



35-65 Paramount Road and 99 Olympia
Street, Tottenham

Department of Transport and Planning, Dec 2023

MARIBYRNONG PLANNING SCHEME

Incorporated Document

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

Author: Department of Transport and Planning

OFFICIAL

1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clause 45.12 - Specific Controls Overlay Schedule 6 (SCO6) and Clause 72.04 Incorporated Documents of the Maribyrnong Planning Scheme (scheme).

The land identified in Clause 3.0 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) Maribyrnong City Council (the Council) is the Responsible Authority for matters expressly required by the Incorporated Document to be endorsed, approved or done to the satisfaction of Maribyrnong City Council; and
- b) Maribyrnong City Council is the Responsible Authority for the enforcement of the Incorporated Document.

2.0 PURPOSE

The purpose of this incorporated document is to permit the use and development of the land identified at Clause 3.0 of this document for demolition, use and development for the purpose of warehouses and ancillary offices, removal of native vegetation, a reduction to the statutory car parking requirements and to alter access to a road in a Transport Zone 2 (T2Z), generally in accordance with the plans approved at Clause 5.0 of this document and subject to the conditions contained at Clause 6.0 of this document.

3.0 LAND DESCRIPTION

This document applies to the land at 35-65 Paramount Road, Tottenham which is affected by Specific Control Overlay Schedule 6 (SCO6) as shown on Planning Scheme Map No. 6SCO and No. 7SCO in the Scheme and identified in Figure 1 below.

The land is formally described as:

- Lot 1 on Title Plan 806244Q.
- Lot 1 on Title Plan 806328J.
- Lot 1 on Title Plan 806261Q.
- Lot 2 on Title Plan 806261Q.
- Lot 1 on TP806290.



Figure 1 – Map of land subject to this Incorporated Document (outlined in red)

4.0 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the scheme, pursuant to Clause 45.12 of the scheme the land identified in the incorporated document may be used and developed in accordance with the specific controls contained in this document.

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.

5.0 DETAILED DEVELOPMENT PLANS:

This document allows the use and development of the land for the purposes of the project set out in the detailed development plans endorsed under the conditions of this incorporated document.

The use and development must be generally in accordance with the following plans and reports as endorsed by the Minister for Planning, and modified to include any changes required by Clause 6.0 of this incorporated document:

- a) Development plans prepared by Qanstruct, titled 'Paramount Road 35-65 Paramount Road, Tottenham', Revision B and dated 18/10/2022, (referenced as TP00 TP01, TP02, TP03, TP10, TP11, TP20, TP22, TP23, TP25, TP26, TP30, TP32, TP33, TP34, TP35, TP40, TP42 and TP43).
- b) Landscape plans prepared by John Patrick Landscape Architects Pty Ltd and dated October 2022 (referenced as TP01 to TP04 - 5 sheets),
- c) Arborist Report prepared by John Patrick Pty Ltd and dated 14 October 2022.
- d) Sustainable Management Plan (SMP) prepared by Ark Recourse and dated 20 October 2022.
- e) Traffic Engineering Assessment prepared by Traffix Group and dated October 2022.

- f) Cultural Heritage Assessment prepared by Tardis Archaeology Pty Ltd dated 21 October 2022.
 - g) Preliminary Environmental Contamination and Gas Assessment prepared by Greencap and dated November 2019.
 - h) Heritage Impact Statement prepared by Lovell Chen and dated October 2022.
- including any amendment of the plans that may be approved from time to time under the clauses of this document.

6.0 CLAUSES

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

Amended plans required

- 6.1 Prior to the commencement of the use and development (including any demolition), amended plans must be submitted to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and provided in a digital format. The plans must be generally in accordance with the considered plans referenced as TP00 to TP43 (19 sheets), revision B, date 18 October 2022, prepared by Qanstruct (Aust) Pty Ltd and Landscape plans TP01 to TP04 (5 sheets), date October 2022, prepared by John Patrick Landscape Architects Pty Ltd, but modified to show:
- a) The height of the retaining wall that interfaces with Stony Creek at the south-east corner of the site, including the level of the top of wall.
 - b) The details (including height, material, colour) of any fence constructed along the Stony Creek interface (either atop the retaining wall or within the car parking area) that must be at least 50 percent transparent.
 - c) The location and dimension of all easements, including any assets within easements, to be shown on all site and floor plans (where relevant).
 - d) The finished floor levels of the warehouses, set no lower than 17.35 metres to Australian Height Datum (AHD), which is 600mm above the applicable flood level of 16.75 metres to AHD (Melbourne Water).
 - e) The removal of all redundant vehicle crossovers (except at the Sredna Street interface).
 - f) The details (height, construction material, location) of any new gate/fence at the Sredna Street interface.
 - g) A note confirming that "Road Closed" at the Sredna Street interface.
 - h) The identification of car parking spaces dedicated to visitors and the location of 'visitor car parking' signs to be installed with the car parking area.
 - i) Secure and weather-proof bicycle parking in close proximity to all end-of-trip facilities.
 - j) The three (3) metre high acoustic screen shown as described on plan provided to Council on 24 March 2023. The screen and retaining wall along the north boundary (at residential interface) should align with the north boundary where possible. The design and type of screen is to consider the recommendations of the acoustic report.

- k) The location of any bollard or pole lighting, including within car parking areas.
- l) An updated schedule of construction materials, external finishes and colours that include:
 - All new roof material of the new Warehouses and the concrete driveway area to be a light colour or reflective finish (Solar Reflective Index >50 or Solar Absorptance<0.6) to help mitigate the urban heat island effect.
- m) The changes required by the Department of Transport and Planning as required by clause 6.2.
- n) An amended landscape plan to the satisfaction of the Responsible Authority and Melbourne Water as required by clause 6.4.
- o) An amended Arborist Report or Native Vegetation Removal Report as required by clause 6.7.
- p) Any changes required by the amended Sustainable Management Plan as required by clause 6.10.
- q) A Waste Management Plan as required by clause 6.13.
- r) A Construction and Site Environmental Management Plan (Melbourne Water) as required by clause 6.15.
- s) A Conservation Works Report (CWR) as required by clause 6.16.
- t) A Photographic Survey of the subject site as required by clause 6.17.
- u) A Historical Interpretation Plan as required by clause 6.18.

6.2 Unless otherwise approved in writing from the Head, Transport for Victoria, prior to commencement of the development amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show (Department of Transport and Planning):

- a) Function layout plan for the southern proposed access on Paramount Road with associated signs and line marking.
- b) All features such as pavement, kerb/shoulders, line marking, power poles, trees, and other road furniture within 100 metres of the proposed access point.
- c) A notation on the plans that the southern crossing is for temporary passenger vehicle access only and subject to removal when the Public Acquisition Overlay is triggered.

Compliance with endorsed plans

6.3 The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Minister for Planning.

This does not apply to any exemption specified in Clause 62 of the Maribyrnong Planning Scheme (MPS). NOTE: This does not obviate the need for a permit where one is required.

Landscape plan

- 6.4 Concurrent with the submission of plans pursuant to clause 6.1, a detailed landscape plan to the Minister for Planning in consultation with Maribyrnong City Council and Melbourne Water. This landscape plan must include:
- a) Additional deep soil planting in the car parking area to the south of buildings B2 and C to the satisfaction of the responsible authority. This should take the form of the removal of a car parking spaces along the site's southern boundary (minimum 20 spaces, maximum of 30). The number of car parking spaces to be removed shall be entirely at the discretion of the responsible authority having regard to the likely car parking demand generated by the use and development of the land.
 - b) A vegetation buffer and vegetation screening for the creek corridor between the proposed car park and the south eastern corner of the property (Melbourne Water);
 - c) A survey of all existing vegetation to be retained and/or removed including both botanical and common names. The survey must include trees within 3 metres of the site boundary (on adjacent properties) (Melbourne Water);
 - d) A weed management program, including the following information: location; method of control and timing of control;
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including: pot sizes; quantities of each plant; planting density (plants per square metre); planting zones/locations (shown on plan). Note that planting zones must match with those in the planting schedule and that local indigenous plants should only be used (cultivars of native plants do not meet this requirement);
 - f) Landscape treatments with specifications of products such as mulching, erosion control matting, and rock beaching;
 - g) Details of surface finishes located on recreational pathways, maintenance access or any other pathways near waterways;
 - h) Details of proposed retaining wall including dimensions and material to be used.
 - i) Any new landscaping within 5 metres of a Melbourne Water underground asset must comply with Melbourne Water's Planting Guidelines. A Plant near sewers, drains, waterways and water mains application detailing of any landscaping will need to be submitted.
 - j) The landscape plan must be generally in accordance with the detail contained with the advertised Landscape Plan (prepared by John Patrick Landscape Architects Pty Ltd) but modified to show:
 - i. All WSUD initiatives including the rain gardens contained with the concept plan provided to Council on 8 March 2023).
 - ii. Details of surface finishes of pathways and driveways;
 - iii. A note confirming water efficient irrigation, connection of irrigation system to rainwater tank or water efficient plant selection including drought-tolerant turf/lawn.
 - iv. The details of all planting to be included within the raingardens
 - v. A section diagram of the raingarden in accordance with the design guidance contained within the Melbourne Water raingarden instruction sheet.

- 6.5 Before the occupation of the development starts or by such later date as is approved by the Minister for Planning in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council.
- 6.6 The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Maribyrnong City Council, this includes the replacement of any dead, diseased or damaged plants.

Native Vegetation Removal

- 6.7 Concurrent with the submission of plans pursuant to clause 6.1, an amended Arborist report that is generally in accordance with the Arborist Report prepared by John Patrick Pty Ltd (dated 14 October 2022) that provides the following additional information in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) on Native Vegetation Removal from the subject site must be provided to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council:
- a) The details of the specific type of vegetation being removed as defined by the Guidelines.
 - b) Confirmation of the Assessment Pathway for Native Vegetation Removal.
 - c) The extent of native vegetation being removed.
 - d) The biodiversity value of the Native Vegetation that is being removed.
 - e) The Ecological Vegetation Class of the Native Vegetation being removed.
 - f) The calculation of biodiversity loss and off-set requirements for the removal of Native Vegetation,
 - g) An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified, and can be secured in accordance with the Guidelines. A suitable statement includes evidence that the required offset:
 - i. is available to purchase from a third party, or
 - ii. will be established as a new offset and has the agreement of the proposed offset provider, or
 - iii. can be met by a first party offset.
- 6.8 Before works start (including any demolition works), a native vegetation protection fence must be erected to protect all native vegetation to be retained on site, including along the Stony Creek interface. This fence must be erected at a distance of no less than 3 metres from retained native vegetation. The protection fence must be constructed of [star pickets/ chain mesh/or similar] to the satisfaction of the Maribyrnong City Council. The protection fence must remain in place until all works are completed to the satisfaction of the Maribyrnong City Council. Except with the written consent of the Maribyrnong City Council, within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:
- a) vehicular or pedestrian access
 - b) trenching or soil excavation

- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d) entry and exit pits for underground services
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

6.9 Before any native vegetation is removed, evidence that the required off-set has been secured must be provided to the satisfaction of Minister for Planning. This evidence is one or both of the following:

- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
- b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this Incorporated Document.

Sustainable Management Plan

6.10 Concurrent with the submission of plans pursuant to clause 6.1, an amended Sustainable Management Plan (SMP) must be submitted to the satisfaction by the Minister for Planning in consultation with Maribyrnong City Council. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by Ark Recourse (dated 20 October 2022) but modified to include the following changes:

- a)
 - i. A note confirming that all toilets will be connected to the rainwater tanks to allow for use of non-potable water for toilet flushing.
 - ii. A note confirming that all irrigation taps will be connected to the rainwater tanks.
 - iii. The location of all 28 bicycle parking spaces identified at 1.4 of the BESS report or amend BESS report.
 - iv. The solar PV system shown in the 'indicative Solar Photovoltaic array layout' to be installed on the roof of each Warehouse and must be shown on the roof plan.
 - v. A note on the plans that electric vehicle charging infrastructure will be provided for 5% of car parking space and identify the location of that infrastructure.
 - vi. All new roof material of the new Warehouses and the concrete driveway area to be a light colour or reflective finish (Solar Reflective Index >50 or Solar Absorptance<0.6) to help mitigate the urban heat island effect.
- b) A storm water catchment management plan and updated WSUD report (including MUSIC model) that details the following:
 - i. The roof areas (include a measurement in sqms) of the roof areas that will drain into the rainwater tanks.

- ii. The location and capacity of all rainwater tanks that must be consistent with the BESS report.
- iii. A note confirming if the rainwater tanks are connected to a charged system or not.
- iv. The location and type of all proprietary systems.
- v. The location, dimension and type (i.e. in-ground) of all rain gardens as per the concept WSUD plan provided to the council on 8 March 2023).
- vi. The location and area of all impervious areas that will drain into the raingardens.
- vii. Civil Engineering Details that confirm the following in relation to the rain gardens:
 - i. They don't cause any flooding issues.
 - ii. Untreated water can adequately drain into the rain garden.
 - iii. Treated water can adequately be discharged to the legal point of discharge (Maribyrnong will not accept pumping from the rain garden to the legal point of discharge).

Where alternative ESD initiatives are proposed to those specified in this clause, the Minister for Planning may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council, the amended SMP and associated notated plans will be endorsed to form part of this permit. No alterations to the SMP may occur without the written consent of the Minister for Planning.

- 6.11 Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainable Design Assessment (including any BESS and STORM reports) to the satisfaction of Minister for Planning in consultation with Maribyrnong City Council.
- 6.12 Prior to the issuing of a Certificate of Occupancy or Statement of Compliance, whichever comes first, of any building approved under this permit, a report/checklist must be submitted to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council which confirms (with suitable evidence) that measures specified in the endorsed SMP have been implemented in accordance with the approved plans.

Waste Management Plan

- 6.13 Concurrent with the submission of plans pursuant to clause 6.1, a waste storage and collection management and recycling plan for the development must be prepared to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council. The management plan must be provided in digital format (where possible) and have regard to the following matters:
 - a) Detail the management of external waste storage areas and explain whether a waste store is required for Warehouse A.
 - b) Confirm that all waste zones are weather proof.

- c) Confirm that all waste will be collected by a private waste collector, not Council.
- d) Details of the screening to all waste areas. This should include material and height of screening and include a diagram.

Once submitted, the Waste Management Plan will be endorsed to form part of the permit.

- 6.14 Once approved, waste management must be carried out in accordance with the Waste Management Plan approved as part of condition unless otherwise agreed to in writing by the Minister for Planning.

Construction Site Environmental Management Plan (CSEMP) (Melbourne Water)

- 6.15 Prior to the commencement of development (including any demolition), a Construction Site Environmental Management Plan (CSEMP) to the satisfaction of Minister for Planning in consultation with Melbourne Water and Maribyrnong City Council. The CSEMP must identify relevant environmental values and detail the proposed measures to protect or mitigate risk to those values that will be implemented during the works. The CSEMP must include a site map detailing the identified environmental values and related mitigation measures such as silt fencing, spoil stockpiling, exclusion fencing around native vegetation and habitat, areas subject to dust, noise and light control, litter controls measures, and any other relevant controls (Melbourne Water).

The CSEMP must also address the following to the satisfaction of the Responsible Authority:

- a) the contact name and phone number(s) of the site manager,
- b) bulk excavation,
- c) management of the construction site,
- d) land disturbance,
- e) hours of construction, including program/duration of works
- f) noise,
- g) control of dust,
- h) public safety,
- i) traffic management,
- j) construction vehicle road routes,
- k) largest vehicle expected to the site,
- l) soiling and cleaning of roadways,
- m) discharge of any polluted water,
- n) security fencing, disposal of site waste and any potentially contaminated materials,
- o) crane locations during construction,
- p) location of site offices, and onsite staff parking,
- q) redirection of any above or underground services,

- r) Site lighting during any night works.
- s) Clearly shows the location of all Native Vegetation that is approved for removal.

Heritage

- 6.16 Concurrent with the submission of plans pursuant to clause 6. 1, a detailed Conservation Works Report (CWR) for the subject site must be submitted to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council. The CWR should include (but is not limited to) all proposed demolition, reconstruction, restoration and adaptive reuse of significant and contributory elements at the site, as depicted by the Heritage Impact Statement. The CWR must be completed by a suitably qualified heritage consultant (preferably the same consultants who prepared the Heritage Impact Statement).
- 6.17 Concurrent with the submission of plans pursuant to clause 6.1, an archival quality photographic survey of the subject site must be undertaken and submitted to the satisfaction of the Minister for Planning. The archival quality photographic survey:
 - a) Can be limited to the significant and contributory buildings (C, F, G, D and E), and should include the interiors, exteriors and general setting of the structures (including the Sredna Street gates).
 - b) Should be prepared by a suitably qualified photographer who is experienced at preparing historical photographic surveys.
 - c) Can be soft digital JPG and TIFF files only (no printed hard copy required), and a copy should be lodged with both Council and the Footscray Historical Society.
 - d) Must include a photo location plan showing where photographs were taken, and an associated contact sheet.
- 6.18 Concurrent with the submission of plans pursuant to clause 6.1, or as otherwise agreed to in writing by the Minister for Planning, a historical interpretation plan must be prepared and submitted to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council. The historical interpretation plan should include a high level of detail, for example including confirmation of what text and images are to be included on signage and where signage will be located, or similar levels of detail for other interpretation strategies.

Green travel plan

- 6.19 Before the use of the land commences, a Green Travel Plan must be prepared to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include, but not be limited to the following:
 - a) A description of the location in the context of alternative modes of transport and objectives for the Green Travel Plan.
 - b) Outline Green Travel Plan measures for the development.

The Green Travel Plan must not be amended without the written consent of the Responsible

Acoustic requirements

- 6.20 Prior to the commencement works, an acoustic report must be prepared by an acoustic engineer to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council to and endorsed as part of this permit.

This report is to be prepared to guide the design and acoustic qualities of the northern boundary screen (where adjacent to the residential properties).

Amenity

- 6.21 The use and/or development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Harbourage and/or presence of vermin)

All to the satisfaction of the Maribyrnong City Council.

- 6.22 No goods are permitted to be stored or left exposed outside the building so as to be visible from any public area.
- 6.23 External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Maribyrnong City Council.
- 6.24 No use listed at Clause 53.10 'Uses and activities with potential adverse impacts' is to occur on site unless with the separate approval from Council and relevant authorities.

Vehicle crossings

- 6.25 Vehicular crossing(s) must be constructed and/or modified to the road to suit the proposed driveway(s) to the satisfaction of the Maribyrnong City Council.
- 6.26 All disused or redundant vehicle crossings must be removed and the area reinstated with either/or footpath, nature strip, kerb and channel to the satisfaction of the Maribyrnong City Council.

Car parking

- 6.27 Before the use and/or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be to the satisfaction of the Minister for Planning in consultation with Maribyrnong City Council and be:
- a) constructed
 - b) properly formed to such levels that they can be used in accordance with the plans
 - c) surfaced with an all-weather seal coat
 - d) drained
 - e) line marked to indicate each car space and all access lanes
 - f) clearly marked to show the direction of traffic along access lanes and driveways

- g) Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Drainage

- 6.28 The site must be drained to the satisfaction of the Maribyrnong City Council. Storm water run-off from the site must not cause any adverse impact to the public, any adjoining site or Council asset. Stormwater from all paved area has to be drained to underground storm water system. Any cut, fill or structure must not adversely affect the natural storm water runoff from and to adjoining properties.
- 6.29 The site must be drained to the satisfaction of the Maribyrnong City Council and is subject to any requirements, conditions and subsequent approval from VicRoads. Stormwater run-off from the site must not cause any adverse impact to the public, any adjoining site or Council asset. Stormwater from all paved area has to be drained to underground stormwater system. Any cut, fill or structure must not adversely affect the natural stormwater runoff from and to adjoining properties.
- 6.30 No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development.
- 6.31 Prior to the commencement of any works on the site and/or subdivision of the land, the owner must submit for approval to the Minister for Planning in consultation with Maribyrnong City Council, Detail Drainage Plans to the requirements outlined in the Stormwater Discharge Permit. All costs related to the construction of drainage outfall(s) to either Council's stormwater drainage system or to Stony Creek are to be borne by the developer. Drainage discharge will be limited via on-site detention – to be confirmed via Stormwater Discharge Permit.

Melbourne Water requirements

- 6.32 Unless with the prior written consent of Melbourne Water, buildings and works are not permitted within 20 metres of the top of bank of Stony Creek.
- 6.33 Prior to the commencement of any new or modified storm water connection to Melbourne Water's drains or watercourses, a separate application must be submitted to and approved by Melbourne Water. The application must be accompanied by documentation demonstrating that the council considers that it is not feasible to connect to the local drainage system.
- 6.34 No polluted or sediment laden water is to be discharged either directly or indirectly, into any of Melbourne Water's drains or watercourses.
- 6.35 Prior to the commencement of development within 5 metres of a Melbourne Water underground asset, a 'Build Over' application must be submitted to and approved by Melbourne Water.
- 6.36 Services are not permitted to be installed across any Melbourne Water Asset or within any easements or owned land that are in favour of Melbourne Water, unless approval in writing has been granted by Melbourne Water prior to the installation of services. A separate 'Utility Installation' application will need to be submitted.

Department of Transport and Planning (Head, Transport for Victoria) requirements

- 6.37 Prior to the occupation of the development, the crossings, associated signage and works shown on the endorsed plans must be completed to the satisfaction and at no cost to the Head, Transport for Victoria.

- 6.38 All disused or redundant vehicle crossings along Paramount Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.
- 6.39 No compensation is payable under part 5 of the Planning and Environment Act 1987 in respect of anything done under this incorporated document.
- 6.40 All buildings and works approved under this permit within the land affected by the Public Acquisition Overlay for the southern access shown on the endorsed plans must be removed at no cost to, and to the satisfaction of, the Head, Transport for Victoria once the land is proposed to be acquired for road works.

General

- 6.41 Any poles, service pits or other structures/features on the footpath required to be relocated to facilitate the development must be done so at the cost of the applicant and subject to the relevant authority's consent.

Updated Contamination Assessment

- 6.42 Before the construction or carrying out of buildings and works, the owner(s) must provide an updated the Contamination Assessment to:
- a) Revise references to the outdated 2005 DSE Planning Practice Note in the supporting documentation.
 - b) Provide assessment of soil, groundwater and landfill gas assessment, including mitigation measures required.
 - c) Provide a recommendation on whether an environmental audit is required.
 - d) If an Environmental Audit is deemed to be required, the Environmental Audit must be submitted and approved to the satisfaction of the Responsible Authority, in consultation with the Environment Protection Authority, prior to the commencement of buildings and works, and / or occupation of the site.

DCP Levy

- 6.43 A Development Infrastructure Levy/Levies in accordance with any approved Development Contributions Plan(s) which applies to the Land must be paid to the Collecting Agency prior to the grant of a building approval or the development of any buildings and works associated with the permitted development, whichever occurs first, unless the Collecting Agency agrees to a different time for payment.

7.0 EXPIRY OF THIS SPECIFIC CONTROL

The development of the land permitted under this Incorporated Document must:

- Commence within two years (2) years of the gazettal date of Amendment C183mari to this scheme.
- Be completed within four (4) years of the gazettal date of Amendment C183mari to this scheme.
- The use permitted under this Incorporated Document must commence within four (4) years of the gazettal date of Amendment C183mari 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.

This Incorporated Document will expire twelve months after the date of the issuing of the Certificate of Occupancy for the last stage of the development or as otherwise agreed in writing by the Minister for Planning.

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.

Notes

Note 1 (Open Space Contribution)

Should an application be lodged with Council for the subdivision of the land, Council will require any Open Space Contribution to be provided in the form of a land transfer to Council. Specifically, Council will require the south-east corner of the land, which is shown on plans as Stony Creek and the adjoining landscape buffer on either side of the creek, to be transferred to Council to enable the Stony Creek Future Directions Plan (2020).

Note 2 (Melbourne Water):

The site is subject to flooding from Stony Creek Lower. The flood level in a 1% Annual Exceedance Probability (AEP) flood event (being the flood level associated with a flood event that has a 1% probability of occurring in any given year) is 16.75 metres to Australian Height Datum.

The site contains Stony Creek, which is located in the south-eastern corner of the site. Melbourne Water's M102 Water Main is located within Paramount Street, running north-south. At the subject location, this asset consists of a 1150mm diameter pipe constructed of mild steel in 2012.

Note 3 (Department of Transport and Planning, Head, Transport for Victoria):

The proposed development requires works within the Declared Road network. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning, Head TfV, prior to commencing any works.

END OF DOCUMENT