

Alphington Link

Incorporated Document

May 2022

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

OFFICIAL

1.0 INTRODUCTION

This document is an incorporated document in the Schedule to Clause 45.01 and the Schedule to Clause 72.04 of the Yarra Planning Scheme (Planning Scheme).

Despite any provision to the contrary in the planning scheme, the land specified in Clause 3.0 of this document may be used and developed in accordance with the specific control in Clause 4.0 of this document.

2.0 PURPOSE

The purpose of the specific control in this document is to facilitate the Alphington Link (The Project).

The Alphington Link involves constructing a shared pedestrian and cyclist pathway approximately 120 metres long and 3.5 metres wide, from the south-eastern end of Farm Road Alphington, known as part of Lot 1 on Title Plan 86884B and Lot 2 on Title Plan 86884B, to connect to the Darebin Creek Trail Link. The shared pathway will involve sections of elevated bridge in addition to at grade sections involving cut and fill.

3.0 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

The specific control in Clauses 4.0 and 5.0 of this document applies to the land required for works and removal of vegetation necessary for the delivery of the Project (the Project Area), as shown on the planning scheme map SCO4.

4.0 SPECIFIC CONTROL

4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning scheme, no planning permit is required for, and no provision in the planning scheme operates to prohibit, restrict, or regulate the use or development of land for the purposes of the Project.

The Project includes but is not limited to the following:

- a) Buildings and works including the construction of a shared path, earthworks for the construction of earthen embankments to support either end of the path, construction of retaining walls to support the embankments, and construction of a bridge to support the central part of the shared path.
- b) Construction of fences and barriers to avoid the unauthorised entry of shared path users to the Latrobe Golf Club and to protect users of the shared path from being hit by golf balls.
- c) Realignment and construction of the Latrobe Golf Club's access track including a retaining wall to its front driving range, which will go underneath the pedestrian bridge.
- d) Installation and extension of an existing flood warning system at the Darebin Creek Trail Link to incorporate the Alphington Link.
- e) The removal, destruction and lopping of trees and the removal of vegetation, including native vegetation.

- f) Ancillary activities including, but not limited to:
 - i. Creating and using lay down areas for construction purposes.
 - ii. Stockpiling of excavation material.
 - iii. Constructing and using temporary site workshops and storage, administration and amenities buildings.
 - iv. Installing, relocating, modifying and upgrading services and utilities.
 - v. Constructing and using temporary access tracks, diversion roads and vehicle parking areas.
 - vi. Constructing temporary fences, temporary site barriers and site security.
 - vii. Constructing or carrying out works to create roads, car parking areas, bunds, mounds, landscaping, excavate land, salvage artefacts and alter drainage.
 - viii. Earthworks including cutting and spoil removal, and formation of drainage works.
 - ix. Displaying construction, directional and business identification signs.

4.2 CONDITIONS

The use, development and vegetation removal permitted by this document must be undertaken in accordance with the following conditions:

Environmental Management Framework

- 4.2.1 An Environmental Management Framework (EMF) must be prepared to the satisfaction of the Minister for Planning. The EMF must be prepared in consultation with Yarra City Council. The EMF must include:
 - a) A summary of key construction methodologies.
 - b) An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - c) A summary of performance monitoring and reporting processes, including any auditing including for potential soil contamination, to ensure environmental and amenity impacts are reduced and managed during construction.
 - d) A summary of the consultation that informed the preparation of the EMF and a summary of the proposed ongoing engagement activities with Yarra City Council, the community, and other stakeholders during the construction of the Project, including enquiries and complaints management.

Native Vegetation

- 4.2.2 Prior to the removal, destruction or lopping of native vegetation:
 - a) Information about that native vegetation in accordance with the Application Requirements in the *Guidelines for removal, destruction or lopping of native vegetation* (DELWP, December 2017) (Guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP).
 - b) The biodiversity impacts from the removal of that native vegetation must be offset in accordance with the Guidelines.
 - c) Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to DELWP.

- 4.2.3 The timing of the offset requirement may be varied by the Secretary. The secured offset for a Project may be reconciled at the completion of a Project to the satisfaction of the Secretary.
- 4.2.4 Before the removal of any trees, a qualified zoologist/ecologist must inspect the trees to determine if there are any fauna present, and if so, a Fauna Assessment Report (FAR) must be prepared to the satisfaction of the Yarra City Council, detailing the type of fauna found and measures to be taken to manage these.
- 4.2.5 The FAR must outline any particular specifications on how and when those trees should be removed to best protect any wildlife present in those trees; any tree removal will then only occur in accordance with the recommendations of the zoologist/ecologist.
- 4.2.6 A qualified zoologist/ecologist must be present during the removal of trees.

Flood Management

- 4.2.7 Buildings and works on land within the Land Subject to Inundation Overlay must be undertaken to the satisfaction of the relevant floodplain management authority.

Drainage Conditions

- 4.2.8 Any buildings and works that alter or add to Yarra City Council's stormwater drainage infrastructure including (but not limited to pits, pipes, channels and retaining structures) must be undertaken in consultation with Yarra City Council.

Urban Design and Landscape Plan

- 4.2.9 A Landscape Plan must be prepared to the satisfaction of the Minister for Planning, having regard to the views of Yarra City Council and Melbourne Water.
- 4.2.10 The Landscape Plan must include:
- a) A site layout plan.
 - b) Sections and elevations, with materials and finishes.
 - c) Details of plant species.
 - d) Boundary of the Project.
- 4.2.11 An Urban Design Statement that demonstrates compliance with Objectives 2.3 and 2.4 of the *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017) and with CPTED (Crime Prevention Through Environmental Design) principles.

Public Lighting Plan

4.2.12 A Public Lighting Plan (PLP) must be prepared to the satisfaction of the Minister for Planning, having regard to the views of the Yarra City Council. The PLP must demonstrate:

- a) That future lighting conditions of the Project Area comply with Australian Standard AS 1158 and Australian Standard AS 4282.
- b) That the locations of any new light poles do not obstruct vehicular access into private properties.

Tree Management Plan

4.2.13 Before the development starts, or as otherwise agreed with the Minister for Planning, an Arboricultural Report and Tree Protection Plan must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The documents must demonstrate how trees which will not be removed as part the project, will be protected during the construction activities associated with the development.

Other Conditions

4.2.14 Unless otherwise stated, the plans and other documents listed in Clause 4.2 must be approved prior to the commencement of works. Plans and other documents may be prepared and approved for separate components or stages of the Project, but each plan or other document must be approved before the commencement of works for that component or stage.

4.2.15 The plans and other documents may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or other document is satisfactory or whether to consent to an amendment to a plan or other document, the Minister for Planning may seek the views of the Yarra City Council or any other relevant authority.

4.2.16 The use and development of the Project Area must be undertaken generally in accordance with the approved plans and documents.

4.3 AVAILABILITY OF APPROVED PLANS AND DOCUMENTS

4.3.1 The plans and other documents listed in Clause 4.2 must be available on a clearly identifiable Project website from the date of approval and must remain available on such website for at least two years after the commencement of the operation of the Project.

4.4 PREPARATORY USE AND DEVELOPMENT

4.3.2 Unless otherwise stated, the following buildings and works may be undertaken and the Project Area may be used in the following manner before the plans and other documents listed in Clause 4.2 are approved:

- e) Works associated with investigating, testing and surveying land.

- f) Creation and use of construction access points, accessways and working platforms.
- g) Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- h) Construction and use of temporary car parking.
- i) Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- j) Construction, protection, modification, removal or relocation of utility services, overhead and associated infrastructure.

5.0 EXPIRY

The control in this document expires if any of the following circumstances apply:

- a) The development, including native vegetation removal, allowed by the control, including preparatory works, is not started within two years of the date of the gazettal of Amendment C300yara.
- b) The development allowed by the control is not completed within five years of the date of the gazettal of Amendment C300yara.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

Figure 1: Incorporated document boundary

