

KNOX PLANNING SCHEME

Incorporated Document

Woolworths Oxygen, Knoxfield, February 2011

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

INTRODUCTION:

This document is an incorporated document in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 of the Knox Planning Scheme (the Scheme). Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme, the land identified in this incorporated document may be used and developed in accordance with the specific controls contained in this document. In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

ADDRESS OF THE LAND:

1464 Ferntree Gully Road, Knoxfield.

APPLICATION OF PLANNING SCHEME PROVISIONS:

The following provisions (both Clauses and Schedules) of the Scheme do not apply to the land identified in this incorporated document:

- Clause 44.04 - Land Subject To Inundation Overlay
- Clause 52.06 - Car Parking
- Clause 52.07 - Loading and Unloading of Vehicles
- Clause 52.29 - Land Adjacent To A Road Zone, Category 1, Or A Public Acquisition Overlay For A Category 1 Road

THIS DOCUMENT ALLOWS:

Despite any provisions of the Knox Planning Scheme, no permit is required for use and development of the land known as '*1464 Ferntree Gully Road, Knoxfield*', for the purpose of restricted retail, trade supplies and landscape gardening supplies, generally in accordance with following 'Incorporated Plans' and including any amendment of the plans as required under the conditions of this Incorporated Document. Once approved, these plans will be the endorsed plans, and may be amended from time to time by the responsible authority.

Drawing Number	Drawing Title
TP00 - Issue B	Locality Plan & Concept Perspective
TP01 - Issue A	Existing Conditions Demo Plan
TP02 - Issue B	Overall Site Plan
TP03 - Issue B	Site Plan
TP04 - Issue B	Floor Plans
TP05 - Issue B	Roof Plan
TP06 - Issue B	Elevations
TP07 - Issue B	Elevations
TP08 - Issue B	Sections

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

1. Prior to the commencement of development, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, piling, footings, ground beams and ground slab, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and form part of this Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Incorporated Plans but modified to show:
 - a. Two (2) shower facilities;
 - b. Appropriate bicycle storage and lockers to meet the requirements of clause 54.34;
 - c. Removal of the pedestrian walkway within the car park which previously provided access to the adjacent site and replacement of it with additional landscaping to the satisfaction of the Responsible Authority;
 - d. Changes to the entry and car parking areas in accordance with Conditions 16-22 and 24-25;
 - e. A schedule of materials and finishes in accordance with Condition 3.
2. The use and development must be carried out generally in accordance with the endorsed plans that may be approved from time to time by the Responsible Authority.

Materials and Finishes

3. Before the development commences a schedule and sample panel of all external materials and finishes showing materials, colours and finishes, roof and glazing treatment be submitted to the satisfaction and approval of the Responsible Authority.

Landscape Plan

4. Before the development commences a landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to and approved to the satisfaction of the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. When approved, the plan will be endorsed and will then form part of this Incorporated Document. The landscape plan must be generally in accordance with the landscape plan prepared by Leffler Simes Architects Drawing Number LA-01 submitted with the application, but amended to show:
 - a. An avenue of Black Sheoaks along the eastern boundary to provide screening from the neighbouring warehouse along this boundary;
 - b. The wide garden beds along the eastern side of the car park planted with a row of larger native canopy trees using species such as the Yellow Box and Smooth-barked Apple and shrubs and groundcovers of Banksia, Callistemon 'Little John', Correa reflexa, Correa 'Dusky Bell', Lomandra confertifolia and Dianella caerulea.;
 - c. The trees located in the car parking area amended to show native Red Box and Yellow Gum and Lightwood;
 - d. The diamond shaped tree pits located between car spaces amended to be 2m X 4m;
 - e. The retention of trees in the Roadside Reserve to include Tree 42, 44, 101, 109, 112, 114 and 129; and
 - f. Further plantings in the south east section of the Road Reserve with species such as Silver Leaf Stringybark, Messmate and Narrow Leaf Peppermint;
5. The landscaping shown on the endorsed plan must be maintained to the satisfaction of the Responsible Authority and used for no other purpose, including that any dead, diseased or damaged plants are to be replaced.

6. Before the use commences, the landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority.

Construction Management

7. Before the development commences, a Construction Management Plan must be submitted to and approved to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of this Incorporated Document. The Construction Management Plan must include the following:
 - a. Measures to minimise and control noise, sediment, and dust and litter escaping from construction works;
 - b. Measures to minimise the impact of construction vehicles arriving and departing from the land;
 - c. The management of waste collection and soil removal from the construction site;
 - d. Access routes for construction vehicles;
 - e. Onsite water management;
 - f. Sediment and erosion management;
 - g. Stockpiling of topsoil;
 - h. Vehicle Refuelling and maintenance;
 - i. Rehabilitation of exposed areas; and
 - j. Temporary infrastructure placement.

Waste Management

8. 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 set aside for storage and disposal of waste;
 - b. Details of 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;
9. Goods or packaged materials must not be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
10. The waste compactor at the rear of the building must not obstruct access to service vehicles from the rear of the property and must remain in the designated area;

Drainage Management

11. Before development commences a Drainage Management Plan must be prepared and submitted to the relevant Water Authority and the Responsible Authority. Once to the satisfaction of the Responsible Authority and the Water Authority, the Drainage Management Plan will be endorsed under this Incorporated Document. The Drainage Management Plan should include (as relevant):
 - a. Onsite detention systems to reduce the supply of stormwater entering the drains; and
 - b. Appropriate filtration systems to increase water quality.
12. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the prior written consent of the Responsible Authority.

Car parking and Loading

13. Before the use commences, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed;
 - b. Properly formed to such levels that they can be used in accordance with the plans;
 - c. Surfaced with an all-weather sealcoat;
 - d. Drained and maintained;
 - e. Line marked to indicate each car space and all access lanes; and
 - f. Properly lit,
14. Car parking spaces for the sole use of vehicles suitably identified as those of disabled persons must be provided to the satisfaction of the Responsible Authority.
15. The loading and unloading of goods from vehicles must only be carried out on the land and only between the hours of 6am and 10pm, 7 days a week.
16. Accessible parking spaces (as defined in AS 2890.6:2009) should be located as close as possible to the building entrances, line marked and signed in accordance with the Standard.
17. A 1.4m wide path from the accessible bays to the entrances to the buildings must be provided.
18. Ramps adjacent to the accessible parking bays are required to allow wheelchairs access to the footpath and the main entrance.
19. Car spaces along the southern boundary should be increased to 5.4m in length.
20. All structures in the car parking area should be less than 0.9 m in accordance with AS 2890.1 Clause 3.2.4.
21. Speed humps should be installed along those access ways in the car park greater than 100m in accordance with Clause 2.2.3 of AS2890.1.
22. Before the development is occupied, driveways and carparking areas must be fully constructed in accordance with plans submitted to and approved by the Responsible Authority. All driveway and carparking areas as shown on the endorsed plan must be fully constructed to the minimum standard of 100mm depth of reinforced concrete and properly formed to such levels that they can be used in accordance with the plans. Construction using any alternative hard standing sealed surface is subject to detailed plans to be submitted to and approved by the Responsible Authority.
23. Once constructed, parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.

VicRoads

24. Prior to the commencement of the permitted development, a revised traffic analysis must be undertaken that takes into account the range of scenarios including, but not limited to the following:
 - a. A base model analysis using VicRoads agreed setup and undertaken to the satisfaction of VicRoads:
 - b. A base model (year 2021 condition) analysis including:
 - i. All elements included under condition 24 (a) of this Incorporated Document; and
 - ii. Annual 1% traffic growth on Ferntree Gully Road as a minimum, for a 10 year period between 2011 and 2021
 - c. A superimposed post development model (existing and year 2021 condition) analysis, using post development traffic volumes for traffic analysis model as required under condition 24 (a) and 24 (b) of this Incorporated Document

25. Based on the result of the analysis required under Condition 24 of this Incorporated Document, the developer must submit concept plans to VicRoads and the Responsible Authority for approval, containing the extent and details of proposed traffic mitigation package of works for the intersection and related works, to allow for remedial works that needs to be undertaken to operate the intersection efficiently and safely for the next 10 years.
26. Subsequent to the approval of the concept plans and prior to the commencement of works, detailed functional layouts must be submitted to VicRoads and the Responsible Authority for approval. The layouts must include, but not be limited to the following:
 - a. Any traffic mitigation package of works as agreed for the intersection and related works as required under Condition 25 of this Incorporated Document; and
 - b. Any other works associated with the upgrade of the intersection to ensure an efficient and safe operation for the next 10 years.
27. Once approved by VicRoads, the plans are to be endorsed and form part of this Incorporated Document and must not be altered without the approval of VicRoads.
28. Prior to the commencement of works, public lighting & traffic signal layouts consistent with the approved detailed functional layouts must be submitted to VicRoads for approval.
29. Subsequent to the approval of the detailed functional layout, public lighting layout & traffic signal layout, a detailed engineering layout of the roadworks in conjunction with a Detailed Design Stage (including traffic signal and public layouts) and Post-Opening Stage Road Safety Audits (RSA) must be submitted to VicRoads for approval. The RSA must be undertaken by an independent VicRoads pre-qualified consultant and in accordance with Austroads Road Safety Audit Guidelines (2009). Any identified issues must be addressed to VicRoads' satisfaction.
30. Where the road works, including footpath and nature strip, lie within private property, a widening of the road reserve will be required, at a cost borne by the holder of this Incorporated Document and no cost to VicRoads. The developer must engage a licensed surveyor to prepare a Plan of Subdivision showing the affected land labelled "ROAD", which is to vest the Roads Corporation without any encumbrances. Subsequent to the registration of the plan, the holder this Incorporated Document shall ensure that the original Certificates of Title that issue in the name of the Roads Corporation shall be forwarded via registered post to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101
31. Prior to the occupation or use of the new development, all the requirements of the VicRoads conditions and completion of all works detailed on the endorsed plans must be arranged by the developer and completed to the satisfaction of, and at no cost to, VicRoads, including service relocations, drainage works, traffic signals, pavement markings, public lighting and surveillance, and other costs that may arise as a result of the proposed development.

Noise, Lighting and Amenity

32. Noise emitted from the premises must not exceed limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
33. All external lighting must be appropriately baffled to the satisfaction of the Responsible Authority.
34. All external building elevations, fixtures and works must be maintained in good condition at all times in accordance with the schedule of finishes shown on the endorsed plans to the satisfaction of the Responsible Authority.

35. The amenity of the surrounding area must not unreasonably adversely affected by the use or development, including through the:
- a. Appearance of building, works or materials on the land;
 - b. Transporting of materials or goods to or from the site;
 - c. Hours of operation;
 - d. Stockpiling of top soil or fill materials;
 - e. Air borne dust emanating from the site;
 - f. Noise, including from any external speakers;
 - g. Rubbish and litter; and
 - h. Sediment runoff.

Services

36. All reticulated services must be provided to the satisfaction of the relevant servicing authorities.
37. The holder of this Incorporated Document must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
38. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

Environmentally sustainable development plan

39. Before the development authorised by this Incorporated Document commences, an Environmentally Sustainable Development Management Plan ("the ESD Plan") prepared by a suitably qualified person must be submitted to the Responsible Authority for approval. Once approved, the plan shall be endorsed and form part of this Incorporated Document. The ESD Plan must address the following:
- a. Incorporation of energy efficient lighting, heating hot water and appliances;
 - b. Energy management and use; and
 - c. Water conservation and re-use.

Expiry

40. Notwithstanding other provisions of these conditions, the development permitted by this Incorporated Document will expire if any of the following circumstances applies:
- a. The development is not started within two (2) years of the date of the gazettal of the approved amendment;
 - b. The development is not completed within six (6) years of the date of the gazettal of the approved amendment.

The Responsible Authority may extend the periods referred to if a request is made in writing before these controls expire or within three months afterwards.

END OF DOCUMENT