Plenty Road Upgrade (Bush Boulevard to Bridge Inn Road)

Incorporated Document

February 2018
1.0 INTRODUCTION

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

The land identified in clause 3.0 of this document may be used and developed in accordance with specific control in clause 4.0 of this document.

The control of this document prevails over any contrary or inconsistent provision of the planning scheme.

2.0 PURPOSE

The purpose of the control is to allow the use and development of land described in Clause 3.0 of this document for the purposes of the project.

3.0 LAND

The control of this document applies to land required for the project as shown in the project area maps forming part of this document.

4.0 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 planning provision in the planning scheme operates to prohibit, restrict or regulate the use and development of the project land for the purposes of the project.

The project includes, but is not limited to, the following:

a) Roadworks including the upgrading and duplication of approximately 7kms of Plenty Road and approximately 1km of Bridge Inn Road, intersections upgrades along the route, bridges over waterways and shared off-road pedestrian and bicycle paths;

b) Creating or altering access to roads, including roads in a Road Zone Category 1

c) Ancillary activities including, but not limited to:

   i) creating and using lay down areas for construction purposes

   ii) stockpiling of excavation materials

   iii) constructing and using temporary site workshops and storage administration and amenities buildings

   iv) removing, destroying and lopping trees and removing vegetation, including native vegetation

   v) demolishing and removing buildings and works

   vi) relocating, modifying, upgrading and installing services and utilities
vii) constructing and using temporary access roads, diversion roads and vehicle parking areas
viii) constructing fences, temporary site barriers and site security
ix) constructing or carrying out works to create roads, carparking areas, bunds, mounds, landscaping, excavate land, salvage artefacts and alter drainage
x) earthworks including cutting and spoil removal, and formation of drainage works
xi) displaying construction, directional and temporary business identification signs
xii) restoration and reinstatement works.

4.2 CONDITIONS

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

Environmental Management

4.2.1 Prior to the commencement of any works associated with the Project, an Environmental Management Plan, or equivalent i.e. Project Environment Protection Strategy, must be prepared to the satisfaction of the Minister for Planning.

The document must include:

- The framework for approvals, consents and related statutory instruments that will underpin environmental management for the project.
- The applicable environment management system including the organisational accountabilities and responsibilities assigned to the project.
- The environmental management measures required to address key environment risks and issues.
- The environmental performance objectives and indicators for guiding management actions.
- The processes for monitoring, reporting, auditing and evaluating performance and environmental outcomes, as well as revising management measures.

Native Vegetation

4.2.2 Details of the proposed removal, destruction or lopping, and offsetting of native vegetation necessary for the construction of the project, must be prepared in consultation with Whittlesea City Council and in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) to the satisfaction of the Secretary the Department of Environment, Land, Water and Planning (DELWP), except as otherwise agreed by the Secretary to DELWP.

4.2.3 Native vegetation offsets must be provided in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017), except as otherwise agreed by the Secretary to DELWP.
Heritage

4.2.4 Where, but for this incorporated document, a planning permit would be required for buildings and works within a Heritage Overlay, a Conservation Management Plan must be prepared in consultation with Whittlesea City Council and be consistent with the requirements of Clause 22.04 (Heritage Conservation Policy) of the Whittlesea Planning Scheme.

4.2.5 Where, but for this incorporated document, a planning permit would be required to demolish, remove or alter a dry stone wall, a dry stone wall management plan must be prepared in consultation with Whittlesea City Council and be consistent with the requirements of Clause 22.04 (Heritage Conservation Policy) of the Whittlesea Planning Scheme.

Flood Management

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

Utility Installation

4.2.7 Buildings and works associated with a utility installation (excluding a minor utility installation or any telecommunications facility that is either located within a Road Zone or proposed road zone or, were it not for this incorporated document, would be exempt under Clause 52.19-1 of the planning scheme) must be undertaken in accordance with site plans and elevations prepared to the satisfaction of the Minister for Planning.

Other Conditions

4.2.8 Unless otherwise stated, the plans and other documents listed in Clause 4.2 must be approved prior to the commencement of works. The 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 commencement of works for that component or stage.

4.2.9 The plans and other documents may be amended from time to time to the satisfaction of the Minister for Planning or relevant 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 or relevant approving authority, may seek the views of Whittlesea City Council, or any other relevant authority.

4.2.10 The use and development of land must be undertaken generally in accordance with the approved plans and documents.

4.3 PREPARATORY BUILDINGS AND WORKS

The following buildings and works may commence in the project area before the plans and other documents listed in Clause 4.2 are approved.

4.3.1 Preparatory works for the project including, but not limited to:

a) Works, including vegetation removal, that would not require a planning permit under the provisions of the planning scheme in the absence of this incorporated document.
b) Investigating, testing and preparatory works to determine the suitability of land, and property conditions surveys.

c) Creation and use of construction access points and working platforms.

d) Site establishment works including temporary site fencing and hoardings, site offices, and hardstand and laydown areas.

e) Construction, protection, modification, removal or relocation of utility services, overhead and associated infrastructure.

f) Establishment of environmental and traffic controls, including designation of “no-go” zones.

g) Establishment of temporary car parking.

h) Demolition to the minimum extent necessary to enable preparatory works.

i) Salvage of aboriginal cultural heritage material and other management actions required to be undertaken in compliance with a cultural heritage management plan approved under the Aboriginal Heritage Act 2006 or other compliance with that Act.

4.3.2 Any native vegetation removed to enable preparatory works under Clause 4.3.1 forms part of the total extent of native vegetation removal necessary for the construction of the Project and native vegetation offsets must be provided in accordance with Clause 4.2.3, except as otherwise agreed by the Secretary to DELWP.

5.0 EXPIRY

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

- The development allowed by the control, including preparatory works, is not started by 1 August 2023;

- The development allowed by the control is not completed by 1 August 2027.

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