19) External lighting must be designed, baffled and located so as to prevent any adverse effect from light spill on adjoining land to the satisfaction of the Responsible Authority.

20) Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy N-1 to the satisfaction of the Responsible Authority.

21) All mechanical plant and ventilation equipment must be adequately screened from public view to the satisfaction of the Responsible Authority.

22) No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose except for emergency safety messages or use of drive thru equipment, unless otherwise agreed in writing by the Responsible Authority.

Waste

23) Before the shops are occupied or the use of the centre starts, a Waste Management Plan 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 form part of the planning permit. All waste management for the supermarket, medical centre and retail premises must be undertaken in accordance with the endorsed Waste Management Plan. The Waste Management Plan must include:
    a) Details of how and where waste will be stored and collected for each premises;
    b) How customer waste will be managed throughout the car parking and associated areas, e.g. through the provision of bins;
    c) Identify the frequency for the removal of such refuse and recycling including collection times.
    d) Demonstrated compliance with conditions 24 and 25.

24) Provision must be made on the land for the storage and collection of waste and recyclables. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.

25) All waste material not required for further onsite processing must be regularly removed from the land. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.

Access Requirements

26) Before any occupation of the development, the permit holder must construct each vehicle crossing to the development to an industrial standard in accordance with Mitchell Shire Council's Standard Drawings to the satisfaction of the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority.

Date issued:	**Date permit comes into operation:** (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	**Signature for the responsible authority:**
_____	_____	_____

27) The internal common driveway/carpark area must be constructed to an appropriate all-weather finish with drainage provided to adequately drain the areas to the satisfaction of the Responsible Authority.

Transport Management

28) Before any occupation of the development, a Car Parking and Loading Management Plan addressing movement within the car park, the provision of pedestrian or raised crossings, delineation of parking bays as necessary, loading and unloading of goods and materials (including delivery times and any shared use of the supermarket's loading zone) and any other relevant matters, prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. When approved, the Car Parking Management Plan will be endorsed and form part of this permit.

29) The Car Parking and Loading Management Plan must be implemented at all times to the satisfaction of the Responsible Authority. No alterations may be made without the prior written consent of the Responsible Authority.

Drainage Requirements

30) Before any occupation of the development, the permit holder must construct at no cost to Council, drainage works between the proposed development and the Council nominated point of discharge to the satisfaction of the Responsible Authority.

31) The discharge of water from each of the proposed lots must be controlled around its limits to prevent any discharge onto any adjacent property or streets other than by means of an approved drainage system discharged to an approved outlet in a street or to an underground pipe drain to the satisfaction of the Responsible Authority.

32) Before any occupation of the development, the subject site must be connected to an underground drainage system including an on-site detention system to control flows to pre-development levels and treat stormwater wholly within the boundaries of the subject land, to the satisfaction of the Responsible Authority.

Signage Requirements

33) The sign(s) must not contain any flashing or moving light, to the satisfaction of the Responsible Authority.

34) The sign(s) must not be illuminated by external or internal light.

35) The sign(s) lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

36) The sign(s) must be constructed and maintained to the satisfaction of the Responsible Authority.

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_____	_____	_____

Carpark Requirements

37) Before any occupation of the development, the permit holder must design and construct a fully sealed car park in general accordance with the Mitchell Shire Planning Scheme and/or with AS/NZS 2890.1 and AS/NZS 2890.6 to the satisfaction of the Responsible Authority.

Upgrade Requirements

38) Unless otherwise agreed in writing by the Responsible Authority, before any occupation of the development the permit holder must construct a shared footpath 2.5 metres wide along both the Northern Highway frontage and 2.4 metres wide along the Clarke Street frontage adjacent the development to the satisfaction of the Responsible Authority.

39) Unless otherwise agreed in writing by the Responsible Authority, before the use starts, the permit holder must upgrade the Northern Highway site frontage to incorporated kerb and channel, underground drainage and associated seal widening to the satisfaction of the Responsible Authority.

Fees and charges

40) Unless otherwise agreed to in writing by the Responsible Authority, prior to the assessment of the detailed construction plans, the permit holder must pay a design checking for civil works fee as per the adopted Council fees and charges to the satisfaction of the Responsible Authority.

41) Unless otherwise agreed to in writing by the Responsible Authority, prior to the occupancy of the new dwellings, the permit holder must pay a supervision of civil works fee of 2.50% of the costs of assets handed over to council for the development as per the adopted Council fees and charges to the satisfaction of the Responsible Authority.

Construction Plan Requirements

42) Prior to the commencement of the development, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must include:
   a) The ultimate Clarke Street / Murray Street road alignment as per the Kilmore Structure Plan.
   b) Crossover details, including all traffic calming measures.
   c) Driveway and car parking construction and drainage details including grades and indication of fall,
   d) Underground drainage details and supporting calculations, and
   e) Any external civil works.
   f) The provision of a bus stop along Clarke Street.

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_____	_____	_____

43) Before any occupation of the development, all works shown on the approved construction plans must be constructed or carried out in accordance with the plans to the satisfaction of the Responsible Authority.

Management Plans

44) Unless otherwise agreed to by the Responsible Authority; before any works associated with the development start, management plans must be submitted to and deemed satisfactory by the Responsible Authority. The required management plans are:

45) A Construction Management and Safety Plan to include the following:
- a) A Gantt chart for all aspects of works including civil and all other authority specific works;
- b) A liaison officer for direct contact by residents and the responsible authority;
- c) Location of site office and site compound;
- d) Methods to ensure that the land which is not affected by earthworks will not be traversed by construction vehicles or machinery.
- e) Methods to contain dust and mud including clean up frequency and control frequency;
- f) Details of proposed stock pile heights, locations, materials and volumes;
- g) Details proposed storage areas;
- h) Methods to control unauthorised personal entering the site;
- i) Methods to keep the site presentable being free of debris, rubbish and stockpiled material;
- j) Company OH&S management organisation chart;
- k) Methods to ensure that appropriate PPE is always worn by all personal on site;
- l) Subcontractors, suppliers and external testing company contact list; and
- m) Proposed working hours.

46) A Site Environmental Management Plan to include the following:
- a) Sediment control techniques to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system, waterways, roads, streets or reserves;
- b) Methods to control erosion and the flow of water to nominated points of discharge;
- c) Methods to prevent and manage illegal dumping on the land;
- d) Methods to ensure that only EPA clean fill material is imported/exported to and from the site;
- e) Location and details of the Tree Protection Measures around the trees to be retained as shown on the approved and endorsed plans;
- f) Methods for weed and pathogen management;
- g) Designated machinery wash down and storage location;
- h) Methods to protect Environmental flora and fauna;
- i) Methods to control spill and storage of hazardous chemicals;
- j) Methods identify, report, and protect the discovery of archaeological and or heritage objects;
- k) Methods to ensure earthwork disturbed areas will have adequate vegetation cover after a period of 6 weeks of absence; and

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_____	_____	_____

l) Methods to ensure that contractors working on the land are aware of the requirements of the all Management Plans and any other obligations of the planning permit.

47) A Traffic Management Plan to include the following:
a) Proposed haulage routes to and from the subject land;
b) Expected frequency of vehicle movements to and from the land;
c) Site access arrangements for construction vehicles and emergency vehicles; and
d) A traffic control signage plan including working hours signage and after-hours signage to control both vehicle and pedestrian movements as required.

Reinstatement Requirements

48) Any road(s), footpath(s) and/or other infrastructure damaged as a result of the construction works (including but not limited to trenching and excavation for utility service connections, movement of vehicles and the likes), must be reinstated to the satisfaction of the Responsible Authority and at the cost of the permit holder.

VicRoads Requirements

49) Prior to the occupation of the development hereby approved by this permit:

a) Detailed design plans generally in accordance with the Traffix Group Functional Layout Plan (Drawing No. G16707- 01, Issue E dated: 21st February 2019) must be submitted and to the written satisfaction of the Roads Corporation. The detailed design plans must be drawn to scale, clearly dimensioned and include (but not limited to) the following:

i. The current layout of the development;
ii. A swept path diagram for a 19m semi-trailer vehicle entering the site from the Northern Highway;
iii. The proposed potential bus stop is relocated 60-70 metres toward the west; and
iv. Intersection lighting in accordance with AS1158.

b) A detailed design Road Safety Audit at the detailed design stage in accordance with VicRoads' Road Safety Audit Policy. The audit findings and the consultant's responses to the findings must be provided to the Roads Corporation for review and approval. Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the satisfaction of the Roads Corporations.
c) A VicRoads signed Memorandum of Authorisation must be completed by the applicant and returned to VicRoads permitting the installation of any Major Traffic Control Items required as part of this development (e.g. Give Way signs etc); and
d) All arterial roadworks must be completed to the satisfaction of and at no cost to the Roads Corporation.

GBCMA Requirements

Date issued:	**Date permit comes into operation:** (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	**Signature for the responsible authority:**
_____	_____	_____

50) The development must meet best practice for water sensitive urban design principles in accordance with "Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999".

51) The floor levels of the proposed buildings are to be constructed at least 300 millimetres above the 100-year ARI flood level or higher floor level deemed necessary by the responsible authority. (The Goulburn Broken CMA's estimates of the 100-year ARI flood levels for the location described above range between 334.2 metres AHD, adjacent to the Kilmore Creek, and 336.8 metres AHD, at the south-west corner of the property. These levels were established by recent hydrologic and hydraulic analyses of the Kilmore Creek).

Goulburn Valley Water Requirements

52) Payment of new customer contribution charges for water supply to the development, such amount being determined by the Goulburn Valley Region Water Corporation.

53) Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation.

54) Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Goulburn Valley Regional Water Corporation at the time of payment.

55) Connection of all sanitary fixtures within the development to reticulated sewerage, at the developers expense, in accordance with the standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
All works required are to be carried out in accordance with AS 3500.2 – 'Sanitary plumbing and drainage' and to the satisfaction of the Corporation's Property Services Section.

56) Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement.
The owner and or occupier is required to submit a completed Trade Waste Application, and install the required pre-treatment facility to the satisfaction of Goulburn Valley Water's Trade Waste Section, before approval to discharge trade waste from the development into Goulburn Valley Region Water Corporation's sewer is granted.

EPA Requirements

57) Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.

Permit Expiry

Date issued:	**Date permit comes into operation:** (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	**Signature for the responsible authority:**
_____	_____	_____

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

a) The development is not started within two years of the date of this permit.
b) The development is not completed within four years of the date of this permit.
c) The use is not started within four years of the date of this permit.
d) The use is discontinued for a period of two years.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act* 1987.

PERMIT NOTES	
Relevant Authority	**Information provided to assist the applicant or owner**
Council Building Unit	**Please note that this approval does not constitute a Building Permit.** You should enquire with Council's Building Services Unit on 5734 6230 to ascertain if a building permit is required for this proposal. This planning permit has been assessed against the requirements of the Heritage Overlay only. This planning permit has NOT been assessed against the requirements of ResCode.
Council Engineering Services Unit	A legal point of discharge must be obtained from Council prior to the construction of the drainage. A road-opening permit must be obtained from Council's Engineering Services Unit before any vehicle crossover is constructed
Council Environmental Health Unit	An application to install a Septic Tank System must be submitted to the Environmental Health Unit including any prescribed fee and plans detailing the distance of the system from boundaries and the size of the effluent area
VicRoads	The increase in discharge of any concentrated drainage onto the arterial road reserve is not permitted unless approved in writing by VicRoads. Separate 'detailed design' approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of: A left turn lane; A raised median island; and Any other works within the arterial road reserve Please forward details marked attention to David Wallace on: nr.mailbox@roads.vic.gov.au Further information regarding VicRoads' consent to work within the road reserve can be found on the VicRoads Website:

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	https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve or by or telephoning (03) 5434 5089.
GBCMA	A "Works on Waterway" permit must be obtained from the Goulburn Broken CMA for drainage outfall structures on the Kilmore Creek.
Goulburn Valley Water	Any structures to be built must be clear of any easement in favour of Goulburn Valley Regional Water Corporation. It is recommended a licenced surveyor is used to confirm the location and alignment of the sewer. Goulburn Valley Water will assist on site with the lifting of the manhole lids as requested. Should the permit holder wish to subdivide each tenement onto separate titles in the future, provision of appropriate servicing arrangements to facilitate a future subdivision proposal should be investigated as part of this development.
Country Fire Authority	The building owners and managers should prepare an emergency management plan for the development in consultation with the local fire brigade to ensure emergency response and equipment is appropriate.

[If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit, and the name of the responsible authority that approved the amendment —]

Date of amendment	*Brief description of amendment*	*Name of responsible authority that approved the amendment*

Date issued:	**Date permit comes into operation:** **(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)**	**Signature for the responsible authority:**
_____	_____	_____

Planning and Environment Regulations 2015 - Form 9. Section 96J

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C124 to the Mitchell Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

[7748558: 23716449_1]

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

19 AUGUST 2019

9.4

COMBINED PLANNING SCHEME AMENDMENT C124 AND PLANNING PERMIT APPLICATION PLP203/17 FOR RE-ZONE AND DEVELOPMENT OF A SUPERMARKET, INSTALLATION AND DISPLAY OF SIGNAGE, LIQUOR STORE, SPECIALTY RETAIL AND MEDICAL CENTRE IN KILMORE - CONSIDERATION OF PANEL REPORT

Attachment No: 5

PLP203/17 Exhibited Floor Plan

Development Schedule
SUPERMARKET
Woolworths
MEDICAL CENTRE
RL 336.50
RETAIL 11
RETAIL 10
RETAIL 9
RETAIL 8
RETAIL 7
RETAIL 1
RETAIL 2
RETAIL 3
RETAIL 4
RETAIL 5
RETAIL 6
MALL
LIQUOR STORE
liquor
AIRLOCK
LOADING
RL 337.00
SPECIALTY RETAIL C
RL 336.00
SPECIALTY RETAIL B
RL 336.00
SPECIALTY RETAIL A
RL 336.00
MULTICELL
Biofilta Planter 25m2
EDGE OF WATER
TOE OF BANK
NORTHERN HIGHWAY
CLARKE STREET
GROUND FLOOR PLAN
Kilmore NAC
22.01.2018
160082/TP01d

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

19 AUGUST 2019

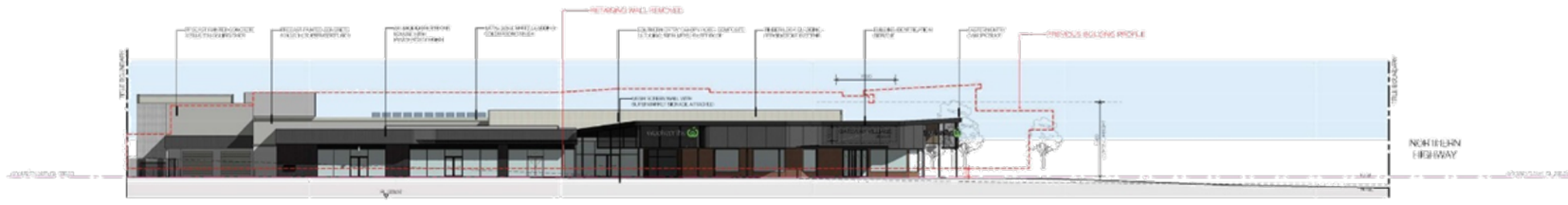
9.4

COMBINED PLANNING SCHEME AMENDMENT C124 AND PLANNING PERMIT APPLICATION PLP203/17 FOR RE-ZONE AND DEVELOPMENT OF A SUPERMARKET, INSTALLATION AND DISPLAY OF SIGNAGE, LIQUOR STORE, SPECIALTY RETAIL AND MEDICAL CENTRE IN KILMORE - CONSIDERATION OF PANEL REPORT

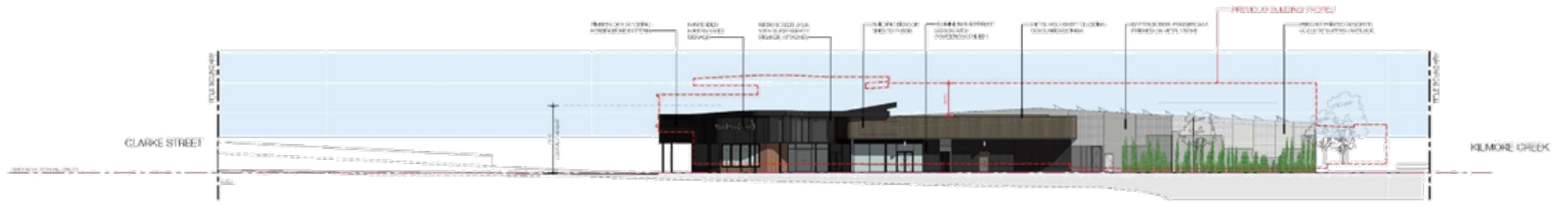
Attachment No: 6

PLP203/17 Panel Hearing Plans

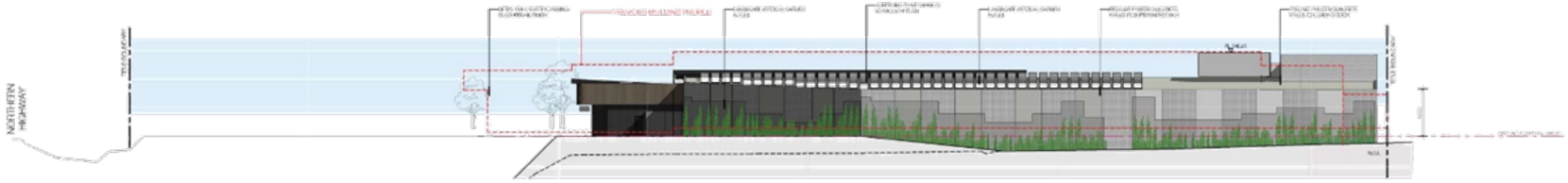
Development Schedule
LEGEND
ESD Initiatives
KILMORE CREEK
EDGE OF WATER
TOE OF BANK
TOP OF BANK
SUPERMARKET
3600 m²
LIQUOR STORE
200 m²
MALL
315m²
RETAIL 1
56 m²
RETAIL 2
134 m²
RETAIL 3
62 m²
RETAIL 4
71 m²
RETAIL 5
250 m²
RETAIL 6
77 m²
RETAIL 7
56 m²
RETAIL 8
63 m²
RETAIL 10
83 m²
RETAIL 9
83 m²
MEDICAL
300 m²
NORTHERN HIGHWAY
CLARKE STREET
INDUSTRIAL AREA
GROUND FLOOR PLAN
Kilmore NAC
14.02.2019
160082/TP01q



SOUTH ELEVATION (SUPERMARKET + MEDICAL CENTER)



EAST ELEVATION (SUPERMARKET + MEDICAL CENTER)



NORTH ELEVATION (SUPERMARKET + MEDICAL CENTER)

WEST ELEVATION (SUPERMARKET)

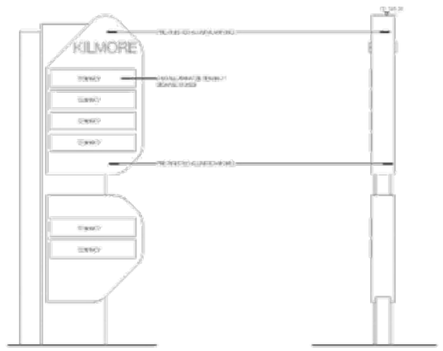
LASCORP

Clarke Hopkins Clarke

ELEVATIONS - SHEET 01
Kilmore NAC

Scale

13.02.2019
160082/TP04e



PYLON SIGN
ELEVATION 1

PYLON SIGN
ELEVATION 2

SOUTH ELEVATION
RETAIL PREMISES A

EAST ELEVATION

NORTH ELEVATION

WEST ELEVATION

LASCORP

Clarke Hopkins Clarke

ELEVATIONS - SHEET 02
Kilmore NAC

Scale As indicated @ A0

13.02.2019
160082/TP05d