

MELBOURNE PLANNING SCHEME

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INCORPORATED DOCUMENT

**Yarra Park Master Plan Implementation
September 2010**

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

**Melbourne Planning Scheme
Incorporated Document
Yarra Park Master Plan Implementation September 2010**

INTRODUCTION

This document is an incorporated document in the Schedule to Clause 52.03 and Clause 81 of the Melbourne Planning Scheme. It consists of the written provisions of this document and the plan marked 'Yarra Park Master Plan Area Plan September 2010' prepared by FORMium Landscape Architects.

The 'Yarra Park Master Plan Area Plan September 2010' includes the Yarra Park Reserve, the Melbourne Cricket Ground and the Richmond Cricket Ground/Punt Road Oval in Precinct 1. Precinct 1 is generally bordered by Brunton Avenue to the south, Punt Road to the east, Vale Street South and Vale Street to the north-east, the railway line running parallel to Wellington Parade to the north and Jolimont Street and Jolimont Terrace, East Melbourne, to the west. Precinct 2 on the Area Plan includes part of Wellington Parade South and parts of Wellington Park and Jolimont Reserve that correspond to the alignment of external infrastructure required to connect the source of wastewater to the water recycling facility to be constructed in Yarra Park.

Pursuant to Clause 52.03 of the Melbourne Planning Scheme the land identified in this document may be developed and used in accordance with the specific controls contained in this 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.

LAND DESCRIPTION

The Incorporated Document applies to the area shown on the 'Yarra Park Master Plan Area Plan September 2010' prepared by FORMium Landscape Architects.

The 'Yarra Park Master Plan Area Plan September 2010' includes the Yarra Park Reserve, the Melbourne Cricket Ground and the Richmond Cricket Ground/Punt Road Oval in Precinct 1 and is generally bordered by Brunton Avenue to the south, Punt Road to the east, Vale Street to the north-east, the railway cutting south of Wellington Parade to the north and Jolimont Street and Jolimont Terrace, East Melbourne, to the west.

Precinct 2 shown on the 'Yarra Park Master Plan Area Plan September 2010' includes part of Wellington Parade South and parts of Wellington Park and Jolimont Reserve that correspond to the alignment of

external infrastructure required to connect the source of wastewater to the water recycling facility to be constructed in Yarra Park.

APPLICATION OF PLANNING SCHEME PROVISIONS

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

- Clause 32.01 Residential 1 Zone
- Clause 32.04 Mixed Use Zone
- Clause 34.05 Business 5 Zone
- Clause 36.01 Public Use Zone
- Clause 36.02 Public Park and Recreation Zone
- Clause 36.04 Road Zone
- Clause 43.01 Heritage Overlay
- Clause 43.02 Design and Development Overlay (Schedule 22)
- Clause 52.05 Advertising signs
- Clause 52.17 Native Vegetation
- Clause 52.29 Land adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 Road.

PRECINCTS

The 'Yarra Park Master Plan Area Plan September 2010' shows two precincts:

- Precinct 1: Yarra Park Reserve, Melbourne Cricket Ground and Richmond Cricket Ground/Punt Road Oval.
- Precinct 2: Wellington Parade South, Wellington Park and Jolimont Reserve (in part only).

PRECINCT 1: YARRA PARK RESERVE, MELBOURNE CRICKET GROUND AND RICHMOND CRICKET GROUND/PUNT ROAD OVAL

USE AND DEVELOPMENT OF LAND

Views of Heritage Victoria

Before deciding on a development plan, the responsible authority shall consider comments from Heritage Victoria, as appropriate.

This Incorporated Document allows:

The use and development of land to implement the 'Yarra Park Master Plan September 2010' including, but not limited to, Utility installation (Water Recycling Facility) and associated infrastructure (service

vehicle access arrangements and the water diversion, treatment, storage and reticulation systems) and parkland improvement works including, but not limited to, landscaping and planting, soil conditioning, paths, park furniture, directional, interpretive, and information signage, and public lighting generally in accordance with the 'Yarra Park Master Plan September 2010' endorsed as part of this Incorporated Document and subject to conditions in this Incorporated Document.

Conditions (Precinct 1)

Development plans for landscaping improvements

1. Prior to the commencement of landscaping improvement works, detailed development plans generally in accordance with the 'Yarra Park Master Plan September 2010' shall be submitted to and be to the satisfaction of the responsible authority in consultation with the City of Melbourne. When approved the plans will be endorsed and will then form part of Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided. The detailed development plans must provide the following information, as appropriate:

- Existing conditions plan;
- An overall site plan showing the details of the proposed works;
- Details of arrangements for irrigation;
- All trees to be removed and an appropriate replacement tree planting strategy;
- Alterations to existing levels;
- Detailed planting schedule;
- Drainage strategy;
- Strategy to protect the three Aboriginal scarred trees identified in the approved 'MCG- Water Reuse Scheme East Melbourne Cultural Heritage Management Plan' (dated 29 June 2010) prepared by Andrew Long and Associates Pty Ltd and as approved on 23 July 2010 under section 65 of the *Aboriginal Heritage Act 2006*;
- Provision of interpretive signage and information about Yarra Park's Aboriginal heritage;
- Strategy to protect trees to be retained, where required;
- Details of place identification and directional signage;
- Details of interpretive information about the cultural heritage of Yarra Park;
- Details of all paths including width, surface materials, drainage, lighting and purpose;
- Bicycle parking facilities,
- Park furniture including benches, bollards, tables, litter and bins;
- Details of entry statements; and
- Landscape management strategy.

2. A request to approve a development plan showing detailed landscaping works must include a statement explaining how the landscaping works are generally in accordance with the 'Yarra Park Master Plan September 2010' and the approved Yarra Park Management and Improvement Plan.

3. The layout of the site and the details of the proposed landscaping works as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
4. The detailed landscaping works must be carried out generally in accordance with the endorsed plans.

Protection of Aboriginal scarred trees

5. The three Aboriginal scarred trees in Yarra Park identified in the approved Cultural Heritage Management Plan must be retained, maintained and protected with permanent fencing in accordance with the recommendations in the approved Cultural Heritage Management Plan. These trees must not be damaged or removed.

Tree removal and replacement

6. Prior to the removal of a tree that is not identified in the approved Cultural Heritage Management Plan as a scarred tree that must not be removed, a tree removal plan and tree replacement strategy must be submitted to and approved to the satisfaction of the responsible authority. The tree removal strategy shall have regard to the Yarra Park –Tree Assessment and Tree Management Plan, May 2009 prepared by Tree Logic Pty Ltd.
7. The tree replacement strategy must be implemented to the satisfaction of the responsible authority.

Water recycling facility and associated infrastructure

8. Prior to the commencement of the construction of the water recycling facility and associated infrastructure including service vehicle access arrangements, three copies of detailed development plans drawn to scale with dimensions must be submitted and approved to the satisfaction of the responsible authority. Comments from Heritage Victoria, City West Water Ltd and the City of Melbourne shall be provided with a request to the responsible authority to approve plans for the water recycling facility and associated infrastructure. The development plans submitted for approval must show or include the following information:
 - Existing conditions;
 - Proposed site layout plans showing the location of all new buildings, infrastructure and works and service vehicle access requirements;
 - Existing and finished ground levels;
 - The location and details of all above ground level structures;
 - Noise mitigation measures, if any, required in accordance with the acoustic report prepared under Condition 11;

- Odour mitigation measures, if any, required in accordance with the potential odour assessment report prepared under Condition 12;
 - Landscaping plans showing how the area affected by construction of the water recycling facility will be landscaped and made good following completion of construction.
9. The layout of the site and the details of the proposed buildings and works as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
10. The landscaping works shown on the development plans approved under condition 8 must be completed within 3 months of the practical completion date of the construction of the water recycling facility, unless otherwise agreed by the responsible authority, and thereafter maintained to the satisfaction of the responsible authority.

Noise Assessment

11. Prior to the commencement of construction of the water recycling facility (excluding excavation and site preparation works), a report prepared by an acoustic consultant assessing the potential noise impacts must be submitted to the responsible authority. Any recommended noise mitigation measures must be shown on the plans submitted for approval and implemented to the satisfaction of the responsible authority. The measures may include noise monitoring, after the water recycling facility commences operation.

Odour Assessment

12. Prior to the commencement of construction of the water recycling facility (excluding excavation and site preparation works), a report prepared by a suitably qualified consultant assessing the potential for odour must be submitted to the responsible authority. Any recommended odour mitigation measures must be shown on the plans submitted for approval and implemented to the satisfaction of the responsible authority. The measures may include odour monitoring, after the water recycling facility commences operation.

Above ground structures

13. All above ground structures and service vehicle access arrangements associated with the water recycling facility must be designed to minimise impact on the amenity of Yarra Park to the satisfaction of the responsible authority.

Construction Management Plan

14. Prior to the commencement of the construction of the water recycling facility and associated works, a Construction Management Plan (CMP) must be submitted to and approved to the satisfaction of the

responsible authority. Heritage Victoria, City of Melbourne, City West Water Ltd and VicRoads shall be consulted, as appropriate, before the CMP is submitted for approval to the satisfaction of the responsible authority. The CMP shall outline how the Melbourne Cricket Ground Trust will manage the environmental and cultural heritage matters associated with construction of the water recycling facility in Yarra Park. The CMP should be prepared having regard to the City of Melbourne Construction Management Guidelines and must implement the specific measures required for the management of Aboriginal Cultural Heritage identified in the approved Cultural Heritage Management Plan.

The CMP must address:

- Management of the construction site and land disturbance;
- Application of underground directional boring for new pipelines to minimise ground disturbance and contingency measures if the underground directional boring fails;
- Construction program and expected completion date;
- Construction hours;
- Protection measures for the three Aboriginal scarred trees in Yarra Park that are of cultural heritage significance. The three Aboriginal scarred trees require protection during construction. Recommended measures include permanent fencing and the installation of secure, temporary non-invasive fencing beyond the permanent fence line prior to construction, in a location that is based on the advice of a suitably qualified arborist with heritage experience;
- Protection measures and guidelines for trees in addition to the three Aboriginal scarred trees that also require protection during construction;
- Noise management;
- Management of stockpiled material and dust suppression;
- Construction vehicle access, traffic and parking management;
- Stormwater and sediment control;
- Asset protection;
- Site security and public safety including temporary fencing and lighting;
- Adoption of standard contingency plans for the possible discovery of further Aboriginal cultural heritage, as per Clause 13 (1) Schedule 2 of the Aboriginal Heritage Regulations 2007;
- Arrangements for the presentation of a cultural heritage induction course for construction staff and contractors before construction commences.

15. Prior to the commencement of construction, the protection measures for the three Aboriginal scarred trees recommended in the approved Cultural Heritage Management Plan must be implemented to the satisfaction of the responsible authority. The recommendations include the installation of temporary protective fencing prior to construction in addition to permanent fencing and supervision of the installation of the temporary fencing by the Cultural Heritage Advisor responsible for the preparation of the approved Cultural Heritage Management Plan. Once implemented, the tree protection measures must be maintained to the satisfaction of the responsible authority and only removed when construction is completed.

16. All construction must be undertaken in accordance with the approved CMP, to the satisfaction of the responsible authority.

Time Limits

17. This approval will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the approval date;
- (b) The development is not completed within ten years of the date of commencement of construction.

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

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

PRECINCT 2: WELLINGTON PARADE SOUTH, WELLINGTON PARK AND JOLIMONT RESERVE (LAND REQUIRED FOR THE ALIGNMENT OF WATER RECYCLING FACILITY INFRASTRUCTURE ONLY)

USE AND DEVELOPMENT OF LAND

Views of relevant agencies

Before deciding on development plans for the installation of infrastructure in Precinct 2 that is required for the operation of the water recycling facility in Yarra Park, the responsible authority shall consider comments from the City of Melbourne, VicRoads, VicTrack, and City West Water Ltd, as appropriate.

This Incorporated Document allows:

The construction of works and infrastructure in Precinct 2 including, but not limited to, pumping equipment, pipes, mains and man-holes, required to connect and operate the water recycling facility in Yarra Park to be constructed as part of the approved Yarra Park Master Plan September 2010. The only works permitted under this Incorporated Document in Precinct 2 are those works and infrastructure required to connect to and operate the water recycling facility in Yarra Park. This Incorporated Document does not authorise any other use or development in Precinct 2.

The following conditions apply to the construction of the required water recycling infrastructure in Precinct 2.

Conditions (Precinct 2)

Development plans

1. Prior to the commencement of the construction of the required infrastructure, three copies of detailed development plans drawn to scale with dimensions must be submitted and approved to the satisfaction of the responsible authority. Comments from the City of Melbourne, VicRoads, VicTrack, and City West Water Ltd, shall be provided with a request to approve plans for the water recycling facility infrastructure in Precinct 2. The detailed development plans submitted for approval must show or include the following information:
 - Existing conditions;
 - Location of street trees and trees within Wellington Park and Jolimont Reserve that require protection during construction;
 - Any tree required to be removed;
 - Proposed site layout plans showing the location of all new infrastructure and works;
 - Existing and finished ground levels;
 - Vehicle access required for maintenance purposes and any hard stand areas in Wellington Park and Jolimont Reserve;
 - The location and details of all above ground level structures including vents and man-holes;
 - Landscaping plans showing how the area affected by construction will be landscaped and made good following completion of construction.

These plans will be endorsed under this Incorporated Document.

2. The layout of the site and the details of the proposed works as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
3. The landscaping works shown on the plans approved under condition 1 must be to the satisfaction of the City of Melbourne, and be completed within 3 months of the practical completion date of the construction of the infrastructure, and thereafter maintained to the satisfaction of the responsible authority.
4. Any public assets damaged as a result of the construction of the required infrastructure shall be made good at no cost to the City of Melbourne, VicTrack and VicRoads, as applicable.

Construction Management Plan

5. Prior to the commencement of the construction of the infrastructure works, a Construction Management Plan (CMP) must be submitted to and approved to the satisfaction of the responsible authority. The City of Melbourne, City West Water Ltd, VicTrack and VicRoads shall be consulted before the CMP is submitted for approval. The CMP shall outline how the Melbourne Cricket Ground Trust will manage the environmental and construction issues associated with the development. The CMP should be

prepared having regard to the City of Melbourne Construction Management Guidelines. The CMP must address:

- Management of the construction site and land disturbance to protect the trees and amenity of Wellington Park and Jolimont Reserve;
- Application of underground directional boring for new pipelines as an alternative to trenching to minimise ground disturbance and protect trees;
- Approved Tree Protection Management Plan prepared in consultation with the City's Team leader – Tree Planning, including requirement for an arborist to be present during excavation; tree protection measures must be in place before construction commences;
- Construction program and expected completion date;
- Construction hours;
- Noise management,
- Construction vehicle access, traffic and parking management;
- Stormwater and sediment control;
- Asset protection;
- Site security and public safety including temporary fencing and lighting; and
- Details of a community consultation program.

6. All construction must be undertaken in accordance with the approved CMP, to the satisfaction of the responsible authority.

Time Limits

7. This approval will expire if one of the following circumstances applies:

- (a) The development is not started within one year of the approval date;
- (b) The development is not completed within one year of the date of commencement of construction.

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

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

ADVERTISING SIGNS

The following provisions apply to the display of signs within Precinct 1.

Despite anything to the contrary stated in this Incorporated Document, the advertising sign provisions in Clause 52.05-3 'Signs not requiring a permit' in the Melbourne Planning Scheme continues to apply.

Development plan approval is required to display a sign that is visible from outside a venue. Prior to the display of any advertising sign visible from outside a venue, an Advertising Sign Strategy must be

prepared and be submitted to and approved to the satisfaction of the responsible authority. The strategy should be developed in consultation with Heritage Victoria and must identify the advertising sign objectives and describe the type and size of signs, the preferred locations of signs, lighting of signs and any other relevant matter.

The Advertising Sign Strategy must protect the public parkland character, amenity and cultural heritage significance of Yarra Park and satisfy objectives in the Yarra Park Master Plan September 2010. The objectives include improving identification signage, way finding signage, and providing information and interpretive signage to enhance enjoyment of Yarra Park.

The approved Advertising Sign Strategy may be revised from time to time at the discretion of the responsible authority.

In addition to Clause 52.05-3 'Signs not requiring a permit' in the Melbourne Planning Scheme, development plan approval is not required to display the following signs:

- A sign that is internal to a venue and is not visible outside the venue;
- A sign that is generally in accordance with the approved Advertising Sign Strategy to the satisfaction of the responsible authority.

The display of advertising signs must comply with the approved Advertising Sign Strategy.

No sign may be displayed in Precinct 2 under this Incorporated Document. This Incorporated Document does not authorise the display of any sign (s) in Precinct 2.

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