

KNOX PLANNING SCHEME

**State Basketball Centre,
Knox Regional Sports Park, Wantirna
South, Incorporated Document**

June 2021

This document is an incorporated document in the Knox Planning Scheme pursuant to Section 6(2)(j) of the Planning and Environment Act 1987

1. INTRODUCTION

This document is an Incorporated Document at Clause 45.12 and Clause 72.04 in the Knox Planning Scheme (the planning scheme), pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.

This incorporated document facilitates the use and development of the expansion of the State Basketball Centre (the project).

The controls in this document prevail over any contrary or inconsistent provision in the planning scheme.

2. PURPOSE

The purpose of control in this document is to facilitate the use and development of land described in Clause 3 of this document for the purpose of the project in accordance with the requirements specified in Clause 4.

3. LAND

The control in Clause 4 applies to the land shown as SCO3 on the planning scheme maps forming part of the planning scheme.

4. CONTROLS

4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning scheme, no planning permit is required for, and no planning provision in the planning scheme operate to prohibit, restrict or regulate the ongoing use and development of the land identified in Clause 3 of this incorporated document for the purposes of the project.

The project includes, but is not limited to, the following use and development in accordance with the approved plans:

- a) Use of land for a major sports and recreation facility.
- b) Use of land for a minor sports and recreation facility.
- c) Use of land for office (associated with the public land use).
- d) Use of land for food and drink premises.
- e) Demolition.
- f) Buildings and works.
- g) Landscaping works.
- h) Removal, destruction and lopping of native vegetation.
- i) Road works, including altering access to a road in a Road Zone, Category 1.
- j) Ancillary activities including but not limited to the development and display of signs.

The buildings and works related to the project include:

- a) A new building to accommodate:
 - 12 new indoor basketball courts.
 - A new indoor gymnastics facility.
 - New high-performance strength and conditioning gym and recovery facilities.
 - New office space to provide an expanded sports administration hub.
 - New pedestrian entrance and circulation areas.
 - New food and drink premises (café).

- New associated amenities, infrastructure, and facilities.
- b) Additional car parking and access arrangements and alterations to existing car parking and access arrangements.
- c) Upgrade of the High Street Road and George Street intersection.

This control is subject to the conditions in Clause 4.2 of this document.

4.2 CONDITIONS

The use and development permitted by this document must be undertaken in accordance with the following conditions:

Plans

- 4.2.1 Prior to the commencement of development, excluding demolition, bulk excavation and site preparation, plans must be prepared to the satisfaction of the Minister for Planning. The plans must be fully dimensioned, drawn to scale, and along with the Urban Context Report, will show the following:
- a) Site plans of the proposal showing the boundaries of the land affected by the amendment (amendment site), adjoining roads and vehicle access points, the location of proposed buildings and works, the location of any landscaping, vehicle parking areas and bicycle facilities;
 - b) Floor plans showing internal layout of the proposed development including dimensions and floor areas of main uses;
 - c) Elevations and sections, indicating location, height, dimensions, design and use of all buildings and works, and associated setbacks, canopies, external projections and architectural features;
 - d) All external materials, finishes and surfaces;
 - e) The location of plant and equipment;
 - f) Extent of demolition (if any); and
 - g) Signage zones, including description of dimensions and proposed illumination for any signs that would require a permit if not for the exemption in Control 4.1 of this incorporated document.
- 4.2.2 The plans required by Clause 4.2.1 must be generally in accordance with Architectural Plans prepared by Cox Architecture titled *State Basketball Centre Town Planning 291 George St, Wantirna South VIC 319053.00*, dated 14 May 2021, and consistent with the Urban Context Report prepared by COX Architecture titled *State Basketball Centre, Urban Context Report, Revision A, 14 May 2021*.

Landscape Plan

- 4.2.3 Landscaping must be generally in accordance with the *State Basketball Centre Landscape Concept Design Report, Revision 02, 8 June 2021*, prepared by Tract Consultants.

Construction Environmental Management Plan (CEMP)

- 4.2.4 Prior to the commencement of any buildings and/or works including demolition, a Construction Environmental Management Plan (CEMP) specifying the measures proposed to ensure that construction activity has minimal impact on surrounding environs, must be prepared to the satisfaction of Knox City Council. The CEMP must address the key environmental management issues, including:
- a) Project Management.
 - b) Environmental awareness and training.

- c) Noise and vibration.
- d) Traffic management, including site access, public access and linkages around the site during construction.
- e) Surface water, sediment run-off and drainage.
- f) Soil and earth works.
- g) Hazardous materials.
- h) Landfill gas migration.
- i) Collection and disposal of building and construction waste.
- j) Dust, including soiling of roadways.
- k) Hours of construction.
- l) Vegetation and wildlife protection, including no-go and tree protection zones.

4.2.5 All building and/or works must be constructed or carried out in accordance with the CEMP.

Waste Management Plan (WMP)

4.2.6 Waste management and collection must be generally in accordance with the State Basketball Centre Operational Waste Management Plan, May 2021, Rev. A, 15 May 2021, prepared by WSP.

Environmentally Sustainable Development (ESD)

4.2.7 The use and development of the project must meet the performance outcomes contained in and be undertaken generally in accordance with the *Development Victoria State Basketball Centre Sustainability Plan, February 2021, Rev. B, 10 May 2021* prepared by WSP.

Stormwater Management in Urban Development

4.2.8 Stormwater management and water sensitive urban design must be generally in accordance with the *Development Victoria State Basketball Centre Stormwater Management Plan, ARP-SBC-REP-CIV-003 [A] SWMP, 13 May 2021*, prepared by Arup.

Traffic Management and Road Works

4.2.9 Any alteration or development of public transport infrastructure or stops must be undertaken to the satisfaction of the Head, Transport for Victoria.

4.2.10 The creation or alteration of access to a road in a Road Zone must be undertaken to the satisfaction of the Head, Transport for Victoria.

Landfill Gas Mitigation

4.2.11 The project's landfill gas mitigation measures must be in accordance with the measures identified in the *Updated Landfill Gas Assessment, State Basketball Centre, 19 March 2021*, prepared by Senversa Pty Ltd.

4.2.12 Prior to the instillation of any landfill gas mitigation measure, detailed designs including a design report, construction drawings, technical specification and construction quality assurance plan must be prepared. The design report should include the following:

- a) Construction and building related details
- b) Construction materials performance specifications and justification

- c) Recommended validation approach in accordance with 'Good practice on the testing and verification of protective systems for buildings against hazardous ground gases' (CIRIA 735).

An Environmental Auditor, accredited by the EPA, must independently verify the detailed design of landfill gas mitigation measures and prepare a report documented that verifies the process.

- 4.2.13 Landfill gas mitigation measures must be constructed by appropriately qualified and experienced personnel in accordance with the detailed designs verified in accordance with Clause 4.2.12 of this incorporated document.
- 4.2.14 An Environmental Auditor, accredited by the EPA, must independently verify the construction of landfill gas mitigation measures when completed in accordance with the detailed design documents and prepare a report documenting that verification of the construction process. Independent verification of the construction process should include the following:
 - a) Review of manufacturers quality assurance testing results on materials used
 - b) Review of independent quality assurance testing results
 - c) Periodic site inspections of the construction works by the Environmental Auditor
- 4.2.15 Prior to commissioning of the buildings to which the landfill gas mitigation measures apply, a site-specific long term Environmental Management Plan must be prepared to ensure the land fill gas mitigation system is protected and maintained to ensure the risk from landfill gas to human health and / or the building are managed.

Operations Management Plan

- 4.2.16 Prior to the commencement of use, an Operational Management Plan must be approved by Knox City Council. The Operational Management Plan must outline the operational issues and management approaches for facilities usage including:
 - a) Car parking and traffic management
 - b) Public surveillance and safety, including in outdoor areas and car parks and lighting in car park areas
 - c) Emergency management
 - d) Event management and standard requirements for events and the provision of event specific management plans

External Lighting

- 4.2.17 Any external lighting must be baffled and/or located to the satisfaction of the Responsible Authority to prevent light from causing detriment to the surrounding environs.

Signage

- 4.2.18 The construction or display of an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004*, must be done to the satisfaction of the Head, Transport for Victoria.

Environmental Significance Overlay

- 4.2.19 Prior to the commencement of a use or development within the Environmental Significance Overlay that would require a permit but for the exemption in Control 4.1 of this incorporated document, a report must be prepared inclusive of consultation with Knox City Council and submitted to the satisfaction of the Minister for Planning. The report must include:
- a) Site plans (drawn to scale and dimensioned) showing existing and proposed building and works.
 - b) Information about and location of existing native vegetation and any native vegetation to be removed, destroyed, or lopped.
 - c) The location of all watercourses, water bodies, hydrology or other features of environmental significance.
 - d) An assessment of the potential impacts of the proposed use or development and how it responds to purpose, statement of environmental significance and environmental objectives of the overlay.
 - e) Information on any measures adopted to avoid and minimise potential impacts.

Native Vegetation

- 4.2.20 Before the removal, destruction or lopping of native vegetation:
- a) Information about that native vegetation in accordance with the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning (DELWP), December 2017) (Guidelines) must be provided to the satisfaction of the Secretary to DELWP (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
 - b) The biodiversity impacts from the native vegetation must be offset in accordance with the Guidelines.
 - c) Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to DELWP (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
- 4.2.21 The requirements of this clause may be satisfied in separate components or stages of the development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

General Conditions

- 4.2.22 The use and development of the land in the project area must be undertaken generally in accordance with the approved plans and documents.
- 4.2.23 The use and development as undertaken generally in accordance with and shown on the approved plans must not be altered without the written consent of the Minister for Planning or other relevant approving authority.
- 4.2.24 The requirements of the conditions in Clause 4.2 of this incorporated document may be satisfied in separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.
- 4.2.25 All buildings and works must be maintained in good order and appearance to the satisfaction of the Knox City Council.

5. EXPIRY

- 5.2 The control in this incorporated document expires if any of the following circumstances apply:
- a) The development allowed by the control is not started by 30 June 2024.
 - b) The development allowed by the control is not completed by 30 June 2027.
- 5.3 The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

END OF DOCUMENT