

East West Link (Eastern Section) Project Incorporated Document

June 2014

Incorporated document pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*

1.0 INTRODUCTION

This document is an incorporated document in the Melbourne, Moonee Valley, Moreland and Yarra Planning Schemes pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

The East West Link (Eastern Section) Project (the Project) is a new road connection between the Eastern Freeway and the Port of Melbourne. It comprises two parts. Part A is a connection between the Eastern Freeway and CityLink, including a new tunnel. Part B is a connection from CityLink to the Port of Melbourne.

The land identified in this document may be used and developed in accordance with the control in this document.

The control in this document prevails over any contrary or inconsistent provision in the Melbourne, Moonee Valley, Moreland or Yarra Planning Scheme.

2.0 PURPOSE

The purpose of the control in this document is to allow the use and development of land for the purposes of Part A and Part B of the Project.

3.0 LAND

The control in this document applies to the land in the Cities of Melbourne, Moonee Valley, Moreland and Yarra shown in Figure 1 of this document.

4.0 CONTROL

Despite any provision to the contrary or any inconsistent provision in the Melbourne, Moonee Valley, Moreland or Yarra Planning Scheme, no planning permit is required for, and nothing in those Planning Schemes operates to prohibit or restrict, the use or development of land shown in Figure 1 of this document for the construction and operation of Part A and Part B of the Project which includes, but is not limited to:

- A freeway standard road connecting the Eastern Freeway to CityLink, improvements to CityLink and a connection to the Port of Melbourne at West Melbourne.
- Interchanges and grade separations associated with road connections.
- A new road tunnel and associated infrastructure.

- Earthworks and structures, kerbs, channels, cuttings, batters and fill associated with the Project.
- Ancillary activities including, but not limited to:
 - Establishing and using lay down areas for construction purposes.
 - Constructing and using temporary site workshops and storage, administration and amenities buildings.
 - Displaying direction, construction and business identification signs.
 - Removing, destroying and lopping trees and removing vegetation, including native vegetation.
 - Demolishing and removing buildings, structures and works.
 - Constructing fences.
 - Constructing or carrying out works to create bunds, mounds, landscaping, shared use paths and wetlands, excavate land and salvage artefacts.
 - Constructing and using temporary access roads, diversion roads and vehicle parking areas.
 - Constructing or carrying out works to alter or relocate drainage, utilities and services.
 - Creating or altering access to a road in a Road Zone, Category 1 or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
 - Subdividing and consolidating land.

This control is subject to the conditions in clause 5.0 of this document.

5.0 CONDITIONS

5.1 The use and development and the ancillary activities specified in clause 4.0 of this document must be:

- a) For Part A or Part B of the Project.
- b) In accordance with the Urban Design Principles in Table 1 of this document.
- c) In accordance with the Performance Requirements in Table 2 of this document.
- d) In accordance with the Environmental Management Framework in the Comprehensive Impact Statement for the Project and which, in addition, is to include provision for:

- i) A mechanism for public reporting of compliance against the Environmental Management Framework and Construction and Operation Environmental Management Plans, including the reports of the Independent Auditor.
- ii) A complaints management process that is accessible to the general community.
- iii) The establishment and administration of a Community Liaison Committee for the duration of the construction period for the Project. The Community Liaison Committee is to have an independent chairperson and include representatives from the Linking Melbourne Authority, contractor, municipal councils, relevant statutory authorities and the community.
- e) Generally in accordance with a Construction Environmental Management Plan prepared to the satisfaction of the Minister for Planning after consultation with the Linking Melbourne Authority, Environment Protection Authority and relevant municipal council(s).

5.2 The Performance Requirements in the Environmental Management Framework must be consistent with the Performance Requirements in Table 2 of this document. (The Urban Design Framework referred to in the Performance Requirements is the Urban Design Framework in the Comprehensive Impact Statement for the Project, except that the Urban Design Principles are the Urban Design Principles in Table 1 of this document.)

5.3 The Construction Environmental Management Plan must:

- a) Be in accordance with the Environmental Management Framework in the Comprehensive Impact Statement for the Project amended as required in clauses 5.1 d) and 5.2 of this document.
- b) Include the following:
 - i) An air quality management and monitoring plan.
 - ii) A noise management plan.
 - iii) A surface water management plan.
 - iv) A groundwater management plan to manage potential groundwater impacts, including the risks of “mobilisation” and “migration” of contaminated groundwater.
 - v) A tree management plan.

- vi) A White's Skink management plan.
- vii) A communication plan.
- viii) A contamination management plan.

5.4 The Construction Environmental Management Plan may:

- a) Be prepared and approved for stages of the Project.
- b) Be amended from time to time to the satisfaction of the Linking Melbourne Authority and the Minister for Planning as provided for in clause 5.5 or 5.6 or otherwise appropriate.

5.5 Amendments to the Construction Environmental Management Plan to clarify or improve environmental management practices or procedures or add new obligations and associated controls, without increasing or introducing new environmental risks or impacts, must be endorsed by the Independent Auditor and prepared to the satisfaction of the Linking Melbourne Authority after consultation with the relevant municipal council(s).

5.6 Amendments to the Construction Environmental Management Plan which provide for a change to work methods or scope that results in increased or new environmental risks or impacts must be endorsed by the Independent Auditor and prepared to the satisfaction of the Minister for Planning after consultation with the Linking Melbourne Authority and relevant municipal council(s).

6.0 EXPIRY

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

- The development allowed by the control is not started by 31 December 2020.
- The development allowed by the control is not completed by 31 December 2030.
- The use allowed by the control is not started by 31 December 2030.

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