

24/05/2018  
C149**SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO2**.

**KNOX CENTRAL COMMERCIAL CORE PRECINCT****1.0 Requirement before a permit is granted**24/05/2018  
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A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- Advertising signs.
- Changes of use to existing tenancies, including permissions under Clauses 52.06 and 52.27.
- Minor buildings and works.
- Amendments to existing planning permits and endorsed plans.
- Subdivision of land.
- Minor alterations to the facade of buildings, including canopies and entry and exit points.
- Use and development of the land for temporary uses.
- Internal changes of use and internal floor space reconfiguration.
- Minor works to car parking areas.
- Minor landscape works.
- Upgrading of essential services, including roof plant, waste management facilities and other ongoing maintenance works.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land as contemplated by this overlay.

**2.0 Conditions and requirements for permits**24/05/2018  
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The following conditions and/or requirements apply to permits:

**Bus interchange**

Prior to the granting of a permit for development that will interfere with or obstruct the use of the bus interchange, the owner of the land must make arrangements for the alteration or relocation of the bus interchange to the satisfaction of Public Transport Victoria and the responsible authority.

These arrangements must be secured via an agreement between the owner of the land and the responsible authority under section 173 of the *Planning and Environment Act 1987* or through a condition on the relevant permit, to the satisfaction of the responsible authority and provide:

- That the owner designs and constructs a bus interchange in a highly accessible location and with a layout as agreed by Public Transport Victoria (or equivalent) and the responsible authority.
- For the timing for the completion of the bus interchange to the satisfaction of Public Transport Victoria and the responsible authority.
- Details of the size and nature of the bus interchange facility to the satisfaction of Public Transport Victoria and the responsible authority.
- That the owner bears all of the costs associated with the design and construction of the bus interchange.

The cost of preparing, negotiating and registering of the section 173 agreement are to be borne by the owner.

## Library

Prior to the responsible authority being satisfied with respect to any development plan or variation to an approved development plan, arrangements for the design and construction of the library must be secured, via an agreement between the owner and the responsible authority under section 173 of the *Planning and Environment Act 1987* or any other commercial agreement that secures the delivery of the library in accordance with the terms of this clause to the satisfaction of the responsible authority. Any such agreement must require that the owner provides:

- A fully functional public library with at least 2000 square metres of floor space.
- The exact location of the library to the satisfaction of the responsible authority, including any agreed interim facility if required in the opinion of the responsible authority.
- The timing of the provision of the library, and any agreed interim facility if required to the satisfaction of the responsible authority.
- Details of the nature of the library and associated amenities to be delivered.

The cost of preparing, negotiating and registering of the section 173 agreement are to be borne by the owner. If a satisfactory replacement library has already been delivered through agreement between the responsible authority and the relevant landowner, this requirement becomes redundant.

## Permit Application Requirements

An application for a planning permit to use or develop the land should be accompanied by the following, as appropriate, to the satisfaction of the responsible authority:

- A Town Planning Report that, amongst other things, assesses how the planning permit application responds to the *Knox Central Structure Plan (2017)* and is generally in accordance with the approved development plan.
- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting/landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- An Arborist Report, detailing the safe useful life expectancy for trees to be retained or removed, and impacts arising from the proposed development, including management arrangements.
- A Traffic and Car Parking Management Plan.
- A Transport Impact Assessment report that assesses the development impact on the arterial road network and provides details of roadworks that are required to mitigate the adverse impact, to the satisfaction of VicRoads.
- A Pedestrian and Cycle Movement Plan.
- A Sustainability Design Assessment.
- A Waste Management Plan.
- A written response stating how the proposed design responds to Safety by Design principles to prevent hazards and unsafe space for the community.
- A Disability Access Audit Report, prepared by a suitably qualified and registered disability auditor, assessing the access requirements for disabled persons.
- An Acoustic Report that identifies the impact of existing and potential noise impacts on any sensitive uses proposed.
- A Services and Engineering Infrastructure Report.
- Development staging plan.
- Details of:
  - Improved access within to and from the site, including pedestrian, cycle, motor vehicle and public transport access.

- How existing and future residential amenity will be protected through the design of car parking, loading bays and services areas.
- How conflicts will be minimised between delivery vehicles and pedestrian, cycle, motor vehicle and public transport access.
- Awnings to be incorporated into façade design on pedestrian routes within the site.

In addition to the above requirements, an application for a planning permit for the development of the land that exceeds the preferred building heights shown in the *Knox Central Structure Plan (2017)* must be accompanied by the following, as appropriate, to the satisfaction of the responsible authority:

- Urban Context report. The urban context report must:
  - Explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
  - Describe the existing urban context of the area in which the proposed buildings and works are to be located.
  - Identify the key opportunities and constraints supporting the design response.
  - Explain the effect of the proposed buildings and works, including on: microclimate, including sunlight, daylight and wind impacts on streets and other public spaces, vistas.
- Shadow diagrams at the equinox between 11am and 2pm demonstrating that the proposed development will not cast unreasonable shadows to adjacent properties or the public realm.
- Wind analysis report for a building with a total building height in excess of 40 metres. The wind analysis report must:
  - Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
  - At a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
  - Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
  - Not rely on street trees or any other element such as screens, within public areas for wind mitigation.

A planning permit must include conditions requiring the following, as appropriate, to the satisfaction of the responsible authority:

- Construction Management Plan.
- Green Travel Plan.
- Shopping Centre Management Plan.
- An Acoustic Report, to be provided within 3 months of the commencement of the use.
- Conditions which give effect to the vision, objectives and outcomes identified in the approved development plan.

### 3.0 Requirements for development plan

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A development plan must include the following requirements:

- A report and/or plan information that outlines that the future use and development is in accordance with the vision, objectives, strategies and requirements of Clause 21.10-2 Knox Central Activity Centre, and the State and Local Planning Policy Frameworks.

- Concept Plans and Design Guidelines for the land which shows:
  - The proposed use and development of each part of the land to which the plan applies.
  - Building footprints and heights.
  - The continuation and intensification of the use of land west of Melbourne Street for a retail centre and other complementary land uses.
  - Where there are opportunities for more intensive development and higher built form outcomes to the east of Melbourne Street, which may significantly exceed the preferred heights in the *Knox Central Structure Plan (2017)*.
  - The location and size of an expanded or relocated public library in a visually prominent and highly accessible location.
  - The provision of a bus interchange in a highly accessible location and with an area as agreed by Public Transport Victoria (or equivalent) and the responsible authority.
  - Setbacks of buildings to property boundaries, including setbacks to the Burwood Highway frontage that are generally in accordance with the *Knox Central Structure Plan (2017)*.
  - Areas designated for landscaping, including:
    - Canopy trees and formal planting to be provided within Burwood Highway and Stud Road frontages.
    - Canopy trees, within car parks and internal streets.
    - Appropriate landscaping along the interfaces with residential areas to protect residential amenity.
  - Interface treatments to surrounding sites and the public realm.
  - Building entries to be clearly defined.
  - Physical and visual connections being provided to:
    - The Civic/Community and Mixed Use Precincts to the north and east, as shown in Clause 21.10-2 Precinct Plan.
    - Lewis Park, Gateshead Park and the existing residential area to the north.
  - Acknowledgement of the residential and public open spaces to the north, and the need for building heights to be generally in accordance with the *Knox Central Structure Plan (2017)* and achieve an acceptable height transition at these interfaces.
  - New development to activate Lewis Park, preferably through higher density residential development.
  - Pedestrian entry points being created to the north to encourage interaction with Lewis Park and future residential development adjoining the park.
  - A more intense built form along Burwood Highway including clear and legible feature forms to punctuate the Burwood Highway frontage at entry points into the site and at street intersections.
  - Active frontages being provided to Burwood Highway, which may comprise entries, shop fronts, display windows, clear glazing, or other engaging interfaces and/or the use of materials, lighting, advertising or architectural treatments to achieve an engaging interface.
  - Vertical articulation of buildings to visually break up the appearance of building frontages along Burwood Highway and Stud Road.
  - Details of improved access within and to and from the site, including pedestrian, cycle, motor vehicle and public transport access.
  - Details of vehicular and pedestrian access, the development impact on the surrounding road network and how the impact will be mitigated.

- A clearly delineated internal and external network of pedestrian and shared paths that provide a high level of accessibility throughout the site.
- An internal street network that emphasises and is conducive to street level activity.
- Multi-level car parking concealed and integrated into the built form, where practicable.
- Details of proposed staging and anticipated timing of development.

A development plan may be prepared in stages provided the responsible authority is satisfied that preparing a development plan will not prejudice the future use and development of the land as contemplated by this overlay.

An approved development plan may be amended to the satisfaction of the responsible authority.