirements of the Station Street road reserve;
- l. the Berry Lane concrete (or an alternative material agreed upon in writing by the Responsible Authority) shared path from the Berry Lane and Plenty Road intersection up to and matching into the Mernda Rail corridor shared path;
- m. a plan that identifies an appropriate and heritage sensitive design response to Berry Lane, informed by the findings of the archaeological investigation and to the satisfaction of the Responsible Authority;
- n. the Bridge Inn Road shared path from the VicRoads limit of works up to Station Street;
- o. a table of offsets for all utility services and street trees;
- p. location and alignment of kerbs, indented parking spaces, footpaths on the subject land and between the subject land and the nearest other subdivision, shared paths on the subject land and between the subject land and the nearest other existing subdivision, bus stops and traffic controls;

- q. the proposed minor drainage network and any land required for maintenance access;
- r. the major drainage system, including any watercourse, lake, wetland, silt pond and/or piped elements showing preliminary sizing;
- s. overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination;
- t. drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for construction and maintenance;
- u. preliminary location of reserves for electrical kiosks;
- v. traffic management plan showing sufficient notional (unmarked) on-street car parking spaces, traffic control devices and large vehicle turning overlays;
- w. plan indicating the relationship between the subject subdivision stage and surrounding land;
- x. proposed linkages to future streets, open space, regional path network and upstream drainage;
- y. works external to the subdivision, including both interim and ultimate access requirements;
- z. the functional design of the roundabout at the intersection of Berry Lane and Riverdale Boulevard to the satisfaction of Council;
- aa. the extension of Berry Lane from the Plenty Road and Berry Lane intersection up to Station Street and an intersection connecting into Mango Crescent to the satisfaction of Council;
- bb. the land for the future widening of Plenty Road and Bridge Inn Road, including the signalised intersection of Plenty Road and Bridge Inn Road to the satisfaction of Council and VicRoads;
- cc. the functional design of the intersection of Riverdale Boulevard and Bridge Inn Road demonstrating the interim and ultimate treatments to the satisfaction of Council and VicRoads; and
- dd. the functional design of the intersection of Station Street and Bridge Inn Road demonstrating the interim and ultimate treatments to the satisfaction of Council and VicRoads.

3. Contamination Assessment

Prior to the certification of any plan of subdivision and any works commencing on site, a Phase 2 Environmental Assessment must be prepared by a suitably qualified and experienced person. The report must include recommendations and an implementation strategy to be undertaken by the developer in the event that any part of the land is are found to be contaminated in any way. The assessment must be prepared, submitted and approved to the satisfaction of the Responsible Authority.

The Phase 2 assessment must provide for the following information:

- a. Further detailed assessment of potential contaminants on the relevant land;
- b. Consider and directly address the Recommendations of the Phase 1 Environmental Assessment (prepared by Environmental Earth Sciences and dated June 2011, version 1); and
- c. Provide an unequivocal recommendation on whether the environmental condition of the land is suitable for the proposed use/s or whether an

environmental audit for all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

4. Conservation Management Plan

Prior to the certification of the Plan of Subdivision, the landowner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to prepare and implement a Conservation Management Plan (CMP) for the protection and enhancement of Mayfield Farm and Berry Lane heritage place.

The Section 173 Agreement must outline the following requirements of the Conservation Management Plan:

- a. The Conservation Management Plan must be in accordance with the CMP prepared by Biosis (dated 2 March 2018) and submitted with the application, but amended according to the feedback provided in Council's letter dated 6 April 2018 to the satisfaction of the Responsible Authority.
- b. A detailed Schedule of Works for Mayfield Farm must be prepared and organised as follows:
 - i. Urgent Stabilisation and Remedial Works, being works which must be carried out immediately in order to prevent any further collapse, vandalism and major deterioration of extant built form. Approval of the final CMP will be contingent on completion of the urgent stabilisation and remedial works to the satisfaction of the Responsible Authority.
 - ii. Essential Short Term Repairs, being works which will bring the property to a secure position and condition, and
 - iii. Restoration and, Desirable Medium Term Works, being works that would be beyond stabilisation and securing of the structures, and would include re-establishment and restoration of structural integrity, leading to the establishment of useable spaces.
- c. Outline a staged approach to include immediate securing and fencing of the Mayfield property, to include cessation of the use of the place for any commercial storage. This will be followed by a detailed plan for the re-establishment and restoration for structural integrity of all extant structures on the Mayfield Farm portion of the site.
- d. A landscape assessment and conservation plan for the Mayfield Farm complex and a conservation plan for all landscaping and vegetation contributory to the heritage place.
- e. A Conservation Management Plan for Berry Lane (part of the Mayfield Farm and Berry Lane heritage place) to be used to inform any future design response.
- f. A plan for interpretive signage for Mayfield Farm and Berry Lane.
- g. Appropriate protection from subdivision construction activity, protection of all areas proposed for conservation rehabilitation, re-vegetation and landscaping, pest plant and animal control, soil stabilisation, on-going maintenance and timing and staging of all works.

The costs for preparation and execution of the Agreement shall be borne by the permit

holder.

5. Overhanging of any buildings

Prior to the Certification of the Plan of subdivision, the applicant must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* for the purpose of:

- a. absolving Council of any responsibility for the management, upkeep and repair, or in any way being responsible for the structural integrity of canopies that are located on or overhang any Council road reserve within the site;
- b. absolving Council of any public or private liability in relation to the canopy within Council's road reserve and overhanging any building or any responsibility in the event of loss or damage caused by failure of the structure;
- c. ensuring that any canopy within Council's road reserve or overhanging any building is maintained and kept in a safe and presentable condition and state of repair, to the satisfaction of Council;
- d. ensuring that the owner will not alter the structure of any canopy within Council's road reserve or overhanging any building without the written consent of Council; and
- e. ensuring that any repair of damages and/or alterations to any part of the canopy that is located in Council's road reserve or overhanging any buildings will be responsibility of the owner.

The costs for and arising from the preparation and execution of the Agreement must be borne by the applicant.

6. Construction of a footpath in Riverdale Boulevard

Prior to the certification of the Plan of Subdivision, the owner must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987*, requiring any future subdivision or development on proposed Lot A to include the construction of a footpath on the western side of Riverdale Boulevard road reserve (main north-south connector road) consistent with the Mernda Town Centre Development Plan to the satisfaction of Council.

7. Kangaroo Management Plan

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

8. Certification plan requirements

Before a plan of subdivision is certified under the *Subdivision Act 1988*, six copies of the plan including two signed heavyweight copies must be submitted to the Council, unless lodged electronically via SPEAR. The plan must show all bearings, distances, street names, lot numbers and any necessary easements and reserves, in accordance with the approved Functional Layout Plan.

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

9. Berry Lane Design Response

Prior to the submission and approval of Functional Layout Plans and Amended Plans, an archaeological investigation detailing the nature and extent of the remains of Berry Lane must be prepared to the satisfaction of the Responsible Authority. The

archaeological investigation must be used to inform the Berry Lane design response.

10. Endorsement of Amended Plans

The amended plans cannot be endorsed under this permit until a Plan of Subdivision is certified creating the subject allotment.

11. Amended Plans

Before the development for any stage of the development commences, three copies of amended plans must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the suite of plans submitted with the application (Project Number: 130450, Drawing Number TP-00 to TP-09, Revision: 02), but modified to show:

- a. Plans to include a staging plan.
- b. Lots created and lot boundaries amended in accordance to the endorsed functional layout plan.
- c. A minimum landscaping setback of 2.5 metres along the entire frontage to Riverdale Boulevard between the road reserve and car parking area to accommodate meaningful landscaping.
- d. Pram crossings along main pedestrian routes within the car park.
- e. Defined entrances/exits from each tenancy (from the outside of the building) on all plans and elevations.
- f. Construction of Berry Lane from the Plenty Road and Berry Lane intersection through to the intersection with Station Street, Berry Lane and Mango Crescent.
- g. A roundabout at the Riverdale Boulevard and Berry Lane intersection.
- h. Construction of the Berry Lane concrete (or an alternative material agreed upon in writing by the Responsible Authority) shared path from the Berry Lane and Plenty Road intersection up to and matching into the shared path within the Mernda Rail corridor shared path, to the satisfaction of the Responsible Authority.
- i. Construction of the Riverdale Boulevard concrete shared path for the full length of the road reserve to the satisfaction of Council.
- j. Sign A restricted to a maximum height of 12 metres.
- k. A schedule (including printed samples) of all external materials, finishes and colours for all walls, roofs, and doors including hard surface areas to be used for the construction of the proposed buildings and works, including access ways.
- l. A plan that identifies an appropriate and heritage sensitive design response to Berry Lane, informed by the findings of the archaeological investigation and to the satisfaction of the Responsible Authority.
- m. An additional plan with a red line identifying the boundary of the bottle shop and defining the area in which alcohol may be stored, displayed and sold. This area must be labelled Liquor Sales Area.
- n. An additional plan with a line identifying the boundary of the loading and unloading bay. The area must be labelled Loading Bay Area.

12. Offsets for Permitted Native Vegetation Removal

In order to offset the removal of native vegetation (patch, scattered trees or re-vegetation) approved as part of this permit, the applicant must provide a native vegetation offset that is in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) and the native vegetation gain scoring manual Version 2 (DELWP 2017). The offset must also contribute a gain of the required

general habitat units to be located within the boundary of the Whittlesea municipality or the Port Phillip and Westernport Catchment Management Authority area, and have a strategic score of at least 80 per cent of the removal site. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority.

13. Implementation of the approved site Contamination Assessment

Prior to any works commencing on site (including, but not limited to, early works), the conclusions and/or recommendations as outlined in Phase 2 Environmental Assessment of the submitted Contamination Report are required to be undertaken on site. A report from a suitably qualified professional is to be provided to Council to verify that these works have been completed to the satisfaction of the Responsible Authority.

14. Internal Landscape Plans

Before the development commences, three copies of a landscape plan prepared by a suitably qualified landscape designer 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 this permit. The landscaping plan must be generally in accordance with the landscape concept plan prepared by Urbis, dated 07/03/2018, but amended to show:

- a. tree planting within the car park to be installed within under-surface structural soil tree pits where deemed necessary by the Responsible Authority. Specifically, the pavement under-surface for a minimum area of 3.5 metres X 3.5 metres surrounding the tree must incorporate an engineered soil structure system to a minimum depth of 600mm below the base of the surrounding pavement (including pavement foundation). Engineered soil structure systems must be detailed as a function of both the civil infrastructure drawings and landscape plans.
- b. the proposed *Eucalyptus scoporia* replaced with *Ulmus parvifolia* 'Todd', *Melia azedarach* 'Elite', *Corybia eximia* or *Eucalyptus cinerea* to the satisfaction of Council.
- c. the proposed *Cupaniopsis anacardiodes* replaced with an alternative species to the satisfaction of Council.
- d. the areas (dimensioned) set aside for landscaping.
- e. the location of each species to be planted.
- f. constructions details of paving, retaining walls, fence design, furniture and other hard landscaping elements to be implemented as a function of the landscape works.
- g. appropriate irrigation systems.
- h. a site preparation and maintenance specification.
- i. the removal of all landscape details associated with works located within Council's road reserve.

15. Landscape Masterplan

Prior to the approval of any construction plans (engineering plans), a landscape masterplan to the satisfaction of the responsible authority for the entire subdivision must be submitted to and approved by the Responsible Authority. When approved, the landscape masterplan will be endorsed and will then form part of the permit. The landscape masterplan must be drawn to scale with dimensions and three copies must be provided. The landscape masterplan must show:

- a. the overall landscaping theme to be developed for the proposed subdivision and future subdivisions of the town centre precinct;

- b. the type or types of species to be used for street tree planting in the subdivision in accordance with Appendix 1 of Council's Street Tree Management Plan, unless otherwise agreed upon by the Responsible Authority;
- c. the principles of treatment for future open spaces, tree reserves and the town square;
- d. a management plan for the Red Gums proposed for retention to ensure their integrity during the site development and landscape maintenance period must be submitted with the landscape masterplan; and
- e. street tree planting along the northern side of Main Street consistent with the southern side of the Main Street, to the satisfaction of the Responsible Authority;

16. Telecommunication Services Agreement

The owner of the land must enter into an agreement with:

- a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

17. Engineering Plans

Pursuant to sections 15 and 17(1) (b) of the *Subdivision Act 1988*, the applicant must submit engineering plans including specifications for works required under this permit to the Responsible Authority for approval. The engineering plans submitted for approval must be to the satisfaction of the Responsible Authority and must incorporate details of all public works within and outside the subdivision as required by this permit.

If the subdivision is to be staged, engineering plans for each stage must be generally in accordance with the approved functional layout plans for each stage.

17.1 Civil Works Plans

Works must be provided, in accordance with civil works plans and specifications as approved by the Responsible Authority, prior to the issue of Statement of Compliance. Before any works associated with the subdivision commence, detailed civil works plans for the relevant stage of works to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The civil works plans will not be considered until the functional layout plan(s) for the relevant stage has been approved by the responsible authority and landscape works plans submitted, the plan of subdivision has been lodged for certification with the Responsible Authority and the locations of other authorities' services have been provided to the satisfaction of the Responsible Authority. When approved, the civil works plans will be endorsed and will then form part of the permit. The civil works plans must be drawn to scale with dimensions and three copies must be provided.

The civil works plans must include:

-
- a. all necessary computations and supporting documentation, including a Certificate of Compliance (design) for any structure, traffic data, road safety audit and geotechnical investigation report,
 - b. all details of works consistent with the approved functional layout plan, submitted landscape plan and lodged plan of subdivision,
 - c. design for full construction of streets and underground drainage, including measures to control / capture pollutants and silt,
 - d. provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan,
 - e. provision of public lighting and underground electricity supply within all streets,
 - f. traffic control measures,
 - g. provision of street name plates to the Council standard design including a schedule of individual signs and associated street numbers,
 - h. provision of footpaths in all streets and reserves and between the subject land and the nearest other existing subdivision in accordance with the approved functional layout plan and to the satisfaction of Council,
 - i. shared paths in accordance with the approved Mernda Town Centre Development Plan within streets and reserves,
 - j. provision of underground easement drains of sufficient capacity to serve all lots being created to a legal point of discharge and the provision of an inlet on each such lot,
 - k. the location and provision of vehicle exclusion mechanisms abutting reserves,
 - l. details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves,
 - m. appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision,
 - n. provision for the utilisation of any surplus top soil from this stage,
 - o. permanent survey marks,
 - p. unless an alternative empty conduit network is being installed that is suitable for fibre optic infrastructure and the applicant has evidence of an access agreement between the carrier putting in the conduit and the National Broadband Network Company, the provision of conduits, including pits and ancillary works for optical fibre telecommunications services or any equivalent alternative approved by the Responsible Authority and the conduit shall be designed in accordance with clause 22.13 Telecommunications Conduit Policy of the Whittlesea Planning Scheme and Planning Guidelines for Conduits for Optic Fibre Services, 2001,
 - q. survey details of the canopy trunk location and size of trees to be retained and associated tree protection zones,
 - r. details in relation to all filling on the site which must be compacted to specifications approved by the Responsible Authority,
 - s. the relocation underground of all existing aerial services, including electricity and telecommunications assets, within streets abutting the subdivision,
 - t. the location of any earthworks (cut or fill) or service provision in a location outside the designated tree protection zone which does not adversely impact on the health and integrity of any trees to be retained,
 - u. a separate signage and line marking plan identifying the road layout, proposed

- signs, line marking, RRPMS and a sign schedule,
- v. a roundabout at the intersection of Berry Lane and Riverdale Boulevard designed to the satisfaction of Council,
 - w. a reverse priority intersection at the Berry Lane, Station Street and Mango Crescent intersection,
 - x. a concrete shared path from the Berry Lane and Plenty Road intersection up to and matching into the Mernda Rail corridor shared path,
 - y. the interim or ultimate signalised intersection of Plenty Road and Berry Lane,
 - z. the interim or ultimate signalised intersection of Plenty Road and Bridge Inn Road,
 - aa. the interim intersection of Riverdale Boulevard and Bridge Inn Road, and
 - bb. the interim intersection of Station Street and Bridge Inn Road.

17.2 Landscape Works Plans

Prior to the approval of civil works plans, a draft landscape works plan must be submitted to the Responsible Authority for comparison against the civil works plans. Once approved to the satisfaction of the Responsible Authority, the landscape works plan will be endorsed and will then form part of the permit. The landscape works plan must be drawn to scale with dimensions and three copies of the final plan must be provided. The landscape works plan must show:

- a. the removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds;
- b. all proposed street-tree planting using semi - advanced trees; with maximum container size of 45 litres or equivalent (larger sizes will incur additional establishment and extended maintenance obligations);
- c. works associated with the Town Square in order to transfer the land to Council in an acceptable state, to the satisfaction of the Responsible Authority;
- d. earth shaping including the supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve if applicable);
- e. mechanisms for the exclusion of vehicles;
- f. all proposed open space and streetscape embellishments such as installation of pathways, park lighting, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve if applicable);
- g. hazard reduction pruning of trees to be retained, to the satisfaction of the responsible authority;
- h. where tree planting is proposed within paving, the pavement under-surface for a minimum area of 3.5 metres x 3.5 metres surrounding each tree must incorporate an engineered structural soil system to a minimum depth of 600mm below the base of the surrounding pavement (including pavement foundation). Engineering soil structure systems must be detailed a function of both the Civil Works Plans and the Landscape Works Plans; and
- i. any works associated with the Berry Lane design response.

18. Signage and Line marking plans

Prior to works commencing, a signage and line marking plan must be submitted for the development accompanying the engineering plans. This must demonstrate the following:

- a) Disabled parking bay signage must be provided in accordance with AS2890.6.
- b) Pedestrian crossing signage (R3-1) must be provided at all crossings.
- c) Give Way (R1-2) signage must be included at intersections.

The use and installation of all these devices must be in accordance with all relevant standards, including Council standard drawings, VicRoads, Australian Standards and AustRoads Guides.

19. Tree Protection Zone Fencing

Before any buildings, works or demolition commence on a lot, open space and/or road reservation, each Tree Protection Zone on that lot, open space and/or road reservation must:

- a. be fenced with temporary fencing in accordance with the attached specifications, to the satisfaction of the Responsible Authority;
- b. include a notice on the fence to the satisfaction of the Responsible Authority advising on the purpose of the Tree Protection Zone, the need to retain and maintain the temporary fencing and that fines will be imposed for removal or damage of the fencing and trees.

The Tree Protection Zone temporary fencing must be maintained until works are completed; including the construction of a dwelling if the land is a lot, to the satisfaction of the Responsible Authority or until such earlier date as is approved by the Responsible Authority in writing.

A copy of the tree protection zone(s) are to be included in any contract for the construction of the estate or for any other works which may impact upon the trees.

20. Tree Protection Bonding

Prior to commencement of the subdivision hereby permitted, or at such later date as the Responsible Authority may approve in writing, there must be provided to the Responsible Authority a bank guarantee for the amount of \$100,000 as security deposit for the satisfactory completion of the requirements in relation to tree preservation and to ensure that trees are not damaged during the construction phase.

Upon completion of the subdivision works to the satisfaction of the responsible authority, the bank guarantee will be returned to the developer.

Where it is determined to the satisfaction of the Responsible Authority that a tree covered by a tree protection envelope has been damaged as a result of buildings and works by the applicant or its contractors, to an extent that it affects detrimentally the life, health and appearance of the tree or its contribution to the streetscape, financial damages will be paid by the applicant with all monies to be used to purchase trees for planting on the land or to prune or otherwise rehabilitating existing trees, all to the satisfaction of the Responsible Authority. The extent of damages must be established through the appointment of an independent suitably qualified person.

21. Internal Landscaping and Maintenance Works

Prior to the commencement of works, there shall be lodged with the Responsible

Authority an amount of \$25,000.00 (or split into staged components according to the installation and maintenance of landscaping so as to equal this amount) as security deposit for the satisfactory completion and maintenance of the internal landscaping works hereby permitted.

- a. Upon completion of the landscaping works to the satisfaction of the Responsible Authority, the Responsible Authority will refund up to 50% of the security deposit to the payee, or the bond amount relevant to the installation of the landscaping;
- b. Subject to satisfactory maintenance of the landscaping works for a period of two years after the completion of such works, the Responsible Authority will refund to the payee the balance of the security deposit or the bond amount relevant to the maintenance of the landscaping; and
- c. In the event that the landscaping works are not completed or maintained to the satisfaction of the Responsible Authority, the Responsible Authority may complete and/or maintain the landscaping work and deduct the cost thereof (including supervision) from any security deposit lodged pursuant to this permit.

22. Site Management Plan

Before any works, including works required by other authorities, commence:

- a. Four copies of a site management plan for the subdivision must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must:
 - i. Include separate parts describing relevant matters of occupational health and safety, traffic management, environmental controls and cultural protection measures,
 - ii. Be submitted to the Responsible Authority a minimum of seven days before a required pre-commencement meeting (attended by authorised representatives of the construction contractor and project superintendent as appointed by the developer) on the site of the works,
 - iii. Include the proposed route for construction vehicle access to the site including a program for the upgrade and maintenance works required along this route while any works are in progress,
 - iv. Include means by which foreign material will be restricted from being deposited on public roads by vehicles associated with building and works on the land to the satisfaction of the Responsible Authority, and
 - v. Include measures to reduce the impact of noise, dust and other emissions created during the construction process.
- b. All environmental and cultural protection measures identified shall be described on a drawing(s) drawn to scale and prepared in accordance with Melbourne Water standards for such drawings.

The developer must keep the responsible authority informed in writing of any changes to the Site Management Plan. If in the opinion of the Responsible Authority the changes represent a significant departure from the approved Site Management Plan then an amended Site Management Plan must be submitted to and approved by the

responsible authority. The approved measures must be carried out continually and completed to the satisfaction of the Responsible Authority.

23. Construction Management Plan

Before the development, or any stage of development, commences, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must be prepared in accordance with Council's Construction Management Plan template and provide details of the following:

- a. Hours for construction activity in accordance with any other condition of this Permit;
- b. Measures to control noise, dust, water and sediment laden runoff;
- c. Measures relating to removal of hazardous or dangerous material from the site, where applicable;
- d. A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay;
- e. A Traffic Management Plan showing truck routes to and from the site;
- f. Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- g. A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- h. Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- i. Contact details of key construction site staff;
- j. A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- k. Any other relevant matters, including the requirements of VicRoads.

24. Ecological Management Plan

Prior to the commencement of works, an Ecological Management Plan for the relevant works must be prepared and submitted. The Ecological Management Plan must be prepared by a suitably qualified ecological consultant and must provide detailed advice on the on-going protection and long term management of retained habitat and any other habitat features the consultant may consider relevant.

The Ecological Management Plan must be prepared, approved and implemented to the satisfaction to the satisfaction of the Responsible Authority

25. Construction Environmental Management Plan

Prior to the commencement of works or any stage of development, a Construction Environmental Management Plan must be submitted to, approved and implemented to the satisfaction of the Responsible Authority. The Construction Environmental Management Plan must address the potential impacts of construction works and

methods for noise, dust, erosion and sediment control, installation of temporary fencing and signage, waste and chemical management, drainage, retained native vegetation, protection of fauna, weed control, archaeological/heritage impacts and site restoration.

26. Construction Environmental Management Plan Induction

Prior to commencement of works, all personnel on site must be inducted into the Construction Environmental Management Plan and all flora and fauna conservation requirements.

27. Stormwater Drainage

Any stormwater drain, temporary drainage out falls and ancillary works, required as a condition of a Melbourne Water Drainage Scheme, or that are designated to become the responsibility of the Council for maintenance, must be designed and constructed to the satisfaction of the Responsible Authority.

Before the approval of construction plans for roadworks and drainage, the designs for such works and the details of maintenance requirements (asset management and maintenance schedule) must be submitted to and approved by the Responsible Authority.

28. Internal Drainage Works

Before starting any buildings or works, engineering plans showing a properly prepared design (with computations) for the internal drainage and method of disposal of stormwater from all roofed and sealed areas, including the use of an on-site detention system (if required), must be submitted to Council for approval.

These internal drainage works must be completed to Council's satisfaction prior to using or occupying any building on the site.

29. Notification to Council's Infrastructure Protection Unit

Prior to the commencement of any works, the permit holder must contact Council's Infrastructure Protection Unit on 9401 5532 to arrange a site inspection to ensure all requirements of the Construction Management Plan have been completed to the satisfaction of the Responsible Authority.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION WORKS

30. Layout not altered

The subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

The development allowed by this permit and shown on the plans and/or schedules endorsed to accompany this permit shall not be amended for any reason without the consent of the Responsible Authority.

31. Native Vegetation Removal

No native vegetation unless identified on the endorsed plans accompanying this permit may be removed, lopped, pruned or destroyed without the further written consent and approval of the Responsible Authority.

32. Trees to be Removed

- a. Each native tree nominated for removal shall be suitably marked prior to its removal or works commencing and an inspection arranged with an appropriate Council officer to verify that the tree marked accords with this permit.
- b. Prior to any removal or pruning works of native trees commencing, the subject tree must be inspected by an appropriate zoologist to determine the presence of

any native animals living or nesting in the tree. Should any native animals be detected they must be caught and relocated to a site deemed appropriate by the zoologist.

- c. The applicant must contact Council's Parks and Open Space Department to arrange for an appropriate officer to be present on site to supervise the removal of the trees.
- d. The project manager is to ensure that tree removal is carried out in a safe manner.
- e. The project manager is to identify all services either above or below ground prior to the removal of any tree and the commencement of any works.
- f. After a tree has been felled, the tree must be protected from firewood harvesting via temporary fencing and signage to the satisfaction of the Responsible Authority until such time as the tree has been relocated for habitat or mulched.
- g. Wherever possible and appropriate, native trees to be removed should be retained for use in core conservation areas for habitat purposes or reused in open space as urban art, park furniture and/or other uses determined appropriate by the Responsible Authority.
- h. All timber greater than 300mm in diameter that cannot be reused as habitat, furniture or another use determined as appropriate by the Responsible Authority shall be hammer milled and shredded for reuse as mulch within the subject site.
- i. All timber less than 300mm in diameter and branch/leaf material shall be shredded for re-use as mulch within the subject site.

33. Development and works in tree protection zones

No buildings or works, including loading and unloading, storage of materials, dumping of waste, vehicle access, parking or other construction activity is to occur within a tree protection zone without the written consent of and to the satisfaction of the Responsible Authority.

34. Filling of land

All filling on the site must be carried out, supervised, completed and recorded in accordance with AS 3798 (Guidelines on earthworks for commercial and residential developments) to specifications to the satisfaction of the Responsible Authority. The geotechnical authority responsible for supervision and testing under this condition must be independently engaged by the applicant and not be engaged by the contractor carrying out the works. Before the issue of a Statement of Compliance unless otherwise agreed in writing by the responsible authority, compaction test results and a report shall be provided to the satisfaction of the Responsible Authority.

35. Truck Wheel Washing

During the construction phase, a truck wheel washing facility or similar device must be installed and used to the satisfaction of the Responsible Authority so that vehicles leaving the site do not deposit mud or other materials on roadways. Any mud or other materials deposited on roadways as a result of construction works on the site must be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.

36. Pedestrian Safety

At all times during the construction phase of the development, the permit holder shall take measures to ensure that pedestrians are able to use with safety any footpath along the boundaries of the site.

37. Litter from Building Sites

The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.

Any litter generated by building activities on the site shall be collected and stored in an appropriate enclosure, which complies with Council's Code of Practice for building/development sites. The enclosures shall be regularly emptied and maintained such that no litter overflows onto adjoining land. Prior to occupation and/or use of the building, all litter shall be completely removed from the site.

38. External Finishing

All walls visible to the public must be painted/finished to the satisfaction of the Responsible Authority.

39. Concealment of Piping

All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF A STATEMENT OF COMPLIANCE**40. Connection to Telecommunication Services**

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

41. Development and Open Space contributions

Prior to the issue of a Statement of Compliance, development contributions and open space contributions must be paid to the Responsible Authority in accordance with the approved Mernda Strategy Plan Development Contributions Plan (Precinct 5), unless otherwise provided for in an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* as agreed to in writing by the Responsible Authority.

42. Statement of compliance with deferment of engineering works

Prior to the issue of a Statement of Compliance for any stage or by such later date as is approved by the responsible authority in writing, the applicant may seek, to the satisfaction of the Responsible Authority, the issue of the Statement of Compliance but with deferment of completion of specified civil construction works shown on the endorsed construction plans and all or part of landscape construction works shown on the endorsed plans, provided the following requirements have been met:

42.1 Civil Works

- a. all relevant referral authorities have consented to the issue of a Statement of Compliance,
- b. civil construction works have been completed except for the wearing course asphalt works, the landscaping component of the works and any other minor

- works as agreed with the responsible authority,
- c. an amount equivalent to 150% the agreed estimated cost of outstanding civil construction works will be required by the responsible authority as security deposit,
 - d. a works program is provided setting out the proposed timing of all outstanding construction works,
 - e. a site safety plan that ensures continuous public safety measures are maintained until completion of the deferred works.

Upon completion of the deferred civil construction works the applicant must notify the responsible authority to enable its inspection. If the works have been completed to its satisfaction, the Responsible Authority must refund fully the security deposit.

42.2 Landscape Works

- a. An amount equivalent to 150% of the agreed estimated cost of outstanding streetscape / landscape construction plus an agreed amount for the maintenance works will be required by the Responsible Authority as security deposit.
- b. A works program is provided setting out the proposed timing of all outstanding landscape construction works. Works must commence within 12 months of issue of Statement of Compliance for the given stage of the subdivision and must be completed prior to occupancy of any new dwelling within the given stage.

Upon completion of the deferred landscaping construction works, the applicant must notify the Responsible Authority to enable its inspection. Subject to satisfactory completion of the deferred landscaping, a Certificate of Practical Completion for landscaping will be issued, triggering the commencement of the maintenance period. If the works have been completed to its satisfaction, the responsible authority must refund fully the security deposit.

43. Fences adjoining reserves

Before Statement of Compliance is issued for any given stage, all fences adjoining all reserves (including walkway extensions of road reserves but otherwise excluding road reserves) are to be erected by the developer (or owner) at no cost to Council.

44. Foreign Resident Capital Gains Withholding Certificate

Prior to the issue of a Statement of Compliance for any stage of the subdivision, the permit holder must provide a valid Foreign Resident Capital Gains Withholding Certificate and a current copy of Title for the entire land. The name on the Foreign Resident Capital Gains Withholding Certificate must match the name on Title.

45. Completion of Buildings and Works

Prior to the issue of Statement of Compliance and the commencement of the uses hereby permitted, the following works will be required to be completed by this development except with the consent of the Responsible Authority:

- a. Construction of Berry Lane from Plenty Road to Station Street and all required elements within the road reserve.
- b. Construction of a roundabout at the intersection of Berry Lane and Riverdale Boulevard.
- c. Construction of Riverdale Boulevard from Berry Lane to Bridge Inn Road and all required elements within the road reserve.
- d. Construction of Main Street from Riverdale Boulevard to Station Street and all

required elements within the road reserve.

- e. Construction of Station Street from Main Street to Bridge Inn Road and all required elements within the road reserve, and a portion of Station Street south of Bridge Inn Road as agreed upon on the endorsed plans.
- f. The ultimate signalised intersection of Plenty Road and Berry Lane.
- g. The ultimate intersection of Plenty Road and Bridge Inn Road, unless otherwise agreed upon in writing by the Responsible Authority.
- h. The intersection of Bridge Inn Road and Riverdale Boulevard to the satisfaction of Council and VicRoads.
- i. The intersection of Bridge Inn Road and Station Street to the satisfaction of Council and VicRoads.
- j. All accesses to the site to the satisfaction of Council and VicRoads.

Upon completion of all buildings and works authorised by this permit the permit holder must notify the Responsible Authority of the satisfactory completion of the development and compliance with all relevant conditions.

CONDITIONS TO BE SATISFIED FOLLOWING CONSTRUCTION WORKS

46. Notification of commencement of street tree planting and landscaping works

The developer must notify the Responsible Authority a minimum of 7 days prior to commencing street tree planting and landscaping so that surveillance of the works can be undertaken. At this time, the developer must provide written advice to Council from a suitably qualified and experienced arborist confirming that the tree stock to be installed within the stage has been inspected and is healthy, free of root girdling, fit for purpose and meets all standards and benchmarks contained within AS 2303:2005 – Tree Stock for Landscape Use.

47. Completion of landscape works

Before occupation of the development commences or by such later date as is approved by the Responsible Authority in writing, the landscape works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. Upon completion of the landscape construction works, the applicant must notify the Responsible Authority to enable its inspection. Subject to satisfactory completion of the landscaping in accordance with the endorsed plan, a Certificate of Practical Completion for landscaping will be issued, triggering the commencement of the maintenance period.

48. Landscape Maintenance

- a. All landscaping (except for grass in nature strips of streets abutting private property) shown on the approved stage landscape plans, must be maintained to the satisfaction of the responsible authority for a minimum period of 18 months ending on 31 May of the given year from the date of issue of a Certificate of Practical Completion of landscaping, including that any dead, diseased or damaged plants are to be replaced, bare areas of grass are re-established, mulched surfaces reinstated, damaged or faulty infrastructure repaired or replaced etc. Rectification works must not be deferred until the completion of the maintenance period.
- b. To ensure all assets as identified in the approved stage landscape plans are retained in a safe and functional state and to prolong functional life of the asset,

landscape works shall be maintained in accordance with Council's Minimum Landscape Maintenance Specification of Services and Works (May 2010).

- c. Upon the completion of maintenance of the street tree planting and landscaping works, the developer must notify the responsible authority to undertake an inspection prior to the issue of the Certificate of Final Completion.

49. As Constructed Engineering Plans

City of Whittlesea requires As Constructed data from Consultants/Developers for newly built assets as per A-Spec (specifications to maintain Asset Registers).

Asset information must be projected to GDA94 in digital format to include D-Spec (drainage data), R-Spec (road data) and O-Spec (open space data) as per "A-Spec" specifications.

49.1 Civil Works

Prior to Council's consent to Practical Completion, the following must be submitted to the satisfaction of the Responsible Authority:

- a. a complete set of 'as constructed plans' of site works (amended if necessary to show any changes that may have occurred during construction), which include Civil, electrical and telecommunication works, in digital file format AutoCAD (recent version) and PDF. The digital files must have a naming convention (Subdivision name_Stage) to enable identification of Council assets listed and should be projected to GDA94-MGA Zone 55.
- b. a list of asset quantities which include the following Council assets:
 - i. total length of Roads, Footpath, Kerb and Channel,
 - ii. total number of Bridges, WSUD features, Traffic calming devices,
 - iii. total length of pipe and number of pits for Drainage and Telecommunications,
 - iv. total number of streetlights, and
 - v. Total number of road reserve assets.
- c. asset information must include D-Spec (drainage data) and R-Spec (road data) as per "A-Spec" specifications (the Consultant/Developer Specifications for the delivery of digital data to Local Governments) in ESRI Shape Files (preferred format) or MapInfo with attributions. All GIS and CAD data submitted must be in Map Grid Australia Zone 55 projection and referenced to Geocentric Datum of Australia (GDA) 1994.

Please refer to website for detailed A-Spec Standards:

<http://www.a-specstandards.com.au/>

Bonds will not be released until such time the drawings are delivered in the correct format to Council.

49.2 Landscape Works

Within 21 days of the issue of Certificate of Practical Completion, for landscaping, the following "As Constructed" drawings and digital information must be submitted to Council by the Developer/Consultant:

- a. Landscape Architectural Drawings in the following format:
 - i. One (1x) PDF images of "As-Constructed" plans, and
 - ii. One (1x) DXF (preferred format) or DWG files (recent version) including attribution, at 1:1 scale, on MGA94 Zone 55 Grid Co-ordinates, stored on compact disk(s) or sent by email (preferred).

- b “As Constructed detail” of the works as digital data for the Open Space assets information component of the subdivision, in accordance with the current version of O-SPEC. The preferred format is:
- i. GIS Format (refer to O-SPEC for further information). – ESRI Shape files (preferred format) with attributions.
 - ii. Horizontal Datum – GDA94 on MGA94 Zone 55 Grid Co-ordinates Vertical Datum – AHD.
 - iii. Referenced to existing PSM Survey marks where available.

Please refer to the following website for detailed O-Spec Standards:

<http://www.a-specstandards.com.au/o-spec>

Bonds will not be released until such time the drawings are delivered in the correct format to Council.

50. Internal Landscaping

Unless with the prior written consent of the Responsible Authority, before the uses hereby permitted commence, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.

51. Internal Maintenance

Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

52. Removal of top soil

No top soil is to be removed from land covered by the subdivision without the written consent of the Responsible Authority.

53. Reticulated Services

Before the use and/or development hereby permitted starts, reticulated (water, sewerage, gas and electricity) services must be constructed and available to the satisfaction of the Responsible Authority.

54. Building Materials

All buildings must be constructed in materials which are low-reflective and which do not detract from the general appearance of the area.

55. Air Conditioning

No air conditioning equipment, plant or the like shall be installed on the roof of the building such that it would be visible to the public. Any equipment must be baffled so as to minimise the emission of unreasonable noise to the environment in accordance with Section 48A of the Environment Protection Act 1970 to the satisfaction of the Responsible Authority.

56. Vehicular Access

Vehicular access to the site must be in the form of a vehicle crossing constructed in accordance with Council’s Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will be using the crossing(s). The location, design, and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused or redundant crossing(s) must be removed and replaced with concrete kerb, channel and naturestrip to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with Council

supervision under a Road Opening Permit.

57. Sustainable Management Plan

The development must at all times comply with the Sustainable Management Plan (prepared by SUHO and dated 12 February 2018) and submitted as part of the application.

Prior to the use commencing, a report from the author of the Sustainability Management Plan, or similarly qualified person must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved Plan.

58. Completion of Drainage and Local Infrastructure Works

Prior to using or occupying any building on the site, the permit holder is required to construct at no cost to Council, drainage works between the subject site and the Council nominated point of discharge. Such drainage works must be designed by a qualified engineer and submitted to and approved by Council. Computations will also be required to demonstrate that the drainage system will not be overloaded by the new development. Construction of the drainage system must be carried out in accordance with Council specifications and under Council supervision.

59. Waste Management Plan

Before the use commences a Waste Management Plan for the site must be prepared by suitably qualified professionals and must be submitted to and approved to the satisfaction of Responsible Authority. When approved, the plan will be endorsed and will then form part of this Incorporated Document. The waste management plan must apply to all development and ongoing uses on the site. The plan should include the following:

- a. Adequate areas have been set aside for storage and disposal of waste;
- b. The type of waste and recyclable materials, bins and containers;
- c. The location and space allocated for storage of waste and recyclable materials, bins and containers;
- d. Collective service arrangements including the frequency and times of collection;
- e. The path of access for both users and collection vehicles; and
- f. Measures to manage and minimise noise, odour and litter.

60. Completion of Car Park

Prior to the commencement of the use hereby permitted, areas set aside for parked vehicles as shown on the endorsed plan must be:

- a. Constructed to the satisfaction of the Responsible Authority;
- b. Properly formed to such levels that they can be used in accordance with the plans;
- c. Surfaced with fully sealed material including asphalt, coloured concrete, coloured patterned concrete, interlocking paving, bricks or other materials to the satisfaction of the Responsible Authority;
- d. Drained and maintained to the satisfaction of the Responsible Authority; and
- e. Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

61. Green Travel Plan

Prior to the commencement of the use hereby permitted, a Green Travel Plan must be prepared for the site and submitted to and approved by the responsible authority. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the users of the development. When approved, the Green Travel Plan will be endorsed by the Responsible Authority.

The Green Travel Plan must include the following:

- a. an introduction to the site, a description of the location and the objectives for the Green Travel Plan;
- b. a site audit report, including an assessment of the available alternative modes of transport;
- c. an action plan outlining methods used to implement the objectives of the Green Travel Plan including targets and measures; and
- d. a monitoring and evaluation strategy outlining how the ongoing performance and success of the Green Travel Plan will be assessed.

Letter Boxes

62. Prior to any uses hereby permitted commencing, a letter box and tenancy number must be provided for each tenant to the satisfaction of the Responsible Authority.

Entry

63. Where any tenancy has a presentation to the Main Street, patron entry to the tenancy must be available directly from the Main Street.

Car and Bicycle Parking

64. No fewer than 529 car spaces must be provided on the land for the use and development, unless otherwise agreed upon in writing by the Responsible Authority.
65. No fewer than 20 employee bicycle spaces and 28 visitor bicycle spaces must be provided on the land for the use and development, unless otherwise agreed upon in writing by the Responsible Authority.
66. A minimum of 10 car spaces must be provided for the exclusive use of disabled persons and be designed in accordance with AS 2890.6 – 2009. The car space(s) must be provided as close as practicable to (a) suitable entrance(s) of the building and must be clearly marked with a sign to indicate that the space(s) must only be utilised by disabled persons, unless otherwise agreed upon in writing by the Responsible Authority.
67. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.

Signage Conditions

68. The location and details of the sign(s), including supporting structures, as shown on the endorsed plans, must not be altered unless with the prior written consent of the Responsible Authority.
69. A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be maintained to the satisfaction of the Responsible Authority.
70. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
71. All signs must be constructed and thereafter maintained to the satisfaction of the Responsible Authority.

72. Signs must not contain any flashing light.
73. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.

Amenity and Hours of Operation

74. The amenity of the area must not be detrimentally affected as part of any development works by the use or development through the:
 - a. Transport of materials, goods or commodities to and from the land;
 - b. Appearance of any building, works or materials; or
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
75. All goods and/or waste receptacles shall be screened from public view to the satisfaction of the Responsible Authority.
76. Non-saleable goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
77. Adequate provision shall be made for the storage and collection of garbage and other solid wastes within the curtilage of the site. This area shall be properly graded and drained, and screened from public view to the satisfaction of the Responsible Authority.
78. The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the written direction of the Responsible Authority.
79. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay area as shown on the endorsed plans and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.
80. Noise emissions associated with the use and/or development including any equipment required for refrigeration, air-conditioning, heating, ventilation and the like must at all times comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 and/or Environment Protection (Residential Noise) Regulations 1997 and/or Environment Protection Authority Noise Control Guidelines TG 302/92, whichever is deemed to be appropriate by the Responsible Authority.
81. The permit holder shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The permit holder shall be responsible for obtaining prior specific written approval for any works involving the alteration of Council or other Public Authority assets.
82. The Medical Centre hereby permitted must not be used by more than 6 qualified practitioners at any one time without the further consent of the Responsible Authority.
83. Except with the prior written consent of the Responsible Authority, the operational hours of the Medical Centre must be restricted to the hours detailed below:

Monday to Friday: 8:30am to 9:00pm

Saturday: 9:00am to 1:00pm

Sunday: Closed

84. The permit holder must ensure that all prescribed medical waste be disposed of via an authorised collection / disposal agency, to the satisfaction of the Responsible Authority.
85. The storage, display and sale of alcohol shall be restricted to the designated Liquor Sales Area as shown on the endorsed plan accompanying this permit. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licensing Authority must be for the on-site sale of packaged liquor only.
86. Except with the prior written consent of the Responsible Authority, the sale of liquor must be restricted to the hours detailed below:
- Monday to Saturday: 9:00am to 11:00pm
- Sunday: 10:00am to 11:00pm
- ANZAC Day: 12:00 noon to 11:00pm
- Good Friday/Christmas Day: Closed
87. No alcohol may be consumed on the premises at any time, unless otherwise agreed in writing by the Responsible Authority.
88. The permit holder and/or occupier must take all necessary steps to ensure that no noise or other disturbance(s) emanates from the sale of liquor on the premises which would be likely to cause a nuisance to the adjoining occupiers or be a detriment to the amenity of the neighbourhood.

REFERRAL AUTHORITY CONDITIONS

APT O&M Services (Gas)

89. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.
90. The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the Subdivision Act 1988.

Yarra Valley Water

91. The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.
92. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.
93. The Plan of Subdivision must be referred to Yarra Valley Water prior to certification.

Melbourne Water

94. Prior to the issue of a Statement of Compliance or Statement of Occupancy, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the

statutory powers of Melbourne Water Corporation.

95. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses. Prior to the issue of a Statement of Compliance or Statement of Occupancy, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
96. Prior to Certification or a Building Permit, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.
97. Stormwater runoff from the subdivision must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.
98. Prior to the issue of a Statement of Compliance or Statement of Occupancy for the subdivision, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event. A Certified Survey Plan may be required following our comments on the engineering drawings.
99. All new lots are to be filled to a minimum of 300 mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600 mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
100. Prior to the issue of a Statement of Compliance or Statement of Occupancy, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
101. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
102. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
103. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual, or where appropriate to Council's requirements and standards.
104. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
105. The developer is to negotiate with the downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
106. All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.
107. Local drainage must be to the satisfaction of Council.

108. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
109. The Developer/Owner must arrange and fully fund fencing along the common boundary with any future Melbourne Water reserve to the satisfaction of Melbourne Water.
110. Prior to Certification or a Building Permit, designs addressing the interface of any lots adjacent to a drainage reserve, must be prepared to the satisfaction of Council and Melbourne Water.
111. The Developer/Owner must arrange and fully fund fencing along the common boundary with any future Melbourne Water reserve to the satisfaction of Melbourne Water.
112. Prior to the issue of a Statement of Compliance or Statement of Occupancy, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
113. Prior to Certification or a Building Permit of any Plan of Subdivision associated with the application, a stormwater management strategy must be submitted and approved by Melbourne Water and council. The strategy must demonstrate the following:
 - a. The proposed alignment for any 1 in 5 year drainage infrastructure and any associated overland flow paths directions for the 1 in 100 year ARI flood event;
 - b. That the lot layout adequately accommodates the overland flows;
 - c. A Flood Extent Plan and Overland Flow-path Plan for the ultimate floodplain, including 1-in-100 year ARI flood levels, Details of the outlet connections and relevant calculations;
 - d. The subdivisional layout must be in accordance with the approved drainage strategy;
 - e. Designs addressing the interface of the lots adjacent to the drainage reserve, must be prepared to the satisfaction of Council and Melbourne Water;
 - f. Stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater; and
 - g. Landowner's acceptance of any additional flood volumes on their land. If this is unable to be provided then details of an interim drainage strategy may be required.

VicRoads

114. Prior to works commencing, the land required for the duplication of Bridge Inn Road must be set aside to the satisfaction of VicRoads.
115. Prior to the issue of a Statement of Compliance for the subdivision, and prior to the commencement of uses hereby permitted, the following works including any

associated works must be completed at no cost to VicRoads and to the satisfaction of the VicRoads and the Responsible Authority.

- a. Construction of the intersection of Bridge Inn Road and Riversdale Boulevard.
- b. Construction of the left-in left-out access point on Plenty Road including required turning lanes.
- c. Construction of the signalised intersection of Plenty Road and Berry Lane including required turning lanes.
- d. Construction of the intersection of Bridge Inn Road and Station Street.

or provide funds to VicRoads as agreed by VicRoads and liaise with others to complete the above works.

116. Prior to the certification of any Plan of Subdivision, functional layout plans for the following intersections must be submitted to VicRoads for approval:

- a. Construction of the left-in, left-out access point on Plenty Road including required turning lanes.
- b. Construction of the signalised intersection of Plenty Road and Berry Lane including required turning lanes.
- c. Construction of the intersection of Bridge Inn Road and Station Street.

Transport for Victoria

117. All roads constructed as part of the development must be constructed in accordance with the plan prepared by Cardno (number CG11162-TR-SK0017 Mernda Town Centre Interim Access Stage 1) for bus access to the satisfaction of the Head, Transport for Victoria.

118. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Bridge Inn Road is kept to a minimum during construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria 8 weeks prior.

AusNet Electricity Services

119. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.

120. The applicant must:

- a. Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- b. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- c. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations

affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.

- d. Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- e. Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- f. Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- g. Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- h. Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i. Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- j. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- k. Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

121. Time Limit for the subdivision

This permit will expire if:

- a. The plan of subdivision is not certified within 2 years of the date of this permit; or
- b. The registration of any stage of the subdivision is not completed within 5 years of the date of certification of the plans of subdivision.

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

122. Time Limit for Native Vegetation Removal

The permit for native vegetation removal and/or pruning expires if it is not commenced within 2 years after the issue of this permit and completed with 4 years after the issue of this permit.

Before the permit expires or within six months afterwards, the owner or occupier of the land to which it applies may ask the Responsible Authority for an extension of time. The Responsible Authority may extend the time within which the use or development or any stage of it may be started or any stage of it is to be completed.

123. Time Limit for the Use/Development

The permit for the use and development will expire if:

- a. the development, or any stage of the development, does not commence within 3 years of the issue of this permit; or
- b. the development, or any stage of the development, is not completed within 5 years after the issue of this permit.

The responsible authority may extend the periods referred to above if a request is made in writing. This request must be made before or within 6 months after the permit expiry date where the development has not yet started and within 12 months after the permit expiry date where the development allowed by the permit has lawfully started before the permit expires.

124. Time Limit for Advertising Signage

This permit for advertising signage expires 15 years from the date of issue.

Notes:

Public Lighting Note

Before the preparation of construction plans for street lighting can be completed Council approval to the type and colour of poles and lanterns will be required.

Tree protection zone requirements

A consulting arborist must be employed to supervise works which may impact upon trees marked for retention on the approved plan.

The consulting arborist must conduct an induction of all personnel involved in construction that may impact on tree protection zones.

Any works within the tree protection zone should be completed or supervised by the consulting arborist.

The area inside the tree protection zone should, where considered relevant by the consulting arborist, be modified in the following manner to enhance the growing environment of the tree and to help reduce stress or damage to the tree:

- the area within the tree protection zone may require mulch with wood chips or compost matter to a depth of 150 millimetres.
- trees may require supplementary watering, with the amount to be assessed by the consulting arborist and determined by the extent of disturbance to the trees roots and climatic conditions.
- where severing of roots (greater than 50 millimetres in diameter) is required directly adjacent to the exclusion zone they must be cut cleanly. Where possible this is to be completed at the beginning of development of the site. Roots are not to be left exposed, but back-filled or covered with damp hessian.

The storing or disposing of chemicals or toxic materials must not be undertaken within 10 metres of any tree protection zone. Where the slope of the land suggests these materials may drain towards a tree protection zone, the storing or disposing of these materials is strictly forbidden.

Tree protection envelope fencing is to be constructed to the following requirements:

- Ring lock wire mesh (or equivalent) no less than 1.2 metres high.
- Main posts 100mm treated pine (TP).
- Intermediate posts steel star pickets (SP).
- The corner posts are to be TP with TP stays.
- Every third post is to be TP.
- SP to be placed intermediately between the TP at 3m intervals.
- The ring lock mesh to encircle the structure and be firmly secured at each post.
- Posts must be sunk into the ground by 450mm (there is to be no concrete to secure posts as this may affect p.H. levels).
- The tree protection zone is to be clearly sign posted in accordance with the condition titled Tree Protection Zone fencing.

With the agreement of the responsible authority, tree protection zone fencing may not be provided where permanent reserve fencing is introduced prior to construction. The specification of the permanent fencing must be to the satisfaction of the Responsible Authority.

Street Numbering Note:

Property Numbers will be allocated by the City of Whittlesea in accordance with Council's Street Numbering Policy. Please do not give potential buyers any interim numbering as this often leads to confusion and problems once the correct number is issued. Please check with Council's Subdivision Department or GIS Department to verify all street numberings before commencement of any advertising for sale or lease.

Registration Under Food Act 1984 Note:

The premises is required to be registered with Council's Health Department under the Food Act 1984.

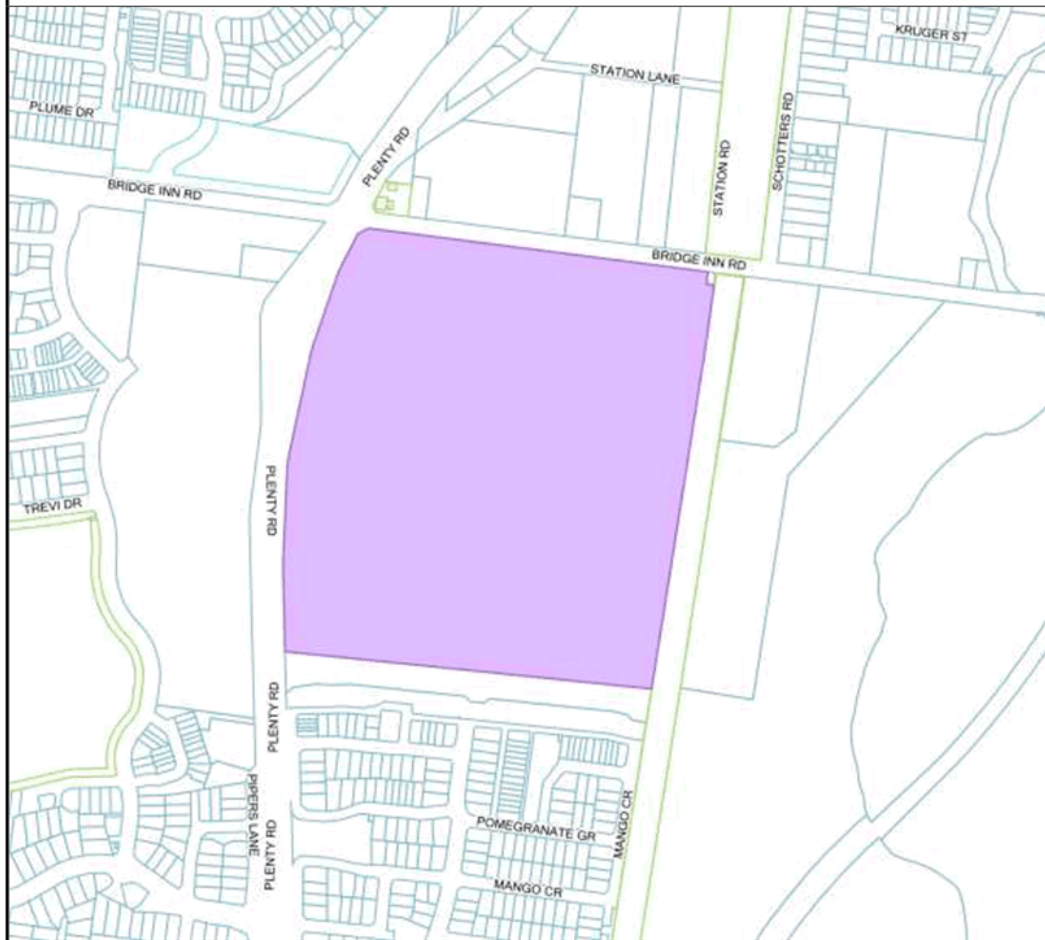
Registration Under Health Act 1958 Note:

The premises is required to be registered with Council's Health Department under the Health Act 1958.

Cultural Heritage Management Plan Note:

Development must at all times comply with the recommendations of the Cultural Heritage Management Plan 10362 (prepared by Biosis dated 28 November 2008) and approved by the Secretary of the Department of Planning and Community Development on 11 March 2009.

PLANNING APPLICATION NO. 714577



 **Subject Land**



**City of
Whittlesea**

BUILDING AND PLANNING REPORT

BUILDING AND PLANNING REPORT



DRAWING REGISTER

DRAWING NO.	DRAWING TITLE	SCALE	REV
TP-00	COVERSHEET + DRAWING REGISTER	N/A	02
TP-01	SITE PLAN EXISTING CONDITIONS	1:1000	02
TP-02	SITE PLAN - PROPOSED	1:1000	02
TP-03	GROUND FLOOR PLAN	1:250	02
TP-04	FIRST FLOOR PLAN	1:250	02
TP-05	ROOF PLAN	1:250	02
TP-06	ELEVATIONS	1:150	02
TP-07	VIEWS + SECTIONS	1:150	02
TP-07A	VIEWS + SECTIONS	1:250	02
TP-08	CONTEXT & MATERIALITY	N/A	02
TP-09	SIGNAGE SCHEDULE	1:1000	02

Downloaded from <https://academic.oup.com/ajph/article/108/10/1558/201898> by University of California, San Diego user on 02 October 2018

62	NOV 2007	62	NOV	CODE FOR TOWN PLANNING
61	2109 2007	61	NOV	CODE FOR TOWN PLANNING
60	06 09 2007	60	NOV	CODE FOR TOWN PLANNING
Rev	Date Status Issued Checked Description			



FABCOT PTY. LTD

For more details

FOR PLANNING APPROVAL



NH Architecture

Project Name

MERINDA TOWN CENTRE
STAGE 1 RETAIL CENTRE

Drawing Name

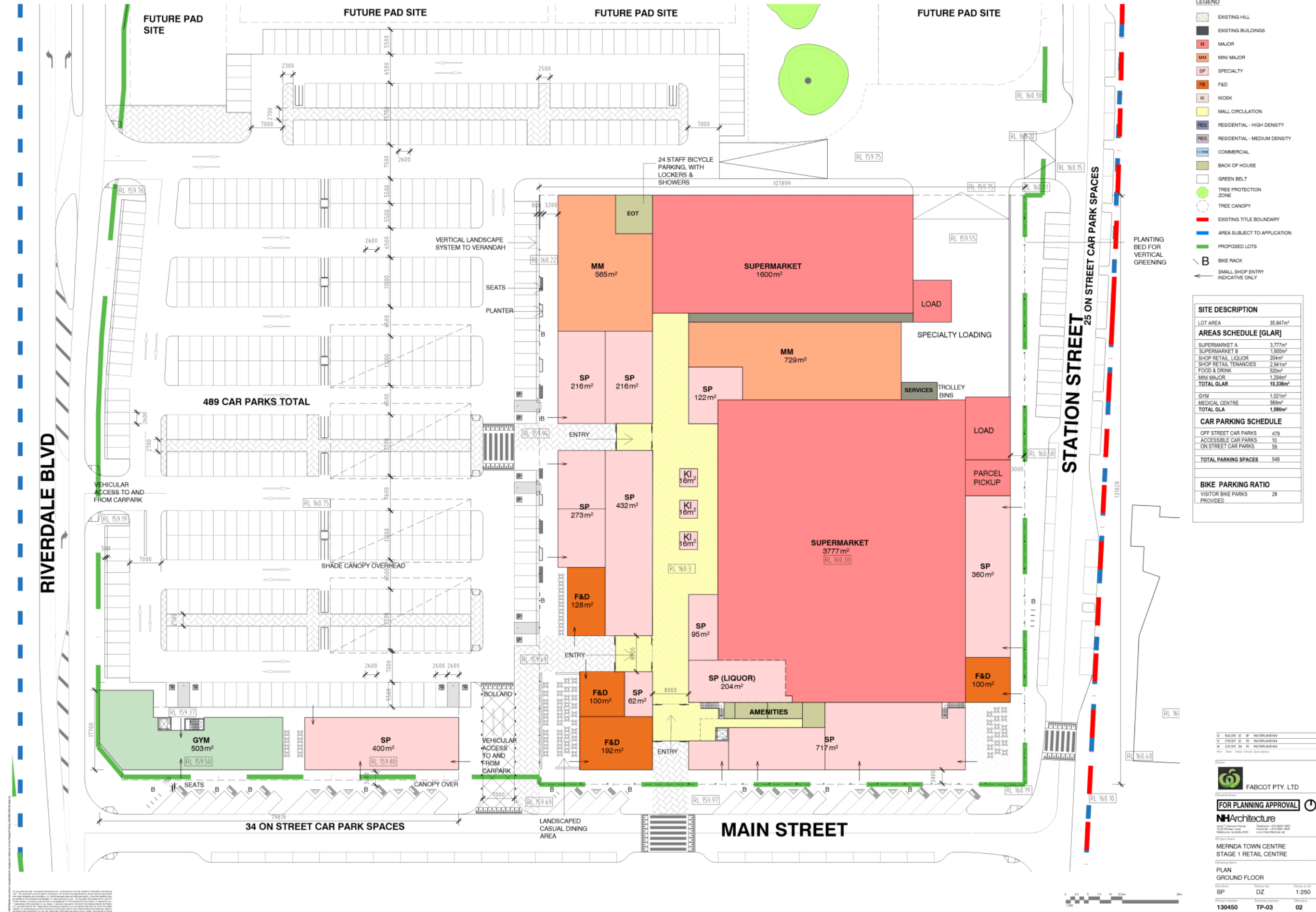
COVERSHEET
DRAWING REGISTER

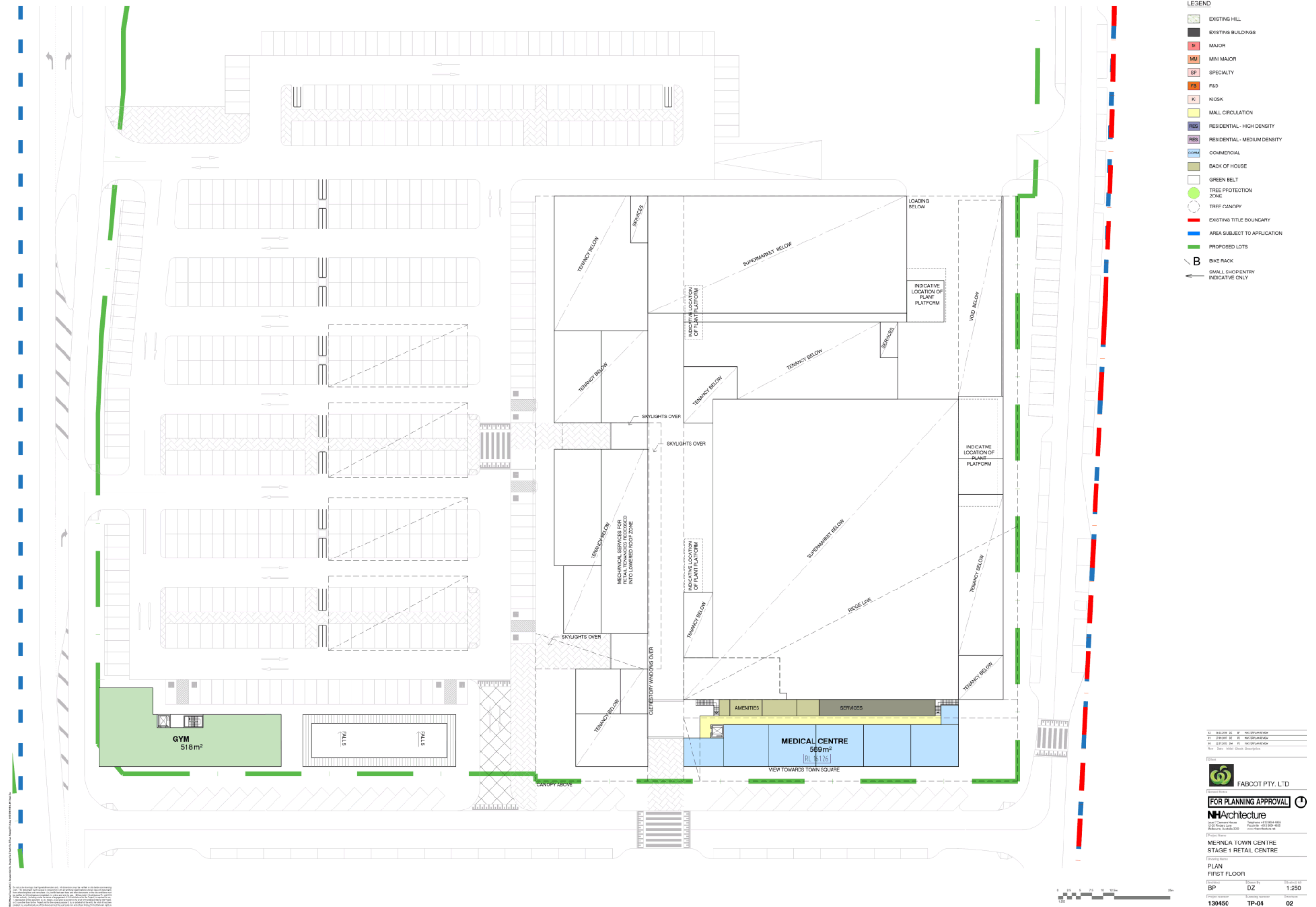
BP	DZ	NA
----	----	----

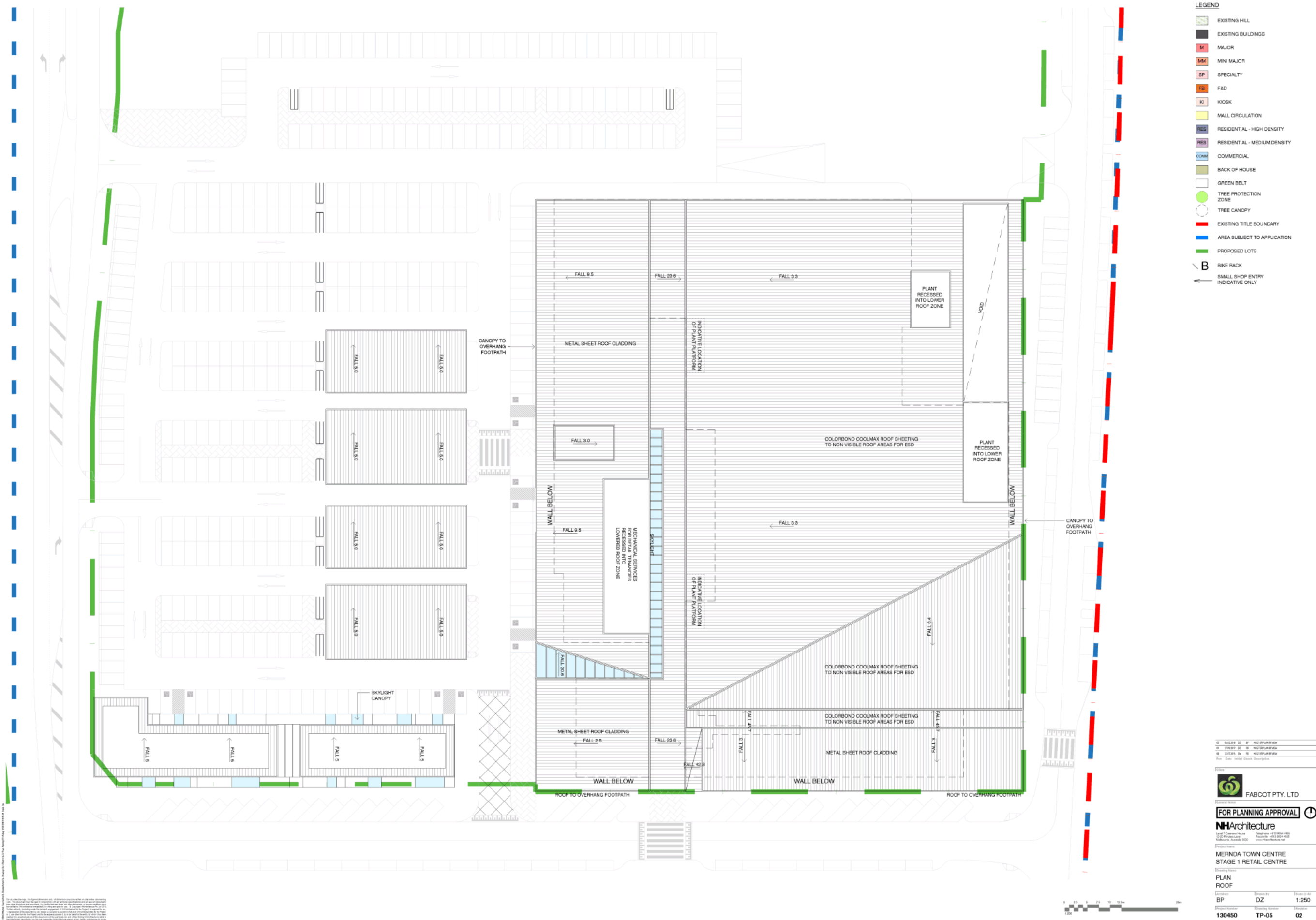
Project No	Drawing Number	Page No
130450	TP-003	02



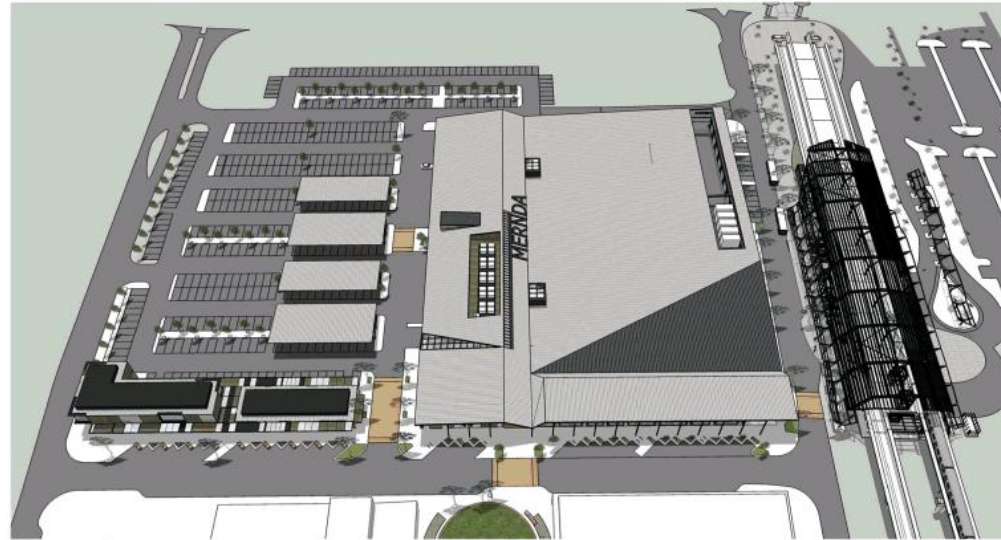












Overview



2 - East Corner
Train Station Crossing



AA SOUTH SECTION
TP-04 SCALE 1:100



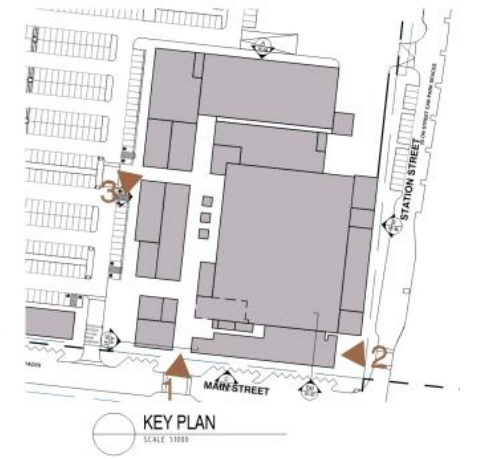
1 - South Entry
Main Street



3 - West Entry
Main Access



BB EAST SECTION
TP-04 SCALE 1:100



ST 061300 3E BP MILLERIANVIEW
 ST 039307 3E PD MILLERIANVIEW
 ST 021305 1A PD MILLERIANVIEW
 Note: State, Terr, County Boundary



FABCOT PTY. LTD

FOR PLANNING APPROVAL

NHArchitecture
 Level 6 Commerce House Telephone +61 (0)2 9554 0050
 Suite 601 100 Pitt Street Sydney NSW 1512 Australia Fax +61 (0)2 9554 0050
<http://www.nhpa.com.au/nh/>

Project Name:

**MERENDA TOWN CENTRE
 STAGE 1 RETAIL CENTRE**

Location Map:

VIEW AND SECTIONS

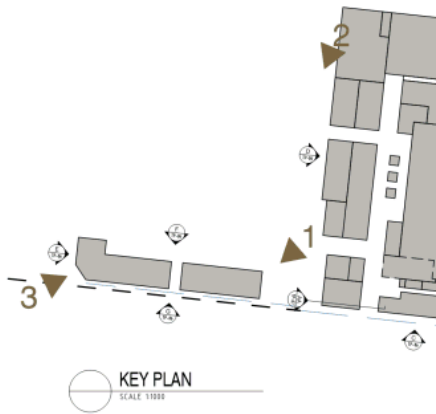
Projection Name	Drawn By	Date
BP	DZ	1:150
130450	TP-07	02



1. MAIN STREET TO CAR PARK CROSSING



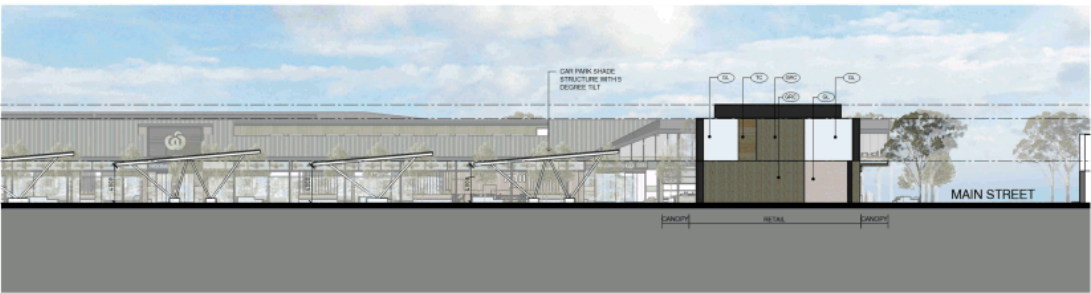
2. WEST SIDE VERANDAH



KEY PLAN
SCALE 1:1000



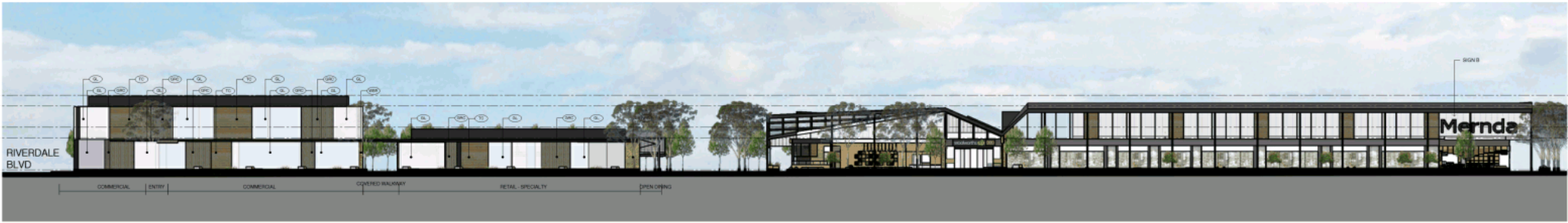
3. RIVERDALE BLVD



E WEST ELEVATION
TP-04 SCALE 1:250



F NORTH ELEVATION
TP-04 SCALE 1:250



G SOUTH ELEVATION
TP-04 SCALE 1:250

10 16/03/18 BP BP INTERPLAN REVIEW
11 21/03/18 BP BP INTERPLAN REVIEW
12 21/03/18 BP BP INTERPLAN REVIEW
13 21/03/18 BP BP INTERPLAN REVIEW
Rev Date Detail Description

FABCOOT PTY. LTD

FOR PLANNING APPROVAL

NHArchitecture

12/20 Collins Lane, Melbourne, VIC 3000
Tel: +61 (0)3 9594 4000
Fax: +61 (0)3 9594 4001
www.nharchitecture.com.au

Project Name: MERINDA TOWN CENTRE STAGE 1 RETAIL CENTRE

Drawing Name: VIEW AND SECTIONS

Drawn By	Checked By	Scale
BP	DZ	1:150

130450 TP-07A 02



Mernda Context



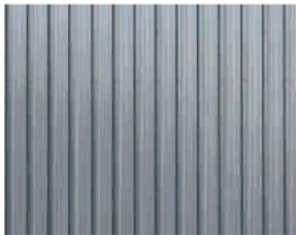
Rural Precedent Structures

Public Interface

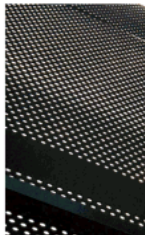
RCD1- metal sheet roof
grey (ZA)
charcoal
(colourbond)



MC- bold rib metal cladding grey (surfmist)



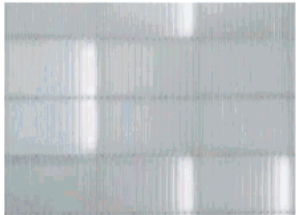
MP - perforated metal screens on concertina frame
black powdercoated



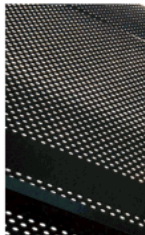
CLG- grooved shadowclad external soffit
limed stain finish



RCD2 - corrugated translucent polycarbonate roof sheet on steel frame



TC - timber cladding



INDICATIVE MATERIALS AND FINISHES

The selection of materials and finishes will be selected on a fit for purpose approach suitable for high quality retail buildings. In principle selections will aim to achieve a high degree of weather resilience reducing the requirement for ongoing maintenance.

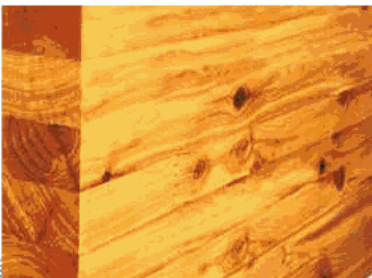
GL1 - single glazed system, clear glass typically: 4 sided anodized aluminium frames
black anodized or black powdercoat

GL2 - low-e performance glass typically: 4 sided anodized aluminium frames
black anodized or black powdercoat

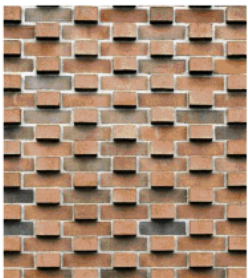
PCO - external grade painted finish to columns, eaves, downpipes, fascia and structural steel frames
black anodized or black powdercoat

LV - Aluminum louvres to external condenser deck screens
black powdercoat finish

LVL - laminated timber beam deep stained hardwood



WBR - pressed brick wall/Textured red, stack bond



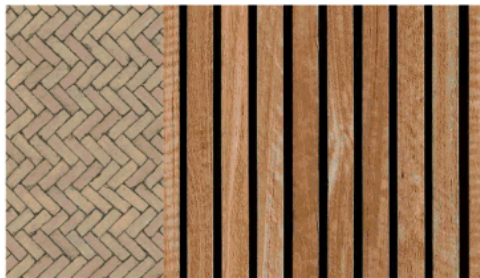
GRC - glass reinforced concrete panels textured



FSC - fibre cement sheet cladding lines texture

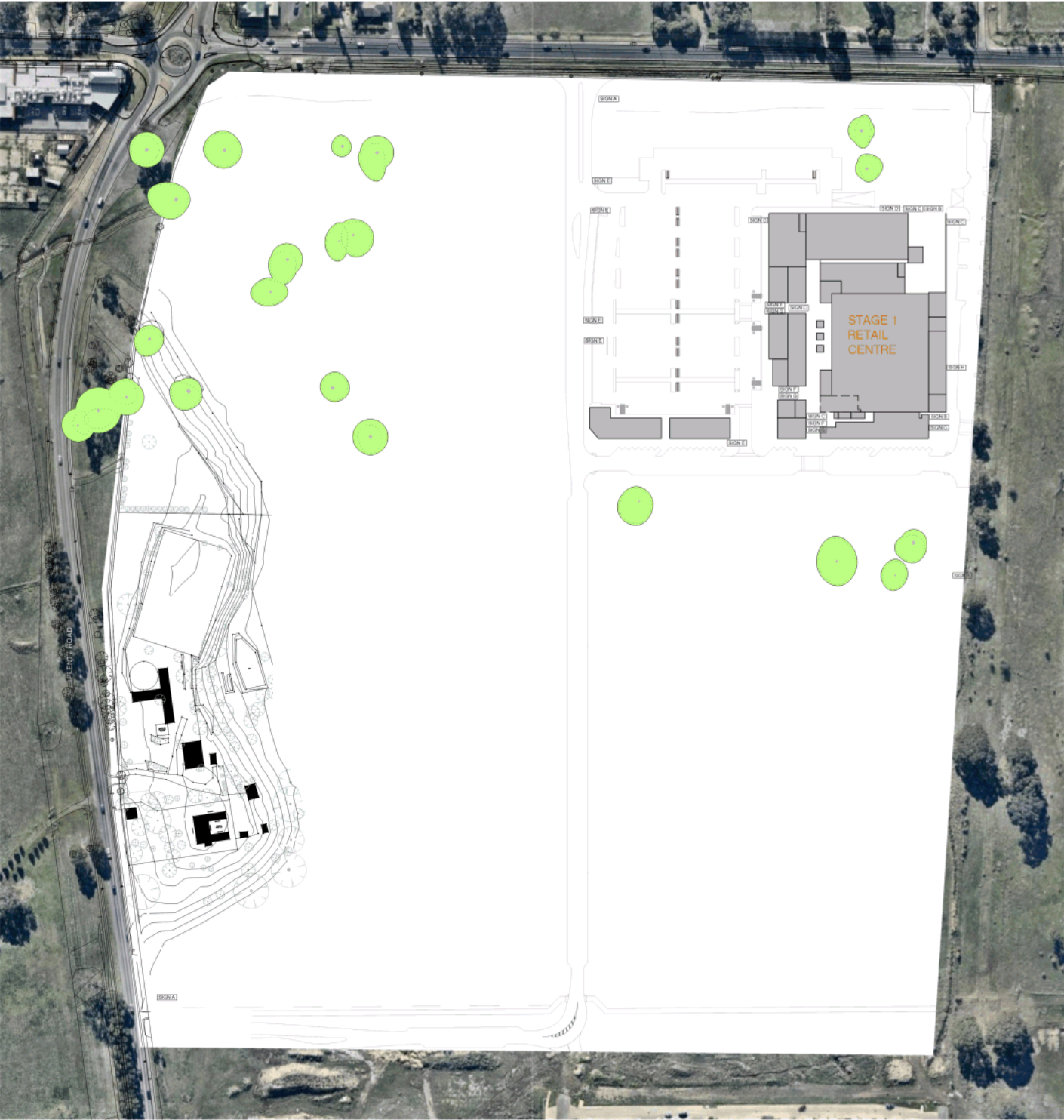
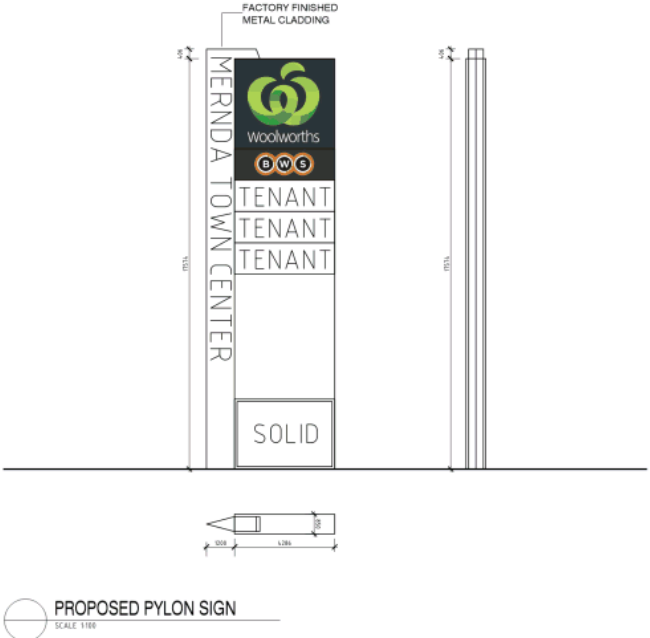


JTM - timber outdoor furniture spotted gum



02	16/12/18	02	BP	PRELIMINARY REVIEW
03	21/12/18	02	BP	PRELIMINARY REVIEW
04	21/12/18	02	BP	PRELIMINARY REVIEW
05	21/12/18	02	BP	PRELIMINARY REVIEW
06	21/12/18	02	BP	PRELIMINARY REVIEW
07	21/12/18	02	BP	PRELIMINARY REVIEW
08	21/12/18	02	BP	PRELIMINARY REVIEW
09	21/12/18	02	BP	PRELIMINARY REVIEW
10	21/12/18	02	BP	PRELIMINARY REVIEW
11	21/12/18	02	BP	PRELIMINARY REVIEW
12	21/12/18	02	BP	PRELIMINARY REVIEW
13	21/12/18	02	BP	PRELIMINARY REVIEW
14	21/12/18	02	BP	PRELIMINARY REVIEW
15	21/12/18	02	BP	PRELIMINARY REVIEW
16	21/12/18	02	BP	PRELIMINARY REVIEW
17	21/12/18	02	BP	PRELIMINARY REVIEW
18	21/12/18	02	BP	PRELIMINARY REVIEW
19	21/12/18	02	BP	PRELIMINARY REVIEW
20	21/12/18	02	BP	PRELIMINARY REVIEW
21	21/12/18	02	BP	PRELIMINARY REVIEW
22	21/12/18	02	BP	PRELIMINARY REVIEW
23	21/12/18	02	BP	PRELIMINARY REVIEW
24	21/12/18	02	BP	PRELIMINARY REVIEW
25	21/12/18	02	BP	PRELIMINARY REVIEW
26	21/12/18	02	BP	PRELIMINARY REVIEW
27	21/12/18	02	BP	PRELIMINARY REVIEW
28	21/12/18	02	BP	PRELIMINARY REVIEW
29	21/12/18	02	BP	PRELIMINARY REVIEW
30	21/12/18	02	BP	PRELIMINARY REVIEW
31	21/12/18	02	BP	PRELIMINARY REVIEW
32	21/12/18	02	BP	PRELIMINARY REVIEW
33	21/12/18	02	BP	PRELIMINARY REVIEW
34	21/12/18	02	BP	PRELIMINARY REVIEW
35	21/12/18	02	BP	PRELIMINARY REVIEW
36	21/12/18	02	BP	PRELIMINARY REVIEW
37	21/12/18	02	BP	PRELIMINARY REVIEW
38	21/12/18	02	BP	PRELIMINARY REVIEW
39	21/12/18	02	BP	PRELIMINARY REVIEW
40	21/12/18	02	BP	PRELIMINARY REVIEW
41	21/12/18	02	BP	PRELIMINARY REVIEW
42	21/12/18	02	BP	PRELIMINARY REVIEW
43	21/12/18	02	BP	PRELIMINARY REVIEW
44	21/12/18	02	BP	PRELIMINARY REVIEW
45	21/12/18	02	BP	PRELIMINARY REVIEW
46	21/12/18	02	BP	PRELIMINARY REVIEW
47	21/12/18	02	BP	PRELIMINARY REVIEW
48	21/12/18	02	BP	PRELIMINARY REVIEW
49	21/12/18	02	BP	PRELIMINARY REVIEW
50	21/12/18	02	BP	PRELIMINARY REVIEW
51	21/12/18	02	BP	PRELIMINARY REVIEW
52	21/12/18	02	BP	PRELIMINARY REVIEW
53	21/12/18	02	BP	PRELIMINARY REVIEW
54	21/12/18	02	BP	PRELIMINARY REVIEW
55	21/12/18	02	BP	PRELIMINARY REVIEW
56	21/12/18	02	BP	PRELIMINARY REVIEW
57	21/12/18	02	BP	PRELIMINARY REVIEW
58	21/12/18	02	BP	PRELIMINARY REVIEW
59	21/12/18	02	BP	PRELIMINARY REVIEW
60	21/12/18	02	BP	PRELIMINARY REVIEW
61	21/12/18	02	BP	PRELIMINARY REVIEW
62	21/12/18	02	BP	PRELIMINARY REVIEW
63	21/12/18	02	BP	PRELIMINARY REVIEW
64	21/12/18	02	BP	PRELIMINARY REVIEW
65	21/12/18	02	BP	PRELIMINARY REVIEW
66	21/12/18	02	BP	PRELIMINARY REVIEW
67	21/12/18	02	BP	PRELIMINARY REVIEW
68	21/12/18	02	BP	PRELIMINARY REVIEW
69	21/12/18	02	BP	PRELIMINARY REVIEW
70	21/12/18	02	BP	PRELIMINARY REVIEW
71	21/12/18	02	BP	PRELIMINARY REVIEW
72	21/12/18	02	BP	PRELIMINARY REVIEW
73	21/12/18	02	BP	PRELIMINARY REVIEW
74	21/12/18	02	BP	PRELIMINARY REVIEW
75	21/12/18	02	BP	PRELIMINARY REVIEW
76	21/12/18	02	BP	PRELIMINARY REVIEW
77	21/12/18	02	BP	PRELIMINARY REVIEW
78	21/12/18	02	BP	PRELIMINARY REVIEW
79	21/12/18	02	BP	PRELIMINARY REVIEW
80	21/12/18	02	BP	PRELIMINARY REVIEW
81	21/12/18	02	BP	PRELIMINARY REVIEW
82	21/12/18	02	BP	PRELIMINARY REVIEW
83	21/12/18	02	BP	PRELIMINARY REVIEW
84	21/12/18	02	BP	PRELIMINARY REVIEW
85	21/12/18	02	BP	PRELIMINARY REVIEW
86	21/12/18	02	BP	PRELIMINARY REVIEW
87	21/12/18	02	BP	PRELIMINARY REVIEW
88	21/12/18	02	BP	PRELIMINARY REVIEW
89	21/12/18	02	BP	PRELIMINARY REVIEW
90	21/12/18	02	BP	PRELIMINARY REVIEW
91	21/12/18	02	BP	PRELIMINARY REVIEW
92	21/12/18	02	BP	PRELIMINARY REVIEW
93	21/12/18	02	BP	PRELIMINARY REVIEW
94	21/12/18	02	BP	PRELIMINARY REVIEW
95	21/12/18	02	BP	PRELIMINARY REVIEW
96	21/12/18	02	BP	PRELIMINARY REVIEW
97	21/12/18	02	BP	PRELIMINARY REVIEW
98	21/12/18	02	BP	PRELIMINARY REVIEW
99	21/12/18	02	BP	PRELIMINARY REVIEW
100	21/12/18	02	BP	PRELIMINARY REVIEW

SIGNAGE SCHEDULE				
OTHER TENANT SIGNAGE TO HAVE ONE SET OF INTERNALLY-ILLUMINATED BUSINESS IDENTIFICATION SIGNS COMPRISING OF ONE SIGN FIXED TO THE FASCIA ABOVE ENTRANCE DOOR AND ONE SIGN FIXED TO THE UNDERSIDE OF THE AWNING.				
SIGNAGE NO.	SIGN IMAGE	SIZE	LOCATION	DETAILS
SIGN A		1574w x 5480h SEE PROPOSED PYLON SIGN BELOW	CORNER OF BRIDGE INN ROAD AND RIVERDALE BLVD. CORNER OF PLENTY ROAD AND BERRY LANE	PYLON SIGN INTERNALLY ILLUMINATED. LETTERING ON SELECTED BACKING
SIGN B		80m x 2.4m	ABOVE SOUTH ENTRANCE MAIN STREET AND SOUTH EAST ALFRESCO	CENTRE LOGO SIGNAGE
SIGN C		2262w x 2040h IN ACCORDANCE WITH WOV SIGNAGE GUIDELINES	EXTERNALLY ON NORTH EAST, SOUTH AND WEST FACADES, ADDRESSING CAR PARK AND SURROUNDING ROADS	MAJOR SIGNAGE INTERNALLY ILLUMINATED LETTERING
SIGN D		MIN 1200h x 900 w IN ACCORDANCE WITH WOV SIGNAGE GUIDELINES	ALL ROADS LEADING TO LOADING DOCK	THE HEIGHTS PROPOSED FOR THESE SIGNS ARE DOUBLE THAT OF OTHER STANDARD CARPARK SIGNS TO INCREASE VISIBILITY FOR TRUCK DELIVERY DRIVERS
SIGN E		1930w x 2000h IN ACCORDANCE WITH WOV SIGNAGE GUIDELINES. STANDARD CARPARK SIGNAGE	VEHICULAR ACCESS POINTS TO SITE FROM MAIN ROADS	FOR WAYFINDING TO TROLLEY BAYS, LOADING DOCKS, PARENTAL PARKING, ACCESSIBLE PARKING
SIGN F		1487w x 1000h IN ACCORDANCE WITH WOV SIGNAGE GUIDELINES	EXTERNALLY ALONG ALL ENTRY BULKHEADS	MAJOR SIGNAGE INTERNALLY ILLUMINATED LETTERING
SIGN G		1286w x 1000h IN ACCORDANCE WITH WOV SIGNAGE GUIDELINES	EXTERNALLY ALONG ALL ENTRY BULKHEADS	MAJOR SIGNAGE INTERNALLY ILLUMINATED LETTERING
SIGN H		PICK UP VISUALS ARE PLACEHOLDERS ONLY	EAST FACADE PARALLEL TO STATION STREET	METAL PANELS FACTORY PAINT FINISH



KEY PLAN
SCALE 1:1000

12 14.02.2018 02 BP INITIAL PLAN REVIEW

01 21.01.2017 02 BP ISSUE FOR TOWN PLANNING

00 01.03.2016 04 BP ISSUE FOR TOWN PLANNING

Rev Date Detail Description

FABCOT PTY. LTD

FOR PLANNING APPROVAL

NHArchitecture

Level 1, 12-20 Collins Street
Melbourne, VIC 3000
Tel: +61 (0)3 9554 4000
Fax: +61 (0)3 9554 4000
www.nharchitecture.com.au

Project Name

MERENDA TOWN CENTRE
STAGE 1 RETAIL CENTRE

Drawing Name

SIGNAGE SCHEDULE

Drawn By

DZ

Drawn On

130450

Drawn By

TP-09

Drawn On

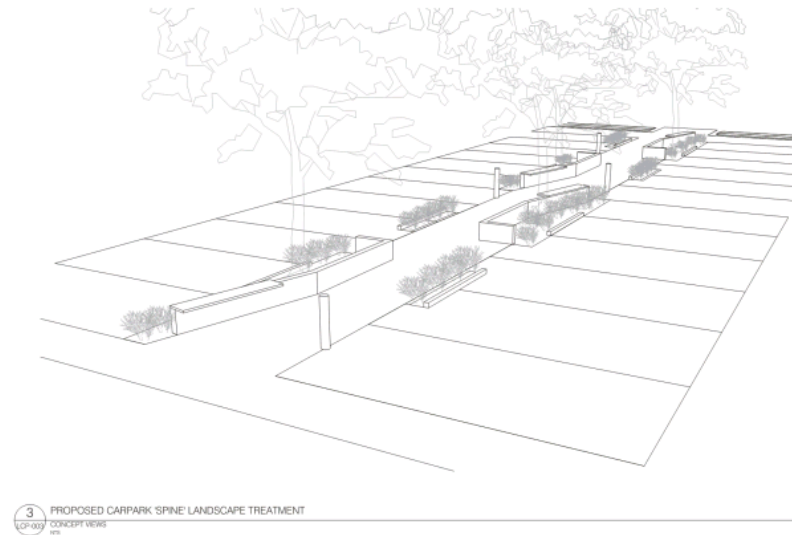
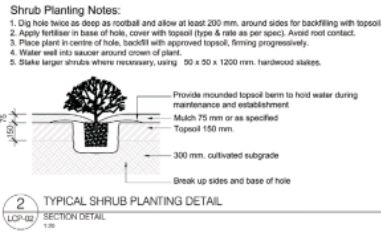
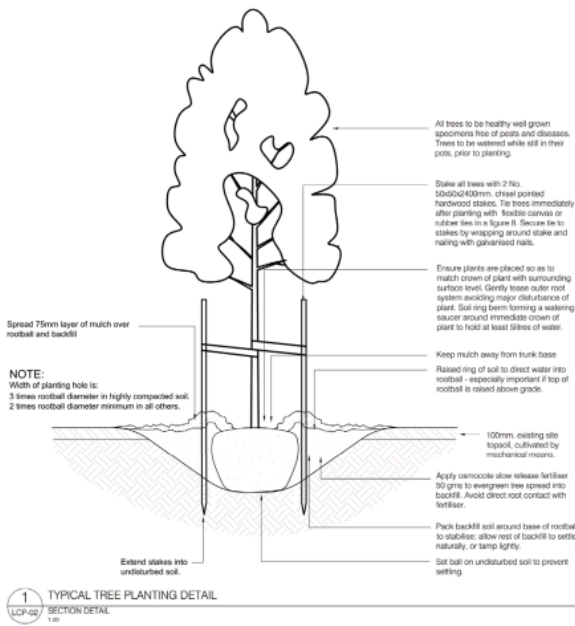
02

Scale

1:200



LANDSCAPE DETAILS



PROPOSED STREET FURNITURE:



EXAMPLE: IN-SITU CONCRETE BARRIER BENCH WITH TIMBER BATTEN SEAT



CORA CBR2-F FLUSH MOUNT BICYCLE HOOP

EXAMPLE IMAGES OF PROPOSED PAVING MATERIALS (TO FUTURE DETAIL):



LIGHT GREY COLOURED CONCRETE (HONED FINISH)



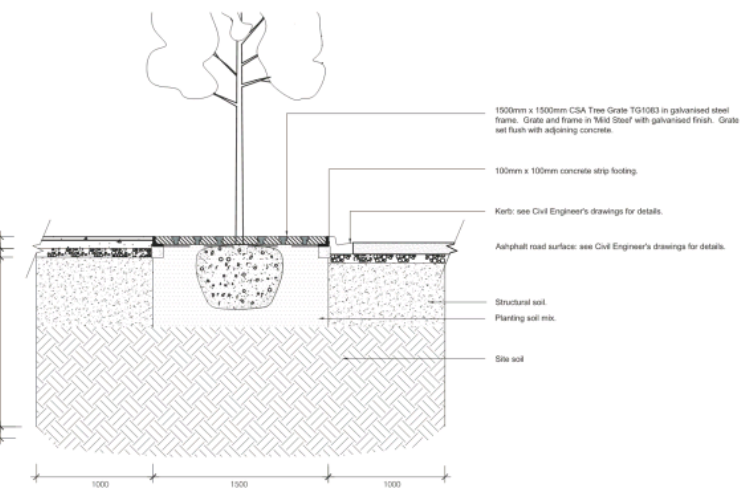
MID GREY COLOURED CONCRETE (HONED FINISH)



RED BRICK COLOURED CONCRETE (HONED FINISH)



WARM COLOUR COLOURED CONCRETE (HONED FINISH)



4 TREE GRATE DETAIL
SECTION DETAIL
1/20



PROPOSED TREE PALETTE IMAGES

Code	Botanical Name	Common name	Pot / Installation size	Size at maturity (HxW)	Qty
TREES					
ANG cos*	Angophora costata	Smooth Barked Apple Gum	45L pot, 2.5m Ht, 30mm cal.	20m x 12m	7
COR cit*	Corymbia citriodora	Lemon Scented Gum	45L pot, 2.5m Ht, 30mm cal.	20m x 12m	8
COR Sce*	Corymbia citriodora 'Scentuous'	Dwarf Lemon Scented Gum	45L pot, 2.5m Ht, 25mm cal.	7m x 4-5m	26
CUP ana*	Cupaniopsis anacardioides	Tuckeroo	45L pot, 2.5m Ht, 30mm cal.	8-8m x 3-4m	9
EUC man*	Eucalyptus mannifera 'Little Spotty'	Dward Red Flowering Gum	45L pot, 2.5m Ht, 25mm cal.	7m x 5m	12
EUC sco	Eucalyptus scoparia	Wallangara White Gum	45L pot, 2.5m Ht, 30mm cal.	12m x 8m	39
LAG ind	Lagerstroemia indica x fauriei 'Zuni'	Zuni Crepe Myrtle	45L pot, 2.5m Ht, 30mm cal.	4m x 3m	6
SUBTOTAL					107
SHRUBS & TUFTING PLANTS					
COR pul*	Correa pulchella 'Orange Glow'		150mm pot	0.4m x 0.5m	
CAS gla*	Casuarina glauca 'Cousin It'	Cousin It Casuarina	150mm pot	0.2m x 1m	
CAL cit*	Callistemon citrinus 'White Anzac'	White Anzac Callistemon	200mm pot	1m x 2m	
DIA cae*	Dianella caerulea 'Cassa Blue'	Cassa Blue Dianella	200mm pot	0.7m x 0.7m	
DIA ens*	Dianella ensifolia 'Border Silver'	Border Silver Dianella	150mm pot	0.7m x 0.7m	
GRE lav*	Grevillea lavandulacea x alpina 'Jelly Baby'	Jelly Baby Grevillea	150mm pot	0.5m x 0.5m	
HAK leu*	Hakea leucopetala	Needlewood	100mm pot	2m x 1m	
LOM lon*	Lomandra longifolia 'Tanika'	Tanika Lomandra	150mm pot	1m x 1m	
POA lab*	Poa labillardieri	Common Tussock Grass	150mm pot	1m x 1m	
WES fru*	Westringia fruticosa	Coastal Rosemary	150mm pot	0.7m x 1m	
GROUNDCOVERS & CLIMBERS					
CLE mic	Clematis microphylla var. microphylla	Small Leaf Clematis	100mm pot	spreading/climbing	
TRA jas	Trachelospermum jasminoides	Chinese Star Jasmine	100mm pot	spreading/climbing	

* Denotes regionally local native plants as per Council 'Recommended Plant list' - Landscape Guidelines and Technical Notes

PROPOSED TREE PALETTE IMAGES



CORYMBIA CITRIODORA



CORYMBIA CITRIODORA 'SCENTUOUS'



ANGOPHORA COSTATA



EUCALYPTUS SCOPARIA



EUCALYPTUS MELLIODORA 'LITTLE SPOTTY'



CUPANIOPSIS ANACARDIODES

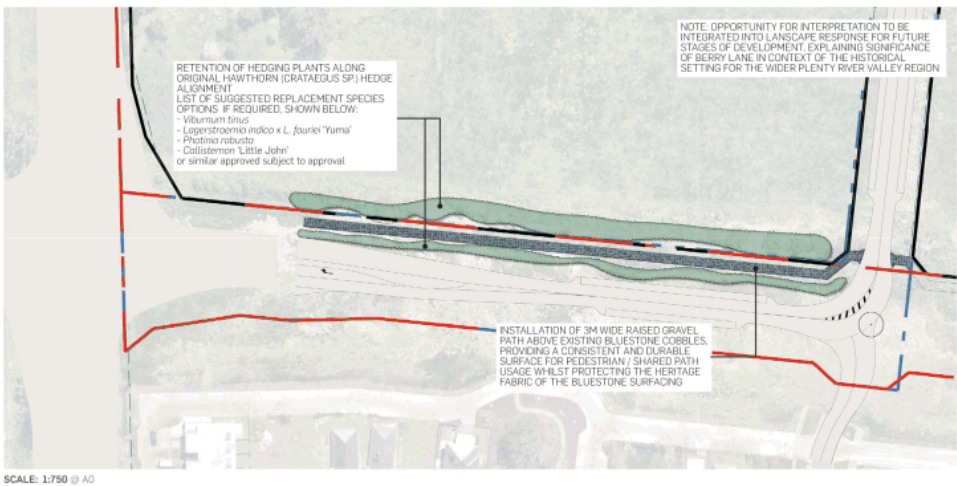


LAGERSTROEMIA INDICA 'ZUNI'



EXAMPLE OF VERTICAL CLIMBER FACADE

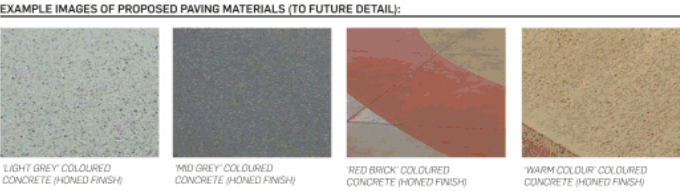
DETAIL PLAN 02 - TREATMENT TO BERRY LANE ALIGNMENT (WESTERN SECTION)



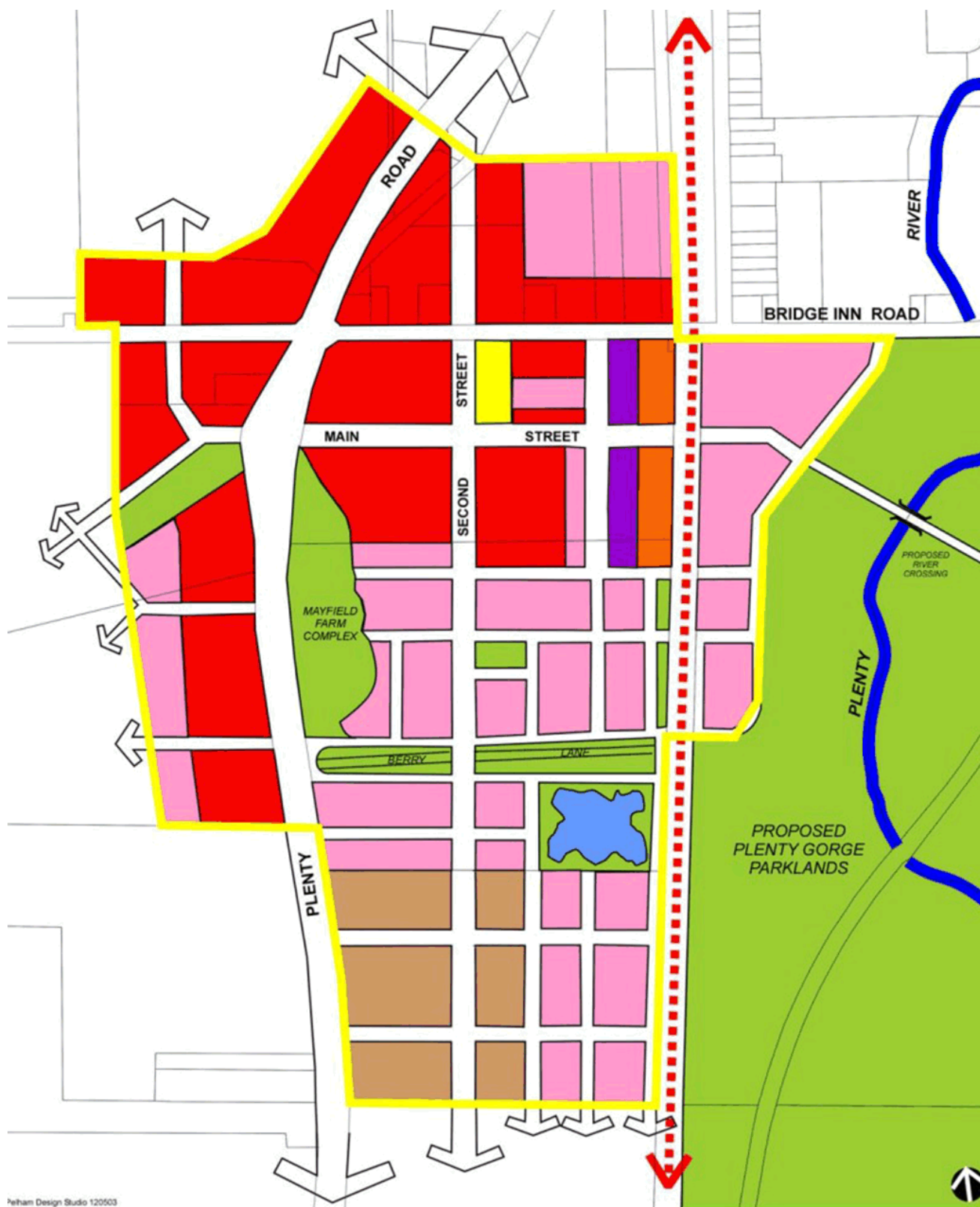


LEGEND:

	EXISTING TREE TO PROTECT & RETAIN
	STREET TREE TYPE 1 ANDOPHORA COSTATA
	STREET TREE TYPE 2 CORYMBIA CITRIGODORA
	STREET TREE TYPE 3 CORYMBIA CITRIGODORA 'SCENTUOUS'
	PROPOSED SUPERMARKET SITE
	FUTURE DEVELOPMENT SITE
	PROPOSED PAVING TYPE 1 E.G. ADRI MASONRY 'RIVERINA' IN SITU HONED CONCRETE PAVING TO MATCH BANDING PATTERN FROM MERNDA TRAIN STATION LANDSCAPE PACKAGE
	PROPOSED PAVING TYPE 2 E.G. ADRI MASONRY 'PRAGUE' IN SITU HONED CONCRETE PAVING TO MATCH BANDING PATTERN FROM MERNDA TRAIN STATION LANDSCAPE PACKAGE
	PROPOSED PAVING TYPE 3 E.G. ADRI MASONRY 'DESERT SAND' HONED AGGREGATE CONCRETE PAVING TO MATCH BANDING PATTERN FROM MERNDA SUPERMARKET LANDSCAPE PLAN
	PROPOSED PAVING TYPE 4 E.G. ADRI MASONRY 'SUNSTONE' HONED CONCRETE PAVING TO MATCH BANDING PATTERN FROM MERNDA SUPERMARKET LANDSCAPE PLAN
	VERGE HYDROSEEDED GRASS
	ROAD TO FUTURE DETAIL
	SITE BOUNDARY
	BOUNDARY OF FUTURE DEVELOPMENT SITE



NOTE: REFER TO LANDSCAPE CONCEPT PLAN AND DETAILS FOR INDICATIVE STREET FURNITURE EXAMPLES



Peelham Design Studio 120503



City of Whittlesea

MERENDA TOWN CENTRE COMPREHENSIVE DEVELOPMENT

6.2 COMMUNITY SERVICES

NIL REPORTS

6.3 CITY TRANSPORT AND PRESENTATION

NIL REPORTS

6.4 CORPORATE SERVICES

NIL REPORTS

6.5 EXECUTIVE SERVICES

NIL REPORTS

- 7. NOTICES OF MOTION
NIL REPORTS
- 8. QUESTIONS TO OFFICERS
- 9. URGENT BUSINESS
- 10. REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES
- 11. CONFIDENTIAL BUSINESS
- 11.1 PARTNERSHIPS, PLANNING & ENGAGEMENT
NIL REPORTS
- 11.2 COMMUNITY SERVICES
NIL REPORTS
- 11.3 CITY TRANSPORT AND PRESENTATION
NIL REPORTS
- 11.4 CORPORATE SERVICES
NIL REPORTS
- 11.5 EXECUTIVE SERVICES
NIL REPORTS
- 11.6 NOTICES OF MOTION
NIL REPORTS
- 12. CLOSURE