

Melbourne Metro Rail Project – Infrastructure Protection Areas Incorporated Document, December 2016

1. INTRODUCTION

This document is an incorporated document in the Melbourne, Port Phillip and Stonnington Planning Schemes (**Planning Schemes**) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (the Act).

In this document:

- **Melbourne Metro** means the use and development the subject of the *Melbourne Metro Rail Project Incorporated Document, December 2016*.
- **Melbourne Metro Infrastructure** means the Melbourne Metro tunnels, stations and associated infrastructure and equipment.
- **Loading** means the application of force to an asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 5 January 2017 as supplied by the relevant referral authority.

2. PURPOSE

The purpose of this control is to protect the Melbourne Metro Infrastructure from development, including demolition, that may compromise the structural integrity of that infrastructure or adversely affect the operation of that infrastructure.

3. LAND

The control in clause 4 applies to land affected by:

- Schedule 70 to Clause 43.02 (Design and Development Overlay) of the Melbourne Planning Scheme
- Schedule 31 to Clause 43.02 (Design and Development Overlay) of the Port Phillip Planning Scheme
- Schedule 20 to Clause 43.02 (Design and Development Overlay) of the Stonnington Planning Scheme

4. CONTROL

4.1 Design objectives

- To avoid direct contact with and provide safe working clearance around the Melbourne Metro Infrastructure.
- To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Melbourne Metro Infrastructure.
- To avoid loading onto the Melbourne Metro Infrastructure that could lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the Melbourne Metro Infrastructure to the detriment of passenger rail operations.

- To avoid excavation or other unloading of the ground that could lead to structural, serviceability, or operational damage of the Melbourne Metro Infrastructure.
- To prevent development and construction methods that could generate unacceptable levels of vibration in the Melbourne Metro Infrastructure.
- To ensure that development works do not rely upon direct structural support from the Melbourne Metro Infrastructure unless specifically envisaged in the Melbourne Metro design.
- To ensure that potential effects of development on the Melbourne Metro Infrastructure, and the consequences of those effects on the wider Melbourne transport network, are appropriately managed or mitigated.

4.2 Permit requirement

A permit is required to demolish or remove a building or works that are more than two storeys or include a basement of more than one storey.

Despite the exemptions from permit requirements in clause 62.02-1 and 62.02-2 of the Planning Schemes, a permit is required to construct a building or construct or carry out works for:

- A new building if it is:
 - more than two storeys; or
 - with a basement; or
 - with a footing founded more than two metres below Surface Level.
- A temporary structure of more than one storey.
- Earthworks or excavation that change the Surface Level by more than one metre.
- A pole, sign or retaining wall if any footing is founded more than two metres below Surface Level.
- An underground utility if any trench is more than two metres below Surface Level.
- Internal and external alterations to a building if there are works below Surface Level.
- Tramway works if any earthworks change the surface level by more than one metre or works are more than two metres below Surface Level.
- Road works if any earthworks change the Surface Level by more than one metre or works are more than two metres below Surface Level.
- A rainwater tank with a capacity of more than 4,500 litres if there are works below Surface Level.
- A domestic swimming pool or spa and associated mechanical and safety equipment associated with one dwelling on a lot if there are works below Surface Level.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation, if any earthworks change the Surface Level by more than one metre or works are more than two metres below Surface Level.

4.3 Application requirements

An application must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads and infrastructure.
 - Relevant ground levels and Surface Levels to AHD.
 - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling.
 - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
 - The boundaries and dimensions of the site.
 - The depth of any basements.
 - The proposed foundations, including their form, founding levels and loads.
 - The details of any proposed drainage system, including any discharge outlet.
- Details relating to the staging of development and the likely timing of each stage.
- Either of the following:
 - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 of the Planning Schemes prior to the date the application is lodged with the responsible authority; or
 - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 of the Planning Schemes dated no more than three months prior to the date the application is lodged with the responsible authority.

4.4 Referral of applications

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in the Schedule to Clause 66.04 to the Planning Schemes.

4.5 Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

4.6 Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The views of the relevant referral authority.

- Any technical guidelines prepared by the relevant referral authority.
- The design objectives at clause 4.1.