

PLANNING PERMIT APPLICATION PLP199/16 FOR THE USE AND DEVELOPMENT OF PART OF THE LAND FOR A TRANSFER STATION AND ASSOCIATED EARTHWORKS, WORKS WITHIN AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND REDUCTION OF CAR PARKING AT 100 WANDONG ROAD, KILMORE (CONT.)

9 DEVELOPMENT AND INFRASTRUCTURE

9.1 PLANNING PERMIT APPLICATION PLP199/16 FOR THE USE AND DEVELOPMENT OF PART OF THE LAND FOR A TRANSFER STATION AND ASSOCIATED EARTHWORKS, WORKS WITHIN AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND REDUCTION OF CAR PARKING AT 100 WANDONG ROAD, KILMORE

Author: *Bachir Tanios - Senior Statutory Planner*

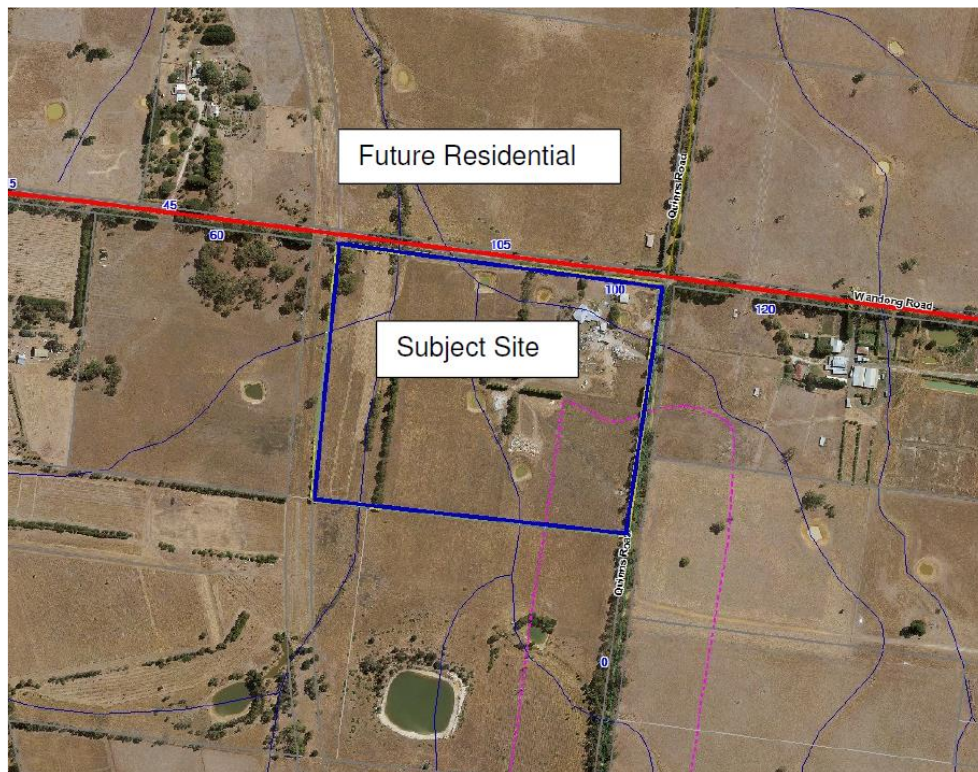
File No: *PLP199/16*

Attachments: 1. *Application Material & Plans* [↓](#)

Property No.:	107330
Title Details:	Land in Plan of Consolidation 353108X
Applicant:	T & C Development Services Pty Ltd
Zoning:	Farming Zone
Overlays:	Vegetation Protection Overlay – Schedule 1
Objections Received:	Yes, one objection received
Cultural Heritage Management Plan Required:	No, the subject site is not located within an area of Aboriginal cultural heritage sensitivity
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

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SITE MAP



SUMMARY

The planning permit application is for the use and development of part of the subject site for a transfer station and associated earthworks, works within and alteration of access to a road zone category 1 and reduction of car parking.

Under the provisions of the Mitchell Planning Scheme a Transfer station is defined as *Land used to collect, consolidate, temporarily store, sort or recover refuse or used materials before transfer for disposal or use elsewhere.*

The application was advertised with one objection received. The objection primarily relates to environmental and residential amenity impacts of such a land use.

The subject site is located outside of the Kilmore Structure Plan (currently being implemented through Scheme Amendment C123) boundary. Land to the north of the subject site is indicated as an investigation area for future residential growth.

It is officers' recommendation that a Notice of Decision be issued to approve a time limited Planning Permit, subject to the inclusion of a number of conditions which will allow for the use to be reviewed if and when residential land is developed to the north.

It should also be noted that this is a retrospective application as the use is already being conducted on site. Conditions contained within the recommendation for approval provide an opportunity to ensure the site is more appropriately maintained.

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SITE AND SURROUNDS

Subject Site Description

The subject site is located at 100 Wandong Road, Kilmore and is legally described as Land in Plan of Consolidation 353108X. The site is found to the south of Wandong Road. Access to the site is via a crossover on the eastern side of the Wandong Road frontage. The site also has frontage to Quinns Road (eastern boundary), also providing access to the site.

The site is rectangular in shape and has an area of 15.6 hectares. The site has a maximum length of 449.2 metres and width of 347.01 metres. The site currently contains a single storey dwelling with associated outbuildings (two sheds). There is a gravel area located south-east of the dwelling for vehicle access and parking.

The site contains five dams located around the property. Vegetation on the site is located along fence lines and the western drainage line within the site. There is a significant amount of vegetation located within the road reserves of Wandong Road and Quinns Road. The topography of the site is relatively flat.

Planning Background

A search of Council's electronic record system has revealed that the following planning related outcomes have been determined for the site:

- PLA304537/06: Business Identification Signage – Issued.
- P305725/09: To construct works associated with a dwelling (extension) – Issued.

Title/Restrictions/Agreements

The title of the site is not encumbered by any covenants or agreements nor do any easements traverse through the property.

Surrounding Area

The subject site is located approximately 5 km south of the town centre of Kilmore. Wandong Road is within the Road Zone – Category 1. The Northern Highway is located approximately 600 metres west of the subject site.

Surrounding properties are generally similarly included in the Farming Zone. A small strip of land to the western boundary of the subject site is within the Public Use Zone – Transport (PUZ4) and is associated with the historic trams museum.

Lot sizes surrounding the subject site range between 9 and 30 hectares. Most lots contain dwellings, with many properties containing land uses associated with equine training. There are many vacant lots still used for grazing purposes, with most properties mainly cleared of vegetation associated with this purpose.

The topography of the surrounding area is mostly flat, with some minor undulations.

PROPOSAL

The proposal is seeking retrospective approval for a transfer station facility. The main purpose of the proposed use is to collect and sort materials before they are transferred

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for disposal or recycling elsewhere. The proposed use will involve different construction materials being brought to the site to be sorted, and then taken away to material reuse companies for re-purposing. The materials collected will include metals, timber, bricks and concrete.

The site will receive the materials in skip bins from construction sites. These materials will then be sorted into three categories: wood, metal and brick. Trucks with full skips will park at the sorting area (located south-east of the existing dwelling), where two employees will sort each category into larger specific purpose skips (aluminium, bricks/concrete, colorbond, metal, and wood). Wood items will be sent to Woolert Landfill and converted into Mossrock Mulch, bricks will be taken to Alex Fraser Group and turned into civil construction material, and metals will be sent to Sims Metal Management for recycling and conversion into raw metal materials for manufacturing purposes.

The skips used in this process will be sent to building construction sites, filled, and returned to the facility. This process is proposed to take 3 to 5 days. Storage for empty skips is proposed to be located east of the sorting area.

4123.60 square metres of the subject site will be used in association with the proposal. Access will be provided via a 9.4 metres wide crossover to Quinns Road. Five car parking spaces will be provided for employees which are proposed to be located north of the sorting area. The proposed hours of operation for the transfer station are: 8:00am to 6:00pm Monday to Saturday.

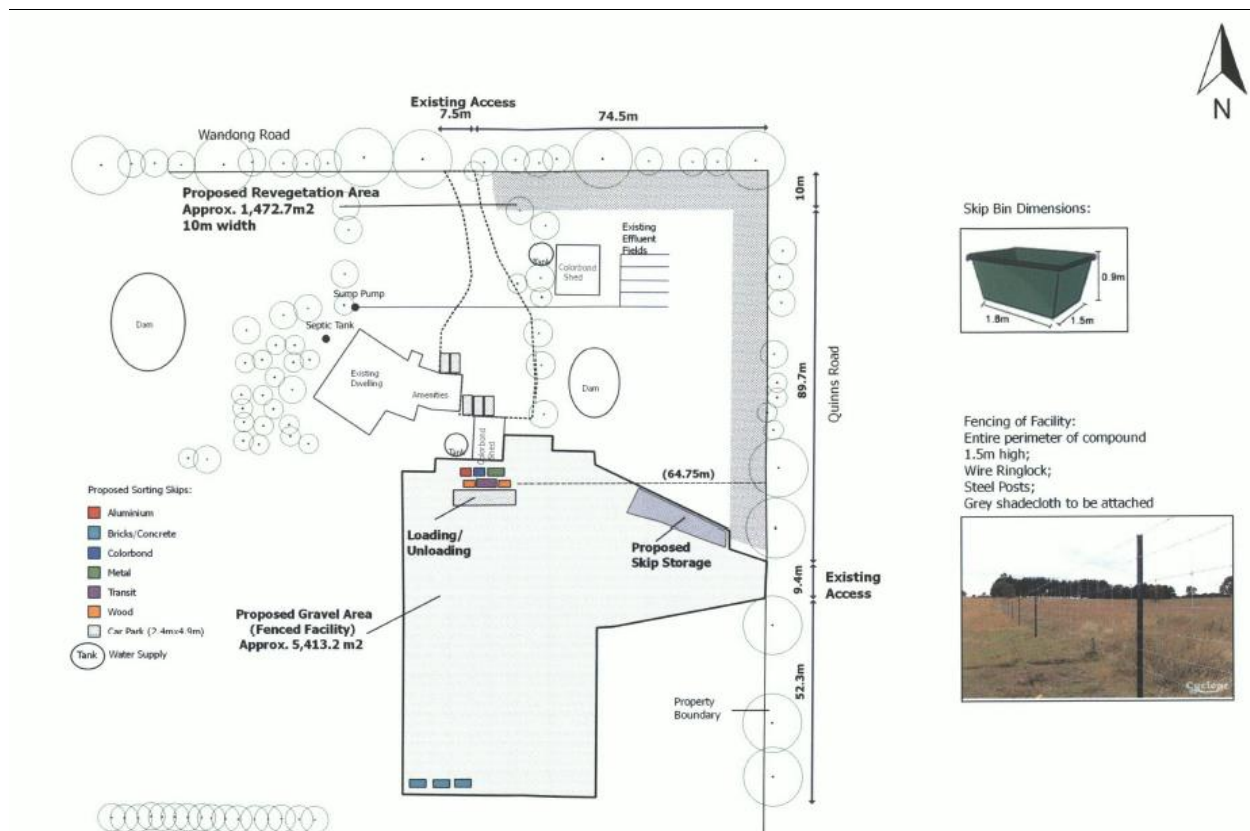
As part of the retrospective approval, site improvements are proposed to respond to enhance the current condition of the subject site. The application proposes to provide a rehabilitation area of 1.38 hectares removing materials associated with the transfer station on land which was previously used for grazing. This area will be reinstated with perennial pasture. The area of land to be used for the transfer station use will be fully fenced and separated from the use of the balance of the land.

A revegetation area is also proposed within the north-eastern corner of the site. This area measure 10 metres in width for 74.5 metres along the northern boundary and 89.7 metres along the eastern boundary. The remainder of the land (west and south-eastern portion of the site) will be used for agriculture (grazing).

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PLANNING SCHEME PROVISIONS

Zoning

Farming Zone (FZ)

The site is affected by the Farming Zone pursuant to Clause 35.07 of the Mitchell Planning Scheme (Scheme).

Pursuant to Clause 35.07-1, a planning permit is required to use the land for a transfer station (industry).

Pursuant to Clause 35.07-4, a planning permit is also required to construct a building, or construct or carry out works associated with a Section 2 use. These works include the sorting bins and driveway and crush rock areas.

Overlays

Vegetation Protection Overlay – Schedule 1 (VPO1)

The site is affected by the Vegetation Protection Overlay – Schedule 1 pursuant to Clause of the Scheme. However there are no permit triggers relevant to this application under this overlay, it will no longer form part of this assessment.

Particular Provisions

Clause 52.06 – Car parking

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Pursuant to Clause 52.06-2, before a new use commences or where the floor area or site area of an existing use is increased, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority.

The table to Clause 52.06-5 requires a total of 2.9 spaces be provided for every 100m² of net floor area for an industrial use. By this standard, 119 car parking spaces would be required under this provision.

The plans submitted with the application identify that a total of 5 spaces will be provided on the land for employee parking, as the proposed transfer station is not open to the public and does not provide for the delivery of construction waste from other businesses or individuals.

Pursuant to Clause 52.06-3 (Car Parking), a permit is required to reduce the required car parking provision set out within 52.06-5 of the Mitchell Planning Scheme.

Clause 52.07 (Loading and Unloading of Vehicles)

Pursuant to Clause 52.07 no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless area is set aside for the loading and unloading of vehicles.

The site plan submitted with the application indicates an area for the unloading of bin skips, with access to the loading bay being more than 3.6 metres wide (the crossover to the site measures 9.4 metres in width). Therefore, no permit is required under this clause of the Scheme.

Clause 52.10 – Uses with Adverse Amenity Potential

The purpose of Clause 52.10 is to define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Pursuant to the table found at Clause 52.10, the proposed use is defined as Recycling and Resource Recovery for construction and demolition materials recycling, which comes under 'Note 1' of the table. Note 1 of the table states that the threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored. Refuse and materials storage, sorting and recovery in a transfer station requires a buffer distance of 100 metres from a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

It is noted that the land is greater than 100 metres from a current residential zone. It is also a relevant consideration that land to the immediate north of the subject site is indicated as future residential in the Kilmore Structure Plan.

The potential impacts will be considered in the discussion section of this report.

State Planning Policy Framework (SPPF)

The following clauses of the SPPF are considered relevant to this application

Clause 13.04-1 –
Noise abatement

This clause is relevant and has the following objective:

To assist the control of noise effects on sensitive land uses.

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Clause 14.04-1 – Protection of agricultural land	This clause is relevant and has the following objective: <i>To protect productive farmland which is of strategic significance in the local or regional context.</i>
Clause 17.02-2 – Design of industrial development	This clause is relevant and has the following objective: <i>To facilitate the sustainable development and operation of industry and research and development activity.</i>

Local Planning Policy Framework (LPPF)

The following clauses of the LPPF are considered relevant to this application	
Clause 21.04-3 – Soil degradation	This clause is relevant and has the following objective: <i>To ensure that the use and development of land does not cause significant land disturbance and to minimise land degradation.</i>
Clause 21.04-4 – Noise and air	This clause is relevant and has the following objective: <i>To reduce noise and air pollution.</i>
Clause 21.05-1 – Agriculture	This clause is relevant and has the following objective: <i>To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land.</i>
Clause 21.05-2 – Water	This clause is relevant and has the following objective: <i>To ensure that surface and ground water quality is not adversely affected by development.</i>
Clause 21.08-1 – Economic growth	This clause is relevant and has the following objective: <i>To facilitate new development and employment opportunities in business, industry and tourism.</i>
Clause 21.08-2 – Industry	This clause is relevant and has the following objective: <i>To encourage well planned and located industrial development.</i>
Clause 21.11-3 – Kilmore	This clause is relevant and has the following objective: <i>To strengthen Kilmore's position as a preferred location for light industrial and small business enterprises based on the availability of infrastructure, work force and transport.</i>

Other Considerations

On 15 August 2016, Council resolved to adopt the Kilmore Structure Plan and Town Centre Plan. Planning Scheme Amendment C123 to implement the structure plan was exhibited recently and is expected to proceed to a panel hearing in April 2018.

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Although the subject site is located outside of the study area for the Kilmore Structure Plan, land to the immediate north of Wandong Road is identified as an investigation area for future residential development.

The assessment of the proposal against possible interaction with these areas will be discussed later on in the report.

PUBLIC NOTIFICATION (ADVERTISING)

Formal notification of the application was given by means of mail notification to surrounding properties and relevant authorities. A total of one objection has been received and are addressed in the discussion section below. There has also been previous complaints from community members in regards to the operations on the site without permission.

Grounds of objection are summarised as follows:

Number	Objector	Grounds of objection
1	Resident, Lakeside Drive, Wallan (Part owner of adjacent property to the south at Quinns Road, Kilmore)	<ul style="list-style-type: none"> • Amenity impacts due to the destruction of the natural environment, the storage of rubbish piles, increase in traffic and noise. • The proposed transfer station facility will result in environmental impacts from toxic waste and other pollutants. • Agricultural Impacts due to an industrial use in the Farming Zone and reduction in water quality for surrounding agricultural uses.

Consultation

Discussions with adjacent landowners have occurred during and after the advertising direction.

All submitters as well as the permit applicant were invited to address Council at the Community Questions and Hearings Committee held on 11 December 2017. Their comments have been considered in the finalisation of this report and the recommendations contained within.

REFERRALS

The application was referred to VicRoads who provided conditional consent to the application. Their conditions are included in the officer recommendation below.

The application was referred internally to Council's Engineering Services team who provided their consent to the application subject to conditions.

DISCUSSION

Rural Amenity

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The State and Local Planning policies seek to ensure that development will not introduce any detrimental impacts to the amenity of an area. Given that the proposal is currently located within and surrounded by the Farming Zone and more than 300 metres from the nearest neighbouring dwelling, it is considered that any impact to the surrounding rural amenity will be minimal within its current context.

It is also noted that the subject application is retrospective in nature and that the granting of this permit will provide the opportunity to impose conditions to ensure the tidying up of the site. Thus, further reducing any impact upon rural amenity. Additionally, including a time limit in the permit will ensure future residential amenity is not compromised in the expansion of Kilmore to the north of the subject site. This is discussed further below.

The vegetation located along the road reserve of Quinns Road will assist in providing a buffer for the development from site, with additional planting proposed internally along the north-eastern corner of the site aiding to shield the use from view. The requirement for a detailed landscape plan will dictate that three rows of plantings within the revegetation areas and further the intent to provide a sufficient buffer from the proposal to surrounding areas.

There will be a requirement that this detailed landscape plan be submitted within three months from the issue date of the permit and plantings provided within 6 months of the approval of the landscape plan. This ensures the responsibility of landscaping is provided as soon as possible whilst understanding that planting requirements may take some time i.e. preparation of the land and purchase of plants.

The proposed works will not contain excessive heights or visual bulk, with the sorting of materials to occur over 60 metres from Quinns Road. The skips themselves will measure less than 1 metre in height (0.9m), therefore will not detract from rural views.

Agriculture

The purpose of the Farming Zone and the relevant policies of the SPPF and LPPF seek to prevent the loss of productive farm land. The proposed use will take up 4123.6 square metres of the site for a transfer station. As the subject site covers an area of 15.61 hectares, it is considered that the proposed use will not result in the loss of agricultural land as the transfer station will be located close to the existing dwelling and the remainder of the site will continue to be used for livestock grazing.

Thus, the proposal will clean up the site and ensure the majority of it will be retained in an agricultural use. Further to this point as the proposed use will be fully fenced and contained within a small area of the site, no impact will occur to surrounding agricultural uses. Again, this will represent an improvement on the currently conducted activities on the site.

The objection received refers to the proposal impacting on the objector's vineyard to the south of the subject site. In response to this point, this property is located in excess of 350 metres to the south of the subject site, on the opposite side of Quinns Road. There is a shared drainage line between the two properties, which also crosses Quinns Road. The northern branch of this drainage line also crosses an equestrian property to the east of the subject site, and the southern branch crosses another grazing

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property. Therefore, it is considered that the extent of which the proposal would affect the productivity of the objector's would be minimal due to the distance between them.

Car Parking and Loading and Unloading of Vehicles

Under Clause 52.06 of the Scheme, the application would be required to provide 119 car parking spaces for an industrial use. This requirement is considered to be unnecessary (and excessive), as the site will not be open to the public nor will private businesses have open access to the facility. Therefore, the provision of 5 car parking spaces for employees is considered to be sufficient for the proposed use.

The space provided for the loading and unloading of vehicles at the sorting area is also considered to be in accordance with Clause 52.07 of the Scheme, as there is sufficient space for turning circles and access, without impeding the flow of traffic on Quinns Road and its surrounds.

Environmental Risk

Environmental risks have been considered in the assessment of this application and which were also raised within the single objection received in regards of the application. These concerns regarded the spread of waste through seeping, runoff and wind.

The materials proposed to be brought onto the site for sorting do not include liquid or toxic wastes such as asbestos or garbage. The unloading will be supervised by two employees; therefore, it is considered that airborne materials during the sorting process would be minimal. Concerns relating to runoff and the contamination of surrounding watercourses is also considered to be of minimal risk, as there is no proposed liquid waste listed within the proposal to be sorted on site.

The Environmental Protection Authority (EPA) was notified of the application and stated that there was no concern with a permit being granted for the proposal. The EPA did request that a number of conditions be considered, should a permit be granted. These conditions related to the design and operation of the facility being in accordance with guidelines to prevent odours, noise and dust exceeding the property boundaries. Other conditions will be placed on any future permit relating to liquid, garbage and asbestos materials being prohibited from entering the property.

Intersection Upgrade & Kilmore-Wallan Bypass

A condition will be placed on the permit regarding the upgrading of the intersection at Wandong and Quinns Roads, and Quinns Road itself. This upgrade will include a minimum 4-metre wide gravel carriageway and 1.5 metre constructed shoulders either side to be to VicRoads standards. This is required to satisfy Council's engineering standards and provide appropriate access to the site.

This upgrade will provide for safer access to and from the site, and for residents on adjoining properties using Quinns Road. Thus, access to the subject site associated with the proposed use will be appropriately controlled and managed.

Kilmore Structure Plan

The Kilmore-Wallan Bypass may be located along Wandong Road, adjoining the northern boundary of the subject site. As previously referenced, the north side of Wandong Road has been identified as an investigation area for future residential

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development in the Kilmore Structure Plan. This will result in a separation of approximately 30 metres between property boundaries of the subject site and future residential land. The proposed use is to be located approximately 80 metres south of the property boundary with Wandong Road providing an approximate separation of 110 metres to the future residential area.

The granting of a planning permit for the permanent use of the site in the nature proposed has the potential to prejudice the future residential use of the land to the north. This is at odds with Council's identified strategic intent for the expansion of Kilmore. Therefore officers recommendation will be for a time limited ten year permit to be issued at which time a further assessment will be required to ensure the use does not negatively impact upon residential growth to the north of the subject site.

CONCLUSION

The proposal is seeking retrospective approval for a transfer station facility on land with address 100 Wandong Road, Kilmore. The main purpose of the proposed use is to collect and sort materials before they are transferred for disposal or recycling elsewhere. The use will bring in different construction site materials to be sorted, and then taken away to material reuse companies for re-purposing. The materials collected will include metals, timber, bricks and concrete.

The proposal is consistent with relevant State and Local Planning Policies relevant to the location of a light industry use considering its location being on the outskirts of the Kilmore Township in light of the current context of the site. This does not necessarily accord with the future vision for the area to the north as a residential expansion area for Kilmore. Therefore a time limit will be included in any permit issued to enable a future review of the appropriateness of the use.

The facility would be screened from properties in the surrounding area with its environment and amenity concerns being maintained by the endorsement of the amended Environmental Land Management Plan and inclusion of the conditions of the permit. Further to this point, as this is a retrospective application, it is deemed that the proposal shall result in improved operation of the site and ongoing use and a return of the majority of the site to productive agricultural uses subject to the inclusion of a time limit to enable a future review.

Given the above, it is recommended that a ten year planning permit be issued for the proposed transfer station facility.

RECOMMENDATION

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Grant a Planning Permit in respect of Application No. PLP199/16 for the 'temporary use and development of part of the land for a transfer station and associated earthworks, works within and alteration of access to a road zone category 1 and reduction of car parking for a period of 10 years' at Land in Plan of Consolidation 353108X Volume 10063 Folio 898, known as 100 Wandong Road, Kilmore, subject to the following conditions:

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Amended Plans

1. Within three months from the date of this permit amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans but further modified to show:
 - a. Amended Environmental Land Management Plan showing the following:
 - i.) Any reference to Materials Recycling Facility removed and exchanged with Transfer Station.
 - ii.) Remove any reference to Tyres or any other waste types that are prohibited as per the condition of the permit from within the Waste Management Plan Section of the report.
 - iii.) Additional information within the Risks and controls section of the report which outlines processes and procedures: to ensure prohibited wastes do not enter the facility and to ensure their removal from the facility if entered in error.
 - b. Amended site layout plans to remove the 'Proposed Skip Storage' area from just inside the access gate to a more appropriate location closer to the 'Loading / Unloading' area on the proposed plans with appropriate screening treatment.
 - c. Any amendments required to the plans to demonstrate compliance of the facility with the EPA's *Management and Storage of Combustible Recyclable and Waste Materials – Guidelines (Publication 1667, August 2017)*.
 - d. Landscape plans in accordance with Condition 12 of this permit.
 - e. Amended Site Plan including details of the area of land required for the future road upgrades and widening of Wandong Road.
 - f. The 10m wide planted buffer to Wandong Road to be widened to take account of land required for the future road upgrades and widening of Wandong Road to ensure a 10m wide buffer will be provided into the future.

General

2. The layout of the use and development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
3. Materials must not be stored outside of the area indicated for the permitted use on the endorsed plans.
4. An annual report must be provided to Council on the anniversary date of the permit demonstrating compliance with the conditions of this permit to the satisfaction of the Responsible Authority unless otherwise agreed in writing.
 - a. Transport of materials, goods or materials to or from the land;
 - b. Appearance of any buildings, works or materials;

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- c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- d. The presence of vermin.

To the satisfaction of the Responsible Authority.

- 5. The use must only operate between the hours of 8:00am and 6:00pm, Monday to Saturday, unless otherwise agreed in writing by the Responsible Authority.
- 6. 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.
- 7. The transfer station use must not include the storage of any liquids, litter, household garbage waste, any asbestos materials, tyres, batteries and any electronic waste.
- 8. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 9. Any 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.
- 10. Any materials inadvertently collected (including hazardous materials) must be stored appropriately and removed from the site within 7 days to the satisfaction of the Responsible Authority.
- 11. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 12. Any 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.
- 13. Hazardous or noxious materials or liquid waste must not be stored or processed on the site to the satisfaction of the Responsible Authority.
- 14. The design and operation of the premises should be in accordance with the EPA's *Management and Storage of Combustible Recyclable and Waste Materials – Guidelines (Publication 1667, August 2017)* to the satisfaction of the Responsible Authority.

Landscaping Requirements

- 15. A detailed landscape 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 will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must be submitted within 3 months of the issue date of this permit and show the following details within the prescribed revegetation area:
 - a) the locations of all landscaping works to be provided.

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- b) the locations of any trees to be retained or removed from the land (including details of species and size).
 - c) a detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - d) details of the irrigation system or watering methods to be used on land following completion of the landscaping works.
 - e) A minimum of three rows of plantings with the use of plants chosen being found native to the area or catchment management authority area.
16. Within six months from the issue date of this permit, the Shrubs and trees must be planted within the revegetation area as shown on the endorsed landscape plans to the satisfaction of the Responsible Authority.
17. All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority.

Engineering Requirements

18. Upgrade Quinns Road in accordance with SD615 Rural Access – Group A Councils with a minimum 4 metre gravel carriageway and 1.5 metre constructed shoulders either side. The wearing course makeup is minimum 100mm thick consisting of 50% unscreened granitic sand and 50% 40mm scalps (road), 20mm scalps (shoulder).

The treatment at the intersection of Quinns Road and Wandong Road Kilmore will need to be in accordance with condition 25 and VicRoads Standards.

19. Before any works start, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and include:
- a. All necessary computations and supporting documentation for any structure, traffic data, road safety audit and geotechnical report;
 - b. Design for full construction of streets, including measures to control/capture pollutants and silt;
 - c. Provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan;
 - d. All road reserve and pavement widths to be in accordance with relevant Mitchell Shire Council Standards;
 - e. All intersection treatments to allow Council's waste collection vehicles to manoeuvre in a forward direction without the need for reversing;
 - f. Verge widths around all bends and intersections must not be less than 3 metres in width;
 - g. Vehicles crossings must be provided to each lot in accordance with Mitchell Shire Council Standards;

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- h. Provision of street name plates to the Mitchell Shire Council Standard, including a schedule of individual signs and associated street numbers;
- i. Permanent survey marks;
- j. 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.

All works shown on the approved construction plans must be constructed or carried out in accordance with the plans and to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

- 20. The discharge of water from the site 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.
- 21. Before any works start, a Construction Management Plan must be submitted to, and be to the satisfaction of, the Responsible Authority. The Construction Management Plan must include details of:
 - a. Working hours;
 - b. Haulage routes to the land and any necessary traffic management;
 - c. Methods to contain dust, dirt and mud within the subject land, and the method and frequency of clean up procedures;
 - d. Sediment control;
 - e. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced with construction activity;
 - f. Methods to ensure the recommendations of any approved Cultural Heritage Management Plan applying to the land are carried out;
 - g. Details of any required Tree Protection Zones;
 - h. Methods to ensure that all machinery brought onto the land is weed and pathogen free;
 - i. Methods to ensure that all machinery wash down, lay down and personnel rest areas are clearly fenced and located in disturbed areas wherever possible;
 - j. Methods to ensure that contractors working on the land are aware of the requirements of the Construction Management Plan and any other obligations of the planning permit;
 - k. Provision of best practice erosion and sediment control techniques to protect any native flora and fauna;

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- i. Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the use.

All works must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

22. All works must be undertaken in a manner that minimised soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.
23. Prior to the commencement of works, the following must be submitted to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority:
 - a. A complete set of “as constructed plans” of site works in digital file format both PDF and AutoCAD. The AutoCAD digital files must have a layer naming convention to enable identification of Council assets listed;
 - b. Asset information in digital format to include asset data in accordance with the “A-Spec” Standard, including “R-Spec” for road and footpath data, “D-Spec” for drainage infrastructure;
 - c. Any relevant infrastructure manuals, specifications or maintenance requirements for assets to be handed over;
 - d. A refundable maintenance bond of 5 per cent of the total cost of all infrastructure to be handed over to Council is to be held by Council for a minimum of twelve (12) months in accordance with Section 17(4) of the *Subdivision Act 1988*.

Car parking

24. Within 3 months of the issue of this permit the areas set aside for the parking of vehicles and access as shown on the endorsed plans must be:
 - a. Fully constructed;
 - b. Properly formed to such levels that may be used in accordance with the plans;
 - c. Surfaced with an all-weather surface or seal coat (as appropriate);
 - d. Drained and maintained in a continuously usable condition;
 - e. Line marked to indicated each car space, loading bay and/or access lane; and
 - f. Clearly marked to show the direction of traffic along access lanes and driveway.

All to the satisfaction of the Responsible Authority.

25. Car spaces, access lanes and driveways must be kept available for these purposes at all time and maintained to the satisfaction of the Responsible Authority.
26. No fewer than 5 car parking spaces are to be provided on the land to the satisfaction of the Responsible Authority.

Waste Management

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27. When containers (skip bins) are full, they must be sent off-site within 5 business days.

VicRoads

28. Prior to the development hereby approved by this permit commences use:

- a. A functional layout plan must be submitted and approved by the Roads Corporation.

The plans must be drawn to scaled, dimensioned and annotated to show (but not restricted to show):

- i. The sealing of the bell-mouth of the southern approach of Quinns Road to the Epping-Kilmore Road;
 - ii. The removal of any vegetation to achieve Safe Intersection Sight Distance;
 - iii. The swept path analysis of the following turn movements:
 1. A 19 metre single articulated truck turning right from the Epping-Kilmore Road into Quinns Road whilst simultaneously a 19 metre single articulated truck turns left from Quinns Road onto the Epping-Kilmore Road; and
 2. A 19 metre single articulated truck turns left from the Epping-Kilmore Road into Quinns Road without crossing onto any opposing lanes.
 - iv. All existing accesses and crossovers on both sides of the arterial and local roads located within the works area.
 - v. All existing road infrastructure, line marking etc.
- b. A Road Safety Audit must be undertaken 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 Roads Corporations' satisfaction.

- c. All Epping-Kilmore Road and Quinns Road intersection works must be carried out to the satisfaction of and at no cost to the Roads Corporation.

29. Should the functional layout of the intersection of the Epping-Kilmore Road and Quinns Road require an amendment to the arterial and local road reserve boundaries, the following amendments to the plans submitted with the application must be made prior to a plan of subdivision being submitted to the Responsible Authority for certification under the Subdivision Act 1988:

- a. Any land set aside as Road must be labelled "ROAD" on the plan of subdivision.
- b. All land to be vested as road or reserve, for which the:

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- i. Roads Corporation is to be responsible, must be vested in the name of the ROADS CORPORATION (not VicRoads); or
- ii. Council is responsible, must be vested in Council.

Environmental Protection Authority (EPA)

30. The design and operation of the premises should be in accordance with Sustainability Victoria's Guide to Best Practice at Resource Recovery Centres (September 2009).
31. Offensive odours must not be discharged beyond the boundaries to the premises.
32. Nuisance dust must not be discharged beyond the boundaries of the premises.
33. The stockpile of material must be maintained so that no dust is emitted from the stockpiles beyond the boundary of the premises.
34. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
35. No composting or mulching to occur on site.
36. The applicant must ensure that litter is not deposited beyond the boundary of the premises.

Goulburn Broken Catchment Management Authority (GBCMA)

37. All new works and operations must be carried out a minimum distance of 30 metres from the designated waterway.

Permit Expiry

38. This permit will expire 10 years from the date of the issue of this permit at which time, the use approved under this permit must cease immediately.
39. All materials associated with the use must be removed from the site and the land remediated within 6 months of the expiry of this permit unless further consent is provided by the Responsible Authority.

PERMIT NOTES:

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.

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.

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Statutory Planning Unit

In relation to the works within the Wandong Road road reserve, please contact VicRoads to obtain the relevant further approvals.

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:

- i. Bell mouth sealing works; and*
- ii. Any other works in 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:

<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve> or by or telephoning (03) 5434 5089.