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# Melbourne Metro Rail Project: Compensatory Flood Storage

Incorporated Document

AUGUST 2018

## **1.0 INTRODUCTION**

- 1.1. This document is an incorporated document in the Maribyrnong Planning Scheme (Planning Scheme) and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2. The land identified in Clause 3.0 of this incorporated document may be used or developed in accordance with the specific control in Clause 4.0 of this document.
- 1.3. The control in this document prevails over any contrary or inconsistent provision in the Planning Scheme.

## **2.0 PURPOSE**

- 2.1 The purpose of the control in this document is to permit and facilitate the use and development of land described in Clause 3.0 for the purpose of compensatory flood storage and ancillary works (flood storage works) associated with the development and operations of the Metro Tunnel Project (MTP).

## **3.0 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES**

- 3.1 The control in this document applies to the land required for the compensatory flood storage and ancillary works, as shown on the map at Appendix 1, and described as the flood storage land.

## **4.0 CONTROL**

### **Exemption from planning scheme requirements**

- 4.1 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, control or restrict the use or development of land described in Clause 3.0 for the purposes of the flood storage works.
- 4.2 The use and development of the flood storage land for the purposes of, or related to, the flood storage works includes, but is not limited to:
  - a) Works required to mitigate impacts to flood levels associated with the development and operations of the MTP.
  - b) Ancillary activities to the use and development described in Clause 4.2a) including, but not limited to:
    - i. Lay down areas for construction purposes.
    - ii. Temporary site workshops, storage, administration and amenities buildings, testing sites and buildings, vehicle parking areas and access roads.

- iii. Constructing fences, temporary site barriers and site security.
  - iv. Displaying signs.
  - v. Removing, destroying and lopping trees and removing vegetation, including native vegetation.
  - vi. Demolishing and removing buildings and works.
  - vii. Carrying out works to alter watercourses.
  - viii. Constructing and carrying out works to create bunds, mounds and landscaping, and to alter drainage and utilities.
- c) Any use or development that the responsible authority confirms in writing is for the purposes of the flood storage works.

## 5.0 CONDITIONS

- 5.1 The use and development permitted by this document must be undertaken in accordance with the following conditions:

### Environmental Management Framework

- 5.2 The use and development allowed by this incorporated document must be carried out in accordance with the Environment Management Framework (EMF), including the Environmental Performance Requirements (EPRs), as approved under the *Melbourne Metro Rail Project Incorporated Document, May 2018* as amended from time to time. For the purposes of the EMF, the flood storage works must be considered to be part of the 'Western Portal' precinct as relevant, and FF1 in the EPRs is taken to refer to the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)

### Native Vegetation

- 5.3 To offset the removal of native vegetation associated with the flood storage works, an offset that meets the offset requirements described in the *Native vegetation removal report* (Report ID MMR-AJM-PWFC-RP-NF-004458, Rev No.P3) must be secured.
- 5.4 If detailed design results in a revised area of impact, an updated *Native vegetation removal report* detailing revised offset requirements, with an updated offset statement must be provided to Deputy Secretary, Planning, DELWP for approval.
- 5.5 Evidence of the secured offset must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) and be provided to Deputy Secretary, Planning, DELWP prior to native vegetation removal.

## Flood Management

- 5.6 Where, but for this incorporated document, the relevant floodplain management authority would be a referral authority for the proposed buildings and works, the buildings and works must be undertaken to the satisfaction of the relevant floodplain management authority.
- 5.7 Flood storage works will be designed in consultation with Maribyrnong City Council to the satisfaction of Rail Projects Victoria on behalf of the State of Victoria as party to the relevant contract.

## Works where a planning permit would not usually be required under the provisions of the Planning Scheme

- 5.8 Buildings and works, including vegetation removal, that would not require a permit under the provisions of the Planning Scheme may be undertaken on the flood storage land as required.

## Other conditions

- 5.9 Unless otherwise state, the plans and other documents listed in Clause 5.0 must be approved prior to the commencement of the use and development of flood storage works. The plans and other documents may be prepared and approved for separate components or stages of the flood storage works but, each document must be approved before commencement of use or development for that component or stage, as relevant.
- 5.10 The plans and other documents may be amended from time to time to the satisfaction of the responsible authority or the relevant approving authority.
- 5.11 The use and development of the flood storage land for the flood storage works must be undertaken generally in accordance with the approved plans and documents.

## **6.0 PREPARATORY BUILDINGS AND WORKS**

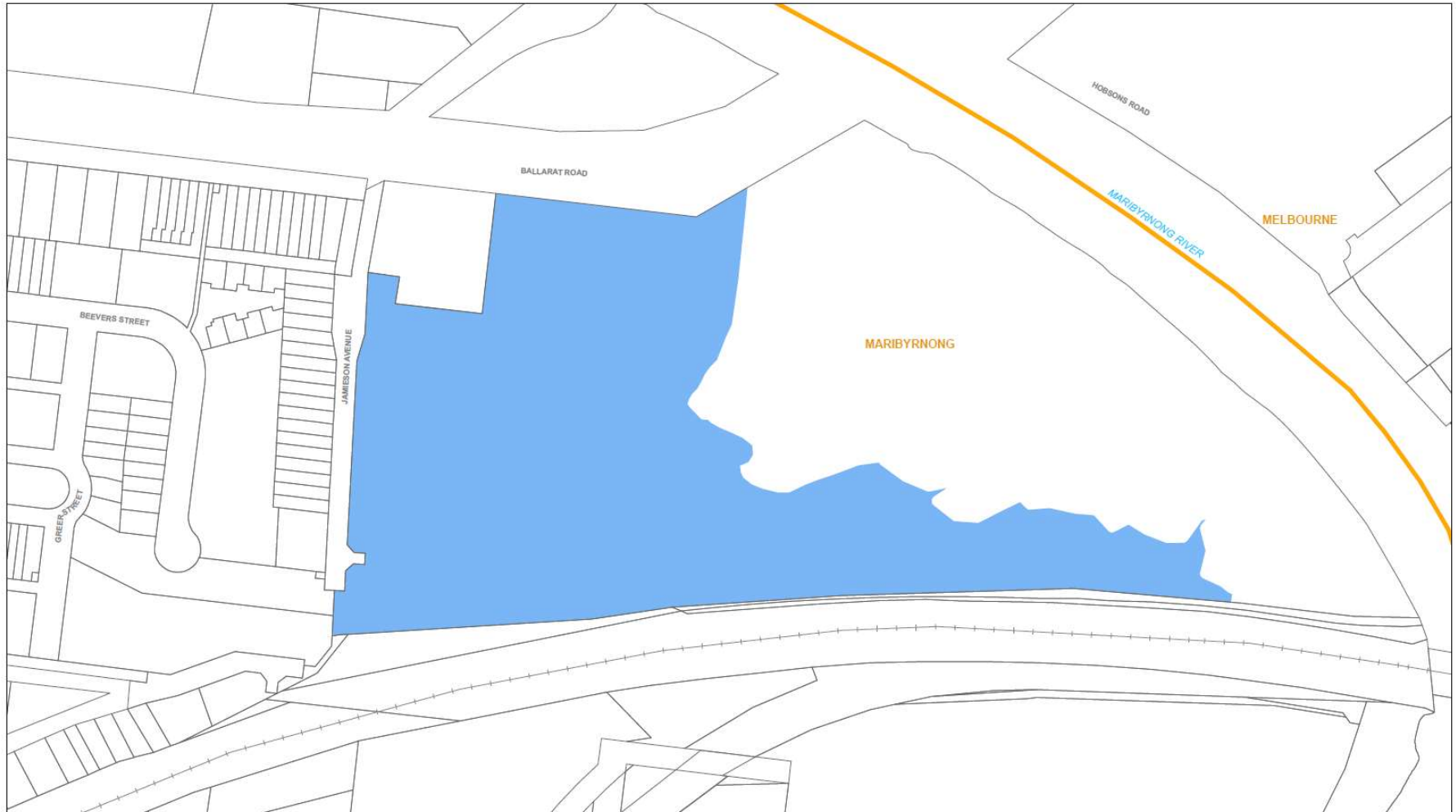
- 6.1 The following buildings and works may commence in the flood storage land before the plans and other documents listed in Clause 5.0 are approved:
- a) Preparatory buildings and works for the flood storage works, including, but not limited to:
    - i. Works, including vegetation removal, where planning approval would not be required under the provisions of the Planning Scheme.
    - ii. Investigating, testing and preparatory works to determine the suitability of land and property condition surveys.
    - iii. Creation and use of construction access points and working platforms.

- iv. Site establishment works including temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
  - v. Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
  - vi. Establishment of environment and traffic controls.
  - vii. Demolition to the minimum extent necessary to enable preparatory works.
  - viii. Salvaging and relocating artefacts and other preparatory works required to be undertaken in accordance with an approved cultural heritage management plan applicable to flood storage works under the *Aboriginal Heritage Act 2006*.
- b) The removal, destruction or lopping of native vegetation to the minimum extent necessary to enable preparatory works, to the satisfaction of the Minister for Planning. Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the flood storage works and native vegetation offsets must be provided in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) except as otherwise agreed by the Secretary to DELWP.

## **7.0 EXPIRY**

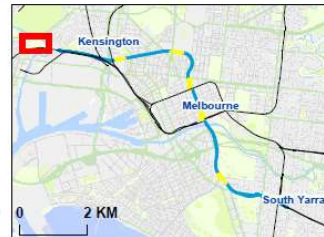
- 7.1 The control in this incorporated document expires if any of the following circumstances applies:
- a) The development allowed by the control is not started by 31 December 2019;
  - b) The development allowed by this control is not completed by 31 December 2025; or
  - c) The use allowed by the control is not started by 31 December 2025.
- 7.2 The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

# APPENDIX 1 – FLOOD STORAGE LAND FOR FLOOD STORAGE WORKS



- Railway
- Flood storage land
- Cadastral boundary
- LGA boundary

Data Sources:  
 AJM-V 2017  
 Contains Vicmap information  
 © State of Victoria 2017  
 Aerial photo (ESRI 2017)



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**aurecon JACOBS**

**AJM** Mott MacDonald

Joint Venture GRIMSHAW

## Melbourne Metro Rail Project

Title:  
 Melbourne Metro Rail Project -  
 Flood Storage Land C152

Drawing Number: MMR-AJM-WNAA-MP-NP-500957  
 Revision: P1.7

Drawn By: A. Mattinson  
 Approved By: C. Daniels  
 Date: 27/07/2018  
 Map Size: A3

