

YARRA PLANNING SCHEME

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**INCORPORATED DOCUMENT**

**SWAN STREET WORKS, BURNLEY**  
**June 2005**

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

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Incorporated Document  
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**INTRODUCTION:**

This document is an incorporated document in the Schedule to Clause 81 of the Yarra Planning Scheme. It consists of the written provisions of this document and plans marked:

- ‘Civil Siteworks Site Locality Plan’ (reference 104140/C/45, issue P5, and prepared by Grogan Richards Consulting Engineers) dated 1 April 2005.
- ‘Botanicca – Swan Street Landscape Concept Plan’ (reference 383275-10 Version 4, prepared by Tract Consultants Pty Ltd ) dated April 2005;
- ‘Botanicca – Swan Street Existing Trees Plan’ (reference L/D MP 02 Revision 1 prepared by Tract Consultants Pty Ltd) dated April 2005;
- ‘Civil Siteworks Swan Street Existing and Proposed Kerbs and Basalt Block Walls’ (reference 104140/C/46 issue P2, and prepared by Grogan Richards) dated 18 April 2005;
- ‘Burnley Tram Superstop’ (reference 6051049, and prepared by Victorian Government Project Development Group) dated 25 February 2005;
- ‘JC Decaux Street Equipment Tram Shelter Plan’ dated June 2005
- ‘Super stop on Swan Street at GE Site Typical Front Platform Elevations’ (reference YT-SW-08 Version B prepared by Argot Consultants) dated April 2005.
- ‘Super stop on Swan Street at GE Site General Platform Arrangement’ (reference YT-SW-04 Version C prepared by Argot Consultants) dated April 2005.
- ‘Super stop on Swan Street at GE Site Existing conditions and Services Plan’ (reference YT-SW-02 Version B) dated April 2005.

Pursuant to Clause 52.03 of the Scheme the land shown as the “Extent of Proposed Site” identified in ‘Civil Siteworks Site Locality Plan’ may be developed and used in accordance with the specific controls contained in the document. The specific controls may exclude other controls in the Scheme.

If there is any inconsistency between the specific controls and the general provisions of the Scheme, the specific controls will prevail.

**PURPOSE:**

The purpose of the specific site control is:

- To facilitate the development of tram super stops on Swan Street, Burnley in conjunction with the further occupation of the Botanicca Corporate Park.
- To provide improved access, safety and amenity to public transport users.

**ADDRESS OF THE LAND:**

The land affected by the amendment is nominated as the 'Extent of Proposed Site' on the 'Civil Siteworks Site Locality Plan' referenced 104140/C/45 issue P5 prepared by Grogan Richards Consulting Engineers dated 1 April 2005.

The land is generally defined and described as follows:

- The Swan Street Road Reserve from a point approximately 230 metres west of the western kerb of the Yarra Boulevard / Swan Street connection to a point approximately 150 metres east of the eastern kerb of the intersection of Swan Street and Central Drive.
- Crown Allotments 2251 and 2252 to the north of the existing Swan Street alignment.
- Land immediately north of Crown Allotment 2252 and bound by the southern kerb of Yarra Boulevard (for a distance of approximately 55 metres east of the Yarra Boulevard / Swan Street connection) to a point approximately 150 metres east of the eastern kerb of the Yarra Boulevard / Swan Street connection.
- Land immediately north of Crown Allotment 2251 bound by the southern kerb of Yarra Boulevard.
- The Yarra Boulevard Road reserve for a distance of 50 metres to the west of the Yarra Boulevard / Swan Street connection and 15 metres east of the intersection of Yarra Boulevard / Swan Street connection.
- A rectangular piece of land measuring 45 metres by 20 metres which is north of Swan Street and where the centroid of the rectangle is approximately 25 metres north of the western extremity of Crown Allotment 2251.
- Land on the southern side of Swan Street currently comprising part of Botanicca Corporate Park (572-576 Swan Street) and recognised as Road R1 and Road R2 on survey plan 517100Q prepared by Millar Merrigan.

**THIS DOCUMENT ALLOWS:**

The development and use of tram super stops and ancillary facilities including but not limited to seating, information panels and associated advertising signs, landscaping and temporary site compound. This may involve the use of the land as a road, use of the land as a railway station, the removal destruction or lopping of vegetation, demolition, construction or carrying out of works inclusive of road works, and the construction and/or display of an advertising sign. All generally in accordance with the plans forming part of this document or such modified plans which may be substituted with the consent of the responsible authority.

The following provisions of the Yarra Planning Scheme do not apply:

- Clause 34.02 Business 2 Zone
- Clause 36.02 Public Park and Recreation Zone
- Clause 36.04 Road 1 Zone.
- Clause 43.01 Heritage Overlay
- Clause 43.01 Schedule to the Heritage Overlay.
- Clause 43.02 Design and Development Overlay.
- Clause 43.02 Schedule 1 to the Design and Development Overlay.
- Clause 43.04 Development Plan Overlay
- Clause 43.04 Schedule 3 to the Development Plan Overlay
- Clause 42.01 Environmental Significance Overlay

- Clause 42.01 Schedule 1 to the Environmental Significance Overlay
- Clause 52.02 Easements, restrictions and reserves
- Clause 52.05 Advertising Signs.
- Clause 52.06 Car Parking.
- Clause 52.17 Native Vegetation
- Clause 52.19 Telecommunications Facility
- Clause 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road.

**THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:**

1. The development must be carried out in accordance with the plans forming part of this document or such modified plans with the consent of the responsible authority.
2. The location of the proposed tram super stops and tram shelters, as shown on the plans forming part of this document, must not be altered or modified in any way unless with the consent of the responsible authority.
3. The location and details of the advertising signs shall be to the satisfaction of the responsible authority. Advertising signs hereby permitted must not be animated or contain any flashing lights. The degree of illumination of advertising signs shall be to the satisfaction of the responsible authority.
4. The tram super stop shelters, ancillary facilities and associated advertising shall at all times be maintained in good order and condition to the satisfaction of the responsible authority.
5. The site compound must be reinstated to the satisfaction of the responsible authority upon completion of works.
6. That the works be undertaken in accordance with the requirements of the *Heritage Act 1995* to the satisfaction of the responsible authority.
7. In accordance with the 'Heritage Impact Statement for the Boulevard Parklands Swan Street Turnoff' prepared by RBA Architects and Conservation Consultants Pty Ltd dated 8 June 2005, basalt crescent retaining walls to be removed (garden bed retainers) are to be accurately recorded with detailed drawings and archival quality photographs to the satisfaction of the responsible authority.
8. In accordance with the 'Heritage Impact Statement for the Boulevard Parklands Swan Street Turnoff' prepared by RBA Architects and Conservation Consultants Pty Ltd dated 8 June 2005, the reinstatement of basalt blockwork is to be undertaken using the expertise of a suitably qualified drystone walling specialist to the satisfaction of the responsible authority.
9. In accordance with the 'Archaeological Survey: Burnley Tram Superstop' prepared by TerraCulture Pty Ltd dated July 2004, the development works are to be monitored by an Aboriginal representative from the Wurundjeri.

**Melbourne Water Conditions**

10. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.

11. At least 21 days prior to commencement of construction a Site Management Plan, detailing pollution and sediment control measures, must be submitted to Melbourne Water.

**Time Limits**

12. This approval will expire if one of the following circumstances applies:
  - The development and use is not started by 31 December 2006.
  - The development is not completed within four years of the commencement of construction.

The responsible authority may extend the periods referred to if a request is made in writing before the expiration dates, or within three months afterwards.

13. The development must, after it is commenced, be continued and completed to the satisfaction of the responsible authority.

**END OF DOCUMENT**