

23/08/2007
C68**SCHEDULE 1 TO THE INCORPORATED PLAN OVERLAY**Shown on the planning scheme map as **IPO1****FOUNTAIN GATE-NARRE WARREN CBD INCORPORATED PLAN****1.0**23/08/2007
C68**Requirement before a permit is granted**

A permit must not be granted to use land for the purpose of 'retail premises' in the Business Park and Living Precinct, as designated in the incorporated plan at Clause 81, until a development plan has been prepared for the Eastern Town Centre within the precinct, to the satisfaction of the responsible authority.

A permit granted must be generally in accordance with the development plan.

Permits that provide for the construction of additional buildings within the Town Centre must be consistent with a staging plan forming part of the development plan. A stage must be commenced before a permit for a subsequent stage is granted.

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C68**Requirements for development plan**

The development plan must include:

- A statement that demonstrates that the development plan is generally in accordance with the incorporated plan at Clause 81, specifically addressing the:
 - Precinct Guidelines;
 - Activity Guidelines;
 - Transport Guidelines;
 - Open Space & Pedestrian Network;
 - Streetscape Guidelines; and,
 - Urban Design Guidelines.
- A physical framework plan, at a scale of 1:1000, that identifies the main elements of the development plan and shows:
 - the relationship between activities, including the type and location of major and minor tenancies (e.g. office, specialty shops, food court);
 - the location of the internal and external pedestrian system and public spaces, including the purpose of each space (e.g. play, social/family recreation, sport, visual amenity etc.) and the setting (e.g. paved area, open parkland etc.);
 - the location of active street frontage areas (an 'active street frontage' is defined as a frontage that provides access, egress and views to and from internal active areas so as to enhance the public realm and provide a sense of comfort and safety);
 - the road network and car parking system, including the cross-section of all roads;
 - a landscaping concept for the public realm that is consistent with the principles contained in the incorporated plan at Clause 81;
 - the location of public transport infrastructure and the identification of bus routes, both existing and proposed;
 - the general built form and massing; and,

- an indication of how the activity system, pedestrian network, transport guidelines, open space network and urban design elements relate to adjacent areas outside the land covered by the development plan.
- A staging plan that shows the sequence of major development. This plan will be used to guide the distribution of floorspace for 'retail premises' relative to 'office' within the precinct.
- An identification of existing and proposed floorspace, including floorspace used or proposed to be used for the purpose of 'shop'.
- The development plan may be amended at the request of, or with the consent of, the owner of the land, to the satisfaction of the responsible authority.

Prior to approval or amendment (other than a minor amendment), the development plan must be displayed for at least 14 days, but no longer than 28 days. The responsible authority must take account of any public comments received in response to display of the development plan.

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Application requirements

All applications for the use and development of land must be accompanied by the following information, to the satisfaction of the responsible authority:

Development report

- A report that demonstrates that the proposal is generally in accordance with the incorporated plan at Clause 81, specifically addressing the:
 - relevant Precinct Guidelines;
 - Activity Guidelines;
 - Transport Guidelines;
 - Open Space & Pedestrian Network;
 - Streetscape Guidelines; and,
 - Urban Design Guidelines.

Buildings and works

- Details of the location, height, dimensions, elevations, floor area and setbacks of all buildings and works.
- Details of the external finishes and design of all buildings and works, including the colours and details of materials to be used for external walls.
- The proposed uses within all buildings.
- The layout and treatment of all vehicle and pedestrian routes and access points to and from the land.
- The location and layout of all car parking areas, including proposed disabled spaces and bicycle parking areas.
- The location of public transport facilities, access to them and passenger facilities.
- Details of site drainage, including the nature and location of litter retention systems and measures and trapping devices, and identification of the flows within the site estimated to occur as a result of a 1-in-100-year storm event.

- Provision for loading and unloading facilities of vehicles and means of access to them.
- Details of the location of waste collection, storage and removal facilities and areas.
- The stages, if any, in which the land is to be developed.
- Measures to facilitate accessibility to and within the site for the elderly and disabled.
- Measures for attenuating potential noise impacts on neighbouring areas, in particular any abutting residential areas.

Traffic plan

- A traffic plan that shows:
 - traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed;
 - the means of vehicular ingress and egress to Princes Highway and/or Narre Warren North Road, where required by the use or development;
 - the means of internal circulation, including details of any internal access roads;
 - the timing of proposed traffic works relative to the staging of the development; and,
 - public transport arrangements and access routes.

Public transport plan

- For proposals greater than 5,000 square metres of gross floor area, a public transport plan that demonstrates how the proposal seeks to enhance the opportunities for increased public transport usage, addressing:
 - any modifications or additions to infrastructure required for service provision;
 - pedestrian accessibility, including weather protection and safety measures; and,
 - commuter information.

Landscape plan

- A landscape plan that shows, in relation to the proposed development:
 - the provision of appropriate landscape buffers, including fencing where the land directly abuts a residential area;
 - traffic management and control works in adjoining and nearby roads to be completed by the time the development or any stage of the development is completed;
 - where relevant, the landscape treatment of the Princes Highway and/or Narre Warren North Road frontages of the land;
 - the treatment of car parking areas, including any rooftop and decked parking areas;
 - the provision of any outdoor areas for use by staff and customers;
 - all other proposed landscaping on the land;
 - any landscaping proposed for streets, road reserves and public areas;
 - a staging strategy for the implementation of landscape works, including a detailed planting schedule and an ongoing management strategy.

- The landscape plan must take into account the effects of shadowing on neighbouring areas.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

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Permit conditions

Any permit to construct a building or construct or carry out works must include the following conditions:

- A management plan must be prepared to the satisfaction of the responsible authority that provides for:
 - the proposed hours of construction of buildings and works;
 - measures to minimise and control noise from construction works;
 - measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - measures to minimise the off-site effect of external lighting;
 - measures to minimise the creation of conditions liable to be a nuisance;
 - measures to minimise the impact upon local amenity of operations such as waste collection, vehicle loading and unloading times, management and maintenance of car parking areas, and collection and control of shopping trolleys (where relevant);
 - the management and maintenance of existing landscaped areas;
 - the operation of waste collection;
 - litter management;
 - measures to meet the needs of youth and to minimise anti-social behaviour; and,
 - any other matters the responsible authority may reasonably require.

Maintenance

- All buildings and works must be maintained in good order and appearance, to the satisfaction of the responsible authority.

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Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The incorporated plan at Clause 81.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect any subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to a development of four or more storeys, excluding a basement.