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VC37

**SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ2**.

**CREMORNE, BALMAIN, DOVER STREETS PROJECT, RICHMOND**

**Land**

This clause applies to land bounded by Cremorne, Bent, Dover and Balmain Streets, Richmond as defined by the comprehensive development plan “Cremorne, Balmain, Dover Streets Project” incorporated in this scheme.

**Purpose**

To provide for the land to be planned and developed as a whole in a form that is responsive to area character and amenity, site characteristics and opportunities, and the strategic objectives of the responsible authority.

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**Table of uses**

**Section 1 - Permit not required**

<b>USE</b>	<b>CONDITION</b>
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997.
<b>Mineral exploration</b>	
<b>Mining</b>	Must meet the requirements of Clause 52.08-2.
<b>Search for stone</b>	Must not be costeaning or bulk sampling.
<b>Any use indicated on the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan</b>	Must be generally in accordance with the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan.

**Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
<b>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)</b>	
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

USE
<b>Extractive industry</b>
<b>Hospital</b>
<b>Intensive animal husbandry</b>
<b>Minor sports and recreation facility</b>
<b>Motor racing track</b>
<b>Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)</b>

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**Use of land**

Use of land must be in accordance with the Table of uses to this Clause and the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan.

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**Subdivision**

**Permit requirement**

A permit is required to subdivide land or a building.

**Application requirements**

None specified.

**Exemption from notice and appeal**

An application to subdivide land 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.

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**Buildings and works**

**Permit requirement**

A permit is not required to construct a building or carry out works generally in accordance with the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan or minor variations to the comprehensive development plan if such variations are to the satisfaction of the responsible authority. A permit may be granted for development which is not generally in accordance with the “Cremorne, Balmain, Dover Streets Project” comprehensive development plan or for variations to the comprehensive development plan which are not minor.

**Noise attenuation**

Before the commencement of construction or carrying out of works associated with the residential component of the Cremorne Street building, the owner of the subject site must

provide to the satisfaction of the responsible authority a report from an appropriately qualified and experienced acoustic engineer specifying any measures required to provide noise attenuation from the nearby industrial/commercial properties to protect the amenity of the future residents of the dwellings. The owner must carry out any works that are specified in the report.

### **Floodway management**

Before the use commences or before the construction or carrying out of buildings and works in association with the use of the proposed development, plans must be referred to Melbourne Water for written comment. Any requirements made by Melbourne Water must be carried out to the satisfaction of Melbourne Water and the responsible authority.

### **Landscape plan**

No buildings may be constructed until a detailed landscape plan has been prepared to the satisfaction of the responsible authority. The plan must show, as appropriate:

- A detailed planting schedule.
- The areas of open space that will be available to the public (public areas).
- Any landscaping proposed for streets, road reserves and public areas.
- The landscape plan may be amended with the consent of the responsible authority.

### **Construction management**

Except with the written consent of the responsible authority, demolition or construction works must only be carried out between 7.00am and 6.00pm Monday to Friday and from 9.00am to 6.00pm on Saturday. No work is to be carried out on Sundays, Anzac Day, Christmas Day and Good Friday. All site operations must comply with the Environment Protection (Residential Noise) Regulations 1997.

During the construction phase of the development the following conditions must be met:

- Only clean rainwater may be discharged to the stormwater drainage system.
- Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system.
- Vehicle borne material from the premises must not accumulate on the roads abutting the site.

### **Environmental assessment**

For land within a distance of 55 metres from Cremorne Street, before a sensitive use commences or before the construction or carrying out of buildings or works in association with a sensitive use commences:

A certificate of environmental audit must be issued for the land in accordance with Section 57AA of the Environment Protection Act 1970 or, an environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the sensitive use.

## **Agreement**

The owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 prior to the development of the land which will require the owner of the land to either carry out the buildings and works or provide the full cost for:

- The undergrounding of all power lines (at least) on the site side of the four surrounding streets.
- Landscaping and associated kerb protection in Balmain, Bent, Dover and Cremorne Streets to the satisfaction of the responsible authority.
- Reinstatement of the footpath kerb and channels in Balmain, Bent, Dover and Cremorne Streets to the satisfaction of the responsible authority.
- Commission and donate a public artwork to be incorporated into the public courtyard garden fronting Balmain Street.
- Contribute a sum of money (to be agreed) towards future traffic management and/or street beautification in the surrounding streets. This could include a full or partial closure at the eastern end of Bent Street and the creation of a neighbourhood park at the eastern end of Bent Street; road narrowing or necking devices; speed humps; and/or footpath widenings in surrounding streets.
- Deposit a sum of money (to be agreed) with the responsible authority which will be forfeited if demolition occurs more than 3 months before construction starts.

This agreement will be prepared and executed while the land is still contained in the one ownership and shall be at the full cost of the owner of the land.

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## **Advertising signs**

None specified.