

**MELBOURNE PLANNING SCHEME &
PORT OF MELBOURNE PLANNING SCHEME**

Port Capacity Project, Webb Dock Precinct

Incorporated Document

October 2012 (Amended August 2016)

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

1.0 INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule to Clause 81 of the Melbourne and Port of Melbourne Planning Schemes.

It consists of the written provisions of this document and also includes the “Port Capacity Project, Webb Dock Precinct Concept Plan, October 2012” shown in Figure 1.

Pursuant to Clause 52.03 of the Melbourne and Port of Melbourne Planning Schemes, the land identified in this document may be used and developed in accordance with the specific controls contained in this document. The specific controls may exclude other controls of the Melbourne and Port of Melbourne Planning Schemes.

If there is any inconsistency between the specific controls in this document and the general provisions of the Melbourne or Port of Melbourne Planning Schemes, the specific controls in this document will prevail.

2.0 PURPOSE

The purpose of this Incorporated Document is to facilitate the use, development (including removal of vegetation) and subdivision of the Webb Dock Precinct Area, as enclosed by the solid black line in the “Port Capacity Project, Webb Dock Precinct Concept Plan, October 2012” shown in Figure 1 for the purpose of the Port Capacity Project.

The Port Capacity Project has been developed to meet the objectives and intent of the *Port Development Strategy – 2035 Vision*, (August 2009) developed by the Port of Melbourne Corporation.

The Port Capacity Project comprises new cargo handling and storage facilities at the Webb Dock Precinct, declared as part of the Nominated Project by the Nomination Order dated 4 September 2012, made by the Governor in Council under section 6 of the Project Development and Construction Management Act 1994 and include:

- Construction and use of a new international container terminal (including wharfs, transport terminals and shipping container storage)
- Construction and use of new facilities for coastal trade (including wharfs, transport terminals and shipping container storage)
- Construction and use of new automotive (car) terminal and associated facilities (including wharfs and transport terminals)
- Construction of new roads to service Webb Dock and to connect Webb Dock to the existing road network to facilitate freight movements
- Increasing the maximum height permitted for container storage to exceed the heights specified in the Design and Development Overlay Schedule 2 Webb Dock Precinct at Clause 43.02 in the Port of Melbourne Planning Scheme
- Provision of new vehicle access to Webb Dock from Todd Road
- Provision of a landscaped buffer, and cycling linkages along the Todd Road frontage

- Constructing or altering access to roads in a Road Zone Category 1
- Subdivision of land, Lot consolidation, boundary realignment and the creation of road reserves
- Removal of native vegetation
- Road works, fences, landscaping and noise attenuation mounds and barriers.

3.0 LAND

The specific controls contained in this Incorporated Document apply to the land in the Melbourne and Port of Melbourne Planning Schemes enclosed in solid black line and designated as the Webb Dock Precinct Area in the "Port Capacity Project, Webb Dock Precinct Concept Plan, October 2012" shown in Figure 1 ('Land').

4.0 CONTROLS

This Incorporated Document allows the use and development (including subdivision and vegetation removal) of the Land for all or any part of the Port Capacity Project as described in Section 2.0.

4.1 Application of Melbourne Planning Scheme

The following Clauses of the Melbourne Planning Scheme do not apply to the land identified in this Incorporated Document:

- Clause 33.01 (Industrial 1 Zone)
- Clause 36.01 (Public Use Zone- Schedule 6- Local Government)
- Clause 36.02 (Public Park and Recreation Zone)
- Clause 36.04 (Road Zone)
- Clause 37.09 (Port Zone)
- Clause 52.17 (Native Vegetation)
- Clause 52.29 (Land Adjacent to a Road Zone, Category 1 or Public Acquisition Overlay for a Category 1 Road)

4.2 Application of the Port of Melbourne Planning Scheme

The following Clauses of the Port of Melbourne Planning Scheme do not apply to the land identified in this Incorporated Document:

- Clause 36.04 (Road Zone)
- Clause 37.01 (Special Use Zone – Schedule 1)
- Clause 37.09 (Port Zone)
- Clause 43.02 (Design and Development Overlay – Schedule 2)
- Clause 52.17 (Native Vegetation)

- Clause 52.29 (Land Adjacent to a Road Zone, Category 1 or Public Acquisition Overlay for a Category 1 Road)

5.0 CONDITIONS

- 5.1 The use, development (including removal of vegetation), subdivision and the ancillary activities for the Port Capacity Project, must be carried out:
 - a) by or on behalf of the facilitating agency specified for the Nominated Project pursuant to the Nomination Order dated 4 September 2012, made by the Governor in Council under section 6 of the Project Development and Construction Management Act 1994; or
 - b) by or on behalf of the entity responsible for managing the relevant land as a result of the transaction for the lease of the operation of the Port of Melbourne to the private sector; or
 - c) pursuant to a contract or arrangement with the entity referred to in paragraphs a) or b).
- 5.2 Prior to the commencement of construction or carrying out of any buildings or works, an Environmental Management Plan must be prepared to the satisfaction of the Department of Sustainability and Environment, in accordance with any consent under the Coastal Management Act 1995. Once approved, the Environmental Management Plan must be implemented to the satisfaction of the Department of Sustainability and Environment.
- 5.3 The storage of containers must not exceed a maximum height of 15 metres above finished pavement level at the International Container Terminal and Off Dock Area and 21 metres above finished pavement level at the Container Storage area identified in the "Port Capacity Project, Webb Dock Precinct, Concept Plan, October 2012" shown in Figure 1.
- 5.4 The stacking of containers, goods or materials may exceed the maximum height permitted, if stacked for short periods and located in the inner section of container storage areas to the satisfaction of the Responsible Authority.
- 5.5 Before any native vegetation (including Coastal Saltmarsh, Brackish Wetland and Seagrass) is removed, approval for the removal must be obtained from the Department of Sustainability and Environment. Such approval may include conditions requiring the implementation of any offsets to the satisfaction of the Department of Sustainability and Environment.
- 5.6 Prior to the commencement of works to construct a new road, create or alter access to Todd Road, Cook Street, Williamstown Road or the West Gate Freeway, plans for the relevant works must be submitted to and approved by VicRoads.
- 5.7 Within 24 months of the commencement of any works for the Port Capacity Project a landscape plan for landscaping of the Landscape Buffers, designated in the "Port Capacity Project, Webb Dock Precinct Concept Plan, October 2012" shown in Figure 1, must be submitted to the satisfaction of the Minister for Planning and must be implemented to the satisfaction of the Minister for Planning.
- 5.8 Provision of car parking must be provided in accordance with Clause 52.06 (Car Parking) of the Port of Melbourne Planning Scheme.
- 5.9 Provision of bicycle facilities must be provided in accordance with Clause 52.34 (Bicycle Facilities) of the Port of Melbourne Planning Scheme.
- 5.10 All garbage and other waste material must be stored in an area set aside for such purpose to the satisfaction of the Responsible Authority.
- 5.11 The amenity of the immediate adjoining area shall not be detrimentally affected by the use of development, through the appearance of any building, works or materials and the emission of

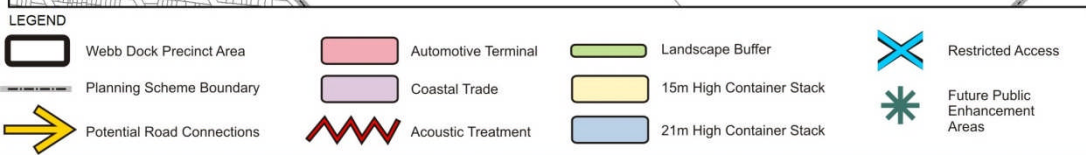
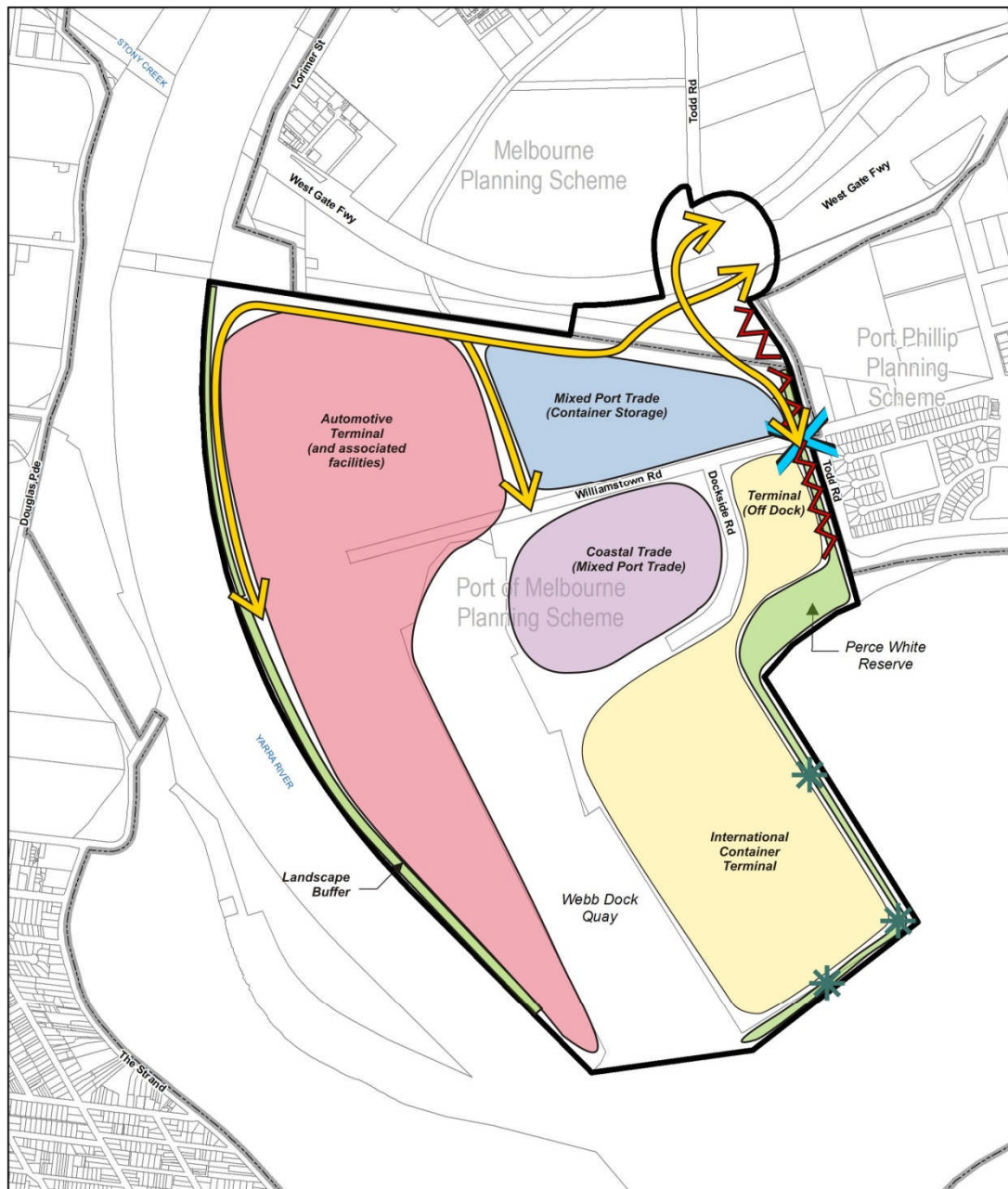
excessive noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste produces, grit or oil.

6.0 EXPIRY

This Incorporated Document will expire if one of the following circumstances applies:

- The development is not started within 2 years of the date of the approval of the amendment that inserted this Incorporated Document into the Melbourne and Port of Melbourne Planning Schemes.
- The development is not completed within 10 years of the date of approval of the amendment that inserted this Incorporated Document into the Melbourne and Port of Melbourne Planning Schemes.

The responsible authority may grant an extension to the above expiration periods if a request is made in writing to the responsible authority before these controls expire, or within three months after expiration.



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Data source: DSE & VicMap 2011. Created by:lrsmith

Figure 1: Port Capacity Project, Webb Dock Precinct, Concept Plan, October 2012

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