

**DRAFT FOR CONSULTATION**

# Puffing Billy Railway Discovery Centre

INCORPORATED DOCUMENT

April 2018

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

## 1. INTRODUCTION

This document is an incorporated document in the Schedule to Clause 52.03 and Schedule to Clause 81.01 of the Cardinia Planning Scheme. It consists of the written provisions of this document (Clauses 1-7) and the station precinct plan (Clause 8).

The land identified in this document may be used and developed in accordance with the specific controls in this document.

## 2. PURPOSE

The purpose of the controls in this document are to allow the use and development of a Discovery Centre at the Puffing Billy Railway Lakeside Station precinct, including works and display of business identification signage to be undertaken generally in accordance with the *Puffing Billy Railway Master Plan, February 2017*.

## 3. LAND

The subject land is identified in Clause 8 of this document. It includes all buildings, works, services, car parking areas and vegetation associated with the Puffing Billy Railway in the Lakeside Station precinct.

## 4. APPLICATION OF PLANNING SCHEME PROVISIONS

4.1 Despite any provision to the contrary or any inconsistent provision in Cardinia Planning Scheme, no planning permit is required for, and nothing in the Cardinia Planning Scheme operates to prohibit or restrict the use and development of land for operations associated with the Puffing Billy Railway, except for the following which continue to apply:

- Gaming (Clause 52.28)

4.2 Any use and development not requiring a permit as specified in the Cardinia Planning Scheme is not affected by this document.

## 5. CONTROLS

5.1 The use and development that would require a permit pursuant to the Cardinia Planning Scheme if it were not for the operation of this Incorporated Document must be carried out in accordance with the following conditions:

### **Conditions requiring plans to be approved**

5.2 Prior to the use or development commencing, unless otherwise agreed to in writing by the responsible authority, the following plans must be prepared and submitted to the satisfaction of the responsible authority, as appropriate. If in the opinion of the responsible authority any of the following plans are not relevant to the assessment of an application, the responsible authority (in consultation with any other authorities whose approval is required) may waive or reduce the requirement.

## **Development and Operations Plans**

- a) An **Existing Conditions Plan** drawn to scale and fully dimensioned showing the location, height, and purpose of existing buildings on site.
- b) A **Context Analysis Report** that articulates how the proposed plans have had regard to the project objectives of the *Puffing Billy Railway Master Plan, February 2017*.
- c) A **Design Plan** of the site, drawn to scale, fully dimensioned and showing (but not limited to) the following:
  - Site boundaries and setbacks.
  - Adjoining roads.
  - The location, size and purpose of buildings.
  - Site levels.
  - Accessways, vehicle parking areas, loading and unloading areas, and waste treatment and disposal areas.
  - Landscaped areas.
  - Elevations that include building heights, existing slopes and future levels.
  - A schedule of colours and materials. The materials should be non-reflective and natural-looking (stone, timber etc), and the colours should be subdued and should complement the surrounding environment.
  - Details of signage proposed for new buildings/structures.
- d) A **Landscape Plan** prepared by a suitably qualified professional which identifies any significant mature trees within or immediately adjacent to the proposed buildings and works and describes and measures to protect them, any proposed removal of significant trees, the vegetation species to be planted, the number of trees, planting formations, surface treatments and the method of preparing, draining, watering and maintaining the landscaping areas. If a permit would be required pursuant to Clause 42.03 (Significant Landscape Overlay), the plan must also address the application requirements of the relevant schedules to this clause. If a permit would be required pursuant to Clause 44.06 (Bushfire Management Overlay) the landscape plan should show the extent of and vegetation management standards required for, defensible space,
- e) A **Construction Management Plan** specifying the measures proposed to ensure that construction activity has minimal impact on surrounding areas, including (but not limited to) traffic management, waterways, soil erosion and tree protection areas.
- f) An **Operations Management Plan** including:
  - Hours of operation and patron numbers for any proposed Place of Assembly, Food and drink premises or premises required to be licensed under the *Liquor Control Reform Act 1998*.
  - The area to which any liquor licence will apply.
  - Measures to attenuate any significant noise generated on the site.

- g) An **Amenity and Patron Management Plan**. The plan must be consistent with the endorsed plan(s) and include:
- Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons.
  - Signage to be used to encourage responsible off-site patron behaviour.
  - The training of staff in the management of patron behaviour.
  - Staff communication arrangements.
- h) A **Waste Management and Disposal Plan** that includes the following:
- How the collection of refuse and recycling material will be managed. Adequate provision shall be made for the storage and collection of garbage and other solid wastes within the curtilage of the site.
  - What will be the frequency for the removal of such refuse and recycling material.
  - How it is intended to control the emission of odour caused by such refuse and recycling material when it is being stored within the site.
  - Where such refuse and recycling shall be stored within the site. This area shall be properly graded and drained, and screened from public view.

#### **Parking and Traffic Management**

- i) A **Parking and Traffic Management Plan** providing details on:
- An assessment of car parking numbers to identify whether additional parking and cycle parking spaces are required to be provided on site or on nearby sites.
  - The location, layout, construction details, management arrangements and maintenance measures for all vehicle and bicycle parking areas, loading and unloading areas within the site, driveways and other accessways within and abutting the site.
  - A traffic assessment of the heavy, light, emergency vehicle, pedestrian and bicycle access points at the property boundaries and the impacts on the surrounding road network.

#### **Heritage**

- j) A **Conservation Management Plan** if a permit would be required pursuant to Clause 43.01 if it were not for the operation of this Incorporated Document. The Plan must be prepared by a suitably qualified person(s) identifying the heritage values and a strategy for conserving and/or managing those values, and must consider all relevant aspects of Clause 43.01.

#### **Environmental Management**

- k) A **Native Vegetation Management Plan** if a permit would be required pursuant to Clause 52.17 if it were not for the operation of this Incorporated Document. The Plan must be prepared in accordance with the "Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP, 2017)" to the satisfaction of the Department of Environment, Land, Water

and Planning. Any offsets required for the Project must be secured within 12 months of vegetation removal.

- l) A **Site Environmental Management Plan** if, in the opinion of the relevant water authority, the development has the potential to impact on the beds and banks of waterways, riparian vegetation and quality and quantity of surface waters. The Plan must be prepared to the satisfaction of the relevant water authority and include controls that will be implemented during the construction phase of the project. If no Plan is required, written confirmation must be obtained from the relevant water authority.

### **Utilities**

- m) A **Utility Services Plan** detailing the existing services and proposed connections to utility infrastructure.
- n) A **Site Drainage Plan** that includes all proposed buildings, access, circulation and parking areas.
- o) A **Stormwater Management Plan** showing the stormwater works to the nominated point of discharge. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc).

### **Bushfire Management**

- p) A **Bushfire Management Report** if a permit would be required pursuant to Clause 44.06 if it were not for the operation of this Incorporated Document. The Report must be prepared to the satisfaction of the relevant fire authority and the responsible authority demonstrating that:
  - The development of land prioritises the protection of human life and strengthens community resilience to bushfire.
  - The development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The Report should include (but not be limited to):

- **Defendable Space:** The provision of appropriate separation between buildings and unmanaged vegetation commensurate with the use and BAL construction standard of the building(s).
- **Emergency Management Plan:** An Emergency Management Plan or an update to the existing emergency procedures that details what will happen during the bushfire danger period (i.e. when will the site be closed, when and how will people be evacuated from the site, if people cannot be evacuated from the site which building do they shelter in, identification of which staff will have roles to play and actions to carry out in the case of a bushfire event, how will the site be maintained, how will information be disseminated to emergency services, staff and visitors, etc).

- **Water Supply:** The provisions of an appropriate water supply (static or hydrant) for firefighting purposes (only).
- **Access:** Maintained vehicle access to meet the needs of emergency services.
- **A bushfire hazard site assessment:** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- **A bushfire hazard landscape assessment:** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 52.47-1.
- **A bushfire management statement:** describing how the proposed development responds to the requirements in Clause 44.06. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

### General Conditions

- 5.3 Use and/or development cannot commence until the responsible authority has endorsed the relevant plans in accordance with condition 5.2 of this Incorporated Document.
- 5.4 The use of, or buildings and works on, the land must comply with the endorsed plans which cannot be altered or modified in any way without the prior written consent of the responsible authority.
- 5.5 Once the development has started it must be continued and completed to the satisfaction of the responsible authority.
- 5.6 Advertising signs must be displayed in accordance with the plans endorsed by the responsible authority.
- 5.7 An application on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager indicating that the public land manager consents generally or conditionally to the application being made and to the proposed use or development.
- 5.8 The development approved by this incorporated document must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
  - The premises are connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - The premises are connected to reticulated water supply, drainage, electricity and to an on-site waste water treatment and disposal facility to the

requirements of the relevant servicing authority.

- 5.9 The development approved by this incorporated document must not be occupied until a Heads of Agreement has been entered into between the Emerald Tourist Railway Board (**ETRB**) and the Responsible Authority and all of the obligations of the ETRB under that Heads of Agreement have been satisfied to the approval of the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority.

### **Specific Conditions**

#### **Filling of land**

- 5.10 Fill material that is from contaminated land must not be deposited on the subject land. For the purpose of this condition, the term "potentially contaminated land" has the same meaning as that used in Ministerial Direction No. 1.

#### **Drainage**

- 5.11 Before the development is occupied drainage must be provided to the satisfaction of the Responsible Authority.
- 5.12 Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates, or into a watercourse or easement drain, but must be treated and/or absorbed on that lot to the satisfaction of the Responsible Authority.

#### **Storm water**

- 5.13 Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an approved outlet in the street/be discharged on the subject land by use of a rubble pit to the satisfaction of the Responsible Authority.
- 5.14 Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
- 5.15 Stormwater works must be provided on the subject land so as to prevent overland flows onto adjacent properties.

#### **Soil erosion**

- 5.16 Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
- 5.17 Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.

Or

Cleared areas for vehicle use must be stabilised, drained and surfaced/sealed to prevent soil erosion to the satisfaction of the Responsible Authority and the Department of Environment, Land, Water and Planning

### **Car park construction**

- 5.18 All proposed areas set aside on the approved plan/s for sealed access, circulation and parking areas must be surfaced in concrete, asphalt or other approved hard surfacing material and the parking spaces delineated to the satisfaction of the Responsible Authority. All other areas indicated on the approved plan as having a 'crushed rock' surface must be constructed with crushed rock or gravel of adequate thickness and drained to the satisfaction of the Responsible Authority. Once constructed, the area must be maintained to the satisfaction of the Responsible Authority.
- 5.19 All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
- 5.20 The surface of the car park and access lanes must be treated to the satisfaction of the Responsible Authority to prevent dust and the discharge of drainage causing detriment to the amenity to the surrounding areas.
- 5.21 Protective kerbs *of a minimum height of 150mm* must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
- 5.22 Before the development is occupied signs must be provided directing drivers to the areas set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.
- 5.23 Before the development is occupied direction signs, each not more than 0.3 m<sup>2</sup> in area, must be provided at access points to clearly indicate the direction of traffic movement and location of parking areas.

### **'No Parking' signage**

- 5.24 Before the development is occupied under the direction of the Responsible Authority, 'No Parking' signs along any relevant roads must be installed.

### **Direction signage and pavement markings**

- 5.25 Before the development is occupied, direction signs and direction pavement markings are to be installed as shown on the approved plans. Once works are completed, the area must be maintained to the satisfaction of the Responsible Authority.

### **Loading/unloading**

- 5.26 The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the subject land.



## **Subdivision**

5.27 Prior to development commencing at locations where proposed buildings straddle across title boundaries, boundary realignments are required.

5.28 If a permit would be required for subdivision pursuant to the Cardinia Planning Scheme if it were not for the operation of this Incorporated Document (having regard to exemptions in Clause 62.04), the following information must be provided:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for any realignment of the common boundary.
  - How the proposal responds to any relevant plans prepared in accordance with Clause 5.2 of this document.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

## **Exclusion Zone/Protection**

5.29 Before the development starts, a semi-permanent structure to the satisfaction of the Responsible Authority must be placed around the vegetation identified in the endorsed landscape plan for retention during construction works so as to create

an "exclusion zone". No person or vehicle is to be allowed into the exclusion zone unless under supervision. No stock piling of materials, changing the soil grade through cut or fill, trenching, washing out of chemicals, oil spills, lighting fires or tearing of tree roots is to occur in the exclusion zone. Exclusion zones are to be accurately plotted on construction plans and contractors and sub-contractors, suppliers and service providers are to be made aware these protective measures apply to the subject land.

#### **Concealment of fittings**

- 5.30 All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

#### **Noise emissions and soundproofing**

- 5.31 All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
- 5.32 Noise levels emanating from the subject land must comply with the State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.

#### **Bushfire Management**

- 5.33 The bushfire protection measures forming part of this document or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this document has been completed.

### **6. EXPIRATION OF THIS DOCUMENT**

The use and development permitted by this incorporated document will expire if one of the following circumstances applies:

- Development is not commenced within three (3) years of the date of the incorporated document.
- Development is not completed and the use has not commenced within five (5) years from the date of this Incorporated Document.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within six (6) months afterwards.

### **7. DECISION GUIDELINES:**

Before deciding on the approval of a plan prepared in accordance with the requirements of Clause 5.2 of this document, the responsible authority must consider, as appropriate:

#### **General**

- Whether the proposal is generally in accordance with Clause 8 of this document as derived from the *Puffing Billy Railway Master Plan, February 2017*.
- Relevant State and local planning policies in the Cardinia Planning Scheme.
- The interface with adjoining areas, especially the relationship with residential areas.
- The interface with the streetscape, including the location of access points at the property boundaries and the landscaping of land adjoining a road.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- Provision for vehicle and bicycle parking.
- The layout and construction of parking areas.
- Provision for the loading and unloading of vehicles.
- Provision for vehicles providing for supplies, waste removal and emergency services.
- The storage of rubbish and materials for recycling.
- The provision of solar access.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
- The decision guidelines contained in Clause 52.05-3 for advertising signs.

### **Impacts on Vegetation**

- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The decision guidelines contained in Clause 52.17-5 if a permit would be required pursuant to Clause 52.17 if it were not for the operation of this Incorporated Document.

### **Amenity Impacts**

- The decision guidelines contained in Clause 42.03-4 (Significant Landscape Overlay) if a permit would be required pursuant to Clause 42.03 if it were not for the operation of this Incorporated Document.
- The decision guidelines contained in Clause 52.43 (Live Music and Entertainment Noise) if a permit would be required pursuant to Clause 52.43 if it were not for the operation of this Incorporated Document.

### **Heritage Impacts**

- The decision guidelines contained in Clause 43.01-4 (Heritage Overlay) if a permit would be required pursuant to Clause 43.01 if it were not for the operation of this incorporated document.

### **Impacts on Soil and Water**

- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

### **Natural hazards**

- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The decision guidelines contained in Clause 44.06-4 (Bushfire Management Overlay) and Clause 52.47 (Planning for Bushfire) if a permit would be required pursuant to Clause 44.01 if it were not for the operation of this Incorporated Document.

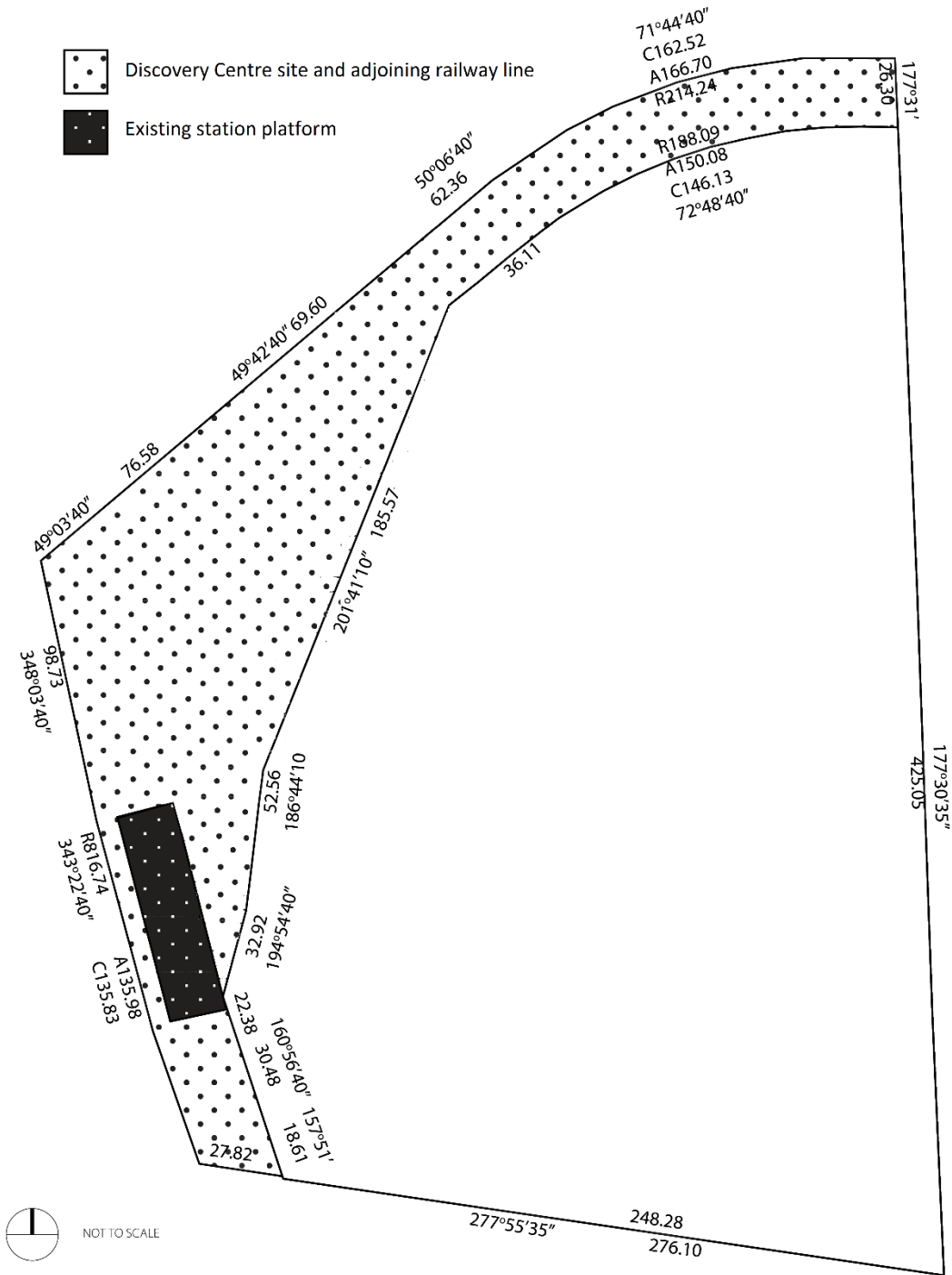
### **Subdivision**

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding park environment.
  - Protect significant vegetation.
  - Appropriately accommodate any existing or proposed easements on the lots.
  - Protect solar access for existing and any future development on the lots.
  - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
  - Appropriately accommodate private open space.
  - Appropriately accommodate the provision of utility services to each lot.
  - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
  - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
  - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- Whether the subdivision is consistent with any relevant plans prepared in accordance with Clause 5.2 of this document.

### **View of referral authorities**

- The views of the relevant authority if a referral would be required pursuant to Clause 66 of the relevant Planning Scheme if it were not for the operation of this Incorporated Document.

## 8.0 Lakeside Station Precinct – subject land and design guidelines



## Character Statement

Lakeside Station is a major destination within the Puffing Billy Railway and a feature within the iconic Emerald Lake Park setting. The station will continue to operate in its existing role with minimal changes to existing station and platform infrastructure or to the appearance of the station setting, but the level of visitor use will increase as the Lakeside location becomes a more significant visitor hub with more rail journeys commencing or finishing here.

The Master Plan proposes a new 'Discovery Centre' facility on a site near to the station. This facility will function as an all-weather visitor support centre, cultural interpretations and functions centre to meet the needs of an increasing number of Puffing Billy and Emerald Lake Park visitors. It will provide unique cultural interpretations dealing with the Dandenong Ranges and Puffing Billy history and provide quality food / beverage and functions facilities that will reinforce the role of this place as an important visitor destination within the Dandenong Ranges and a major visitor hub within the Puffing Billy Railway.

## Objectives

- To improve the visitor experience, particularly in inclement weather conditions.
- To ensure that the heavily treed landscape of the Emerald Lake Park is always the feature that dominates the visitor experience.
- To ensure development fits within the landscape and maintains a scale and form that is compatible with the woodland character of the site.
- To ensure that new development complements the surrounding landscape of Emerald Lake Park and its role as a leisure destination.

## Strategies

- Building a new Discovery Centre within close proximity to the station platform that provides all weather protection.
- Providing a high quality food and beverage experience within the Discovery Centre.
- Providing an informative experience for visitors to enable an appreciation of the history of the area and the formation of the Puffing Billy Railway.
- Siting and designing buildings in a way that complements and does not dominate the landscape of Emerald Lake Park.

## Design guidelines for development that would normally require a planning permit if it were not for the operation of this document.

Development should:

- Be of the highest quality, with site specific contemporary design and demonstrate a detailed understanding of and respect for the environment, heritage, landscape character and scenic qualities of the Emerald Lake Park setting and the building site.
- Fully integrate with the landscape of the site and maintain a scale and articulated form that is compatible with the qualities of the site landscape. Buildings must not appear monolithic in scale and must not cause detriment to surrounding site users.
- Be a maximum height of two storeys. The structure should sit below the general height of existing trees (Eucalypts) and avoid visually dominating the skyline from within the Park and entry roads.
- Visually integrate car parking, vehicle access and service areas with the built form so that they have the least visual impact on the environment and landscape of the site.
- Ensure the use of appropriate colour schemes and materials to minimise visual contrasts with the landscape.
- Minimise vegetation clearance.
- Screen service areas from public view.
- Demonstrate environmental sustainability in all phases of design, construction and ongoing management, including control of water pollution and soil contamination within the site and adjoining areas.
- Where fences are necessary for safety or security they should be designed for visual transparency and avoid creating visually imposing or monolithic structures that detract from the appearance of public places.

**END OF DOCUMENT**

DRAFT FOR CONSULTATION