



**Richmond Power Station Renewal Project
300/658 Church Street, CREMORNE**

Department of Transport and Planning: April 2024

YARRA PLANNING SCHEME

Incorporated Document

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

1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clause 45.12 - Specific Controls Overlay (SCO) and Clause 72.04 - Incorporated Documents of the Yarra Planning Scheme (scheme).

The land identified in Clause 2.0 of this document may be used and developed in accordance with the specific controls contained in Clauses 6.0 and 7.0 of this document.

The Minister for Planning is the Responsible Authority for administering Clause 45.12 of the Planning Scheme with respect to this Incorporated Document except that:

- a) Yarra City Council is the Responsible Authority for matters expressly required by the Incorporated Document to be endorsed, approved or done to the satisfaction of Yarra City Council; and
- b) Yarra City Council is the Responsible Authority for the enforcement of the Incorporated Document.

2.0 LAND DESCRIPTION

This document applies to 300/658 Church Street, Cremorne (Lot 3A on Plan of Subdivision 335275Q Certificate of Title Volume 10578 Folio 474) known as 'the land' being all of the land within SCO20.



SITE PLAN
300/658 Church Street, Cremorne

LEGEND
[Red outline] Site boundary

Figure 11 – Map of land subject to this Incorporated Document, outlined in red

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the Planning Scheme, pursuant to Clause 45.12 of the Planning Scheme the land identified in the Incorporated Document may be used and developed in accordance with the specific

controls contained in this Incorporated Document.

No planning permit is required for, and no provision in the scheme operates to prohibit, control or restrict the use or development of the land in accordance with the provisions contained in Clauses 6.0 and 7.0 of this Incorporated Document.

A permit is required to subdivide the land, except where no additional lot is created and any such application is:

- Exempt from the requirements in Clause 53.01 (Public Open Space Contributions) of the Planning Scheme, if applicable.

Notwithstanding, any permit allowing subdivision of the Land must include a condition requiring payment to Yarra City Council, before a statement of compliance is issued, of a public open space contribution equal to 5% of the site value of the Land.

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail, other than the requirement for subdivision.

4.0 EXPIRY OF THIS SPECIFIC CONTROL

The control in this Incorporated Document expires in respect of the land if any of the following circumstances apply:

- The development of the land permitted under this Incorporated Document is not commenced within two years of the gazettal date of Amendment C322yara to this scheme; or
- The development of the land permitted under this Incorporated Document is not completed within four years of the gazettal date of Amendment C322yara to this scheme.
- The use permitted under this Incorporated Document is not commenced within four years of the gazettal date of Amendment C322yara to this scheme.

The Minister for Planning may extend the period for commencement if a request is made in writing before the time for commencement expires or within six months afterwards.

The Minister for Planning may extend the date for the completion of the development if a request is made in writing before the time for completion expires or within 12 months after the time for completion expires and the development is started lawfully before the approval expired.

The Minister for Planning may extend the date for the commencement of the use if a request is made in writing before the time for the commencement of the use expires or within six months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of the planning scheme in operation at that time.

5.0 PURPOSE AND CONTROL

The purpose of this incorporated document is to facilitate and permit the use and development of the land for an integrated 'mixed-use innovation centre' with activities across nature, design, science, technology and art including hosting events, live music entertainment. The proposal will also include the sale and consumption of alcohol, alteration of access, removal of vegetation and the reduction of car parking requirements in association with the proposed use of land generally in accordance with the plans approved in Clause 6.0 of this document and subject to the Clause 7.0 requirements of this document.

The 'mixed use innovation centre' includes, but is not limited to, the following land uses defined under the Victoria Planning Provisions (VPP):

Activities	Land use as defined in the VPP
<p>Kitchen (Food Production)</p> <p>Artisan Manufacturing</p> <p>Light Manufacturing and Assembly (Furniture-Making)</p>	<p>Industry <i>Land used for any of the following operations:</i></p> <ul style="list-style-type: none"> a) any process of manufacture; b) dismantling or breaking up of any article; c) treating waste materials; d) winning clay, gravel, rock, sand, soil, stone, or other materials; e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or f) any process of testing or analysis. <p><i>If on the same land as any of these operations, it also includes:</i></p> <ul style="list-style-type: none"> a) storing goods used in the operation or resulting from it; b) providing amenities for people engaged in the operation; c) selling by wholesale, goods resulting from the operation; and d) accounting or administration in connection with the operation. <p><i>If Materials recycling, goods resulting from the operation may be sold by retail.</i></p>
<p>Makerspace</p> <p>Workshop</p> <p>Made-to-order</p>	<p>Research and Development Centre (nested under Industry) <i>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</i></p> <p>Manufacturing Sales (nested under Retail Premise) <i>Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.</i></p>
<p>Markets Pop Ups</p> <p>Sales</p>	<p>Market (nested under Retail Premise) <i>Land used to sell goods, including foodstuff, from stalls</i></p> <p>Retail Premise <i>Land used to:</i></p> <ul style="list-style-type: none"> a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.
<p>Food and Drink Premises</p>	<p>Food and Drink Premises <i>Land used to prepare and sell food and drink for immediate consumption on, or off the premises.</i></p>
<p>Bar</p>	<p>Bar (nested under Food and Drink Premise) <i>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</i></p>
<p>Restaurant</p>	<p>Restaurant (nested under Food and Drink Premise) <i>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</i></p> <ul style="list-style-type: none"> a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time.

	<i>It does not include the sale of packaged liquor.</i>
Gallery Craftsmanship	Art Gallery (nested under Exhibition Centre) <i>Land used to display works of art, Exhibition centre including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles</i>
Exhibition Centre	Exhibition Centre (nested under Place of Assembly) <i>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts</i>
Activations Live Events Immersive Experience Festivals Community activities	Place of Assembly <i>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</i>
Functions	Function Centre (nested under Place of Assembly) <i>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</i>
Conferences	Conference Centre (nested under Function Centre)
Co-working Creative content and co-creation studio	Office <i>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</i>
Education (classes/workshops)	Education Centre (not a Primary School, Secondary School or Child Care Centre) <i>Land used for education.</i>
Nursery	Horticulture (nested under Agriculture) <i>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</i>
Outdoor recreation (public)	Informal Outdoor Recreation (nested under Leisure and Recreation) <i>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</i>

Note: The ‘mixed use innovation centre’ includes the proposed partial demolition, internal and external alterations of an existing heritage place on the Victorian Heritage Register. The buildings and works within the registration area are subject to the requirements of the *Heritage Act 2017* and any Heritage Victoria (HV) permit which may issue. In the event of any inconsistency between the documents endorsed pursuant to Heritage Victoria permit conditions and the specific controls contained in this document, the Heritage Victoria permit will prevail as it relates to buildings and works within the Heritage Victoria registration area.

6.0 DEVELOPMENT PLANS:

This document allows the use and development of the land for the purposes of the project set out in the development plans endorsed under the clauses of this incorporated document. Development plans must be generally in accordance with the landscape plans titled Landscape Proposal – Richmond Power Station dated 20 November 2023 prepared by Teresa Moller Landscape Studio, and the Architectural Plans prepared by OMA Architects, titled Proposed Plans – Richmond Power Station Renewal Project and dated 9/11/2023, as follows:

- Architectural Plans: A-08-100, A-08-101, A-09-009, A-09-010, A-09-011, A-09-012, A-09-013, A-10-089, A-10-100, A-10-101, A-10-102, A-10-103, A-16-001, A-16-002, A-16-003, A-16-004, A-19-001, A-19-002, A-90-000, A-90-001, A-90-002.
- Landscape Plans: L01, L02, L03, L04, L05.

Including any amendment of the plans that may be approved from time to time under the clauses of this document.

7.0 CLAUSES

The following requirements apply to the use and development allowed by this incorporated document:

Amended Development Plans

1. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, amended development plans must be submitted to and approved by the Minister for Planning. The plans must be generally in accordance with the architectural plans prepared by OMA Architects, dated 20 November 2023, but modified to include or show/address:
 - a) Setbacks from all title boundaries, and maximum heights above natural ground level of all proposed works.
 - b) All service and fire boosters integrated with the building.
 - c) Activation of the Oddys Lane frontage of the development through the use of lighting to the building.
 - d) The on-site accessible parking space and associated shared area depicted, with a bollard installed in the shared area as required by the Australian/New Zealand Standard AS/NZS 2890.6:2009.
 - e) Provision of a minimum of 2 visitor bicycle spaces and:
 - i. All visitor bicycle parking spaces being horizontal at-grade hoops.
 - ii. The inclusion of the model and all measurements/dimensions for the bicycle parking and all access ways for the bicycle parking areas
 - iii. Most visitor bicycle parking spaces being provided at street level.
 - f) Provision of at least 50% of employee bicycle parking as horizontal, on- ground parking within a secure facility.
 - g) Any changes, technical information and plan notations (or otherwise)

required as a consequence of any provision in this Incorporated Document.

Layout Not Altered and Satisfactory Completion

2. The use and development as shown on the endorsed plans (including other material that forms part of this Incorporated Document) must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Minister for Planning.

Façade Strategy Materials and Finishes Plan

3. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal and in conjunction with the submission of development plans under Clause 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning. When approved, the plan will be endorsed and will form part of this document. This must detail:
 - a) All design changes required under Clause 1 of this Incorporated Document;
 - b) Elevations at a scale of 1:20 or 1:50 illustrating typical entries and doors;
 - c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - d) Information about how the façade will be maintained;
 - e) A materials schedule and coloured drawings and/or renders outlining colours, materials and finishes and measures to limit (to the extent possible) graffiti adhesion on walls to the street, including doors, perforations and upper levels (where necessary).

Demolition Management Plan

4. Before the commencement of any demolition or construction works associated with the use and development approved under this Incorporated Document (excluding internal demolition), and before the approval of the Construction Environment Management Plan a fully detailed 'demolition method statement' must be submitted to and approved by the Minister for Planning. When approved, the statement will be endorsed and will then form part of the incorporated plans for this document. The 'demolition method statement' must fully describe and clearly demonstrate that the construction methods to be used on site will ensure that the building fabric required to be retained on the plan approved under Clause 1 will be safeguarded during and after the demolition process has occurred or finished in accordance with the plans approved under Clause 1. The statement must detail the necessary protection works required to retain the integrity of retained building fabric.

Glare and Reflectivity

5. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Minister for Planning.

Ongoing Architect Involvement

6. As part of the ongoing progress and development of the site, OMA or another architectural firm to the satisfaction of the Minister for Planning must be engaged to complete the design and to provide architectural oversight of the delivery of the detailed design, as shown in the endorsed plans and during construction.

Landscape Plan

7. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, landscaping plans must be submitted to and be approved in writing by the Minister for Planning, in consultation with Yarra City Council and Melbourne Water. This landscape plan must be generally in accordance with the landscape plans prepared by Teresa Moller Landscape Studio, dated 20 November 2023, but modified to include or show/address:
 - a) All design changes required under Clause 1 of this Incorporated Document.
 - b) Provision of sections of the raingardens and through the site.
 - c) Elevation or 3D models of the proposed water walls.
 - d) Trees and ground cover plants proposed for the steps leading into the building.
 - e) Removal of any discrepancy associated with the alignment between the tree cut outs and the step treads.
 - f) Information on how the ground cover plants are to be installed.
 - g) Elevation or 3D model for the ramp/steel stair structure;
 - h) Further differentiation for the surface materials;
 - i) Detailed plans and additional landscaping detail including consideration of designated zones for pedestrian movement, planting and seating;
 - j) A detailed breakdown of soil volumes and planter depths for any on-structure planting.
 - k) A planting schedule of all proposed trees and other vegetation including botanical names, common names, pot sizes, soil volumes, sizes at maturity, and quantity of each plant and their protection and maintenance.
 - l) How the landscaping responds to water sensitive urban design principles, including how rainwater will be captured, cleaned and stored and the location and type of irrigation systems to be used including the location of water tanks and water sensitive urban design principles, as appropriate.
 - m) Details of all hard-landscaping materials, finishes and treatments (including around building entrances) and urban design elements including paving, lighting, seating and balustrading.
 - n) Details of surface materials and finishes and construction of retaining walls, pathways, kerbs and access ways, including fixed furniture throughout the landscaped area.
 - o) Inclusion of innovative approaches to flood mitigation and

stormwater run-off, and best practice Water Sensitive Urban Design (WSUD).

- p) Details on planned maintenance of landscaping components, including raingardens, such as weed control, irrigation and fertiliser application.

Tree Protection Fencing

8. Prior to the commencement of any buildings and/or works approved by this Incorporated Document, temporary fencing must be erected around any tree in the immediate vicinity of the construction to define a Tree Protection Zone (TPZ) that is to the satisfaction of the Yarra City Council. The temporary fencing must:

- a) Exclude access and construction activity within the TPZs, as assessed in the endorsed Tree Protection and Management Plan (TPMP) under Clause 9;
- b) Have a minimum height of 1.8 metres and comply with Australian Standard AS 4687 Temporary fencing and hoardings;
- c) Fencing within roadside reserves and/or nature strip areas must not prevent the use of a road or footpath;
- d) Remain in place until all buildings and/or works are completed, unless with the prior written consent of Yarra City Council;
- e) Fencing must be modified in line with the footprint of the approved works only.

Tree Protection Management Plan

9. Before the development starts, excluding demolition, excavation, piling, site preparation works, a Tree Protection and Management Plan (TPMP) must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The TPMP must be prepared to the satisfaction of the Minister for Planning by an arborist with a minimum AQF level 5 qualification and must detail tree protection and management actions prior to, during, and post works (including demolition). The TPMP is required:

- a) To maintain and protect the condition of all retained trees;
- b) To comply with AS 4970–2009 Protection of trees on a development sites (Australian Standard AS 4970–2009).
- c) To include street trees along Hargreaves Street.

10. The TPMP must include all tree related requirements conditioned in this Incorporated Document. All works in the TPMP affecting trees must be implemented and/or monitored by an arborist with a minimum AQF level 5 qualification to the satisfaction of the Minister for Planning. The TPMP must be certified as complete by the Project Arborist and this certification must be submitted to Minister for Planning at the completion of works.

Arboricultural Impact Assessment

11. Before the development starts, excluding demolition, excavation, piling, site preparation works, an Arboricultural Impact Assessment, prepared by an arborist with a minimum AQF level 5 qualification and must be

submitted to and approved by the Minister for Planning, in consultation with the Yarra City Council. When approved, the AIA will be endorsed and will form part of the incorporated plans for this document. The AIA must include or show/address:

- a) A clear photo of each tree;
- b) Address trees on the site and street trees along Hargreaves Street;
- c) Any design encroachments into the TPZ and SRZ of retained trees;
- d) The impact on their health and longevity. Consideration of impact should include topography modification (cut and fill), proposed hard surfaces and any other landscape works; and
- e) If required, additional investigation(s), provide a Non-destructive Root Investigation (NDRI) and photographs of findings.

Lighting Plan

12. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, a Lighting Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The Lighting Plan must address detail the proposed lighting along the curtilage of the building and the entrances to the building. When approved, the Lighting Plan will be endorsed and will form part of this Incorporated Document. The Lighting Plan must provide for:
 - a) All entrances and pedestrian access to the proposed development must be sufficiently lit for safety purposes;
 - b) A maintenance regime for the lighting scheme within the curtilage of the property.
13. The provisions, recommendations and requirements of the endorsed Lighting Plan must be implemented and complied with at no cost to Yarra City Council and to the satisfaction of the Yarra City Council.

Car Parking and Access Management

14. Prior to the occupation of the development allowed under this Incorporated Document, or by such later date as approved in writing by the Minister for Planning in consultation with Yarra City Council, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - a) Constructed and available for use in accordance with the endorsed plans;
 - b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - c) Treated with an all-weather seal or some other durable surface;
 - d) Line-marked or provided with some adequate means of showing the car parking spaces; all to the satisfaction of the Minister for Planning.
15. Prior to the occupation of the development allowed under this Incorporated Document, an Access Management Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The Access Management

Plan must address, but not be limited to, the following:

- a) The number and location of car parking spaces, including DDA spaces;
 - b) The management of car parking spaces and security arrangements for employees of the development;
 - c) Details of way-finding, cleaning and security of end of trip bicycle facilities;
 - d) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
 - e) Details regarding the management of loading and unloading of goods and materials;
 - f) Instructions to employees and patrons that they must only use the car parking facilities provided on site or which are otherwise available to the public.
16. The provisions, recommendations and requirements of the endorsed Access Management Plan must be implemented and complied with to the satisfaction of the Minister for Planning.

Amended Sustainable Management Plan

17. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, an amended Sustainable Management Plan to the satisfaction of the Minister for Planning must be submitted to and be approved by the Minister for Planning. The plan must be generally in accordance with the Sustainable Management Plan prepared by Atelier Ten, dated June 2023, but modified to include or show/address:
- a) All design changes required under Clause 1 of this Incorporated Document.
18. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Minister for Planning.
19. Before the occupation of the development, or by such later date as approved in writing by the Minister for Planning, a report from the author of the Sustainable Management Plan, approved under this document, or similarly qualified person or company, must be submitted to the Minister for Planning. The report must be to the satisfaction of the Minister for Planning and must confirm all measures specified in the endorsed Sustainable Management Plan have been implemented.

Amended Waste Management Plan

20. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, an amended Waste Management Plan must be submitted to and approved by the Yarra City Council. The plan must be generally in accordance with the Waste Management Plan prepared by Urban Waste, dated 28 June 2023, but modified to include or show/address:
- a) All design changes required under Clause 1 of this Incorporated

Document.

- b) All diagrams pertaining to the management of waste, including the swept path diagram.
21. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.
 22. The collection of waste from the site must be by private collection, unless with the written consent of the Yarra City Council.

Acoustic Report: Required Before Use Commences

23. Before the use commences (including a stage of the development), an acoustic report must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Minister for Planning. The Acoustic Report must assess the noise impact resulting from the proposed use, including from music (live and pre-recorded) and from patrons both on and entering the premises, and must make recommendations to limit the noise impacts in accordance with Part 5.3, Division 4 of the Environment Protection Regulations 2021 or any other requirement to the satisfaction of the Minister for Planning, including recommendations about whether patron numbers need to be limited to meet the relevant noise requirements.
24. The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Yarra City Council.
25. The development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.

Amended Acoustic Report: Required Post Commencement of the Uses

26. Within 3 months of the commencement of the use (including the sale and consumption of liquor), an Amended Acoustic Report must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Minister for Planning. The Amended Acoustic Report must assess the compliance of the uses, patron and music noise, including live music, and confirm the findings of the Amended Acoustic Report endorsed pursuant to Condition 23 and, where necessary, make recommendations to limit the noise impacts in accordance with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Minister for Planning, as may be amended from time to time.

If the Report makes recommendations to limit the noise impacts, these recommendations must be implemented within 3 months of the date of the report (unless otherwise agreed in writing by the Minister for Planning), to the satisfaction of the Minister for Planning.

Management Details Sign

27. Prior to the commencement of the sale and consumption of liquor, a clearly legible sign must be placed directly outside the entrance to the premises, providing a telephone number for contacting the designated manager at all hours during which the premises is operating. The design, lighting and maintenance of the sign must be to the satisfaction of the Yarra City Council.

Hours of Operation

28. Except with the prior written consent of the Minister for Planning, the hospitality and event uses authorised by this Incorporated Document may only operate between the hours of 8.00 am to 1.00 am, 7 days a week.

Venue Management Plan: Up to 1000 Patrons on Site

29. Before the use commences (including a stage of the development), a Venue Management Plan must be submitted to and approved by the Yarra City Council. The Venue Management Plan should address the following matters:

- a) Minimisation of noise impacts such as amplified music or noise caused by patrons arriving and leaving the venue, generally in accordance with Clause 23.
- b) Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.
- c) The management of external queues, including how the movement and exit of patrons is to be managed, particularly where there is a requirement to close different sections of the venue at different times.
- d) Complaints procedures, including procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.
- e) Responsible service of alcohol.
- f) Patron Dispersal Plan that provides for the management and safe and orderly dispersal of patrons, including patrons loitering around the venue after the venue has closed.
- g) The management of large group bookings.
- h) The management of smokers and on and off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed within the smoking area after a particular time).

Event Management Plan: Major Events with More Than 1000 Patrons

30. Before an event with more than 1000 patrons commences, an Event Management Plan must be submitted to and be approved by the Yarra City Council. The Event Management Plan must include/address:
- a) Site Layout Plan, addressing (but not limited to) the following matters:
 - 1) Location of temporary event structures, promotional or directional signage, access and car parking, loading arrangements, and management of waste.
 - 2) Event programming under each of the following scenarios and expected patron number:

- i. Scenario #1: Multiple Activations including special once-off programming for events and activations across indoor and outdoor areas (maximum 2500 patrons including 1000 patrons in outdoor areas).
 - ii. Scenario #2: Outdoor Focus with a seasonal outdoor activation program (maximum 2000 patrons including 1000 patrons in outdoor areas).
 - b) An Emergency Management Plan
 - c) A Traffic Management Plan
 - d) A Waste Management Plan.
31. An event with more than 1000 patrons must be carried out generally in accordance with an endorsed Event Management Plan at all times, to the satisfaction of the Yarra City Council.
32. Events with more than 1000 patrons must not be carried out more than twenty (20) times in a calendar year (unless otherwise agreed in writing).
33. Notice of an event with more than 1000 patrons must be given to Yarra City Council no less than six (6) weeks prior to the event commencing, to the satisfaction of Yarra City Council. The event cannot proceed without an approved Event Management Plan as required by Clause 30.
34. All temporary structures erected on the site, including all promotional or directional signage and all waste, must be removed at the completion of each event, no later than two (2) weeks after the event, to the satisfaction of Yarra City Council.

Major Events: Maximum Patron Capacity

35. Except with the prior written consent of the Yarra City Council, no more than 2,500 patrons (excluding event staff) are permitted on the land in association with any event at any time.

Sale and Consumption of Liquor

36. The sale and consumption of liquor must only operate between the following times:
- a) Between 11 am and 1 am, 7 days a week (public events).
 - b) Between 8 am to 1 am (non-public events).

The Yarra City Council may consent in writing to vary these requirements.

Liquor License: Maximum Patron Capacity

37. At any time no more than 1000 patrons may be sold or consume liquor on the land. The Yarra City Council may consent in writing to vary this requirement in accordance with Clause 30-35. Patron numbers must be counted and logged, and records must be made available on request to an authorised police officer, an authorised officer of the Yarra City Council, or an authorised officer under the Liquor Control Reform Act 1998 at any time.

Management of Licensed Premise

38. At all times when the premises is open for business, a designated

manager must be in charge of the premises to the satisfaction of the Yarra City Council. The manager must be authorised by the operator under this incorporated document to make statements at any time on his/her behalf to any authorised police officer, any authorised officer of the Yarra City Council, or any authorised officer under the Liquor Control Reform Act 1998, and to take action on behalf of the operator in accordance with a direction by such officer.

Amended Green Travel Plan

39. Before the development starts, excluding demolition, excavation, piling, site preparation works, vegetation removal, an amended Green Travel Plan must be submitted to and be approved by the Minister for Planning. The plan must be generally in accordance with the Green Travel Plan prepared by BG&E, dated 29 June 2023, but modified to include or show/address:
- a) All design changes required under Clause 1 of this Incorporated Document.

Ongoing Green Travel Plan Requirement

40. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Minister for Planning.

Head, Transport for Victoria

41. No drainage, effluent, waste soil or other materials must enter or be directed to railway land from the development site or be stored or deposited on railway land by the proponent.
42. Access to railway assets by rail staff for the purposes of inspection, cleaning, maintenance and repair shall be maintained at all times. Existing access routes to railway land shall not be closed, diverted or modified without prior agreement with the by the Head, Transport for Victoria and the relevant Rail Transport Operator(s).
43. Any damage to the Rail Operator's infrastructure as a consequence of the construction works must be rectified to the satisfaction of the Rail Operator at full cost of the Building Permit Applicant.
44. The development should be designed so that any ongoing maintenance requirements can occur from within the development site without access to rail land.
45. Building materials (including glass/window/ balcony treatments) or advertising signs likely to have an effect on train driver operations along the rail corridor must be shown by a reflectivity and or light study not to cause reflections or glare that may interfere with train driver operations and avoid using red, green or yellow colour schemes or shapes capable of being mistaken for train signals.

Melbourne Water

46. A Stormwater Management Plan demonstrating 'no additional stormwater run-off' is produced on the site during or after construction must be submitted to Melbourne Water for approval.

General

47. The amenity of the area must not be detrimentally affected by the use or development, including through:
- a) The transport of materials, goods or commodities to or from land;
 - b) The appearance of any buildings, works or materials;
 - c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) The presence of vermin;
- to the satisfaction of the Yarra City Council.
48. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land or in designated loading zones to the satisfaction of the Yarra City Council.
49. All buildings and works must be maintained in good order and appearance to the satisfaction of the Yarra City Council.
50. Within two (2) months of the completion or by such later date as approved in writing by the Yarra City Council, any damage to council infrastructure resulting from the development must be reinstated:
- a) In accordance with Yarra Standard Drawings prepared by Yarra City Council;
 - b) At the permit holder's cost, and
 - c) To the satisfaction of the Yarra City Council.

Construction Environmental Management Plan

51. Before the development commences, excluding site preparation works, vegetation removal, and internal demolition, a Construction Environmental Management Plan must be submitted to and approved by the Minister for Planning. The plan must provide for:
- a) A pre-conditions survey (dilapidation report) of the land and all adjacent council roads and nearby road infrastructure;
 - b) Works necessary to protect roads and other infrastructure;
 - c) The process for the remediation of any damage to road and other infrastructure (if required);
 - d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - e) Facilities for vehicle washing, which must be located on the land;
 - f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - g) Site security;
 - h) Management of any environmental hazards including, but not limited to:

- i. Contaminated soil
- ii. Material and waste
- iii. Dust
- iv. Stormwater management to prevent contamination from run-off and wash-waters entering drainage networks
- v. Sediment from the land on roads and silt management controls
- vi. Washing of concrete trucks and other vehicles and machinery
- vii. Spillage from refueling cranes and other vehicles and machinery
- viii. Incorporating the environmental recommendations as outlined within letter prepared by Bluesphere Environmental dated 19th April 2024 issued as supplementary to the Preliminary Site Investigation report prepared by BlueSphere Environmental and dated 19 October 2023.

- i) The construction program;
- j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- k) Parking facilities for construction workers;
- l) Measures to ensure that all work on the land will be carried out in accordance with the Construction Environment Management Plan;
- m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- n) An emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experienced;
- o) Spoil stockpiling.
- p) Machinery/Plant locations and access tracks.
- q) Vegetation management techniques including exclusion fencing around native vegetation or habitat.

If required, the Construction Environmental Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Environmental Management Plan has been endorsed for that stage, to the satisfaction of the Minister for Planning.

The provisions, recommendations and requirements of the endorsed Construction Environmental Management Plan must be implemented and complied with to the satisfaction of the Minister for Planning, in consultation with the Yarra City Council.

NOTES:

The property is within the Land Subject to Inundation Overlay under the applicable Council

Planning Scheme and subject to flooding from Melbourne Water's drainage system (Yarra River). Melbourne Water may not support development that does not satisfy the criteria within the 'Guidelines for Development in Flood Affected Areas (DELWP, 2019)' and the planning provisions.

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