

Minister for Planning

Approval decision under section 77 of the Major Transport Projects Facilitation Act 2009

I, Matthew Guy MLC, Minister for Planning, having had regard to:

- the East West Link (Eastern Section) Project Comprehensive Impact Statement;
- the recommendations of the East West Link (Eastern Section) Project Assessment Committee Report dated 30 May 2014 (the **Committee's Recommendations**);
- the advice of the EPA under section 64 of the *Major Transport Projects Facilitation Act 2009* (the **Act**); and
- the applicable law criteria under each applicable law

make the following approval decision under s 77 of the Act for the East West Link, Eastern Section (as declared in Special Government Gazette No. S446 *Victoria Government Gazette* 20 December 2012) (the **declared project**).

I grant the following applicable approvals for the declared project namely:

- (a) Preparation, adoption and approval of Planning Scheme Amendment GC2 to the Melbourne, Yarra, Moonee Valley and Moreland Planning Schemes under ss 8, 29 and 35 of the *Planning and Environment Act 1987*
- (b) Works approval under s 19B of the *Environment Protection Act 1970*
- (c) Permits under s 74 of the *Heritage Act 1995*
- (d) Consents under s 129 of the *Heritage Act 1995*
- (e) Licence under s 67 of the *Water Act 1989*
- (f) Consents under Clause 1 of Schedule 2 to the *Road Management Act 2004*
- (g) Comment from the Secretary under s 66 of the *Conservation, Forests and Lands Act 1987*

as set out in each of the applicable approvals in Appendices 1 to 7 and subject to:

- (a) the conditions specified in the applicable approvals in Appendices 1 to 7 pursuant to s 80(1)(a)(ii) of the Act; and
- (b) the following conditions pursuant to s 80(1)(a)(iii) of the Act:
 - i. The connection between the declared project and Elliot Avenue is to be deleted.
 - ii. Development Plans including a site layout plan, elevations and architectural, urban design and landscape plans must be prepared to the satisfaction of the Minister for Planning for:
 - the Hoddle Street interchange;
 - the connection between the declared project and Flemington Road;

- Part B of the declared project;
 - the elevated structures in Royal Park; and
 - the connections onto CityLink.
- iii. The Development Plans may include one or more of the above elements of the declared project, and may be prepared in stages.
- iv. The Development Plans for Part B of the declared project must include (so far as is relevant):
- noise and air quality mitigation measures for the Flemington Housing Estate residents who face east onto the declared project; and
 - design changes required to manage potential impacts on the West Melbourne Terminal Station site.
- v. The Development Plans must not be altered or modified without the consent of the Minister for Planning.
- vi. The use and development and ancillary activities associated with the declared project must be in accordance with the approved Development Plans.
- vii. The Development Plans must be accompanied by a report prepared to the satisfaction of the Minister for Planning which identifies properties outside the land to which the Incorporated Document forming part of Amendment GC2 applies that are materially impacted by any elevated structures shown on the Development Plans (**the Property Impact Report**), to allow further consideration of:
- whether and by what process any adjustments should be considered for the land identified in Figure 1 of the Incorporated Document forming part of Planning Scheme Amendment GC2, and for the designation of the Project Area under the Act;
 - whether there is a need for Linking Melbourne Authority to acquire additional properties within or immediately adjacent to the land to which the Incorporated Document applies; and
 - whether any further mitigation measures are required to ameliorate significant impacts on affected properties.
- viii. Linking Melbourne Authority must develop and implement an information program to my satisfaction, to keep owners and occupiers of land within the vicinity of any proposed elevated structures fully informed pending approval of the Development Plans.

Date:

30-6-14

Matthew Guy MLC
Minister for Planning



Appendix 1 – Planning Scheme Amendment

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).

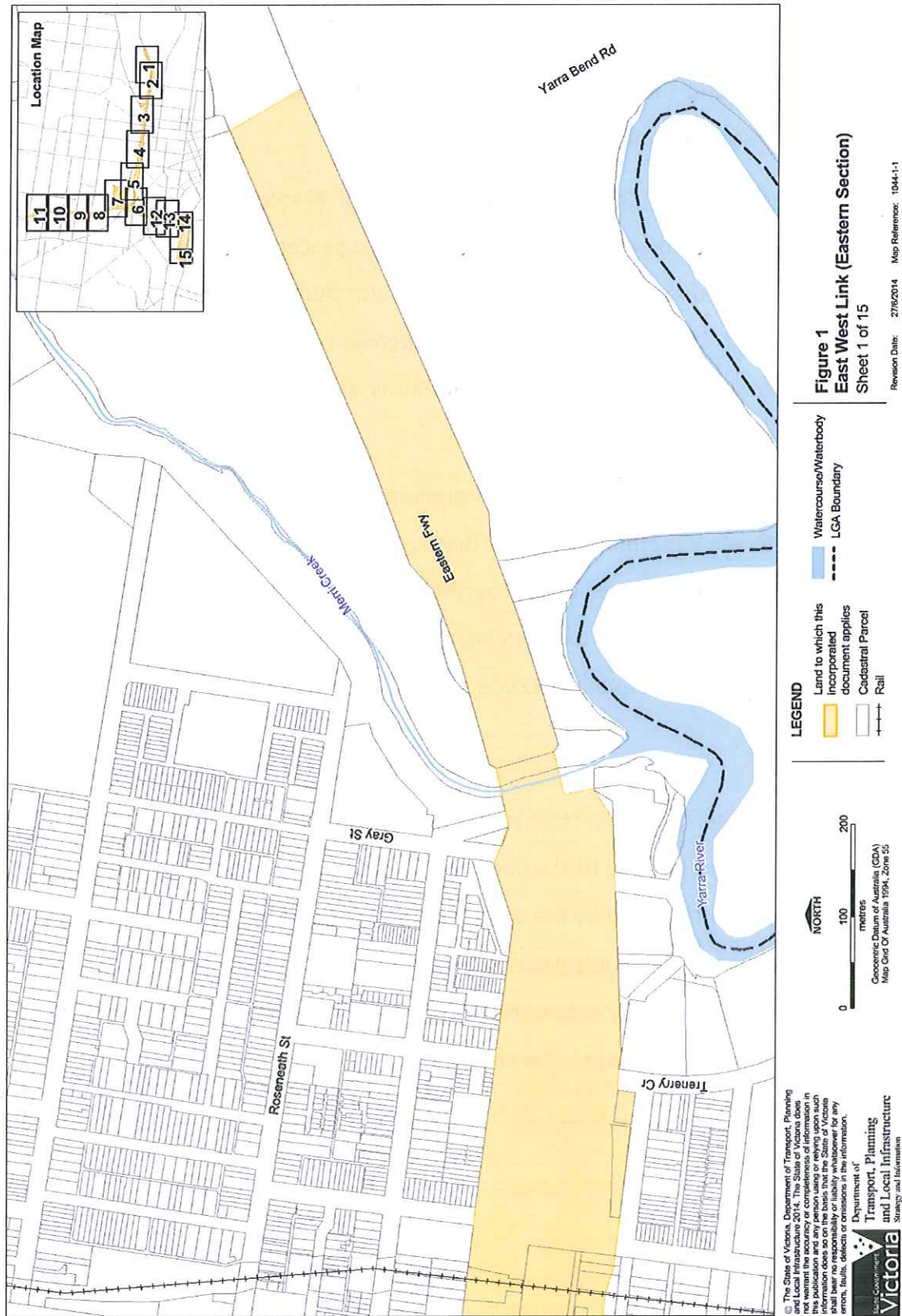
5.6 Amendments to the Construction Environmental Management Plan which provide for a change to work methods or scope that results in increased or new environmental risks or impacts must be endorsed by the Independent Auditor and prepared to the satisfaction of the Minister for Planning after consultation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

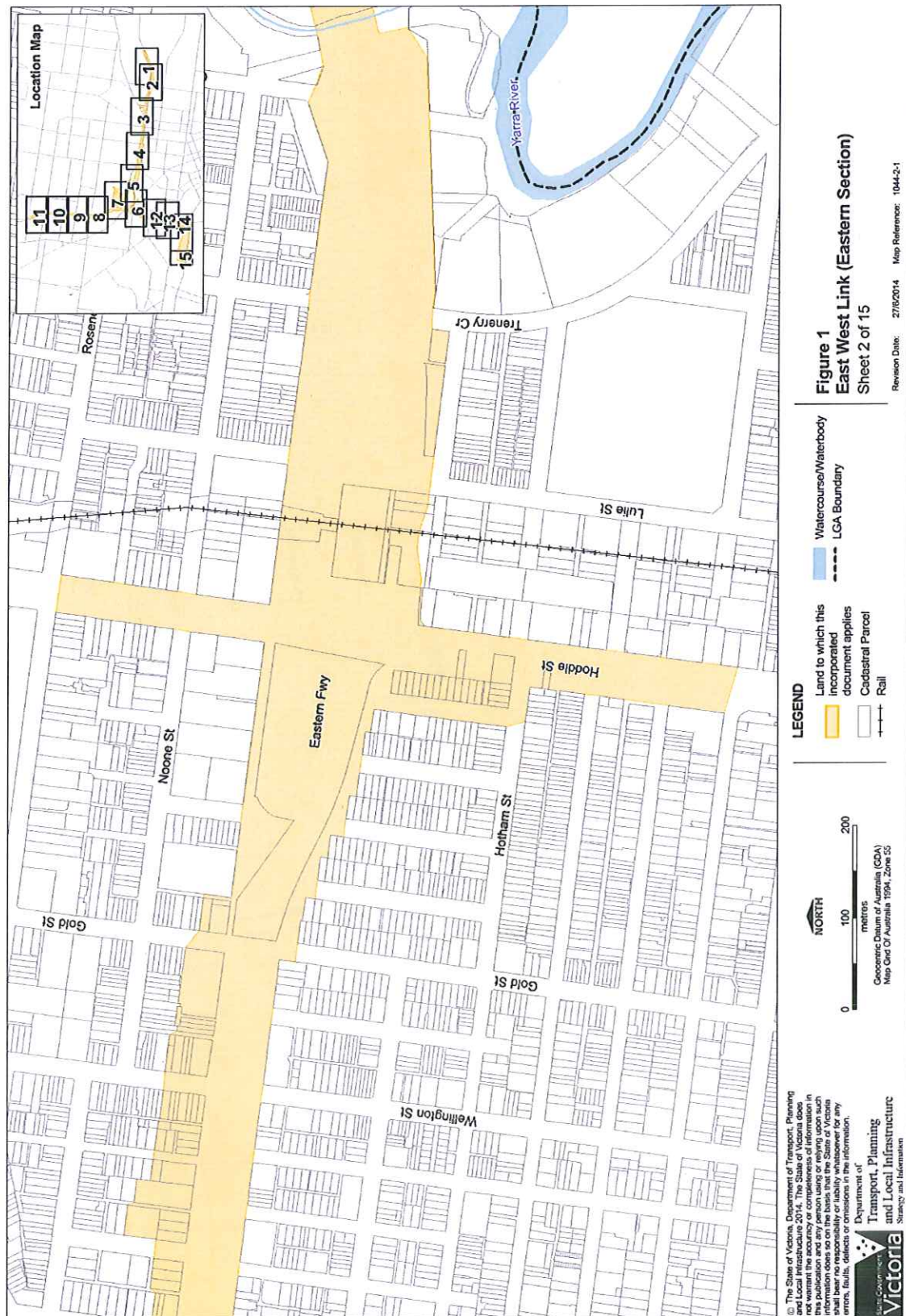
6.0 EXPIRY

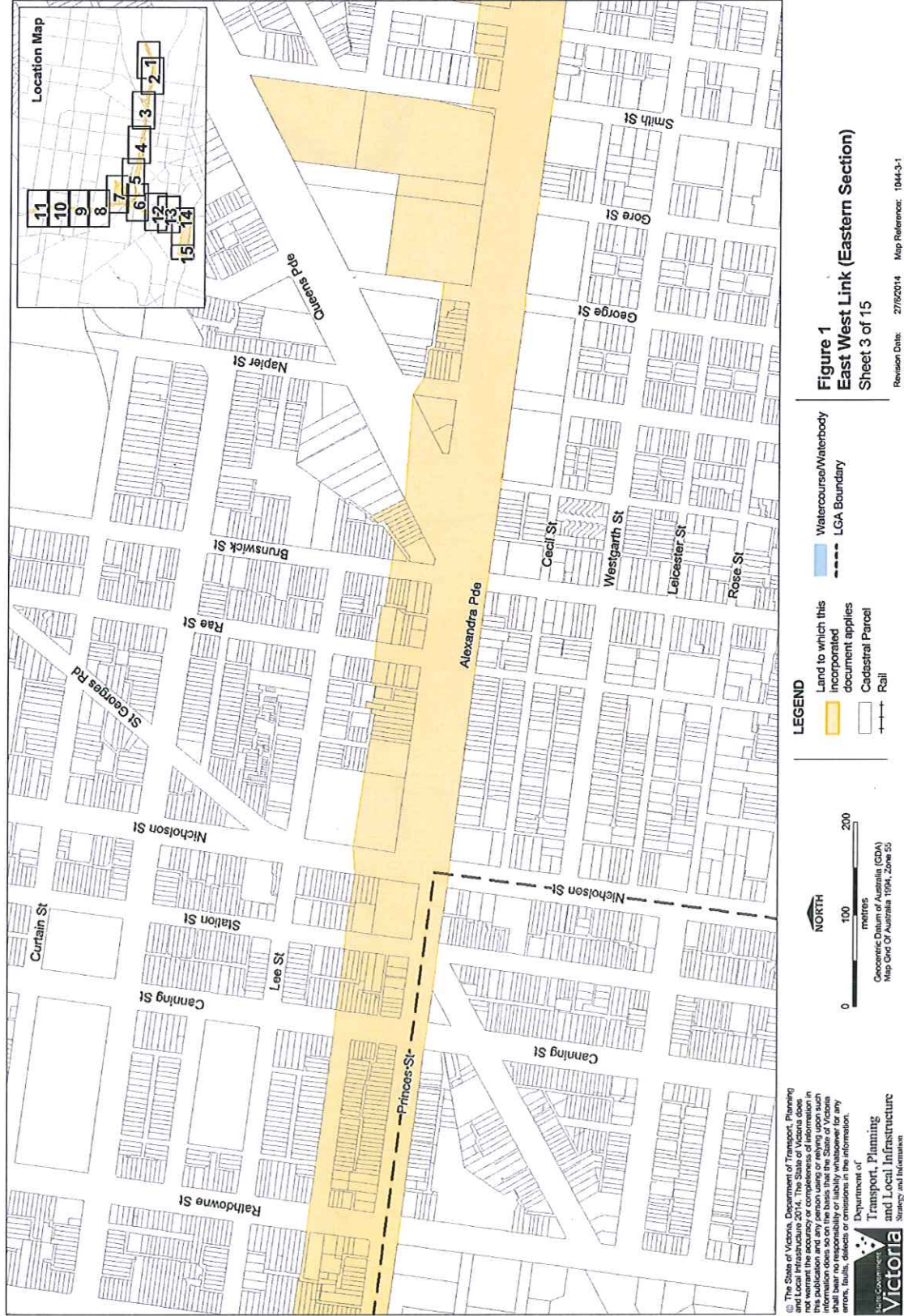
The control in this document expires if any of the following circumstances applies:

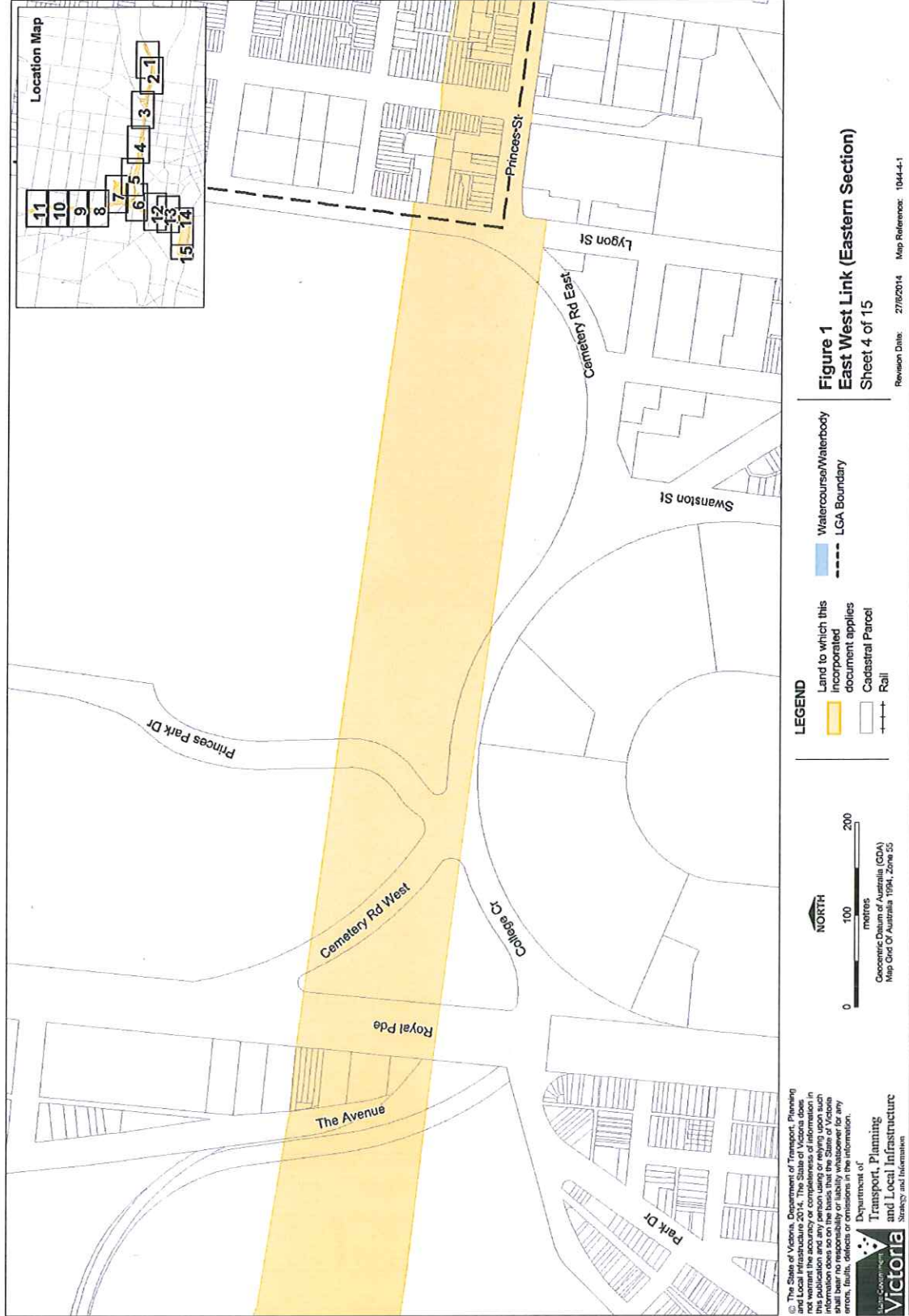
- The development allowed by the control is not started by 31 December 2020.
- The development allowed by the control is not completed by 31 December 2030.
- The use allowed by the control is not started by 31 December 2030.

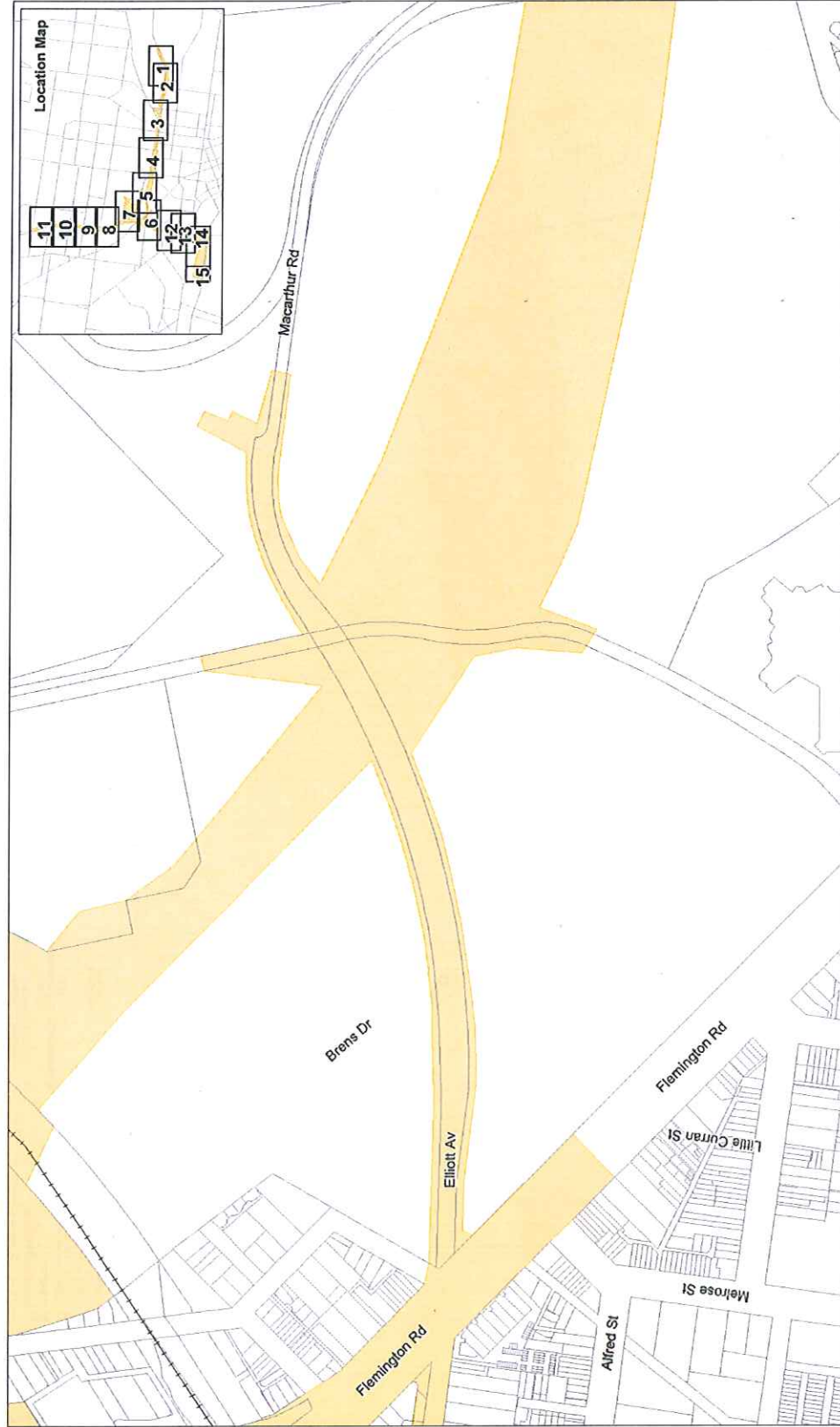
The responsible authority may extend these periods if a request is made in writing before the expiry date or within three months afterwards.











LEGEND

- Land to which this incorporated document applies
- Watercourse/Waterbody
- LGA Boundary
- Cadastral Parcel
- Rail

Figure 1
East West Link (Eastern Section)
Sheet 5 of 15

Revision Date: 27/6/2014 Map Reference: 1044-E-1

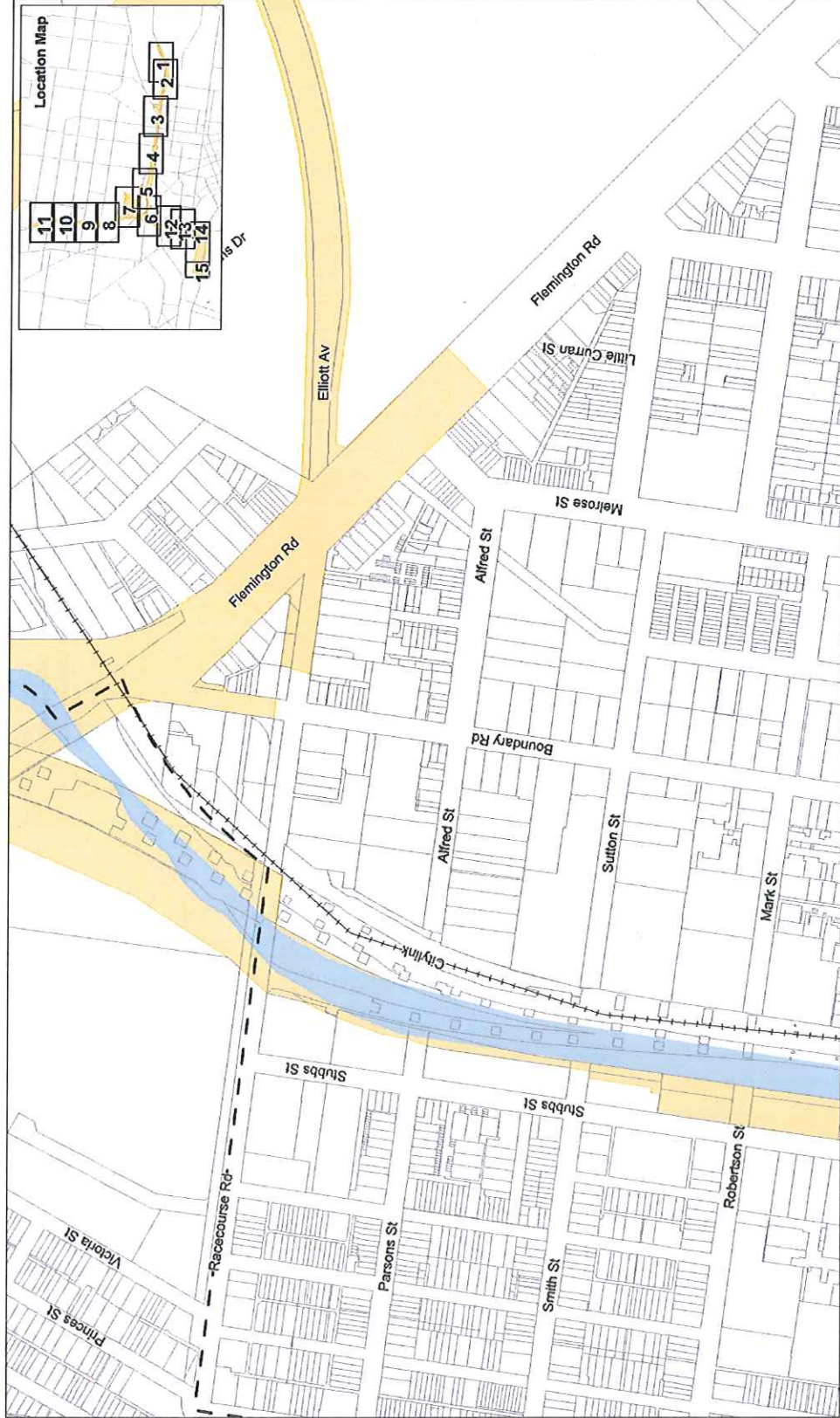
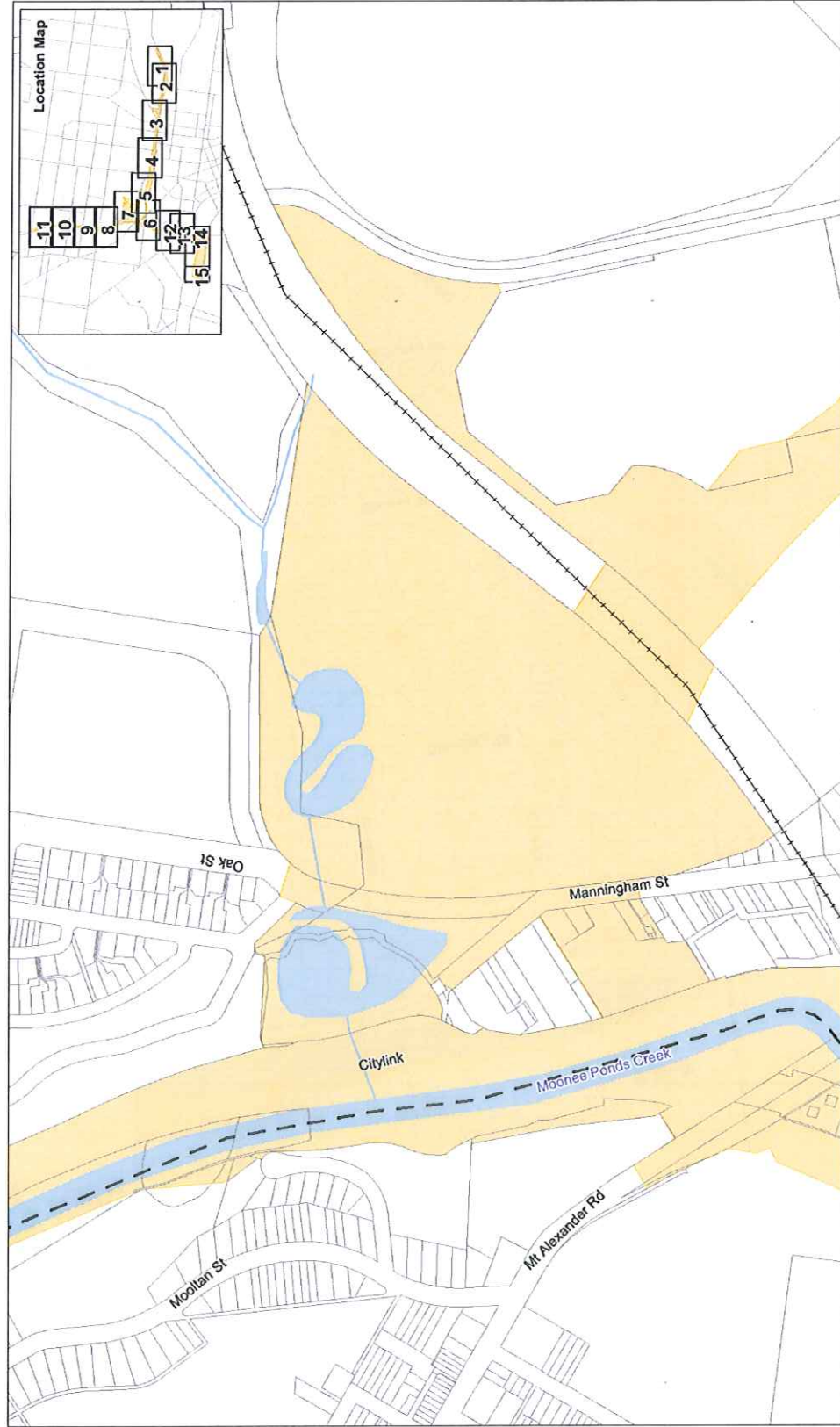


Figure 1
East West Link (Eastern Section)
 Sheet 6 of 15



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Department of
Transport, Planning
and Local Infrastructure
Strategy and Information

Victoria
GOVERNMENT

LEGEND

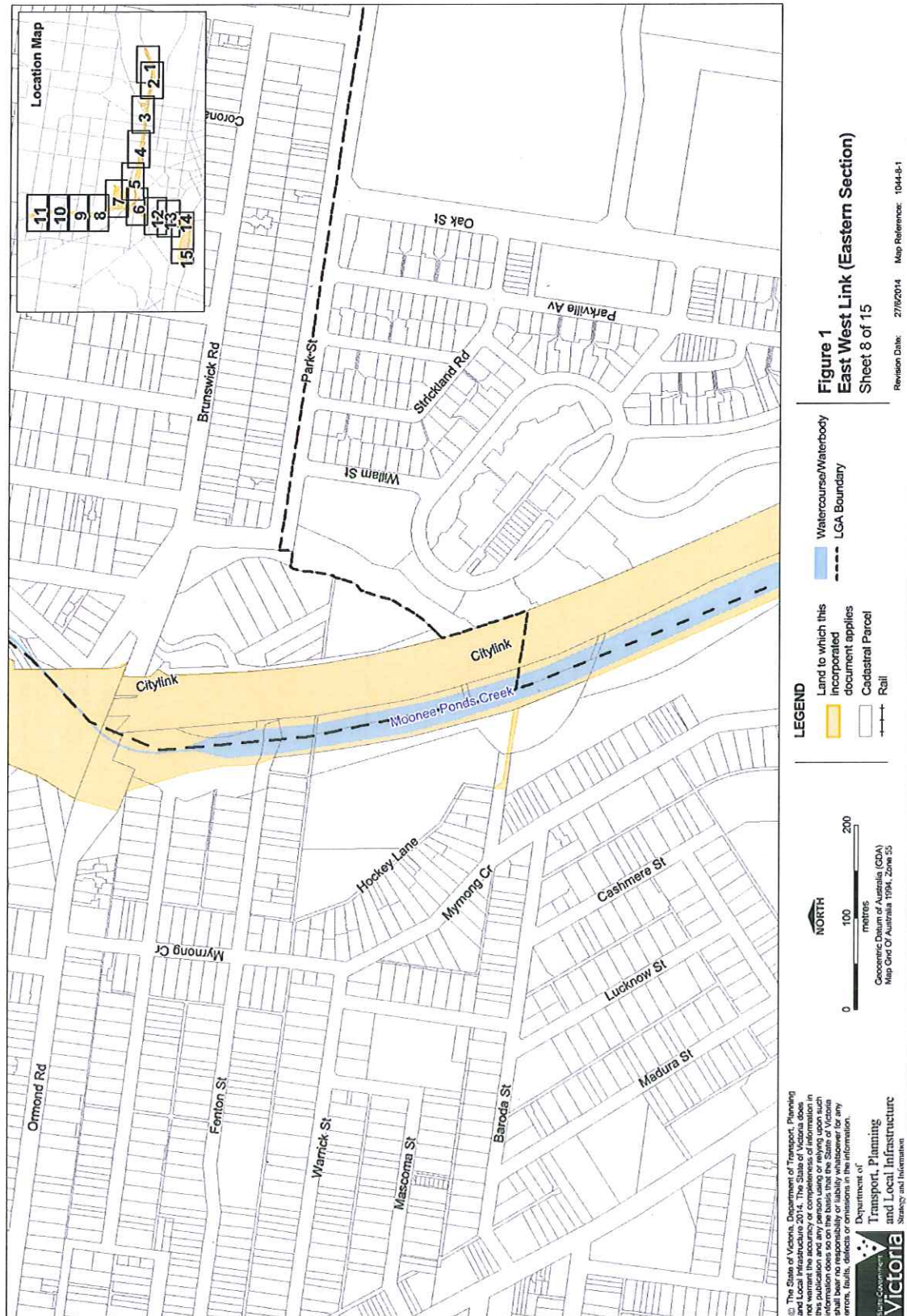
- Land to which this document applies
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- LGA Boundary
- Cadastral Parcel
- Rail

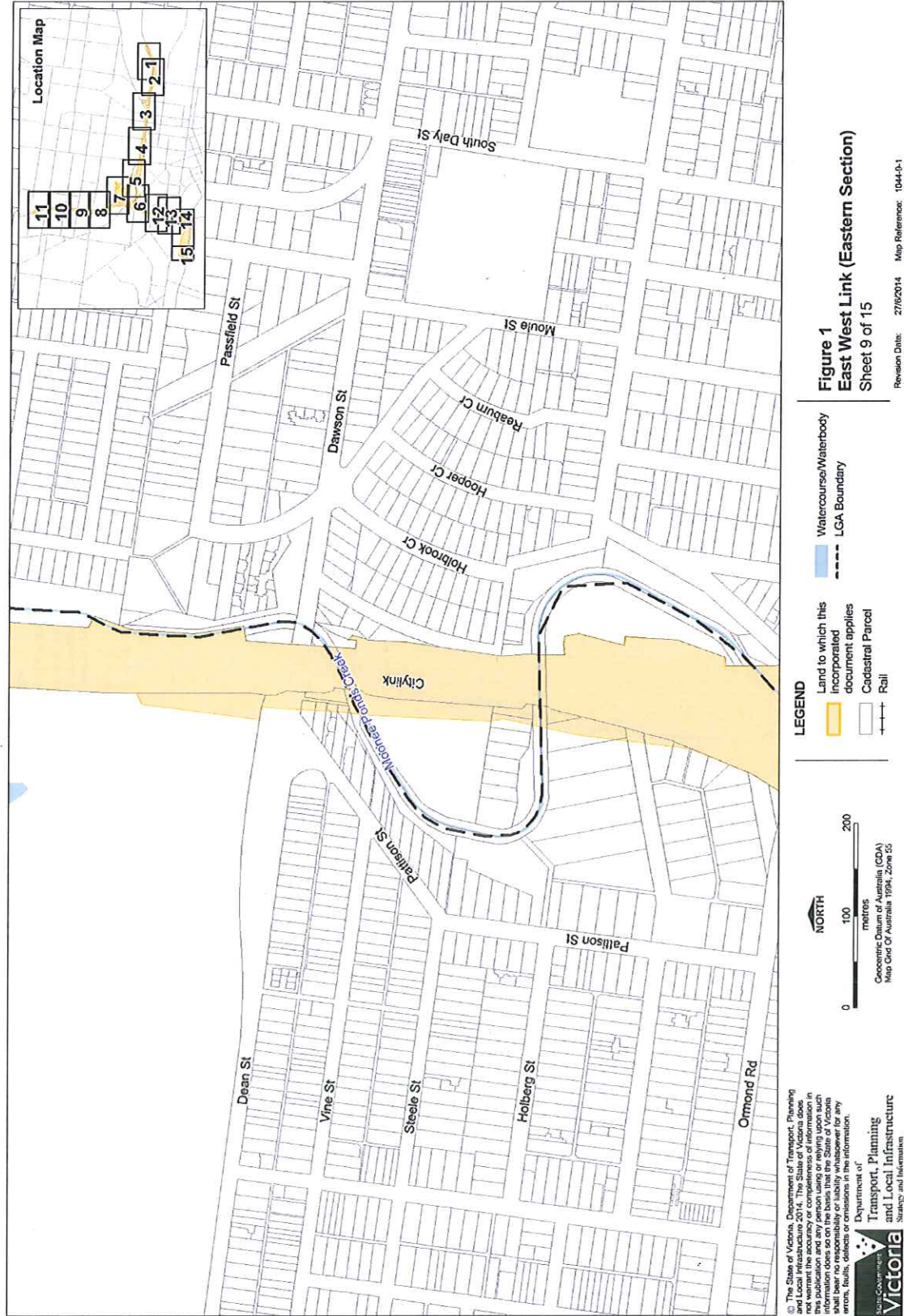
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0 100 200 metres
Geographic Data of Australia (GDA)
Map Grid Of Australia 1994, Zone 56

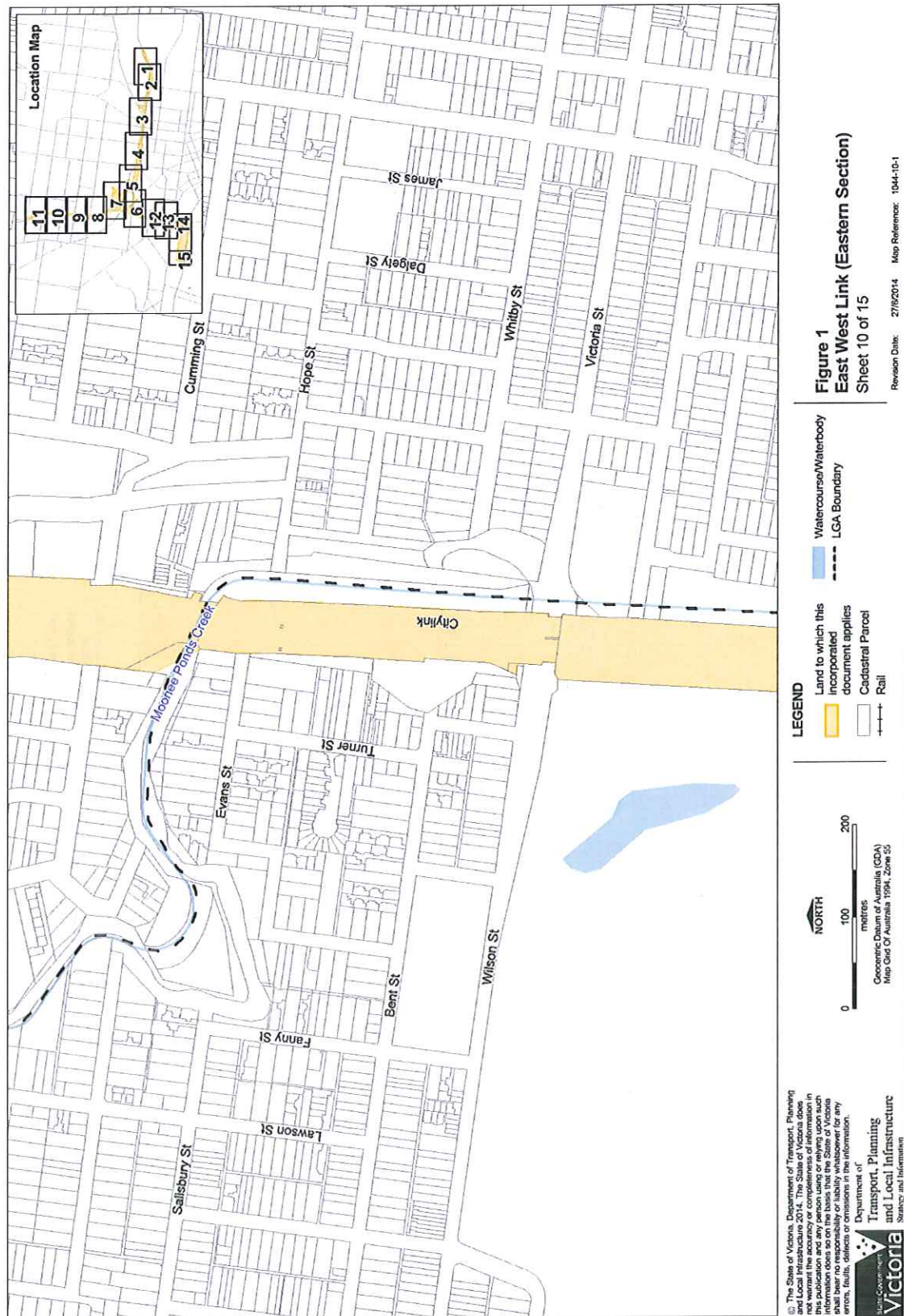
North Arrow
NORTH

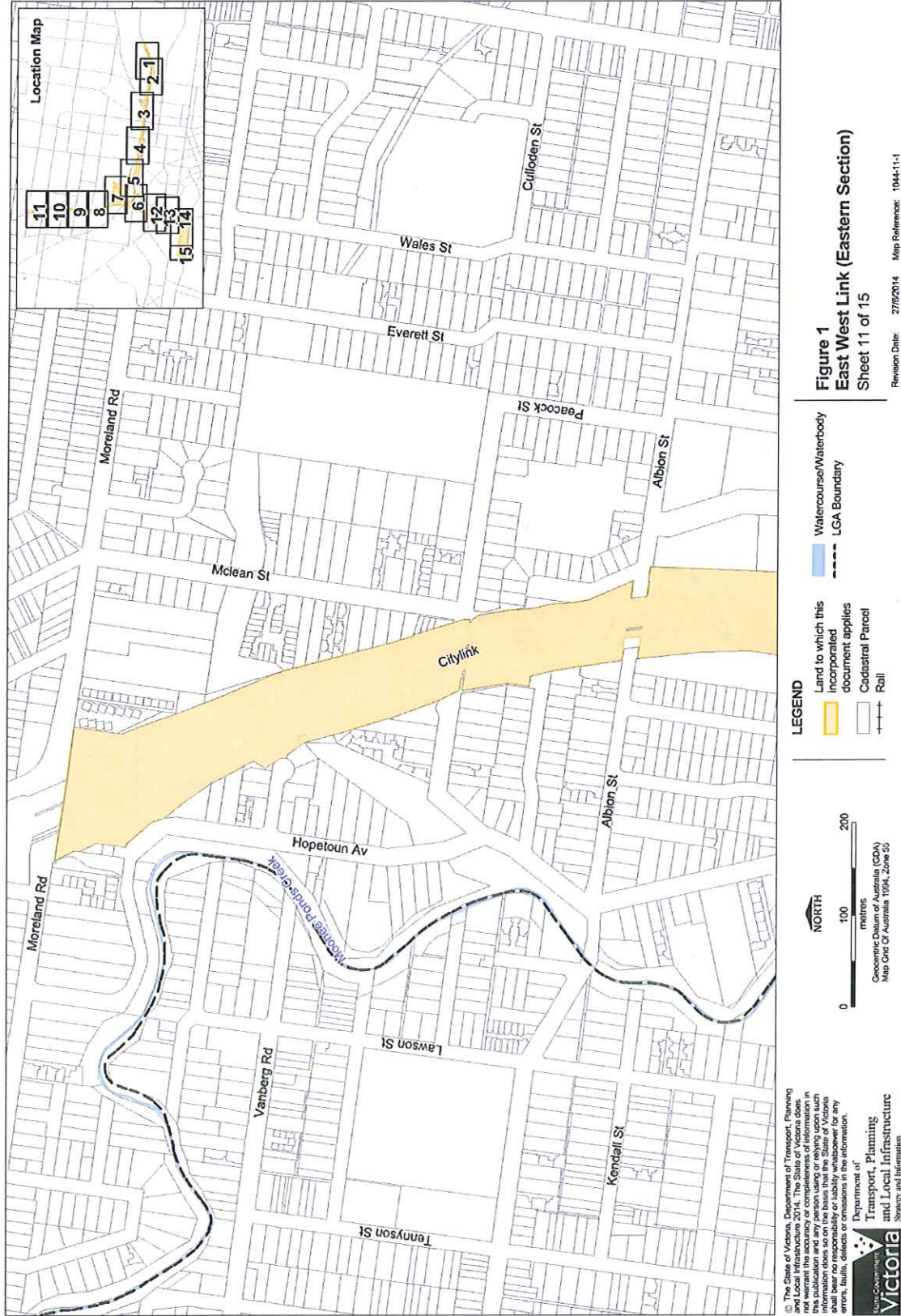
Figure 1
East West Link (Eastern Section)
Sheet 7 of 15

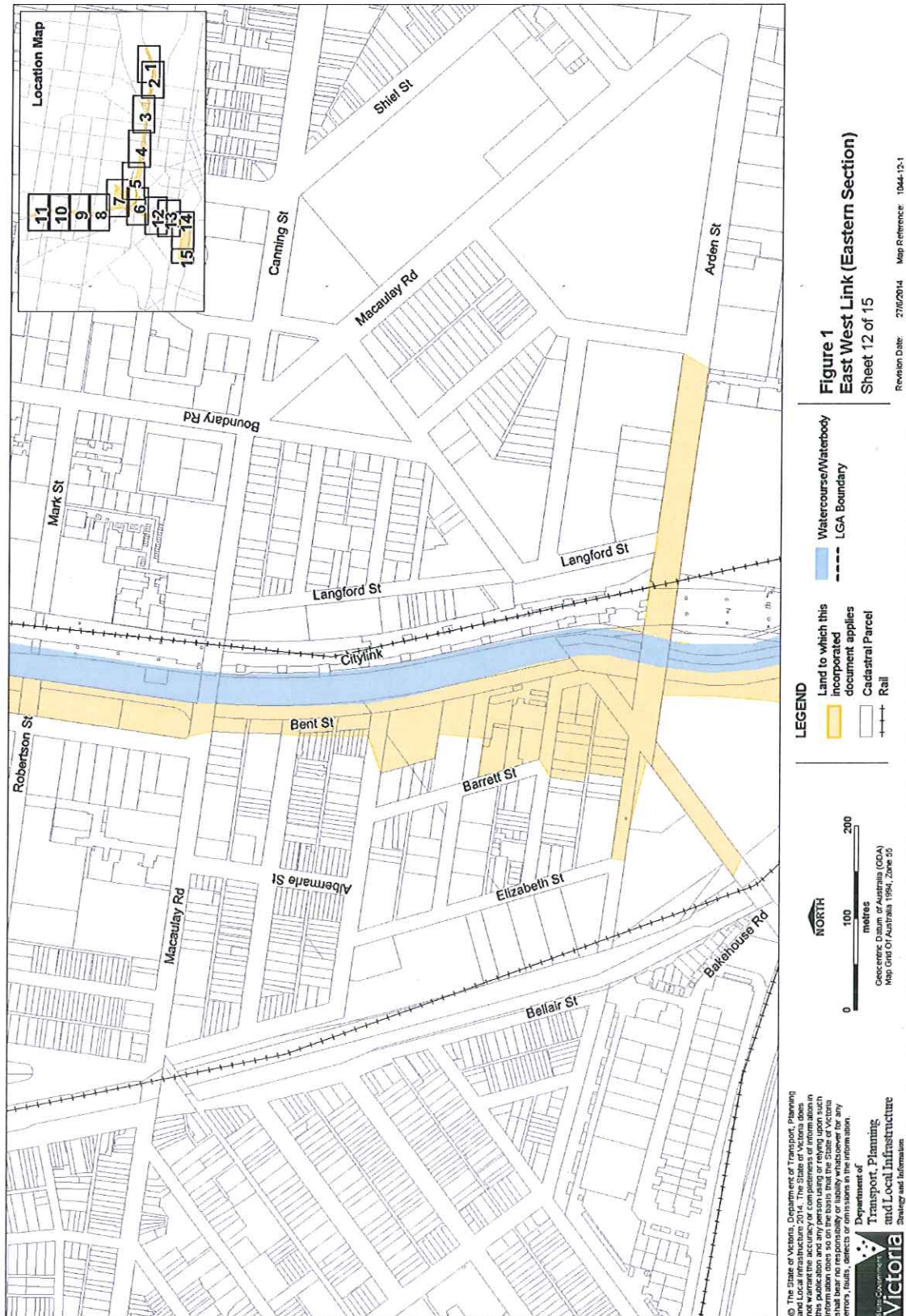
Revision Date: 27/6/2014 Map Reference: 1044-7-1

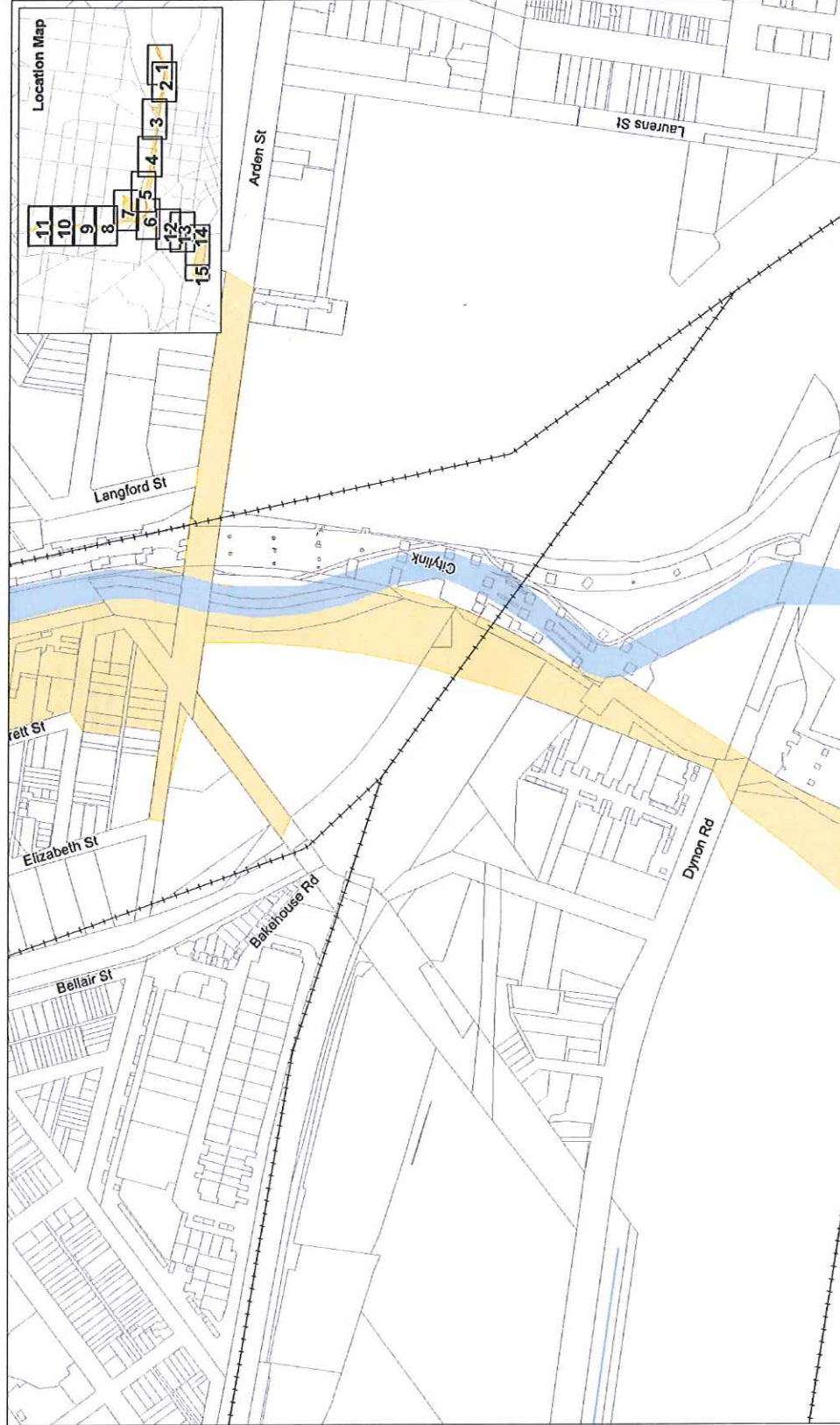


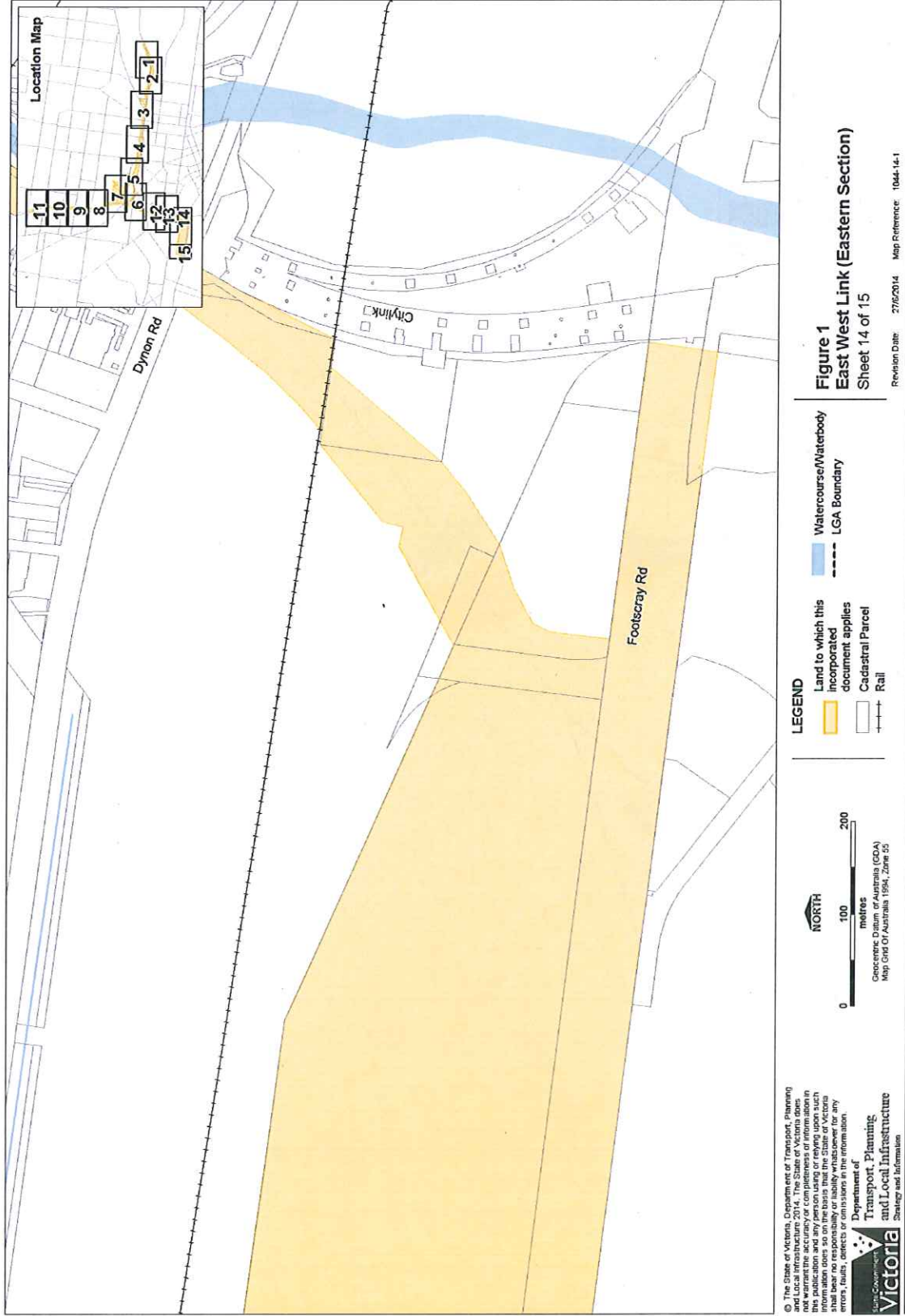












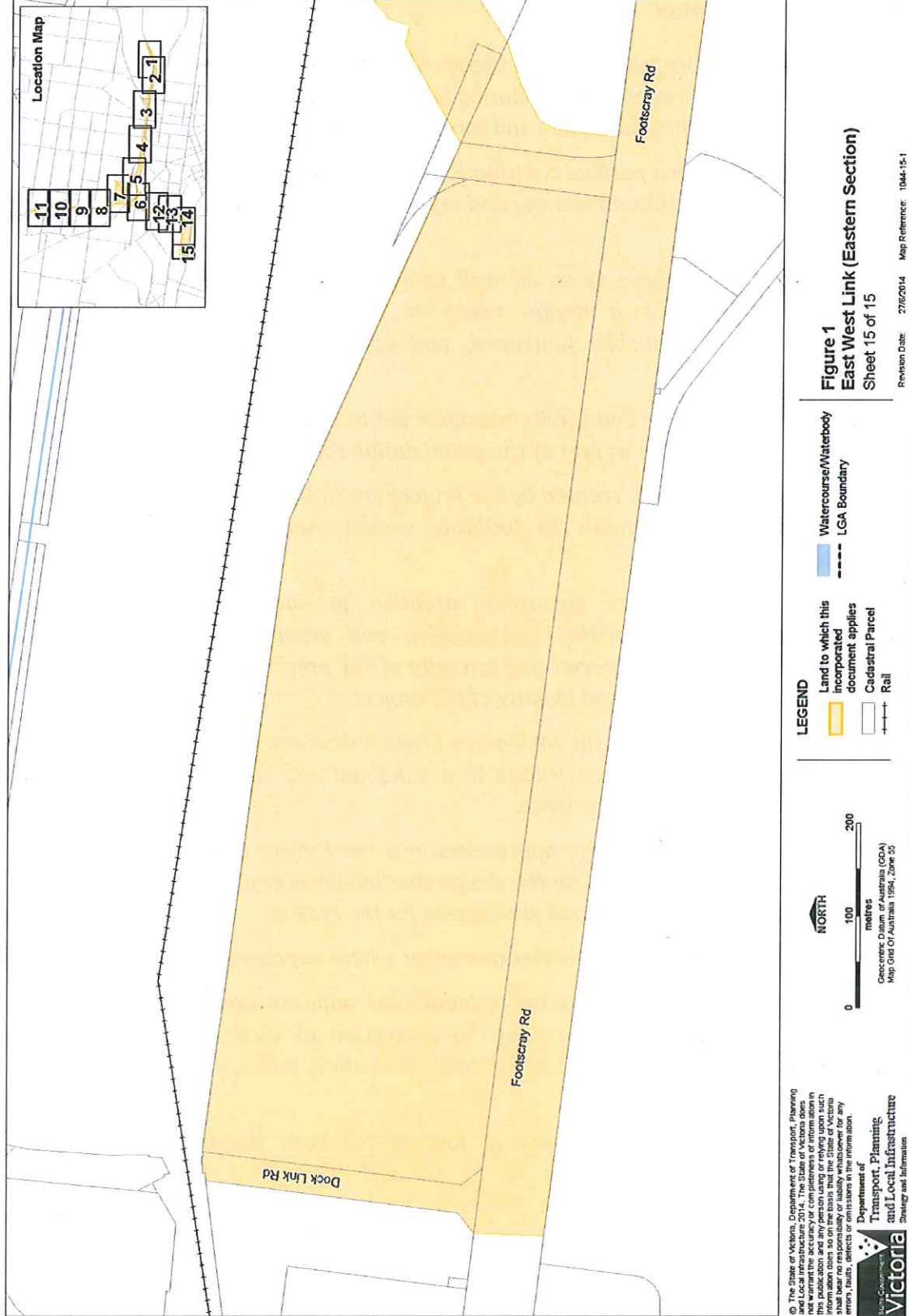


Table 1

Urban Design Principles

1. Design and integration

1.1 Provide a high quality, well-resolved design outcome; and a memorable, innovative urban design response which is enduring in expression and timeless in nature, for road users, surrounding land users and for Melbourne as a whole:

1.1.1 The design is to make a positive contribution to locally affected environments, and to greater Melbourne's cultural identity and reputation for design innovation, liveability and excellence.

1.1.2 The whole of the Project is to be well conceived, carefully resolved and finely executed in detail as a design which is innovative, responsive, engaging, environmentally sustainable, functional, and adaptable for future infrastructure needs.

1.1.3 All structural, functional and service elements are to be resolved and integrated in a context sensitive manner as part of the urban design solution.

1.1.4 Spaces associated with or created by the Project are to be optimised through careful siting of structural elements to facilitate spatial useability and access where appropriate.

1.1.5 The design is to ensure particular attention to successful integration and responsiveness to the existing landscape(s), and urban environments, cultural heritage, land use, the character and integrity of key precincts along the alignment, and the overall coherence and identity of the Project.

1.1.6 Design of new structures at the Melbourne CityLink Gateway is to enhance the urban design of the precinct and contribute to a redefined and heightened gateway and multi-modal interchange experience.

1.1.7 Incorporate sustainable design approaches into the Project as a whole, and to its elements. Consider materials for the design that minimise embodied energy use, and consider whole-of-life energy and water costs for the Project.

1.1.8 Protect and enhance public viewlines and vistas where appropriate.

1.2 Provide a high quality outcome for residents and adjacent private and public land users and land owners with respect to protection of views and privacy, noise amelioration, avoiding overshadowing, and maintaining access and security through design.

1.2.1 A distinctive character and sense of journey for both the freeway and other integrated transport modes is to be created through a holistic landscape, architectural and urban design response to the whole Project including the development of a palette of forms, treatments and materials for all elements:

1.2.2 Roads, waterways, parklands and necessary bridges and elevated structures (vehicular, pedestrian, cycling, and public transport).

1.2.3 Tunnels, tunnel portals and ventilation structures.

1.2.4 Noise barriers, retaining walls, fencing and safety barriers.

1.2.5 Pedestrian and cycle paths, including all crossings.

1.2.6 Earth forming, planting and open space elements.

1.2.7 Associated urban design elements including signage, lighting and any furniture.

1.3 The form, finishes and siting principles for all road and street furniture, lighting, signage housings and other miscellaneous items are to be established at the concept stage of the design. These should be rationalised to minimise visual clutter, and designed as integral to the urban design concept.

1.4 The siting and design of walls and other elements and the choice of materials, colours and surface finishes is to avoid them becoming a target for graffiti. A graffiti management strategy is to be prepared and implemented for the road and the open space network for the life of the Project.

1.5 Any works within the Moonee Ponds Creek corridor are to enhance the creek environment for open space, amenity and habitat values, contribute to integration of water catchment management, and to be in accordance with Melbourne Water requirements for flood protection. These works are to be determined in conjunction with the Cities of Melbourne and Moonee Valley.

1.6 The architectural, landscape and urban design works are to be designed to ensure an environment which is accessible, inclusive, supports safe behaviour, and is perceived as being safe.

2. Bridges and elevated road structures

2.1 Bridges or elevated road structures are to contribute to an experience of gateway or provide landmark thresholds where they are appropriately located to serve this purpose. They are to be respectful of context and well-resolved in response to existing landmark urban elements, and they include:

2.1.1 Melbourne Gateway at CityLink – including existing sculptural, landscaping and sound attenuation elements.

2.1.2 Eastern Gateway at Eastern Freeway – including proximate heritage elements such as the Shot Tower.

2.1.3 Western Gateway at Footscray Road / Dockland Highway

2.1.4 Secondary thresholds and interchanges including the tunnel portals.

2.2 Minimise the extent and impact of elevated road structures.

2.3 All elements of elevated structures, including associated services and lighting, are to be designed to minimise their visual and spatial impact, while achieving high levels of visual, acoustic and spatial amenity for the character of the streets and open spaces they intersect, and to the identity of the Project as a whole.

2.4 All bridges and elevated road structures are to be integrated design solutions in terms of their form, elements, proportions and details, having regard to their location and urban context. Structural solutions must integrate visual and spatial architectural and urban design considerations to ensure visually elegant and

contextually-appropriate structural outcomes.

- 2.5 The design of areas under elevated structures is to be carefully designed and fully resolved to maximise their usefulness and amenity, particularly for public open space and access to natural light. Ensure uses or activities to be located under or near elevated structures are suitable for such locations having regard to environmental considerations. Carefully site or align piers or support structures to optimise the useability and positive urban qualities of undercroft spaces.
- 2.6 The designs of new road structures in Royal Park or other public open space locations are to ensure that the landscape character of the place is dominant and that visual and physical severance is minimised. The form, scaling, expression, materials, connections, details and finishes of structures must be developed as innovative, sensitive and responsive elements that contribute to the character, identity and positive experience of the parkland, and prepared in conjunction with the managers of that open space.
- 2.7 Ensure there is no additional overlooking of private open space and habitable room windows of residents potentially affected by the Project.
- 2.8 Any new road structures connecting with the Arden-Macaulay urban renewal area are to integrated with the local movement system and be consistent with the Structure Plan and designed in consultation with the City of Melbourne.

3. Tunnels

- 3.1 The design and visual presence of tunnel portals and structures are to be sensitive to their urban context while making a positive contribution to the road's identity as a whole and to the local environments, through high quality form, expression, scaling, detail and materials.
- 3.2 Tunnel interiors, lighting and surface finishes are to contribute to the urban design quality and memorable experience for users of the East West Link. Tunnel interiors should optimise road safety, driver experience and be easy to maintain and designed to avoid surface staining.

4. Ventilation structures

- 4.1 Ventilation structures are to be designed to be sensitive responses to their urban context and deliver high quality architecture including form, expression, finishes and detailing.
- 4.2 Ventilation structures are to be sensitively sited with due consideration given to the environment and amenity impacts within their immediate and surrounding urban context.
- 4.3 Ventilation structures are to be designed to make a positive contribution through their form, scaling and detail, as innovative responses to the local environment and to the road's identity as a whole.

5. Noise attenuation

- 5.1 Noise barriers and noise mounds are to be designed as compatible elements with the structures, landform and urban interfaces of their location and urban design concept for Project as a whole.

- 5.2 Overshadowing of residential properties and open space, waterways and valuable habitat by noise barriers or other noise attenuation structures is to be minimised.
- 5.3 Transparent panels are to be considered in locations near to residential property where noise walls substantially interfere with the aspect or view, or access to daylight.
- 5.4 Design noise barriers to positively address both the road side and community side of barriers.
- 5.5 Design to minimise potential for vandalism to noise attenuation treatments, through materials selection, detail and positioning.

6. Pedestrian and bicycle connections

- 6.1 New pedestrian and bicycle paths are to maintain and extend current local connectivity, including linking to relocated and new community facilities, open spaces and urban renewal areas.
- 6.2 Maximise opportunities to create and enhance pedestrian and bike paths that provide for local connections and linkages to co-ordinate with the wider Principal Bicycle Network.
- 6.3 Extend and enhance existing at grade pedestrian and bike connections, including along and across Hoddle Street, Alexandra Parade and Moonee Ponds Creek, and identify locations where new connections would be advantageous.
- 6.4 Maximise opportunities to enhance connectivity of the Yarra Bend Trail, Capital City Trail and Moonee Ponds Creek Trail with other existing trails to improve and extend the network.
- 6.5 Improve way finding convenience and legibility of access between and along streets and to key destinations where new road infrastructure will impact on existing connections and at new connections.

7. Public realm, parkland and recreation

- 7.1 Design is to ensure no permanent net loss of public open space, and increase open space of various types and functions to ensure a net increase in community benefit.
- 7.2 Design is to minimise the removal of mature trees and remnant vegetation and protect parkland character. At Royal Park, this includes, where practicable, screening of excavated works and structural elements by subtle 'layering' of vegetation, with replanting programmes to conform to the 1984 Royal Park Master Plan. All such works to be designed in collaboration with the City of Melbourne.
- 7.3 Maximise opportunities to create or enhance open space, community and recreation facilities, and to improve accessibility, inclusiveness and general amenity for the community, including:
 - 7.3.1 *Merri Creek open space link in the vicinity of the new road structures.*
 - 7.3.2 *The connection from Yarra Bend Park to Alexandra Parade by the proposed relocation of Groom Street/Trenerry Crescent Overpass.*
 - 7.3.3 *Reinstatement and enhancement of the landscape character of Royal Park and Moonee Ponds Creek Linear Park.*

7.3.4 Playing fields, recreation spaces, wetlands and associated areas of Ross Straw Field and Moonee Ponds Creek Linear Park facilities.

7.3.5 The recreation facilities, community centre, community gardens and associated areas of Debney's Park.

7.3.6 The edges of Ormond Park, Holbrook Reserve and Moonee Valley Racecourse.

7.3.7 Moonee Ponds Creek as an urban parkland, waterway and walking/cycling and habitat corridor between Royal Park and Docklands, through the Arden-Macaulay and E-Gate urban renewal precincts and north between Racecourse Road and Ormond Road within the East West Link alignment.

8. Planting and vegetation

8.1 The design is to ensure a net enhancement of the landscape amenity and biodiversity of areas along the corridor and nearby parklands affected by the Project.

8.2 Design is to achieve a substantial net increase in tree canopy and contribution to the urban landscape across the corridor. Plant selection, design and layout are to:

8.2.1 Present a coordinated colour, form and texture palette which is integral to the urban design concept.

8.2.2 Be well-implemented with appropriately selected species that ensure a low maintenance, thriving and enduring outcome. Replacement trees for avenue trees removed to accommodate new road alignments including along Flemington Road must, where practicable, be of the same taxon and on an alignment and at a spacing as close as possible to the trees removed.

8.2.3 Maximise performance, long term viability and contribution to the landscape character, amenity and design concept as a whole by considering local conditions and existing character, microclimates and uses.

8.2.4 Maximise use of locally indigenous and native species, where viable in the context of microclimate and character.

8.2.5 Where planting is proposed, employ a process for maintenance to ensure net increase in tree canopy is met.

9. Materials and finishes

9.1 The detailed design of buildings and road structures is to integrate:

9.1.1 Materials and details that will allow reasonable ease in repair, replacement or recoating and maintain design character, expression and features to age gracefully.

9.1.2 Colour and texture which is integral to any materials, not the result of applied finishes, or, if applied, is demonstrably highly durable and able to be repaired with ease, and appropriate to maintaining the longevity of urban design concept.

9.1.3 Provide accessibility and functionality for ease of maintenance.

10. Lighting

10.1 Lighting and lighting structures, poles and masts are to be designed as an integral element of the urban design concept for the whole Project to ensure functionality and efficiency are achieved.

- 10.2** Consider special lighting for major infrastructure, interchanges, gateways, movement corridors and 'moments', to contribute to way-finding and legibility, and the creation of memorable experiences for all users.
- 10.3** Design is to provide lighting for pedestrians and cyclists to the parkland, places and paths created around and under the new road infrastructure, where appropriate.
- 10.4** Design is to use highly directional lighting wherever possible to avoid lighting spill into surrounding neighbourhoods, parks and urban environments.
- 10.5** Use energy efficient, vandal proof light fixtures that offer ease of access for maintenance.

11. Water Sensitive Road Design

- 11.1** Integrate Water Sensitive Road Design into urban design solutions to achieve sustainable water and resource management.
- 11.2** Employ best practice treatment of water run-off through swales and biofiltrations systems as appropriate.
- 11.3** Include water harvesting for roadside landscape and open space irrigation, wherever possible.
- 11.4** Consider measures to mitigate the urban heat island effect through effective urban design.
- 11.5** Maximise permeability opportunities within road and associated hard landscape areas.

12. Integrated public artworks

- 12.1** Undertake a programme to incorporate public artworks at suitable locations across the Project that are responsive to the character of the urban setting, and which, where appropriate, are integrated into the wider design as functional elements of the overall design philosophy.
- 12.2** Institute a public art programme to ensure that the public artworks are considered at an early stage of the design process with adequate funding. Opportunities for artistic expression should be an integrated element of the overall design and the Project's infrastructure. The sequencing of 'landmark' artworks should be carefully considered to relate to 'choice points' where the freeway is exited.
- 12.3** Consider the incorporation of a series of smaller public artworks associated with the shared user paths and other movement routes.
- 12.4** Where public artworks are proposed, employ a process for selection, commissioning, implementation and maintenance that ensures the works are of a high quality, appropriate to location, and will endure.
- 12.5** Involve the local communities to contribute to the design and selection of appropriate local art through one or more 'artists in residence' or similar programs.

Table 2

Performance Requirements

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
Traffic				
Transport connectivity – to improve road-based transport connectivity between the east of Melbourne and the Port of Melbourne and the wider metropolitan region and the State, while maintaining the connectivity of existing local transport routes.	Consent under clause 1 of Schedule 2 of the <i>Road Management Act 2004</i> allowing connection to a freeway Planning scheme amendment under sections 8, 29 and 35 of the <i>Planning and Environment Act 1987</i>	To improve road-based transport connectivity between the east of Melbourne and the Port of Melbourne and the wider metropolitan region and the State, while maintaining the connectivity of the existing local transport routes	T1	<p>Optimise the design of East West Link – Eastern Section in consultation with appropriate road management authorities as part of the detailed design process to:</p> <ul style="list-style-type: none"> Minimise adverse impact on travel times for all transport modes, including walking and cycling; Maintain, and where feasible, enhance the existing traffic movements at interchanges; Enhance north-south traffic movements across Alexandra Parade, including north-south public transport (particularly tram priority), pedestrian and cycling movements by signals management and post construction measures that reduce the capacity of Alexandra Parade; Design interchanges and intersections to meet relevant road and transport authority requirements; Maintain and, where feasible, enhance pedestrian movements and bicycle connectivity; Develop a strategy with Public Transport Victoria to minimise impacts on buses, trams and rail and, where feasible, enhance public transport facilities and services that cross or run parallel to the alignment of the East West Link – Eastern Section; Ensure that any design does not prevent the opportunity for a light or heavy rail connection to Doncaster to the satisfaction of Public Transport Victoria; and Minimise loss of car parking in consultation with relevant local councils.
			T2	Undertake traffic monitoring in selected streets identified in consultation with the relevant local

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					council pre-construction, at two yearly intervals during construction (up to two years after construction is complete), and implement local area traffic management works in consultation with the local relevant councils.
				T3	<p>In Precinct 1 and 2 design the Project to:</p> <ul style="list-style-type: none"> • Ensure, where possible, no road construction is undertaken at-grade beyond the northern road reservation boundary on Alexandra Parade between Smith Street and Gold Street; • Investigate covering, whether by roofing or tunnel, to approximately 400m east of Hoddle Street, the through carriageways of the Eastern Freeway extension into the Project. Opportunities for alternative uses of the covered area, including open space, should be explored; • Investigate reducing the cross section of Alexandra Parade and Princes Street post construction to constrain east - west traffic movement, facilitate additional north - south traffic signal green time and achieve amenity and urban renewal objectives. <p>In Precinct 3 design the Project to:</p> <ul style="list-style-type: none"> • Ensure the Project design does not include ingress and egress to Elliott Avenue; • Investigate locating the tunnel portals proximate to Oak Street and bored or covered across the Manningham Parklands (Royal Park west of the Upfield Railway Line) to avoid elevated structures and any residential property acquisition; and • Investigate reducing the impact on the Essendon Community Garden and the Moonee Ponds Creek by moving the intersection of Ormond Road and the northbound Ormond Road off-ramp east closer to CityLink and minimising the separation distance between the off-ramp and CityLink; and • Avoid significant impacts on Flemington Housing Estate as far as practical.

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					<p>In Precinct 5 and 6 design the project to:</p> <ul style="list-style-type: none"> Investigate a connection to Arden Street that minimises detrimental impacts on the surrounding area; Minimise impacts on: <ul style="list-style-type: none"> The Moonee Ponds Creek; The Arden Macaulay redevelopment area; and The West Melbourne Terminal Station Investigate an alternative to the Reference Project's viaduct along Part B alignment and connections from and to CityLink south to the Western Portal of Part A, including consideration of the alternatives of a road in-tunnel or an elevated road on the east side of CityLink.
			<p>To minimise disruption to motor traffic, bicycle and pedestrian movements during construction</p>	T4	<p>Develop and implement traffic management measures to minimise disruption to motor vehicle traffic, parking, bicycle and pedestrian movements during construction in consultation with relevant road management authorities, including:</p> <ul style="list-style-type: none"> Management of any temporary or partial closure of traffic lanes, including along: <ul style="list-style-type: none"> Local roads, including provision for suitable routes for vehicles, cyclists and pedestrians to maintain connectivity for road and shared path users; Eastern Freeway, Hoddle Street and Alexandra Parade; Flemington Road and Elliott Avenue; CityLink traffic lanes and ramps;

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<ul style="list-style-type: none"> - Macaulay Street, Arden Street and Dynon Road; and - Footscray Road and Appleton Dock Road. • Maintain access to the Melbourne Zoo and State Netball and Hockey Centre, Urban Camp and Royal Park recreational facilities; • Maximise use of Haulage Route 3 for the transport of spoil produced from tunnelling activities as far as practicable in consultation with the relevant authorities; • Restrict the number of local roads to be used for construction-related transportation to minimise impacts on amenity, in consultation with the relevant road authorities; • Reinstatement access to open space, community facilities, commercial premises and dwellings if disrupted, as soon as practicable; • Provide on-site parking to accommodate the construction workforce whilst minimising traffic impacts on local roads; • Prevent construction-related parking on local roads or use of public car parks including those at the Melbourne Zoo and State Netball and Hockey Centre; • Provide safe access points to laydown areas and site compounds; • Implement a communications strategy to advise affected users, potentially affected users, relevant stakeholders and the relevant road authorities of any changes to transport conditions; and • Maintain, where feasible, current local area traffic management measures during construction or reinstatement upon completion in consultation with the relevant local councils.
		To minimise	T5	Develop and implement measures to minimise disruption during construction to the South

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
		disruption to public transport and rail freight during construction		Morang/Hurstbridge and Upfield railway lines and all impacted tram and bus routes in consultation with VicTrack, Yarra Trams and MTM and to the satisfaction of Public Transport Victoria.
		To minimise potential accidents by managing road safety for all new road linkages	T6	Minimise disruption to the rail infrastructure south of Arden Street to the satisfaction of the operators.
			T7	Design new works in accordance with applicable road design standards and undertake independent road safety audits after each stage of detailed design and after construction.
Land use and utility assets				
Land use, dwellings and infrastructure – to minimise adverse impacts and achieve appropriate integration with adjoining land uses, including minimal displacement of existing land use activities, dwellings and infrastructure.	Planning scheme amendment under sections 8, 29 and 35 of the <i>Planning and Environment Act 1987</i> Licence under section 67 of the <i>Water Act 1989</i> required to construct, alter, operate or decommission works on a waterway, including works to deviate a waterway	To minimise impacts on existing land use, social and community infrastructure and utility assets	LU1	Design to minimise permanent footprint to reduce adverse impacts on potentially affected land uses, particularly: <ul style="list-style-type: none"> Royal Park; Debney's Park (Flemington Community Centre, Playspace and Community Gardens); Brisbane Reserve/Essendon Community Gardens and Ormond Park (areas permanently impacted by ramps/viaducts); Fenton Reserve and Delhi Reserve; and Residential properties in proximity to the project area including but not limited to Bent Street Kensington, Manningham and Oak Streets West Parkville, Bendigo and Hotham Streets in Collingwood, and in the area of the proposed sidetrack north of Alexandra Parade. Locate any intermediate tunnel portal at, or outside, the edge of Royal Park. Minimise cut and cover east of Elliott Avenue. Ensure that there is no net loss of public open space.

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<p>Provide new areas of open space proximate to Part B which are functional and accessible in the immediate precinct.</p> <p>Protect the Moonee Ponds Creek as a multifunctional urban parkway and landscape corridor. Where overshadowing of the Moonee Ponds Creek must occur, create solutions to achieve a level of urban quality of amenity which will encourage use and provide a level of public safety.</p>
			LU2	<p>Design to protect and, where practicable, improve access to and amenity for potentially affected residents, open space, social and community infrastructure and commercial facilities by responding to the Urban Design Framework including the urban design principles in Table 1 and implementing the principles of Crime Prevention Through Environmental Design.</p>
			LU3	<p>Design with regard to the Arden – Macaulay Structure Plan and Moonee Ponds Structure Plan, particularly in relation to providing for recreation, open space and connectivity opportunities along Moonee Ponds Creek, and access to social and community infrastructure.</p> <p>Prepare, fund and implement mitigation requirements, design interventions, and associated works for Moonee Ponds Creek Linear Park (within Precincts 3 and 4) in accordance with a Development Plan to the satisfaction of the Minister for Planning.</p> <p>The Development Plan must include measures to implement the mitigation requirements for Debneys Sports Precinct, Delhi Reserve, Travancore Park, Fenton Street Reserve, Brisbane Reserve and Ormond Park as specified in Moonee Valley City Council's submission (Document 515), in consultation with Melbourne Water, the City of Melbourne and the City of Moonee Valley, including consideration of specific design interventions for shared path networks and water sensitive urban design opportunities..</p>
			LU4	<p>Protect, and/or modify utility and public assets to the standard requirements and satisfaction of asset owners.</p> <p>If the final design does not significantly reduce impacts on Debneys Park to the satisfaction of the Minister for Planning, prepare and provide funding to implement a master plan prior to the commencement of major construction works that achieves the following:</p> <ul style="list-style-type: none"> • Replacement of the Debney's Park playground with a new facility or equal or higher

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					<p>standard to the existing playground away from the project area;</p> <ul style="list-style-type: none"> • Replacement of the Flemington Community Centre with a new facility of equal or higher standard to the existing centre away from the project area; and • Replacement of the Flemington Community Garden with a new area of equal or higher utility to the existing garden away from the project area. <p>The master plan must be prepared in consultation with relevant stakeholders including the Office of Housing, Moonee Valley City Council and Flemington Neighbourhood Renewal Board or other representative of the estate tenants</p> <p>Relocate the Manningham Street playground within approximately 800 metres of its current location for local residents at the start of the project in consultation with the City of Melbourne.</p> <p>If the Essendon Community Gardens are impacted by the Project, provide mitigation works requested by the Gardens.</p>
				LU5	<p>Undertake dilapidation surveys in accordance with the Construction Environment Management Plan..</p> <p>Establish an independent mediation process for the assessment of claims to operate up to five years post commencement of full Project operation. All damage to property due to the Project must be 'made good' at the contractor's expense.</p>
				LU6	<p>Minimise the impacts on SP AusNet's West Melbourne Terminal Station and, if necessary, facilitate its redevelopment / upgrade in a timely manner.</p> <p>Works are to be carried out as follows unless alternative arrangements are agreed with SP AusNet:</p> <ul style="list-style-type: none"> • Works do not encroach into the West Melbourne Terminal Station; • The Fisherman's Bend Tower adjacent to the West Melbourne Terminal Station is relocated to the satisfaction of SP AusNet and to a timetable to be agreed by SP AusNet; • No works are undertaken within 5.0 metres of SP AusNet's underground 220kV electricity

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					<p>assets, unless special requirements for an alternative distance have been fulfilled in accordance with the requirements of SP AusNet's Transmission Field Work Procedures document FWP 05-05, as amended or replaced from time to time. To ensure that this minimum distance is adhered to, before any works are undertaken, accurate location of the underground cable asset by the LMA must be determined. This location must be in addition to as-built drawings and may include cable location or ground penetrating radar techniques;</p> <ul style="list-style-type: none"> • Subject to the requirements below, all works are undertaken in accordance with SP AusNet Design Guidelines for alterations to the 220kV cable that runs between Richmond Terminal Station and Brunswick Terminal Station, as amended or replaced from time to time; • Risk assessments and safety studies detailing the impact on electricity network infrastructure are completed in accordance with IEC 62067, which is the International Standard for design, construction and testing of power cables with rated voltages of up to 500kV, as amended or replaced from time to time; and • Design and construction of the proposed freeway does not interrupt or in any way interfere with the supply of electricity or gas by SP AusNet.
				LU7	<p>Unless agreed otherwise with the asset owner, ensure that:</p> <ul style="list-style-type: none"> • No works are undertaken within 3.0 metres of any licensed transmission gas pipeline or underground regulating station; • Subject to the requirement below, clearances to all gas assets are as per the Conditions of Works as detailed in Technical Standards TS2607.1, TS2607.2 and TS 2607.3, as amended or replaced from time to time; and • Risk assessments and safety studies detailing the impact on gas network infrastructure are completed in accordance with AS 2885, which is the Standards Australia standard for the design, construction, testing, operations and maintenance of gas and petroleum pipelines

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					that operate at pressure in excess of 1050 kPa, as amended or replaced from time to time.
			To ensure that the development of land above the tunnel is not adversely affected by construction or operation of the tunnel, and that development of land above the tunnel does not adversely affect the construction or operation of the tunnel	LU8	On finalisation of the detailed project alignment, extent of tunnel and its vertical alignment, prepare and introduce into the Melbourne and Yarra Planning Schemes an appropriate Design and Development Overlay control to achieve the Performance Objective, consistent with the scope agreed between the LMA and the Assessment Committee's technical advisor.
Community and business impact					
Land use, dwellings and infrastructure – to minimise adverse impacts and achieve appropriate integration with adjoining land uses, including minimal displacement of existing land use	Planning scheme amendment under sections 8, 29 and 35 of the <i>Planning and Environment Act 1987</i>	To minimise impacts on the community and business through engagement during construction and operation	C1		Develop and implement a community and business involvement plan in consultation with affected local Councils to engage and consult potentially affected stakeholders and discuss progress of construction activities and operation, including significant milestones, potential impacts, mitigation measures, changed traffic conditions and other matters which are of interest or concern to them, including: <ul style="list-style-type: none"> • Municipalities; • Melbourne Zoo; • State Netball and Hockey Centre; • Urban Camp Melbourne;

CIS objective	evaluation activities and dwellings.	Applicable approval	Performance objective	PR code	Performance requirements
					<ul style="list-style-type: none"> • Recreation, sporting and community groups; • Office of Housing; • Flemington Estate tenants and the Flemington Neighbourhood Renewal Board; • Potentially affected residents and property owners; • Potentially affected businesses; and • Other public facilities in proximity. <p>Facilitate the formation of a Community Liaison Group for the Manningham Street/West Parkville residents and property owners.</p> <p>Establish a community grant program to operate during construction of the Project to fund community support activities and small capital works targeting community, sporting and recreation facilities in the local region as defined in the social impact assessment.</p>
				C2	<p>Participate in the Community Advisory Group (CAG) that is to be established by the State to facilitate community and stakeholder involvement in the development and delivery of the project in an advisory capacity. Participation must include:</p> <ul style="list-style-type: none"> • Regular attendance at all meetings; • Regular reporting of design and construction activities; • Timely provision of relevant information, including response to issues raised by the group; • Regular reporting and monitoring of impacts and discussion of mitigation measures and their effectiveness; • Appointment of an independent Chair; and

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<ul style="list-style-type: none"> Participation in other CAG stakeholder groups as required by the State.
Visual and landscape				
Visual amenity – to minimise adverse impacts on the quality of the existing built environment and landscape, including public open space, and to maximise the enhancement of public amenity where opportunities exist.	<p>Planning scheme amendment under sections 8, 29 and 35 of the <i>Planning and Environment Act 1987</i></p> <p>Licence under section 67 of the <i>Water Act 1989</i> required to construct, alter, operate or decommission works on a waterway, including works to deviate a waterway</p>	To minimise impacts on the built environment and landscape, including public open space, and to maximise opportunities for enhancement of public amenity and safety	LV1	<p>Design in consultation with relevant local Councils to implement the Urban Design Framework and urban design principles. Minimise impacts on the built environment and landscape, including public open space, and maximise opportunities for enhancement of public amenity resulting from the project, in consultation with relevant stakeholders, particularly in relation to:</p> <ul style="list-style-type: none"> Road linkages between Hoddle Street and the Eastern Freeway; The Shot Tower in Alexandra Parade; Any bridges, elevated and below ground road structures; Existing landmark urban elements across the project, including CityLink; Open space including Royal Park, Debney's Park, Travancore Park, Ormond Park and Holbrook Reserve; Maintaining safe road and pedestrian access to Holbrook Reserve and adequate car parking proximate to the club rooms; Melbourne Zoo, the State Netball and Hockey Centre and Urban Camp; Moonee Ponds Creek and Merri Creek; Delhi Reserve, Brisbane Park, Fenton Reserve and Essendon and Flemington Community Gardens and Flemington Community Centre; Residential interfaces – relocation or reinstatement of potentially affected community

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements														
				facilities; and <ul style="list-style-type: none">Business interfaces. Commercial 'third party' signage must be prohibited. This includes any 'billboard' signage on or adjacent to any infrastructure associated with the Project.														
			LV2	Design permanent and temporary works in consultation with relevant stakeholders including the relevant local Council to minimise any adverse visual impact, the footprint and disturbance, and to maximise connectivity to public open space, particularly in Royal Park and along Moonee Ponds and Merri Creeks, to the Principal Bicycle Network and community facilities.														
			LV3	Reinstate public open spaces, vegetation cover and facilities disturbed by temporary works to the satisfaction of the land manager. Maximise opportunities to enhance open space and facilities, improve pedestrian access and shared user paths and achieve a net increase in tree canopy consistent with the Urban Design Framework and urban design principles.														
Noise, vibration and light																		
Noise, vibration, air emissions and light spill – to minimise adverse impacts from noise, vibration, air emissions and light spill.		To minimise traffic noise impacts of East West Link – Eastern Section and local roads	NV1	Comply with the following limits on noise levels for the duration of the concession period: <table><tr><th>Aspect</th><th>West end</th><th>East end</th></tr><tr><td rowspan="5">Applies to the following roads within the Limit of Works:</td><td>– East West Link – Eastern Section connecting the western portal to CityLink, and associated ramps.</td><td>– Hoddle Street and Bendigo Street.</td></tr><tr><td>– East West Link – Eastern Section connecting the western portal to the Port connection.</td><td>– North side of Alexandra Parade between Gold and Smith streets.</td></tr><tr><td></td><td>– Eastern Freeway.</td></tr><tr><td></td><td>– East West Link – Eastern Section.</td></tr><tr><td></td><td>– Ramps or other roads connecting Hoddle Street</td></tr></table>	Aspect	West end	East end	Applies to the following roads within the Limit of Works:	– East West Link – Eastern Section connecting the western portal to CityLink, and associated ramps.	– Hoddle Street and Bendigo Street.	– East West Link – Eastern Section connecting the western portal to the Port connection.	– North side of Alexandra Parade between Gold and Smith streets.		– Eastern Freeway.		– East West Link – Eastern Section.		– Ramps or other roads connecting Hoddle Street
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CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements	
					<p>associated ramps.</p> <ul style="list-style-type: none"> Where CityLink adjoins the Project, the noise limit applies to the total noise generated. <p>In the case of Category A or B buildings as defined in the VicRoads Traffic Noise Reduction Policy affected by relocation of a noise barrier or by demolition of a structure exposing dwellings to higher traffic noise levels; the noise limit applies to the above roads, plus CityLink.</p>
				<p>External criteria (6am to 12 midnight)</p>	<p>to Eastern Freeway or East West Link – Eastern Section.</p> <p>–</p> <p>In the case of Category A or B buildings as defined in the VicRoads Traffic Noise Reduction Policy affected by relocation of a noise barrier or by demolition of a structure exposing dwellings to higher traffic noise levels; the noise limit applies to the above roads.</p>
				<p>63dB $L_{A10(18h)}$</p>	<p>63dB $L_{A10(18h)}$ in accordance with the VicRoads Traffic Noise Policy.</p>
					<p>68dB $L_{A10(18h)}$ existing roads but no decrease in existing noise barrier height.</p>
					<p>63dB $L_{A10(18h)}$ for dwellings exposed due to demolition of intervening buildings.</p>
				<p>Applies at</p>	<p>Category A or B buildings</p>
					<p>All levels</p>
				<p>Internal criteria</p>	<p>AS2107</p>
				<p>Implemented</p>	<p>External criteria cannot be</p> <p>External criteria cannot be</p>

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements		
					when	<p>complied with by practicable means (practicability as defined in the VicRoads Design Note 6-1) and noise from the project is predicted to cause the external $L_{A10(18h)}$ (including all road traffic noise) to increase by 2dB or more.</p>	<p>complied with by practicable means (practicability as defined in the VicRoads Design Note 6-1) and noise from the project is predicted to cause the external $L_{A10(18h)}$ (including all road traffic noise) to increase by 2dB or more.</p>
					Applies at	All levels	All levels
					Ensure noise levels are rounded to the nearest decibel.		
					Ensure that when assessing compliance with AS2107, noise shall be measured during a typically noisy period relevant to the room occupancy. The measurement duration shall be 10-60 minutes, or of sufficient duration to be within 1dB of the LAeq, 10minutes.		
					Design and implement the tunnel ventilation system to achieve compliance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1). Provide detailed design to the satisfaction of EPA Victoria prior to works commencing.		
			To minimise noise impacts of the tunnel ventilation system	NV2	Model noise levels from predicted road traffic to determine and implement appropriate noise amelioration treatments to conform with Performance Requirement NV1 and meet the Urban Design Framework, including the urban design principles in consultation with local Councils.		
				NV3	Measure traffic noise prior to and on commencing road operation and monitor traffic noise levels in accordance with VicRoads Road Design Note RDN 6-1 Interpretation and application of VicRoads traffic noise reduction policy 2005 to verify conformance with Performance Requirement NV1 and publish reports confirming compliance testing results. Take remedial action as soon as practicable if noise level targets are not met.		
				NV4	Measurement locations are to be determined in consultation with local Councils and EPA Victoria.		
				NV5	Measure noise from the tunnel ventilation system on commencing road operation and monitor noise from the tunnel ventilation system to verify compliance with State Environment		

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements																	
					Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1). Publish reports confirming compliance testing results and take remedial action as soon as practicable if noise level targets are not met.																	
			Manage surface construction noise to protect amenity	NV6	<p>Prepare and implement a Construction Noise Management Plan (CNMP) as part of the Construction Environmental Management Plan in consultation with affected local Councils and EPA Victoria. The CNMP must meet the surface construction noise criteria set out in EPA Victoria publication 480 Guidelines for Major Construction Sites, EPA Victoria Publication 1254 Noise Control Guidelines and Australian Standard 2436 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites including:</p> <ul style="list-style-type: none">• Working hours;• Night time (if required) and day time construction noise limits;• A noise communications plan for advising and informing the community of work scheduling and working hours; and• Monitoring and response protocols for managing noise complaints and remedial action.																	
			Manage construction and vibration regenerated noise impacts to protect amenity	NV7	<p>Achieve target levels for continuous vibration from construction activity to protect human comfort of occupied buildings (including heritage buildings) as follows (levels are calculated for the Australian Standard 2187.2).</p> <table><tr><th rowspan="2">Type of space occupancy</th><th colspan="2">Vibration velocities (mm/s)</th></tr><tr><th>Day (16-hour day)</th><th>Night (8-hour night)</th></tr><tr><td>Critical working areas (e.g. hospital operating theatres, some precision laboratories)</td><td>0.5 mm/s</td><td>0.5 mm/s</td></tr><tr><td>Residential</td><td>2 mm/s</td><td>0.7 mm/s</td></tr><tr><td>Offices</td><td>2 mm/s</td><td>2 mm/s</td></tr><tr><td>Workshops</td><td>4 mm/s</td><td>4 mm/s</td></tr></table>	Type of space occupancy	Vibration velocities (mm/s)		Day (16-hour day)	Night (8-hour night)	Critical working areas (e.g. hospital operating theatres, some precision laboratories)	0.5 mm/s	0.5 mm/s	Residential	2 mm/s	0.7 mm/s	Offices	2 mm/s	2 mm/s	Workshops	4 mm/s	4 mm/s
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CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements												
				Implement remedial action as soon as possible if these target levels are exceeded.												
			NV8	<p>Target levels to be achieved at properties for impulse vibration from construction activity to protect human comfort of occupied buildings are as follows (levels are calculated for the Australian Standard 2187.2 and the DIN 4150.2).</p> <table><tr><th>Category</th><th>Peak component particle velocity (mm/s)</th><th>Peak overpressure level (dBL)</th></tr><tr><td>Sensitive site</td><td>10 mm/s maximum unless agreement is reached with occupier that a higher limit may apply.</td><td>120 dBL for 95% of blasts. 125 dBL maximum unless agreement with occupier that a higher limit may apply.</td></tr><tr><td>Occupied non-sensitive sites such as factories and commercial premises</td><td>25 mm/s maximum value unless agreement is reached with occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer's specification or levels that can be shown not to adversely affect the equipment operation.</td><td>125 dBL maximum value unless agreement is reached with occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer's specification or levels that can be shown not to adversely affect the equipment operation.</td></tr><tr><td>Heritage infrastructure</td><td>3 mm/s if no condition survey is undertaken or up to 10 mm/s if a condition survey demonstrates a higher level is acceptable.</td><td>120 dBL for 95% of blasts. 125 dBL maximum unless agreement with occupier that a higher limit may apply.</td></tr></table>	Category	Peak component particle velocity (mm/s)	Peak overpressure level (dBL)	Sensitive site	10 mm/s maximum unless agreement is reached with occupier that a higher limit may apply.	120 dBL for 95% of blasts. 125 dBL maximum unless agreement with occupier that a higher limit may apply.	Occupied non-sensitive sites such as factories and commercial premises	25 mm/s maximum value unless agreement is reached with occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer's specification or levels that can be shown not to adversely affect the equipment operation.	125 dBL maximum value unless agreement is reached with occupier that a higher limit may apply. For sites containing equipment sensitive to vibration, the vibration should be kept below manufacturer's specification or levels that can be shown not to adversely affect the equipment operation.	Heritage infrastructure	3 mm/s if no condition survey is undertaken or up to 10 mm/s if a condition survey demonstrates a higher level is acceptable.	120 dBL for 95% of blasts. 125 dBL maximum unless agreement with occupier that a higher limit may apply.
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Heritage infrastructure	3 mm/s if no condition survey is undertaken or up to 10 mm/s if a condition survey demonstrates a higher level is acceptable.	120 dBL for 95% of blasts. 125 dBL maximum unless agreement with occupier that a higher limit may apply.														
			NV9	<p>Implement remedial action as soon as possible if these target levels are exceeded.</p> <p>Undertake real time vibration and noise monitoring to demonstrate compliance with limits and publish these results. Take remedial action as soon as possible if limits are not met.</p>												

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
		To manage construction vibration to protect utility assets	NV10	<p>Prior to construction undertake condition assessments of above and below ground utility assets and establish construction vibration limits with asset owners.</p> <p>Monitor vibration during construction to demonstrate compliance with agreed vibration limits. Take remedial action as soon as possible if limits are not met.</p>
			NV11	Ensure that the earthwork preparation for the construction of the Project does not interrupt or in any way interfere with the supply of electricity or gas from SP AusNet, unless agreed with SP AusNet prior to the relevant works being undertaken
			NV12	Ensure that peak particle velocity levels from piling, tunnelling, boring or similar activities within the boundary of the West Melbourne Terminal Station are kept below 20 mm/s, or as agreed with SP AusNet
			NV13	Ensure that peak particle velocity levels on any gas pipeline or any underground 220 kV electricity asset is kept below 20 mm/s.
		To manage construction and vibration regenerated noise impacts through community engagement to protect amenity	NV14	Develop and implement a communications plan as part of the Construction Environmental Management Plan for management of potential impacts from vibration and regenerated noise during construction, including notification of affected property owners and land managers in advance of the start of construction.
		To manage construction and vibration regenerated noise impacts to protect the Melbourne Zoo	NV15	<p>Develop and implement management measures in consultation with the Melbourne Zoo and the City of Melbourne for construction works within proximity of the Melbourne Zoo, including management of potential impacts from:</p> <ul style="list-style-type: none"> • Vibration and regenerated noise; • Construction noise; and • Working hours.

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
			To minimise the impact of light emissions	L1	Design in consultation with relevant stakeholders to demonstrate how the Urban Design Framework and urban design principles have been met to minimise light spillage and protect the amenity of adjacent land uses, including the Melbourne Zoo and Royal Park.
				L2	Develop and implement management measures in consultation with relevant stakeholders to minimise light spillage during construction to protect the amenity of adjacent surrounding neighbourhoods, parks and community facilities including Melbourne Zoo and urban environments.
Air quality – exhaust, dust and greenhouse gas emissions					
Noise, vibration, air emissions and light spill – to minimise adverse impacts from noise, vibration, air emissions and light spill.	Works approval under section 19B of the <i>Environment Protection Act 1970</i>	To manage tunnel emissions to protect the beneficial uses of air environment		AQ1	Undertake a detailed air modelling assessment in accordance with requirements of SEPP (Air Quality Management) (SEPP (AQM)) using PM _{2.5} and PM ₁₀ as the key indicators for the assessment to inform the final design of the tunnel and tunnel ventilation system.
				AQ2	Design and implement a tunnel ventilation system to meet the best practice (clause 19) and design criteria (Schedule A) requirements of the SEPP (AQM). Provide detailed design with technical assessment undertaken in accordance with SEPP (AQM) demonstrating how the impacts of air emissions on air quality have been minimised to the satisfaction of EPA Victoria, prior to commencement of works. This must demonstrate the application of best practice as defined in the SEPP (AQM).
		To ensure in-tunnel air quality is safe for motorists and others using the tunnel		AQ3	Design a tunnel ventilation system to introduce and remove air from the tunnels to meet in tunnel air quality requirements including the provision for retrofitting of pollution control equipment. Air pollution control equipment be fitted into the tunnel ventilation system if the modelling for the final design shows the PM _{2.5} and PM ₁₀ levels from the vent stack emissions is greater than 30% of the applicable air quality standards. Achieve a longitudinal air velocity in the tunnels not exceeding 10 metres/second. In tunnel air quality must meet the following CO standards: <ul style="list-style-type: none"> • A maximum peak value of 150ppm; • A 15 min. average of 50ppm; and

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					<ul style="list-style-type: none"> A 2-hour average of 25ppm. <p>A mid tunnel air intake structure must be included in the final design.</p> <p>After detailed design is finalised prepare and introduce a Design and Development Overlay control into the Melbourne and Yarra Planning Schemes to protect the dispersion performance of the ventilation stacks (such controls should be similar in scope to existing controls in those Scheme relating to CityLink ventilation stacks).</p>
			To manage tunnel emissions to protect beneficial uses of the air environment	AQ4	Design the tunnel ventilation system to achieve zero portal emissions during operation.
			To protect beneficial uses of the air environment for the surface sections of East West Link – Eastern Section	AQ5	Undertake a detailed air quality assessment of new surface roads that are part of the Project to guide the final design and alignment including any viaducts using PM _{2.5} and PM ₁₀ as the key indicators. Modelling to be done for optimal design to minimise the public health impacts arising from exposure to emissions from the roads.
				AQ6	Near road emissions (including NO ₂ , PM _{2.5} and PM ₁₀) to be modelled for the detailed design to demonstrate compliance with SEPP (AQM) intervention level concentration requirements (Schedule B).
				AQ7	Develop and undertake an air quality monitoring program to measure the air quality impacts of East West Link – Eastern Section, including at least one year of monitoring before operation; one year after operation; and five years post opening of the tunnel. Include near road neighbourhood air quality and meteorological monitoring in accordance with SEPP (AQM) and SEPP (Ambient Air Quality) to the satisfaction of EPA Victoria. Results of the monitoring are to be made publicly available.
				AQ8	Monitor the in tunnel air quality and ventilation stack emissions during operation of the ventilation system to demonstrate compliance with SEPP (Air Quality Management) and the EPA licence to the satisfaction of EPA Victoria and report the results publicly on a quarterly basis. Take any required remedial action if targets are not met as soon as practicable.

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
			AQ9	<p>Manage construction activities in accordance with EPA Victoria publication 480 Guidelines for Major Construction Sites to maintain air quality to a standard which does not prejudice the air quality of nearby residents, open spaces and community facilities.</p> <p>Develop and implement an air quality management and monitoring plan including dust and construction vehicle emissions to minimise impact of construction in accordance with the Construction Environment Management Plan.</p>
		To protect the beneficial uses of the environment in relation to greenhouse gas emissions	GG1	<p>Integrate sustainable design practices into the design process to identify, implement and monitor measures that will reduce overall greenhouse gas emissions arising from construction, maintenance and operation of the project. Include mandatory actions under the Protocol for Environmental Management (Greenhouse Gas Emissions and Energy Efficiency in Industry) for selection of best practice energy usage for the tunnel ventilation and lighting systems.</p>
Cultural heritage				
Cultural heritage – to provide appropriate protection for cultural heritage.		To minimise impacts on sites of Aboriginal cultural significance	CH1	Comply with a Cultural Heritage Management Plan approved under the <i>Aboriginal Heritage Act 2006</i> .
	Permit under section 74 of the <i>Heritage Act 1995</i> to carry out works or activities in relation to a registered place or registered object	To minimise impacts on sites of historical cultural significance	CH2	Design permanent and temporary works to minimise impacts on historic cultural heritage in consultation with the relevant local Council.
	Consent under section 129 of the <i>Heritage Act 1995</i>	To minimise impacts on both known (identified) and unidentified archaeological historic sites and values	CH3	<p>Develop an archaeological management plan to manage disturbance of archaeological sites and values affected by the project. Undertake investigations in accordance with the Guidelines for Investigating Historical Archaeological Artefacts and Sites, Heritage Victoria 2012 (as amended or updated) and to the satisfaction of the Executive Director, Heritage Victoria.</p> <p>Ensure the plan satisfactorily addresses Heritage Victoria's requirements for background historical research, excavation methodology, research design, reporting and artefact management and analysis, and build on historical research to identify opportunities for active interpretation including potential archaeological sites and values within:</p>

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
		landscapes or relocated/reused small structures if feasible that are disturbed by project works		<p>Scheme;</p> <ul style="list-style-type: none"> • 56-58 and 64 Alexandra Parade, 124 Gold Street, 355-367 and 406-420 Wellington Street, Clifton Hill Western Precinct HO317, Yarra Planning Scheme; • Parkville Precinct HO4, Melbourne Planning Scheme to the extent where works are proposed; • Kensington Precinct HO9, Melbourne Planning Scheme to the extent where works are proposed; • A more detailed assessment of works and impact on significance of the complex at 29-37 Barrett Street, Kensington if disturbed by proposed works; • Arden Street road bridge railing HO814 Melbourne Planning Scheme and consider re-use of the railing if affected; and • North and West Melbourne Precinct HO3 to the extent where works are proposed. <p>Prepare measured drawings for the original two-storey section of the Former Box's Curling Works at 64 Alexandra Parade.</p> <p>Maintain offset as indicated in Reference Project for the former Burge Bros Factory in Precinct 5.</p> <p>Relocate the heritage post box located on the south-west corner of Wellington Street and Alexandra Parade to a suitable location within the precinct in consultation with and to the reasonable satisfaction of the local council, if impacted by project works.</p> <p>Undertake an assessment of significant trees and vegetation within Parkville Precinct HO4 adjacent to the project area to identify those to be protected in consultation with the City of Melbourne and develop and implement a Tree Management Plan.</p> <p>Retain the row of Elms at Ross Straw Field and protect during project works.</p>

CIS evaluation objective	Applicable approval for impact on archaeological relics	Performance objective	PR code	Performance requirements
				<ul style="list-style-type: none"> • H7922-0142 Yarra Bend Park Northcote; and • H7822-2311 Royal Park. • H7822-0209 Debney's Park East; and • H7822-0312 West Melbourne Rubbish Tips, Dynon Road. <p>Incorporate strategies relating to the protection of sites of archaeological interest in relevant masterplans. Consider and investigate further initiatives to build on historical research and provide active interpretation of heritage.</p>
		To protect structural integrity of known historic sites and values	CH4	<p>Undertake condition assessments of heritage buildings or structures prior to commencement of construction and particularly in the vicinity of the following registered heritage sites:</p> <ul style="list-style-type: none"> • H0709 Shot Tower, Alexandra Parade, Clifton Hill; • H1788 Melbourne General Cemetery for all existing gravestones, crypts, memorials and monuments within the project boundary (in plan); • H1606 Cambridge Terrace, 557-567 Drummond Street, Carlton; • H1545 Former Police Station complex, 155 Royal Parade, Parkville; and • H0394 Former College Church, 149 Royal Parade, Parkville. <p>Undertake vibration monitoring during tunnel construction in proximity to these sites, and monitor their condition during and post-construction for settlement and structural integrity disturbance as a result of the proposed works. Take remedial action, if required, to the satisfaction of the Executive Director, Heritage Victoria.</p>
		To record historical values of buildings streetscapes, and	CH5	<p>Undertake archival photographic records (interior and exterior) of all heritage buildings, streetscapes or places disturbed by the project works, including:</p> <ul style="list-style-type: none"> • 108-112 Hotham Street, 2-26 Bendigo Street, Gold Street Precinct HO321, Yarra Planning

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<p>both creeks to the requirements and satisfaction of Melbourne Water and in consultation with any other relevant drainage authority.</p> <p>Undertake modelling of the design of permanent and temporary works to demonstrate the resultant flood levels and risk profile to requirements and satisfaction of Melbourne Water and in consultation with any other relevant drainage authority.</p> <p>Consider potential effects of climate change and sea level rise of 0.8m by 2100, with and without the works for both existing and proposed scenarios (for example future redevelopment in relation to Moonee Ponds Creek within the Arden - Macaulay Structure Plan area) in consultation with the local Council.</p> <p>Ensure that surface water from the East West Link – Eastern Section does not encroach on or through the West Melbourne Terminal Station or into underground SP AusNet electricity or gas assets.</p>
		To maintain flood plain storage	SW8	Maintain existing flood plain storage capacity potentially impacted by the project in consultation with Melbourne Water and any other relevant drainage authority to ensure no increase in flood level or frequency during construction or operation of the East West Link – Eastern Section and ancillary works.
		To maintain flow regime	SW9	Ensure permanent and associated temporary works do not increase flow velocities in Merri Creek or Moonee Ponds Creek that would potentially affect the stability or safety of property, structures or assets including flood levees, and/or result in erosion during operation or construction, to the requirements and satisfaction of Melbourne Water.
		To protect people and assets from flood waters in the tunnel	SW10	Design tunnel portals to exclude surface flows from external catchments during both construction and operation periods; and inform design with a risk assessment that considers a range of events, including assessment of the probable maximum flood.
				Develop and implement measures and operational plans to manage flood emergency events for the tunnel portals.
		To maintain access to stormwater assets	SW11	Provide adequate clearances and access for ongoing maintenance of Melbourne Water and other drainage authority assets, with a minimum 4 x 4 m maintenance access envelope for sections of Moonee Ponds Creek under proposed elevated structures to the satisfaction of Melbourne Water.

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<p>Replace the Avenue style tree planting along Flemington Road if impacted by works.</p> <p>Review direct physical impacts on significant fabric as part of the detailed design for Moonee Ponds Creek and the Infrastructure Precinct.</p>
Surface water				
Surface water and groundwater – to maintain the functions and values of affected waterways, floodplains and groundwater.	Licence under section 67 of the <i>Water Act 1989</i> required to construct, alter, operate or decommission works on a waterway, including works to deviate a waterway Comment from the Secretary pursuant to section 66 of the <i>Conservation, Forests and Lands Act 1987</i> on plan of works across waterways	To maintain or improve surface water quality during operation and construction	SW1	Meet State Environment Protection Policy (Waters of Victoria) for discharge and run-off from the project to the Merri Creek, Yarra River and Moonee Ponds Creek.
			SW2	Manage surface water run-off to maintain the stormwater quality, quantity and function provided by the Trin Warren Tam-boore wetlands and associated infrastructure during and post-construction, and replace the existing irrigation system function and capacity provided by the wetlands and storage tank under Ross Straw Field if rendered inoperative by the Project..
			SW3	Fully integrate the stormwater treatment system into the design of East West Link – Eastern Section in accordance with VicRoads Integrated Water Management Guidelines (June 2013) and the EPA Best Practice Environmental Management Guidelines for Urban Stormwater (2006) (or as revised).
		To maintain existing levels of flood protection		Where connection to the existing drainage network is needed, the views of the relevant drainage authority must be sought and complied with where reasonable and practicable.
			SW4	Any proposed discharge of tunnel waste water from the site must be approved by the relevant drainage authority prior to discharges occurring.
			SW5	Develop and implement a monitoring program for run-off from the project to assess compliance with water quality objectives in consultation with the relevant drainage authority and take appropriate remedial action if water quality objectives are not met.
			SW6	Design the capacity of the stormwater drainage system to contain hazardous spills to the satisfaction of EPA Victoria, including incident response procedures.
			SW7	Permanent and associated temporary construction works must not increase flood levels that result in an additional flood risk associated with Merri Creek and Moonee Ponds Creek, and overland flood flows associated with Alexandra Parade Main Drain as well as tributary drains to

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
			SW12	Size and design any proposed realignment to the Alexandra Parade Main Drain and Relief Drain to the satisfaction of Melbourne Water.
		To protect water quality and habitat in Merri Creek	SW13	Ensure no works are undertaken in the Merri Creek waterway, bridge piers are to be sited outside of the waterway area and no earthworks are to spill onto the creek banks or into the waterway. Ensure that construction is to be managed so that there are no off site impacts to water quality within Merri Creek and the Yarra River, and that best practice sediment and erosion control measures and appropriate handling of construction materials is included in the environmental management plan for construction.
			SW14	Develop and implement appropriate measures to maintain bank stability of Moonee Ponds Creek and Merri Creek during construction to the satisfaction of Melbourne Water in consultation with relevant local Councils.
		To protect the bank stability of Merri Creek and Moonee Ponds Creek	SW15	Design and undertake modifications to Moonee Ponds Creek to minimise the potential for erosion, sediment plumes and exposure of contaminated material during construction to the satisfaction of Melbourne Water in consultation with relevant local Councils. Maximise the visual and aesthetic amenity of the waterway having regard to the concepts of the Moonee Ponds Creek Concept Plan 1992 in consultation with Melbourne Water
			SW16	Consult with and have regard to the view of the relevant drainage authority and Melbourne Water as required in meeting performance requirements SW1 to SW15.
		Groundwater		
Surface water and groundwater – to maintain the functions and values of affected waterways, floodplains and groundwater.		To protect beneficial uses of groundwater	GW1	Develop and implement measures for management, monitoring, reuse and disposal of groundwater inflows during construction, to the satisfaction of the EPA. Maintain or improve groundwater quality in accordance with the beneficial uses of the groundwater as defined by State Environment Protection Policy (Groundwaters of Victoria) and by State Environment Protection Policy (Waters of Victoria).
			GW2	Adopt construction methods that protect groundwater quality, for example: <ul style="list-style-type: none"> • Use sealing products, caulking products, lubricating products and chemical grouts applied during tunnelling construction that do not diminish the groundwater quality;

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<ul style="list-style-type: none"> • Use fluids for artificial recharge activities that do not diminish the groundwater quality; • Ensure compatibility of construction materials with groundwater quality to provide long-term durability for tunnel design life; and • Develop drainage infrastructure that provides for the propensity of dissolved constituents in groundwater to precipitate out of solution and create clogging and maintenance risks.
		To minimise changes to groundwater levels during operation and construction to manage mobilisation of contaminated groundwater	GW3	<p>Design tunnel drainage and adopt construction methods which minimise changes to groundwater levels during operation and construction to prevent and manage mobilisation of contaminated groundwater and avoid any other adverse impacts of groundwater level changes.</p> <p>Develop and maintain a predictive numerical groundwater model to:</p> <ul style="list-style-type: none"> • Inform tunnel design and construction methods; • Assess damming effects potentially created by tunnel on palaeochannels, including potential impact of elevated groundwater levels in the basalt overlying the palaeochannel sediments; • Assess fate and transport of identified groundwater plumes; • Assess subsidence potential due to drawdown; • Assess the potential for interaction with waterways and potential groundwater dependent ecosystems; and • Identify trigger levels (groundwater level and quality) and associated intervention actions when trigger levels are reached.
			GW4	Develop and implement a pre-construction, construction and post-construction groundwater monitoring program consistent with EPA Publication 669 (2000) Groundwater Sampling Guidelines, to calibrate and verify the predictive model, manage construction activities and monitor operation during the concession period.

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					<p>Develop and implement measures for management of groundwater intercepted during construction, including:</p> <ul style="list-style-type: none"> • Identification, treatment, disposal and handling of contaminated seepage water and/or slurries including vapours; • Contamination plume management, particularly associated with the former Fitzroy Gasworks; • Assessment of barrier/damming effects; • Subsidence management; • Dewatering and potential impacts on acid sulfate soils, including both unconsolidated sediments and lithified sedimentary rock; • Protection of waterways and potential groundwater dependent ecosystems; and • Contingency actions when intervention is required.
			To minimise impact on existing groundwater users	GW5	Undertake an audit of existing bores on properties within 500 m of the alignment to confirm groundwater usage. Develop a plan to maintain water supply to identified groundwater users.
Biodiversity					
Native vegetation and biodiversity – to maintain the values of remnant native vegetation and associated biodiversity.	Planning scheme amendment under sections 8, 29 and 35 of the <i>Planning and Environment Act 1987</i>	To protect biodiversity values	B1		<p>Develop and implement measures to avoid, where practicable, and otherwise minimise impacts on native vegetation and fauna habitat through detailed design and construction, including:</p> <ul style="list-style-type: none"> • Minimising footprint and surface disturbance of temporary and permanent works and constrain works on the Merri Creek; • Fencing defined protected areas and no-go zones along the banks of Merri Creek and within Royal Park, including protection of large scattered trees and the Australian Native Garden, to

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
	<p>Licence under section 67 of the <i>Water Act 1989</i> required to construct, alter, operate or decommission works on a waterway, including works to deviate a waterway</p> <p>Comment from the Secretary to section 66 of the <i>Conservation, Forests and Lands Act 1987</i> on plan of works across waterways</p>			<p>prevent access during construction. Fencing should be to a standard agreed with the relevant land manager;</p> <ul style="list-style-type: none"> Development and implementation of a Tree Management Plan for protected trees based on the recommendations of Australian Standard 4970-2009 Protection of Trees on Development; Minimising the removal of mature trees and remnant vegetation; Managing the spread and introduction of weeds and pathogens during construction including through vehicle hygiene; Minimising the removal of planted and remnant native trees along the banks of the Moonee Ponds Creek, to the extent practicable; and Reinstating areas affected by temporary works and select appropriate vegetation for planting to tolerate the microclimate conditions including under new road structures in consultation with the relevant local council. New and replacement plantings of indigenous vegetation in Royal Park, where practicable, is to use nursery stock grown from seed sources of local provenance. <p>The Project must include rehabilitation of all affected areas following construction that meets current best practice standards and be consistent with any adopted management plan for the relevant area.</p>
			B2	<p>Provide vegetation offsets to achieve no net loss, as required, in accordance with the Biodiversity Assessment Guidelines (DEPI, 2013) following the development of the final design.</p> <p>The location of any offsets should be as near as possible to the area where the loss has occurred.</p> <p>Where works are to occur in the White's Skink habitat area in Royal Park west, undertake salvage of White's Skink prior to works and create appropriate habitat to compensate for the area of habitat removed.</p>

CIS objective	evaluation	Applicable approval	Performance objective	PR code	Performance requirements
					If works will result in loss or partial loss of the Trin Warren Tam-boore wetlands complex, provide a comparable wetland habitat to compensate for the loss.
				B3	The Construction Environmental Management Plan is to indicate 'no go' zones and provide detail of the measures to be implemented to ensure protection of listed flora and fauna.
			To minimise impacts on Merri Creek and Moonee Ponds Creek	B4	Design of project structures over Merri Creek and Moonee Ponds Creek to minimise additional shading of waterways and select appropriate species for vegetation planting along the waterway under new road structures.
			To minimise impacts on native vegetation and fauna habitat in Royal Park	B5	<p>Develop and implement measures to minimise impacts on native vegetation and fauna habitat in Royal Park, including:</p> <ul style="list-style-type: none"> • Temporary works and permanent structures to minimise removal of remnant vegetation in areas surrounding Upfield railway line and Trin Warren Tam-boore wetlands; • Temporary and permanent works to minimise removal of scattered remnant trees and non-indigenous hollow bearing trees throughout Royal Park, particularly around Elliott Avenue; • Minimising footprint and surface disturbance to foraging habitat for Swift Parrot and Grey-headed Flying-Fox; and • Minimising removal of habitat for White's Skink and developing and implementing a White's Skink Management Plan, which includes the retention of at least 50% of the White's Skink habitat and replacement through offsetting; monitoring of the salvage plan; and the provision of light screening and baffling where light impacts this habitat.
			To manage interactions with aquatic fauna habitat in Moonee Ponds Creek and Merri Creek where	B6	Design and locate structures to minimise impact on aquatic habitat providing for fish passage in Moonee Ponds Creek and Merri Creek.

CIS evaluation objective	Applicable approval	Performance objective impacts are unavoidable	PR code	Performance requirements
Contamination				
Solid wastes – to minimise risks from disturbance and disposal of solid wastes from excavation works, including potentially contaminated materials and acid sulfate soils.		To protect the beneficial uses of land and minimise risk to human health and ecosystems from exposure to contaminated soil	CL1	<p>Develop and implement processes and measures to manage contaminated soil, that must include compliance with:</p> <ul style="list-style-type: none"> • The <i>Environment Protection Act 1970</i>; • SEPP (Prevention and Management of Contamination of Land) 2013; • The Environment Protection (Industrial Waste Resource) Regulations 2009; • Industrial Waste Management Policy (Waste Acid Sulfate Soils) 1999; • SEPP (Air Quality Management) 2001; • National Environment Protection (Assessment of Site Contamination) Measure 2013; • Environment Protection (Scheduled Premises and Exemptions) Regulations 2007; • WorkSafe Occupational Health and Safety Regulations 2007 (Asbestos); and • Relevant Industrial Waste Resource Guidelines. <p>This must include preparation and implementation of a Contamination Management Plan in consultation with EPA Victoria, which includes but is not limited to the following:</p> <ul style="list-style-type: none"> • Undertaking a detailed assessment prior to any excavation of potentially contaminated areas to identify locations, types and extent of any contaminated land and properties within or adjacent to the project boundary, and areas affected by construction activity outside the project boundary, and assessing the potential impact for human health, environmental risk

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements and odour;
				<ul style="list-style-type: none"> • Characterising soil prior to disposal or reuse; • Identifying soil containing asbestos fibre and if present, developing management strategies in accordance with the WorkSafe Regulations; • Identifying suitably licensed facilities for the disposal of contaminated soil; • Management of dust and potential stormwater run-off from stockpiled materials; • Assessing potential for accumulation of explosive gasses and vapours during tunnelling from soil and groundwater contamination zones; • Undertaking a baseline comprehensive site assessment of areas proposed for construction laydown prior to use; • Where air pollutants are released as a result of disturbance of contaminated land, air pollutants must be managed in accordance with requirements of SEPP (AQM); and • Minimising cut and cover construction techniques in areas containing asbestos contamination.
			CL2	<p>Develop and implement measures for the management of rock saturated in contaminated groundwater during tunnelling works, in consultation with EPA Victoria, which must include:</p> <ul style="list-style-type: none"> • A management strategy to comply with SEPP (Prevention and Management of Contamination of Land) and SEPP (Groundwaters of Victoria); • Identifying the location, extent and type of contaminant of concern in the groundwater

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<p>resulting in rock saturation associated with tunnel construction activities; and</p> <ul style="list-style-type: none"> Determining treatment requirements, including rock drying and run-off management for spoil handling areas, in accordance with best practice procedures and Melbourne Water guidelines.
			CL3	<p>Develop and implement measures for the management of waste acid sulfate soil material in accordance with EPA Victoria publication IWRG 2009, EPA Publication 655.1 Acid Sulphate Soil and Rock 2009, Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soil.</p> <p>Undertake an acid sulfate soils risk identification process in accordance with the Victorian Coastal Acid Sulfate Soil Strategy, if soils and rock within the project boundary are suspected to be acid sulfate soil/rock.</p>
		To minimise odour from the excavation and transportation of contaminated material to protect local amenity	CL4	<p>Develop and implement measures for odour management during the excavation, stockpiling and transportation, including:</p> <ul style="list-style-type: none"> Identifying the areas of contamination that may pose an odour risk; Periodic monitoring of the aesthetics of the material excavated and proposed for transportation; and Segregation and odour emissions assessment with appropriate monitoring equipment if odorous material is identified.
Waste generation, handling and disposal				
Solid wastes – to minimise risks from disturbance and disposal of solid wastes from excavation works,		To manage all wastes from the construction and operation of the project	W1	<p>Develop and implement management measures for waste (excluding soils) minimisation during construction and operation, in accordance with the <i>Environment Protection Act 1970</i> waste management hierarchy and management options, to address:</p> <ul style="list-style-type: none"> Litter management; Construction and demolition wastes including, but not limited to, washing residues, slurries

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
including potentially contaminated materials and acid sulfate soils.				<p>and contaminated water;</p> <ul style="list-style-type: none"> • Hazardous wastes; • Organic wastes; and • Inert solid wastes.
			W2	If contaminated spoil is stored on Ross Straw Field or the former Fitzroy Gasworks site or other locations near to sensitive land uses measures must be put in place to ensure no contaminated material affects sensitive land uses during the time it is stored.
Storage and handling of fuels and chemicals				
Surface water and groundwater – to maintain the functions and values of affected waterways, floodplains and groundwater.		To protect the beneficial uses of air, land and water, and human ecological health, from the impacts of hazardous materials and dangerous goods	HM1	<p>Minimise chemical and fuel storage on site and store hazardous materials and dangerous goods in accordance with the relevant guidelines and requirements. Comply with the Victorian WorkCover Authority and Australian Standard AS1940 Storage Handling of Flammable and Combustible Liquids and EPA Victoria publications 480 Environmental Guidelines for Major Construction Sites and 347 Bunding Guidelines.</p> <p>Develop and implement management measures for dangerous substances, including:</p> <ul style="list-style-type: none"> • Creating and maintaining a dangerous goods register; • Disposing of any hazardous materials, including asbestos, in accordance with Industrial Waste Management Policies, regulations and relevant guidelines; • Implementing requirements for the installation of bunds and precautions to reduce the risk of spills; and • Developing contingency and emergency response plans to handle fuel and chemical spills, including availability of on-site hydrocarbon spill kits.
Solid wastes – to minimise risks from disturbance and disposal of solid wastes from excavation works, including potentially contaminated materials and acid				

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
sulfate soils.				
Environmental Management Plans				
		To ensure the successful preparation and implementation of project environmental management plans	EM1	<p>Prepare a Construction Environmental Management Plan (CEMP) prior to construction of the project in consultation with the Independent Reviewer, the Independent Auditor, the EPA and to the satisfaction of the Minister for Planning including, but not limited to:</p> <ul style="list-style-type: none"> • Dust management; • Noise management (including operating hours); • Sediment and runoff management; • Contaminated materials and soil management; • Surface and groundwater management; • Biodiversity management; • Waste management and materials recovery; • Details of how the plan will be implemented including the roles and responsibilities of key staff; • Environmental monitoring (dust, fumes, noise, stormwater, groundwater, waste etc); and • Communications (including notifications, complaint response, and reporting).
			EM2	<p>Prepare an Operational Environmental Management Plan (OEMP) prior to commencement of operation of the project in consultation with the Independent Reviewer, the Independent Auditor, the EPA and to the satisfaction of including:</p> <ul style="list-style-type: none"> • Stormwater Management;

CIS evaluation objective	Applicable approval	Performance objective	PR code	Performance requirements
				<ul style="list-style-type: none"> • Tunnel Ventilation Operations; • Environmental Monitoring; • Details of how the plan will be implemented • Remedial Action Plan; and • Communications.
			EM3	Appoint an Independent Reviewer and an Independent Auditor to ensure compliance with the Environmental Management Framework and ensure relevant audit reports are made publicly available.

2

Appendix 2 – Works Approval



MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009
SECTION 77

WORKS APPROVAL

LINKING MELBOURNE AUTHORITY

Holder of

Works Approval: 1001390

Issued:

ABN: 54 293 070 013

Registered Address: LEVEL 20,
180 LONSDALE STREET,
MELBOURNE VIC 3000

Premises Address: EAST WEST LINK TUNNELS
ROYAL PARK TO CLIFTON HILL VIC 3068

Scheduled Categories: L03 Tunnel Ventilation Systems

Description: This approval allows the construction of the East West Link road tunnels between Royal Park and Clifton Hill, and the associated tunnel ventilation system.


.....
MATTHEW GUY MLC
Minister for Planning

30.6.19

Granted under the *Major Transport Projects Facilitation Act 2009*, section 77
(see also *Environment Protection Act 1970*, section 19B)

PREAMBLE

Works Approvals

Why works approvals are issued: Section 19A of the *Environment Protection Act 1970* ("the EP Act") requires the occupier of a "scheduled premises" to obtain works approval to construct or install plant and equipment in order to discharge, handle, treat or dispose of waste to the environment. These types of premises are defined in the *Environment Protection (Scheduled Premises and Exemptions) Regulations 2007* ("the Regulations").

The *Major Transport Projects Facilitation Act 2009* ("the MTPF Act") provides that a Works Approval may be issued by the Planning Minister, rather than by EPA, for projects assessed under that Act.

When works approvals are issued: A works approval is issued when the responsible authority is satisfied that an applicant has put in place measures to protect the environment. Works approvals allow construction of works to occur and set control measures to minimise a site's environmental risk. A works approval can be amended in response to changes in standards and site activities. Works approval holders must submit reports if required by a condition of the approval.

Works Approval information and obligations

For the purposes of this works approval "You" means the works approval holder identified on the first page of this works approval at the "premises" identified on the first page and represented in Schedule 1.

Compliance: At all times, you must comply with the EP Act and all policies and regulations administered by EPA, including the conditions of the works approval. Strict penalties apply for non-compliance with any part of your works approval.

Works Approval structure

Structure: Your works approval has multiple parts:

- Works conditions - setting out requirements for construction or installation;
- Schedule 1 - plan of premises showing works premises and general locality.

CONDITIONS

General Conditions

- WA_G1 Subject to the following conditions, this approval allows the construction of the following works and associated equipment - the East West Link (Eastern Section) road tunnels and associated ventilation systems and structures (including the ventilation stacks).
- WA_G2 The works must be constructed in accordance with the application accepted on 31 October 2013 as augmented or amended by additional information supplied between 1 November 2013 and 15 April 2014 ("the application") except that, in the event of any inconsistency arising between the application and the conditions of this approval, the conditions of this approval shall apply.
- WA_G4 This approval expires:
 (a) on the issue or amendment of a licence relating to all works covered by this approval;
 (b) when EPA advises in writing that all works covered by this approval have been satisfactorily completed and no licence is required; or
 (c) two years from the date of issue unless the works have been commenced by that date to the satisfaction of EPA.

Works Conditions

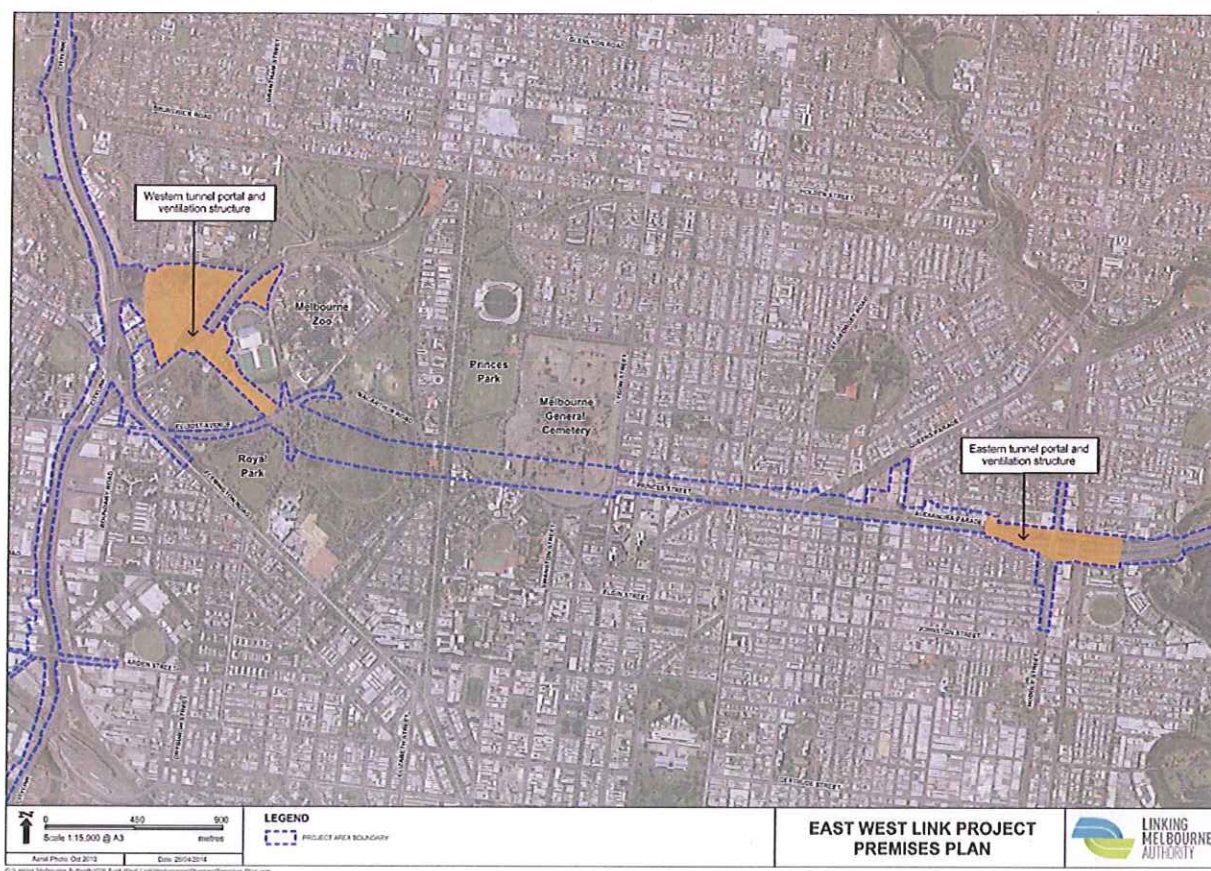
- WA_W1 Before commencing construction of the following components of the works, you must provide to EPA a report or reports with the plans and specifications of those components, including details of:
 (a) the tunnel ventilation system and exhaust stacks, including any mid-tunnel air intake, showing measures to be taken to ensure compliance with State environment protection policy (Air Quality Management) and ensure impacts are equivalent to or less than the Reference Project assessed for this Works Approval;
 (b) the tunnel ventilation system, showing measures to be taken to ensure that the tunnel can achieve zero portal emissions during operation;
 (c) the tunnel ventilation and lighting systems, showing compliance with best practice requirements of the Protocol for Environmental Management "Greenhouse Gas Emissions and Energy Efficiency in Industry"; and
 (d) the tunnel ventilation system, showing measures to be taken to ensure compliance with the State environment protection policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
- WA_W2 You must not commence construction of those parts of the works for which reports are required by condition WA_W1 until written EPA approval of those reports has been received.
- WA_W3 Where any reports specified in condition WA_W1 and approved by EPA differ from the application, the works must be constructed in accordance with those approved reports.
- WA_W4 You must notify EPA when the construction of the works covered by this approval has been commenced.

- WA_W5 You must notify EPA when the construction of the works covered by this approval has been completed.
- WA_W7 You must not commission or operate the works without the written approval of EPA.
- WA_W12.1 You must install all exhaust stacks so that provisions for sampling are included in accordance with EPA Publication 440.1 "A guide to the Sampling and Analysis of Air Emissions and Air Quality", or as approved by EPA.

Reporting Conditions

- WA_R1.1.1 At least 18 months before the commencement of any commissioning, you must provide to EPA a plan that includes:
- (a) a monitoring program for in-tunnel air quality and ventilation stack emissions;
 - (b) a monitoring program for ambient air quality, including periods before and after the commencement of tunnel operation; and
 - (c) a monitoring program for noise impacts, including periods before and after the commencement of tunnel operation.
- WA_R5 You must not commence operation of the works until written EPA approval of the plan required by condition WA_R1 has been received.

SCHEDULE 1 – PREMISES PLAN



Works Approval:	1001390
Company Name:	LINKING MELBOURNE AUTHORITY
ABN:	54 293 070 013
Premises Address:	EAST WEST LINK TUNNELS, ROYAL PARK TO CLIFTON HILL VIC 3068
Granted:	
Before relying on the information in this map, users should carefully evaluate its accuracy, currency, completeness and relevance for their purposes, and should obtain any appropriate professional advice relevant to their particular circumstances.	

Appendix 3 – Heritage Permits

Permit No.: P21546

File No: 603024

HERITAGE PERMIT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

NAME OF PLACE/OBJECT: Cambridge Terrace

HERITAGE REGISTER NUMBER: H1606

LOCATION OF PLACE/OBJECT: 557-567 Drummond Street, Carlton

THE PERMIT ALLOWS:

THE CONSTRUCTION OF A TUNNEL FOR THE EAST WEST LINK (EASTERN SECTION) PROJECT UNDER THE HERITAGE PLACE.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permit holder must carry out all works in accordance with Performance Requirements CH4, CH5, EM1 and EM2, prepared for the project.
 2. This permit commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This permit will expire if the permitted works have not commenced by 31 December 2020, or are not completed by 31 December 2030 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director, Heritage Victoria is to be given five (5) working days notice of the intention to commence the approved works.
 5. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director, Heritage Victoria shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
 6. All works must cease and the Executive Director be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
 7. The Executive Director, Heritage Victoria is to be informed when the approved works have been completed.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS (\$286,680) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$573,360).

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued: 30.6.14	Signed by the Minister for Planning: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

Permit No.: P21545

File No: 600072

HERITAGE PERMIT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

NAME OF PLACE/OBJECT: Former Police Station, Parkville

HERITAGE REGISTER NUMBER: H1545

LOCATION OF PLACE/OBJECT: 155 Royal Parade, Parkville

THE PERMIT ALLOWS:

THE CONSTRUCTION OF A TUNNEL FOR THE EAST WEST LINK (EASTERN SECTION) PROJECT UNDER THE HERITAGE PLACE.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permit holder must carry out all works in accordance with Performance Requirements CH4, CH5, EM1 and EM2, prepared for the project.
 2. This permit commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This permit shall expire if the permitted works have not commenced by 31 December 2020, or are not completed by 31 December 2030 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director, Heritage Victoria is to be given five (5) working days notice of the intention to commence the approved works.
 5. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director, Heritage Victoria shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
 6. All works must cease and the Executive Director be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
 7. The Executive Director, Heritage Victoria is to be informed when the approved works have been completed.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS (\$286,680) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$573,360).

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued: 30.6.14	Signed by the Minister for Planning: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

Permit No.: P21544

File No: 603663

HERITAGE PERMIT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

NAME OF PLACE/OBJECT: Former College Church

HERITAGE REGISTER NUMBER: H0394

LOCATION OF PLACE/OBJECT: 149 Royal Parade, Parkville

THE PERMIT ALLOWS:

THE CONSTRUCTION OF A TUNNEL FOR THE EAST WEST LINK (EASTERN SECTION) PROJECT UNDER THE HERITAGE PLACE.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permit holder must carry out all works in accordance with Performance Requirements CH4, CH5, EM1 and EM2, prepared for the project.
 2. This permit commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This permit shall expire if the permitted works have not commenced by 31 December 2020, or are not completed by 31 December 2030 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director, Heritage Victoria is to be given five (5) working days notice of the intention to commence the approved works.
 5. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director, Heritage Victoria shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
 6. All works must cease and the Executive Director be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
 7. The Executive Director, Heritage Victoria is to be informed when the approved works have been completed.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

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THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued: 30.6.14	Signed by the Minister for Planning: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment

Brief description of amendment

Permit No.: P21547

File No: 606121

HERITAGE PERMIT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

NAME OF PLACE/OBJECT: Melbourne General Cemetery

HERITAGE REGISTER NUMBER: H1788

LOCATION OF PLACE/OBJECT: College Crescent, Carlton North

THE PERMIT ALLOWS:

THE CONSTRUCTION OF A TUNNEL FOR THE EAST WEST LINK (EASTERN SECTION) PROJECT UNDER THE HERITAGE PLACE.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permit holder must carry out all works in accordance with Performance Requirements CH4, CH5, EM1 and EM2, prepared for the project.
 2. This permit commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This permit shall expire if the permitted works have not commenced by 31 December 2020, or are not completed by 31 December 2030 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director, Heritage Victoria is to be given five (5) working days notice of the intention to commence the approved works.
 5. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director, Heritage Victoria shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
 6. All works must cease and the Executive Director, Heritage Victoria be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
 7. The Executive Director, Heritage Victoria is to be informed when the approved works have been completed.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS (\$286,680) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$573,360).

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date granted: 30.6.14	Signed by the Minister for Planning: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

Permit No.: P21548

File No: PL-HE/03/1285

HERITAGE PERMIT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

NAME OF PLACE/OBJECT: Royal Parade, Parkville

HERITAGE REGISTER NUMBER: H2198

LOCATION OF PLACE/OBJECT: Royal Parade, Parkville
Royal Parade, Carlton North
Elizabeth Street, Melbourne

THE PERMIT ALLOWS:

THE CONSTRUCTION OF A TUNNEL FOR THE EAST WEST LINK (EASTERN SECTION) PROJECT UNDER THE HERITAGE PLACE.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permit holder must carry out all works in accordance with Performance Requirements CH4, CH5, EM1 and EM2, prepared for the project.
2. This permit commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
3. This permit will expire if the permitted works have not commenced by 31 December 2020, or are not completed by 31 December 2030 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
4. The Executive Director, Heritage Victoria is to be given five (5) working days notice of the intention to commence the approved works.
5. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director, Heritage Victoria shall be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
6. All works must cease and the Executive Director, Heritage Victoria be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.
7. The Executive Director, Heritage Victoria is to be informed when the approved works have been completed.

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

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THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued: 30-6-14	Signed by the Minister for Planning: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

Appendix 4 – Heritage Consents

HERITAGE CONSENT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

Consent Number: C931

Consent Type: Consent to Damage

NAME OF SITE: Debneys Park East

HERITAGE INVENTORY NUMBER: H7822-0209

LOCATION OF SITE: 25 Mount Alexander Road, Flemington
Moonee Valley City

APPLICANT: Linking Melbourne Authority

ARCHAEOLOGIST: All archaeological works are to be conducted by a
qualified and experienced archaeologist approved in
writing by the Executive Director, Heritage Victoria

FILE NUMBER: 10/000136-10

THE CONSENT TO DAMAGE ALLOWS:

The disturbance of Debneys Park East for Part B of the East West Link (Eastern Section) project.

THE FOLLOWING CONDITIONS APPLY TO THIS CONSENT:

1. The consent holder must carry out all works in accordance with Performance Requirements CH3, CH5, EM1, EM2 prepared for the project.
 2. This consent commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This Consent will expire if the approved archaeological excavation works have not commenced and been completed by 31 December 2030, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director is to be given five (5) working days notice of the intention to commence the approved archaeological excavation works.
 5. The Executive Director is to be informed when the approved archaeological excavation works have been completed.
 6. All archaeological works are to be conducted by the archaeologist approved in accordance with this Consent at all times, or an alternate archaeologist approved in writing by the Executive Director, Heritage Victoria.
 7. The archaeologist is required to monitor all sub-surface works in areas that have the potential to contain historical archaeological deposits, features and/or relics. The archaeological monitoring, investigations and recording must be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (January 2014).
 8. The site works must be undertaken in the area identified in the submitted application, and as specified in the application.
 9. **Conservator:** If potentially significant historical archaeological artefacts are recovered at any time, a suitably qualified archaeological artefact conservator(s) must be engaged, to work alongside the project archaeologist to provide field conservation and artefact management advice, and manage all required artefact conservation work. **All significant recovered artefacts must be conserved and managed to the satisfaction of the Executive Director.**
 10. **Artefact Conservation:** If potentially significant historical archaeological artefacts are recovered, an Artefact Conservation Management Plan must be submitted to the Executive Director, for approval, at the completion of fieldwork, which details the level of conservation and management that will be undertaken for recovered artefacts. The Artefact Management Plan must be a significance-based assessment of conservation requirements for artefact types, and individual artefacts. It must also include proposed timeframes for the completion of conservation and artefact management work.
 11. One bound and one electronic copy of a Consent Report must be submitted to Heritage Victoria within 12 months of the completion of the fieldwork. The report must address all requirements listed in the Guidelines, including the development and addressing of the project Research Design; development of Statements of Significance for the site and any recovered assemblage; the results of the site investigation and interpretation; and artefact cataloguing, analysis and management. The report from this phase of testing may be consolidated into a single project report, subject to approval from the Executive Director.
 12. If any potentially dangerous and/or contaminated material is uncovered, all works must cease immediately and Heritage Victoria must be contacted. If any potentially explosive objects are discovered, works in the subject area must cease immediately and the find reported to Victoria Police and Heritage Victoria. The objects must be left undisturbed, and people kept a safe distance until the area is declared safe.
 13. If any Aboriginal material is uncovered, all works must cease immediately. The finding of Aboriginal archaeological material must be reported to Heritage Victoria and the Office of Aboriginal Affairs Victoria immediately.
 14. Officers of Heritage Victoria may at any time inspect the works undertaken or relics recovered under the Consent, acting under the authority of the *Heritage Act 1995*. Any person exercising the authority of this Consent must produce it for inspection, when required to do so, by any member of the police force or by any person appointed as an inspector under the Act.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO DOES NOT COMPLY WITH THE TERMS AND CONDITIONS CONTAINED IN THIS CONSENT IS GUILTY OF AN OFFENCE UNDER S.129(5) OF THE *HERITAGE ACT* 1995, AND LIABLE TO A PENALTY OF UP TO 240 (\$33,792) PENALTY UNITS, OR IN THE CASE OF A BODY CORPORATE 480 (67,584) PENALTY UNITS.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT CONSENTS PRIOR TO THE COMMENCEMENT OF WORKS.

Date granted: 30.6.14	Signed by the Minister for Planning: 	
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HERITAGE CONSENT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

Consent Number: C929

Consent Type: Consent to Damage

NAME OF SITE:

Royal Park

HERITAGE INVENTORY NUMBER:

H7822-2311

LOCATION OF SITE:

Royal Parade and Flemington Road, Parkville,
Melbourne City

APPLICANT:

Linking Melbourne Authority

ARCHAEOLOGIST:

All archaeological works are to be conducted by a
qualified and experienced archaeologist approved in
writing by the Executive Director, Heritage Victoria

FILE NUMBER:

10/000136-10

THE CONSENT TO DAMAGE ALLOWS:

The disturbance of parts of Royal Park for Part A of the East West Link (Eastern Section) project.

THE FOLLOWING CONDITIONS APPLY TO THIS CONSENT:

1. The consent holder must carry out all works in accordance with Performance Requirements CH3, CH5, EM1, EM2 prepared for the project.
 2. This consent commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This Consent will expire if the approved archaeological excavation works have not commenced and been completed by 31 December 2030, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director is to be given five (5) working days notice of the intention to commence the approved archaeological excavation works.
 5. The Executive Director is to be informed when the approved archaeological excavation works have been completed.
 6. All archaeological works are to be conducted by the archaeologist approved in accordance with this Consent at all times, or an alternate archaeologist approved in writing by the Executive Director, Heritage Victoria.
 7. The archaeologist is required to monitor all sub-surface works in areas that have the potential to contain historical archaeological deposits, features and/or relics. The archaeological monitoring, investigations and recording must be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (January 2014).
 8. The site works must be undertaken in the area identified in the submitted application, and as specified in the application.
 9. **Conservator:** If potentially significant historical archaeological artefacts are recovered at any time, a suitably qualified archaeological artefact conservator(s) must be engaged, to work alongside the project archaeologist to provide field conservation and artefact management advice, and manage all required artefact conservation work. **All significant recovered artefacts must be conserved and managed to the satisfaction of the Executive Director.**
 10. **Artefact Conservation:** If potentially significant historical archaeological artefacts are recovered, an Artefact Conservation Management Plan must be submitted to the Executive Director, for approval, at the completion of fieldwork, which details the level of conservation and management that will be undertaken for recovered artefacts. The Artefact Management Plan must be a significance-based assessment of conservation requirements for artefact types, and individual artefacts. It must also include proposed timeframes for the completion of conservation and artefact management work.
 11. One bound and one electronic copy of a Consent Report must be submitted to Heritage Victoria within 12 months of the completion of the fieldwork. The report must address all requirements listed in the Guidelines, including the development and addressing of the project Research Design; development of Statements of Significance for the site and any recovered assemblage; the results of the site investigation and interpretation; and artefact cataloguing, analysis and management. The report from this phase of testing may be consolidated into a single project report, subject to approval from the Executive Director.
 12. If any potentially dangerous and/or contaminated material is uncovered, all works must cease immediately and Heritage Victoria must be contacted. If any potentially explosive objects are discovered, works in the subject area must cease immediately and the find reported to Victoria Police and Heritage Victoria. The objects must be left undisturbed, and people kept a safe distance until the area is declared safe.
 13. If any Aboriginal material is uncovered, all works must cease immediately. The finding of Aboriginal archaeological material must be reported to Heritage Victoria and the Office of Aboriginal Affairs Victoria immediately.
 14. Officers of Heritage Victoria may at any time inspect the works undertaken or relics recovered under the Consent, acting under the authority of the *Heritage Act 1995*. Any person exercising the authority of this Consent must produce it for inspection, when required to do so, by any member of the police force or by any person appointed as an inspector under the Act.
-

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TAKE NOTICE THAT ANY NATURAL PERSON WHO DOES NOT COMPLY WITH THE TERMS AND CONDITIONS CONTAINED IN THIS CONSENT IS GUILTY OF AN OFFENCE UNDER S.129(5) OF THE *HERITAGE ACT* 1995, AND LIABLE TO A PENALTY OF UP TO 240 (\$33,792) PENALTY UNITS, OR IN THE CASE OF A BODY CORPORATE 480 (67,584) PENALTY UNITS.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT CONSENTS PRIOR TO THE COMMENCEMENT OF WORKS.

Date granted: 30-6-14	Signed by the Minister for Planning: 	
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HERITAGE CONSENT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

Consent Number: C930

Consent Type: Consent to Damage

NAME OF SITE: West Melbourne Rubbish Tips (Dynon Road Tip)

HERITAGE INVENTORY NUMBER: H7822-0312

LOCATION OF SITE: Footscray Road, West Melbourne
Melbourne City

APPLICANT: Linking Melbourne Authority

ARCHAEOLOGIST: All archaeological works are to be conducted by a
qualified and experienced archaeologist approved in
writing by the Executive Director, Heritage Victoria

FILE NUMBER: 10/000136-10

THE CONSENT TO DAMAGE ALLOWS:

The disturbance of the West Melbourne Rubbish Tips for Part B of the East West Link (Eastern Section) project.

THE FOLLOWING CONDITIONS APPLY TO THIS CONSENT:

1. The consent holder must carry out all works in accordance with Performance Requirements CH3, CH5, EM1, EM2 prepared for the project.
 2. This consent commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This Consent will expire if the approved archaeological excavation works have not commenced and been completed by 31 December 2030, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director is to be given five (5) working days notice of the intention to commence the approved archaeological excavation works.
 5. The Executive Director is to be informed when the approved archaeological excavation works have been completed.
 6. All archaeological works are to be conducted by the archaeologist approved in accordance with this Consent at all times, or an alternate archaeologist approved in writing by the Executive Director, Heritage Victoria.
 7. The archaeologist is required to monitor all sub-surface works in areas that have the potential to contain historical archaeological deposits, features and/or relics. The archaeological monitoring, investigations and recording must be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (January 2014).
 8. The site works must be undertaken in the area identified in the submitted application, and as specified in the application.
 9. **Conservator:** If potentially significant historical archaeological artefacts are recovered at any time, a suitably qualified archaeological artefact conservator(s) must be engaged, to work alongside the project archaeologist to provide field conservation and artefact management advice, and manage all required artefact conservation work. **All significant recovered artefacts must be conserved and managed to the satisfaction of the Executive Director.**
 10. **Artefact Conservation:** If potentially significant historical archaeological artefacts are recovered, an Artefact Conservation Management Plan must be submitted to the Executive Director, for approval, at the completion of fieldwork, which details the level of conservation and management that will be undertaken for recovered artefacts. The Artefact Management Plan must be a significance-based assessment of conservation requirements for artefact types, and individual artefacts. It must also include proposed timeframes for the completion of conservation and artefact management work.
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 12. If any potentially dangerous and/or contaminated material is uncovered, all works must cease immediately and Heritage Victoria must be contacted. If any potentially explosive objects are discovered, works in the subject area must cease immediately and the find reported to Victoria Police and Heritage Victoria. The objects must be left undisturbed, and people kept a safe distance until the area is declared safe.
 13. If any Aboriginal material is uncovered, all works must cease immediately. The finding of Aboriginal archaeological material must be reported to Heritage Victoria and the Office of Aboriginal Affairs Victoria immediately.
 14. Officers of Heritage Victoria may at any time inspect the works undertaken or relics recovered under the Consent, acting under the authority of the *Heritage Act 1995*. Any person exercising the authority of this Consent must produce it for inspection, when required to do so, by any member of the police force or by any person appointed as an inspector under the Act.
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NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO DOES NOT COMPLY WITH THE TERMS AND CONDITIONS CONTAINED IN THIS CONSENT IS GUILTY OF AN OFFENCE UNDER S.129(5) OF THE *HERITAGE ACT* 1995, AND LIABLE TO A PENALTY OF UP TO 240 (\$33,792) PENALTY UNITS, OR IN THE CASE OF A BODY CORPORATE 480 (67,584) PENALTY UNITS.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT CONSENTS PRIOR TO THE COMMENCEMENT OF WORKS.

Date granted: 30-6-14	Signed by the Minister for Planning: 	
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HERITAGE CONSENT

GRANTED UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS
FACILITATION ACT 2009

Consent Number: C932

Consent Type: Consent to Damage (Over Half)

NAME OF SITE:	Yarra Bend Park (Northcote 1)
HERITAGE INVENTORY NUMBER:	H7922-0142
LOCATION OF SITE:	Yarra Bend Road, Fairfield, Yarra City
APPLICANT:	Linking Melbourne Authority
ARCHAEOLOGIST:	All archaeological works are to be conducted by a qualified and experienced archaeologist approved in writing by the Executive Director, Heritage Victoria
FILE NUMBER:	10/000136-10

THE CONSENT TO DAMAGE ALLOWS:

The disturbance of parts of Yarra Bend Park, Northcote 1, for Part A of the East West Link (Eastern Section) project.

THE FOLLOWING CONDITIONS APPLY TO THIS CONSENT:

1. The consent holder must carry out all works in accordance with Performance Requirements CH3, CH5, EM1, EM2 prepared for the project.
 2. This consent commences from the date of gazettal of the notice under s 82(3) of the *Major Transport Projects Facilitation Act 2009*.
 3. This Consent will expire if the approved archaeological excavation works have not commenced and been completed by 31 December 2030, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
 4. The Executive Director is to be given five (5) working days notice of the intention to commence the approved archaeological excavation works.
 5. The Executive Director is to be informed when the approved archaeological excavation works have been completed.
 6. All archaeological works are to be conducted by the archaeologist approved in accordance with this Consent at all times, or an alternate archaeologist approved in writing by the Executive Director, Heritage Victoria.
 7. The archaeologist is required to monitor all sub-surface works in areas that have the potential to contain historical archaeological deposits, features and/or relics. The archaeological monitoring, investigations and recording must be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (January 2014).
 8. The site works must be undertaken in the area identified in the submitted application, and as specified in the application.
 9. **Conservator:** If potentially significant historical archaeological artefacts are recovered at any time, a suitably qualified archaeological artefact conservator(s) must be engaged, to work alongside the project archaeologist to provide field conservation and artefact management advice, and manage all required artefact conservation work. **All significant recovered artefacts must be conserved and managed to the satisfaction of the Executive Director.**
 10. **Artefact Conservation:** If potentially significant historical archaeological artefacts are recovered, an Artefact Conservation Management Plan must be submitted to the Executive Director, for approval, at the completion of fieldwork, which details the level of conservation and management that will be undertaken for recovered artefacts. The Artefact Management Plan must be a significance-based assessment of conservation requirements for artefact types, and individual artefacts. It must also include proposed timeframes for the completion of conservation and artefact management work.
 11. One bound and one electronic copy of a Consent Report must be submitted to Heritage Victoria within 12 months of the completion of the fieldwork. The report must address all requirements listed in the Guidelines, including the development and addressing of the project Research Design; development of Statements of Significance for the site and any recovered assemblage; the results of the site investigation and interpretation; and artefact cataloguing, analysis and management. The report from this phase of testing may be consolidated into a single project report, subject to approval from the Executive Director.
 12. If any potentially dangerous and/or contaminated material is uncovered, all works must cease immediately and Heritage Victoria must be contacted. If any potentially explosive objects are discovered, works in the subject area must cease immediately and the find reported to Victoria Police and Heritage Victoria. The objects must be left undisturbed, and people kept a safe distance until the area is declared safe.
 13. If any Aboriginal material is uncovered, all works must cease immediately. The finding of Aboriginal archaeological material must be reported to Heritage Victoria and the Office of Aboriginal Affairs Victoria immediately.
 14. Officers of Heritage Victoria may at any time inspect the works undertaken or relics recovered under the Consent, acting under the authority of the *Heritage Act 1995*. Any person exercising the authority of this Consent must produce it for inspection, when required to do so, by any member of the police force or by any person appointed as an inspector under the Act.
-

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO DOES NOT COMPLY WITH THE TERMS AND CONDITIONS CONTAINED IN THIS CONSENT IS GUILTY OF AN OFFENCE UNDER S.129(5) OF THE *HERITAGE ACT* 1995, AND LIABLE TO A PENALTY OF UP TO 240 (\$33,792) PENALTY UNITS, OR IN THE CASE OF A BODY CORPORATE 480 (67,584) PENALTY UNITS.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT CONSENTS PRIOR TO THE COMMENCEMENT OF WORKS.

Date granted: 30-6-14	Signed by the Minister for Planning: 	
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Appendix 5 – Water Act Licence

LICENCE TO CONSTRUCT WORKS

granted under section 77 of the Major Transport Projects Facilitation Act 2009

Licence No 464/310/5003

This licence does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the works licence.

This licence is not to be interpreted as an endorsement of the design and/or construction of any works (including dams).

The Authority does not accept any responsibility or liability for any suits or actions arising from injury, loss, damage or death to person or property which may arise from the maintenance, existence or use of the works.

This licence authorises its holders to conduct the described works, subject to the conditions.

Licence Holders

Linking Melbourne Authority

Licence Holder Contact Details

Level 20, 180 Lonsdale Street, Melbourne VIC 3000

Licence Details

Expiry date: 30 December 2020

Status: Active

Authority: Melbourne Water

Name of waterway or aquifer: Merri Creek, Trin Warren Tam-Boore Wetlands and Moonee Ponds Creek

Description of Licensed Works

Description of Works

Construction and operation of roads, structures and associated infrastructure for the East West Link (Eastern Section) (the Project).

Works location

Between the Eastern Freeway in Clifton Hill and CityLink in Parkville, in the vicinity of Trin Warren Tam Boore wetlands, Merri Creek and along Moonee Ponds Creek.

Conditions

Licence 464/310/5003 is subject to the following conditions:

General Works Requirements

1. The licence holder must carry out all works in accordance with the Project Performance Requirements LU3, LU4, LU5, LV1, LV2, LV3, SW1, SW2, SW3, SW4, SW5, SW7, SW8, SW9, SW11, SW12, SW13, SW14, SW15, SW16, EM1, EM2.
2. The licence holder must carry out all works in accordance with the Project Urban Design Principles 1.1, 1.2, 1.5, 1.6, 2.2, 2.3 2.4, 2.5, 2.6, 5.2, 7.3, 8.1, 8.2.
3. The licence holder must ensure adequate protection and full operational requirements are met and provided to all Melbourne Water assets in the vicinity of the works.
4. The licence holder must allow access by Melbourne Water to carry out any necessary repairs and maintenance to its assets within the works location as required.

Inspection of Works

5. The licence holder must at all times provide Melbourne Water with safe access to inspect all works under this licence in the vicinity of its assets, upon notification being provided.

Works location

6. The works may only be undertaken under this licence within the works location specified in this licence.

Fees and charges

7. The licence holder must, when requested by Melbourne Water, pay all fees charged under the Water Act 1989 in respect of this licence.

MATTHEW GUY MLC
Minister for Planning

DATE: 30.6.14

Appendix 6 – Road Management Act Consent



**Minister for Planning
Minister for Multicultural Affairs and Citizenship**

Mr Ken Mathers
Chief Executive Officer
Linking Melbourne Authority
PO Box 21710
Little Lonsdale Street
VICTORIA 8011

1 Spring Street
Melbourne Victoria 3000 Australia
Telephone: 03 8392 6075
www.vic.gov.au
DX 210292

Dear Mr Mathers

EAST WEST LINK – CONSENT UNDER CLAUSE 1 OF SCHEDULE 2 OF THE ROAD MANAGEMENT ACT 2004

As part of the assessment and approval process for the East West Link (Eastern Section) under the *Major Transport Projects Facilitation Act 2009* I have decided to grant the following consent under Clause 1 of Schedule 2 of the *Road Management Act 2004*:

- Direct connection to the eastbound carriageway of East West Link with the eastbound carriageway of the Eastern Freeway.
- Direct connection of the westbound carriageway of the Eastern Freeway with the westbound carriageway of East West Link.
- Exit ramps from the southbound and northbound carriageway of Citylink in Parkville connecting to the eastbound carriageway of East West Link.
- Entry ramps from the westbound carriageway of the East West Link connecting to the southbound and northbound carriageway of the Citylink in Parkville.

This consent is provided subject to the condition that Linking Melbourne Authority provide a transport network impact assessment of the final design, including any change in network connectivity in the vicinity of each of these locations, to the satisfaction of VicRoads.

Yours sincerely

MATTHEW GUY MLC
Minister for Planning

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Information Privacy Act 2000*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Transport, Planning and Local Infrastructure, GPO Box 2392, Melbourne, 3000.

Appendix 7 – Comment on Plan of Works – CFL Act



**Minister for Planning
Minister for Multicultural Affairs and Citizenship**

1 Spring Street
Melbourne Victoria 3000 Australia
Telephone: 03 8392 6075
www.vic.gov.au
DX 210292

Mr Ken Mathers
Chief Executive Officer
Linking Melbourne Authority
PO Box 21710
Little Lonsdale Street
VICTORIA 8011

Dear Mr Mathers

EAST WEST LINK – COMMENT UNDER SECTION 66(1) OF THE *CONSERVATION, FORESTS AND LANDS ACT 1989*

As part of the assessment and approval process for the East West Link (Eastern Section) (the project) under the *Major Transport Projects Facilitation Act 2009*, I have decided to grant comment on the Plan of Works included in the Comprehensive Impact Statement for the project under Section 66(1) of the *Conservation, Forests and Lands Act 1989*.

The Plan of Works is considered adequate on condition that the project is delivered in accordance with Performance Requirements SW1, SW14, SW15, B1, B4 and B6 included in the incorporated document approved for the project pursuant to Planning Scheme Amendment GC2.

Yours sincerely

MATTHEW GUY MLC
Minister for Planning

30.6.14

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Information Privacy Act 2000*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Transport, Planning and Local Infrastructure, GPO Box 2392, Melbourne, 3000.

Appendix 8 – Reasons for Decision

**REASONS FOR DECISION UNDER SECTION 77 OF THE
MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009**

Provided under section 80(1)(b) of the *Major Transport Projects Facilitation Act 2009*

Introduction

1. This document gives the reasons for my decision under section 77 of the *Major Transport Projects Facilitation Act 2009* (the **MTPF Act**) for making the approval decision relating to the East West Link (**Eastern Section**) Project (**the Project**) dated 30 June 2014 (the **approval decision**). These reasons should be read together with the approval decision.
2. In making my decision under section 77 of the MTPF Act, in addition to the East West Link (Eastern Section) Comprehensive Impact Statement (**CIS**) and the supporting material relating to the CIS, I have had regard to:
 - (a) the Report and Recommendations of the Assessment Committee (**Committee**);
 - (b) the advice of the EPA under section 64 of the MTPF Act;
 - (c) the applicable law criteria under applicable laws (a list of which is attached to the CIS);
 - (d) the relevant legislation.
3. In my decision I have accepted some of the recommendations of the Committee, rejected others and required that other issues raised by the Committee be considered or addressed in the design and implementation phase of the Project.
4. In giving these reasons I do not address each and every aspect of the Project or the Committee's Report. As is evident from the Committee's Report, the assessment covers a vast terrain. There are substantial matters and matters of a relatively detailed nature that required consideration.
5. In these reasons I have focussed on the substantial matters that influence the overall decision to support the grant of applicable approvals for the Project. Where I have not discussed an aspect of the Project in these reasons it should be taken that the matter has been considered as part of the overall decision but taken alone the matter would not change the approval decision or the reasons herein.
6. For the purpose of these reasons I have addressed these substantial matters under the following headings:
 - (a) Committee process and Report;
 - (b) Summary of my decision and approach;
 - (c) Part A;
 - (d) Part B;

- (e) Southern connection;
- (f) Elliott Avenue and Flemington Road access;
- (g) Eastern portal and flyover;
- (h) Impacted properties;
- (i) Applicable approvals;
- (j) Other conditions on the approval decision.

Committee Report and process

7. On 20 December 2012, the Victorian Premier declared the *"Proposed freeway standard link between the Eastern Freeway and the Tullamarine Freeway generally along the Alexandra Parade corridor, with a further southerly connection to the Port of Melbourne area"* to be a declared project pursuant to the MTPF Act. The declared project is known as the East West Link (Eastern Section) Project (the **Project**). On 22 March 2013, Linking Melbourne Authority was appointed as the project proponent for the Project.
8. As exhibited the Reference Project described in the CIS comprises two parts:
 - Part A of the Project extends from the Eastern Freeway near Hoddle Street to CityLink;
 - Part B of the Project extends from CityLink through to the Port of Melbourne, along a parallel viaduct with CityLink.
9. On 21 October 2013, I appointed the East West Link (Eastern Section) Project Assessment Committee (the **Committee**) under sections 35 and 235 of the MTPF Act to assess the CIS, and to make recommendations to me in accordance with section 73 of the MTPF Act, in accordance with Terms of Reference dated 21 October 2013.
10. On 30 May 2014, I received the Committee's report and recommendations in relation to the CIS (the **Report** and the **Recommendations**). The Committee conducted a public hearing and produced a detailed report within the statutory timelines. It also made recommendations, some of which are described below.
11. The task of the Committee was not an easy one and I commend the Committee for the management of the process and the quality of its Report. I am satisfied that the Committee approached its tasks diligently and explained its reasoning for its approach to its tasks. I generally accept the approach taken to the relevant legislative and policy frameworks. I have found the Report to be invaluable, not just for its findings and recommendations, but also for its explanation of the issues, submissions, contrary arguments and differing expert opinions.
12. The Committee made 43 Recommendations divided into Primary Recommendations and Issue Specific Recommendations. Where I refer to recommendations by number

in these reasons the number corresponds with the number in the Committee's Report.

13. Primary Recommendation 1 is to issue the applicable approvals for Part A of the Project, subject to Primary Recommendations 2 and 3, and Issue Specific Recommendations 5 to 36. Primary Recommendation 2 relates to the form in which Planning Scheme Amendment GC2 to the Melbourne, Moonee Valley, Moreland and Yarra Planning Schemes should be approved. Primary Recommendation 3 recommends certain changes to Part A of the Project.
14. Recommendation 4 is to set aside Part B of the Project, and the southbound connection of the Project to CityLink, and to not issue the relevant applicable approvals, until the announced works on CityLink and the Tullamarine Freeway, and West Link (i.e. the East West Link (Western Section)) are clarified. The Committee recommended the review of a number of aspects of Part B be undertaken as part of a new or revised Comprehensive Impact Statement in conjunction with the planning process for the East West Link (Western Section) and other road projects described above. If this recommendation were not supported, the Committee recommended that the alignment and proposed viaduct for Part B should be reviewed to consider placing it in-tunnel or aligning it on the east side of the existing CityLink. The Committee made a number of further recommendations (Recommendations 37 to 43) concerning Part B in the event Part B was approved at the same time as Part A.

Summary of my decision and approach

15. In summary I have:

- (a) Approved Part A and Part B of the Project;
- (b) Required the deletion of the connection between the Project and Elliott Avenue in favour of consideration of other means of achieving the proposed traffic movements;
- (c) Included a requirement for Development Plans to be prepared to my satisfaction for the design of specified aspects of Part A including the elevated structures at the east and west ends of Part A;
- (d) Included a requirement for a Development Plan to be prepared to my satisfaction for Part B of the Project;
- (e) Included a requirement for a Property Impact Report showing the impacts of the final design of elevated structures and viaducts on properties outside the Project Area;
- (f) Made a number of modifications to the East West Link Incorporated Document (June 2014) which forms part of Planning Scheme Amendment GC2 (**the Incorporated Document**);
- (g) Granted applicable approvals under the MTPF Act.

16. For reasons set out below I have not accepted the recommendations of the Assessment Committee to set aside, at this time, Part B and other aspects of the proposal.
17. For the reasons set out below I have not accepted the findings of the Committee that a flyover at the eastern end of the Project will have unacceptable impacts. I have not required amendments to the Performance Requirements and the Urban Design Principles to prevent a flyover.
18. I have made a number of changes to the Performance Requirements and Urban Design Principles as attached to the Committee's Report and some minor changes to the Incorporated Document.
19. I have acknowledged the recommendations of the Committee with respect to the importance of design outcomes in the final design of the Project and have included a requirement for the submission of Development Plans to my satisfaction.
20. In making my decision I have had regard to section 4 of the *Planning and Environment Act 1987*. This section sets out the overarching objectives for planning in this State. Unsurprisingly the delivery of public infrastructure can be traced to these objectives. So too can the full range of land use and development objectives which are to guide decisions. It goes without saying that not all objectives will be achieved in every decision. In many cases, and particularly for major infrastructure projects, the facilitation of one objective will conflict with other objectives. Clues as to conflict are also evident in the objectives themselves, to the effect that decisions are to consider all Victorians and to balance the interests of present and future generations. The balancing of conflicting objectives is referred to in the State Planning Policy Framework in the principle of net community benefit. This principle has been the guiding principle for my decision here.
21. I have considered the factors assessed by the Committee but I have given more or less weight to various factors in the ultimate balancing exercise I am required to undertake. In the result I have determined that the Project as approved by me is in the interests of net community benefit.
22. After much deliberation I decided not to adopt the Committee's Recommendations which would have required future approval processes for Part B and aspects of Part A. It is my opinion that the public interest is better served if the Project is approved, designed, implemented and delivered as an integrated approval decision. Further:
 - (a) An integrated approval decision will facilitate the design, contract and delivery phase of the Project. The decision will provide a level of certainty which is appropriate for such a major undertaking;
 - (b) I prefer an integrated approval decision with resolved Performance Requirements and Urban Design Principles at the outset so that all aspects of the design can be co-ordinated and informed as appropriate by other parts and staged with efficiency and flexibility;
 - (c) I consider that it is appropriate that the design of the various interchange points is co-ordinated with the design of the tunnel;

- (d) An integrated approval decision is appropriate in the context in the areas where I have required more limited re-design than was recommended by the Committee;
 - (e) An integrated approval decision for the Project is consistent with the significance of the Project and its assessment as a major project assessed under the MTPF Act;
 - (f) The intention of the process under the MTPF Act is to streamline the approval process, and timeframes are imposed by the Act. Difficult as that may be it is appropriate that so far as possible a clear and single decision be made for the Project at this time;
 - (g) An integrated decision is consistent with description and designation of the Project in Plan Melbourne;
 - (h) By contrast the recommendations of the Committee would risk further process, delay, uncertainty and quite possibly substantial variations to aspects of the Project. There can be no certainty that the ultimate approval would be materially different to the exhibited proposal or that it would not produce other impacts or issues which may be considered problematic;
 - (i) The public interest is served in this case by an integrated decision now rather than a piecemeal approval process.
23. In considering the economic justification for the Project I have taken a similar approach to that taken by the Committee. I do not rely on a business case. Further, it is not necessary for me to do so. It is sufficient for my purposes that the East West Link is enshrined in Plan Melbourne, which is incorporated in each of the relevant planning schemes. It follows that it is established as a matter of policy that the delivery of the Project will implement relevant planning objectives. It is axiomatic that, in the context of the approval decision the Project will deliver a range of economic benefits.
24. The reference project is purely a concept for assessment purposes. The final design is to be guided by the Urban Design Principles and the Performance Requirements. Many of the matters raised by the Committee can be addressed in the design process and are picked up by relevant Performance Requirements and Urban Design Principles. Subject to the modifications I have required I have determined that these documents will adequately inform the final design.
25. To accord with this decision, I have required that the Urban Design Principles and Performance Requirements be revised in accordance with the versions included in the Incorporated Document. These are a modification of the versions recommended by the Committee. Where I have adopted the reasoning of the Committee regarding the Urban Design Principles and Performance Requirements, I do not expand in these reasons. Where I have required revisions to the Urban Design Principles or Performance Requirements, the change is to be understood as being required to give effect to my decision and these reasons.

26. I now turn to the substantial matters by reference to the headings set out above.

Part A

27. I have generally accepted the reasoning of the Assessment Committee for the approval of Part A subject to these reasons.

Part B

28. I have set out my reasons for approving Part B at this time. The Committee helpfully provided a set of recommendations for Part B in this event. With specific reference to these recommendations I respond as follows.

29. Recommendation 37 which recommended a master planning process in relation to the Debney's Park playground, Flemington Community Centre and the Flemington Community Garden will be implemented via the revised Performance Requirements.

30. Recommendation 38 which concerned the impact on the Vision Australia dog breeding and training facility can be considered as part of the Property Impact Report I have required in the approval decision conditions.

31. Recommendation 39 which recommended detailed air modelling assessment for Part B to guide the final design will be implemented via the revised Performance Requirements.

32. Recommendation 40 which concerned the West Melbourne Terminal Station site will be the subject of further consideration as part of the Property Impact Report, the Development Plan requirement and the revised Performance Requirements.

33. Recommendation 41 which recommended the removal of the access ramps to and from Arden Street is properly a matter for consideration in the final design for Part B, which will be the subject of a Development Plan which must be prepared to my satisfaction.

34. Recommendation 42 which concerned a process for identifying properties potentially impacted by elevated road structures and viaducts which may be the subject of voluntary purchase agreements will form part of the Property Impact Report which I have required as a condition of the approval decision.

35. Recommendation 43 which recommended noise and air quality mitigation measures to address potential impacts on Flemington Housing Estate Residents is a matter to be addressed in the Development Plan for Part B and has been included as a condition of this approval.

Southern connection

36. I note that the Committee recommended as Primary Recommendation 4 that the southbound connection of the Project should be set-aside until the recently announced works on CityLink, the Tullamarine Freeway, and WestLink are clarified.

37. The Committee considered that the impacts of the southbound connection of Part A to CityLink and its connection to Part B of the Project had not been adequately addressed. The Committee concluded that further work should be undertaken to better resolve these connections and that this further work should occur in association with identifying an appropriate Part B alignment.
38. For reasons I have explained I have determined that Part B should be approved at this time subject to the design and implementation addressing as appropriate the recommendations of the Committee. Accordingly, the resolution of the design of the southern connection between Parts A and B of the Project will be addressed by the conditions I have imposed on the approval decision which require the preparation of a Development Plan for certain aspects of the Project including the southern connection. The Development Plan will be required to be in accordance with the Urban Design Principles and the Performance Requirements in Tables 1 and 2 respectively of the East West Link Incorporated Document (June 2014) (the Incorporated Document) and must be prepared to my satisfaction.
39. I intend to establish an advisory group comprising the Chair or Deputy Chair of the Committee, the Victorian Government Architect (or Associate Victoria Government Architect) and representatives of the DTPLI Planning group, VicRoads and the Department of Treasury and Finance to advise me on the Development Plans that I have required be submitted to my satisfaction.

Elliott Avenue and Flemington Road connection

40. The Committee found that the Elliott Avenue interchange as shown in the Reference Project was unacceptable and it recommended that it be removed. The Committee recommended (Recommendation 3(e)) the deletion of the connection between the Project and Elliott Avenue due to its visual intrusion into Royal Park and its potential impact on landscape values in favour of other means of achieving the proposed traffic movements. I accept the Committee's recommendation in this regard. The Committee considered that the visual and related impacts of the Reference Project within Precinct 3: Royal Park represented an unacceptable intrusion into Royal Park. The Committee found that the reduction in open space, the permanent loss of trees, the realignment of the tram line and the increase in road and traffic-related infrastructure within the Park were matters which can and should be avoided.
41. The condition that I have imposed on the approval decisions which requires the deletion of the Elliott Avenue interchange is responsive to the protection of valued landscape and cultural heritage assets and will protect the landscape character and integrity of that part of Royal Park by minimising severance.
42. I note that the Committee was presented with a number of alternative designs for the Elliott Avenue interchange including designs which contemplated the construction of a tunnel portal at Flemington Road which was supported by a number of witnesses before the Committee. The Committee found that alternative interchange designs including a proposed alignment adjacent to Flemington Road should be examined. I accept the Committee's findings in that regard.

43. A condition of my approval decision for the Project is that the Elliott Avenue interchange is deleted and that a connection between the Project and Flemington Road be examined. I note that a connection between the Project and Flemington Road has not yet been the subject of detailed design. For this reason I have included a condition on the approval decision that a Development Plan showing the design for the connection between the Project and Flemington Road be submitted to me to my satisfaction.
44. This process will enable the feasibility and practicality of a Flemington Road connection design to be fully tested against the Urban Design Principles and the Performance Requirements which include the requirement that the Project minimise impacts on the built environment and landscape including public open space (Performance Requirement LV1). This process will also enable an assessment of whether the ultimate Project Area for the Project should be modified.

Eastern portal and interchange

45. I have rejected the Committee's finding that the option for a flyover at the eastern end of the Project would be unacceptable for the following reasons:
- (a) The Project is of such significance to the State, and this interchange so critical to the design, that it is necessary and desirable that the eastern portal and access be resolved sooner rather than later and with this approval.
 - (b) In rejecting the flyover the Committee relied upon the possibility of an alternative design. No alternative design was exhibited and no alternative has been tested in the manner of the flyover. I do not agree that it is appropriate to describe the exhibited Project as unacceptable in the absence of a demonstrated and proven alternative.
 - (c) I do not accept the flyover is unacceptable in urban design terms having regard to:
 - i. The element of subjectivity inherent in judgments such as this. This is demonstrated in this process by the differing opinions including expert opinions as to the visual impact of the flyover. There are many examples of public infrastructure around this state that continue to be the subject of differing opinions as to their visual impact. This does not render them unacceptable. There need be no "right" or "wrong" answer regarding the visual impact of the flyover;
 - ii. The fact that the character of the general locality can reasonably be expected to undergo substantial change in built form and scale in response to current policy. There are also substantial urban renewal opportunities around Victoria Park Station and on underutilised industrial land along Hoddle Street and Alexandra Parade. This potential is envisaged in Plan Melbourne and I have made previous announcements singling out the opportunity of the area as part of an urban renewal pipeline. The potential for a new urban form and scale

in the locality should not be underestimated when making long-term decisions now. I do not consider that a flyover is at odds with the built form scale change that can reasonably be expected to occur in the locality;

- iii. An expert report before the Committee proffered that a flyover at this location could be designed to be respectful to its context and well resolved. I agree;
 - iv. I consider that a flyover has the potential to be an important visual gateway feature and landmark in its own right. It is better not to shy away from achieving a well-designed flyover with visual interest. It can be designed to be a positive feature in the urban landscape;
 - v. Other road projects in the State have shown that elevated structures can be well resolved and interesting. I see no reason why a similar outcome appropriate to this context cannot be achieved here; and
 - vi. Even if taken alone any of the impacts described by the Committee as unacceptable are taken to be so, the unacceptability is outweighed by the acceptability of the Project as a whole.
- (d) I do not accept that the flyover should be rejected on the grounds of cultural heritage. Any detrimental impact on cultural heritage values is more than offset by the benefits of the Project and the landmark potential of the flyover. I would make this finding even if I agreed with the Committee as to the extent of impact on cultural heritage. In my assessment of the cultural heritage impacts I give considerable weight to the extent to which the locality can reasonably be expected to change over time in response to urban renewal and development opportunities round Victoria Park station and underutilised industrial sites along Hoddle Street and Alexandra Parade. I have already referred to the urban renewal aspirations of Plan Melbourne. It will be necessary for heritage assets and new development to be juxtaposed to some degree to achieve important land use and development outcomes.
- (e) I also do not accept that the visual integrity of the Shot Tower will be unacceptably compromised by the Project or a flyover. The inner urban context of the Shot Tower and the surrounding policy context are such that it ought not be expected to maintain the prominence it may once have had. It will maintain sufficient presence to be read and understood as a local landmark and heritage asset but its landmark presence will understandably be diminished over time as the surrounding area is built up. In this respect the local recognition of the Shot Tower as a landmark must not be taken out of context.
- (f) As to other specific heritage impacts, for reasons given, I do not consider that a project of this scale, importance and potential ought be designed to avoid property acquisition or demolition in the Gold Street Precinct (HO321) and Clifton Hill Western Precinct (HO317) (Recommendation 26). Whether the proposed Project Area ought be extended to include more properties here can be considered by the Project Authority after final design and

assessed in the Property Impact Report that I have required as a condition of approval of the Project. The Property Impact Report can also inform any future variations or decisions and whether further acquisition or voluntary purchase of properties should take place and whether any further mitigation measures will be required.

- (g) I do not accept the Committee's finding that the flyover is not "justified" by traffic volumes, nor do I accept (if it is suggested) that the flyover must be "justified" by traffic volumes. Even if the traffic counts and predictions are unresolved this is not a precondition for approval of the design of this significant interchange. I also proceed on the basis that predictions of future traffic volumes are influenced by the assumptions used in the models including other land use and development in the area and further afield. The more critical factor in my reasoning is the opportunity to design an elevated structure as part of the gateway at Hoddle Street. I note the Committee did not find that the flyover would not be effective for its traffic function. I agree.
- (h) The visual impacts of the flyover from nearby properties on the west side of Hoddle Street will need to be, and can be, assessed in the detailed design of the Project. These properties can be included in the Property Impact Report I have required as a condition of my approval.
- (i) The opportunity to investigate relocation of the tunnel portal or portals to the east can be investigated in the design of the Project if that is considered appropriate by the Project Authority. However if this is to occur, and the Project is to be altered on that basis, such a substantial change should occur as a variation to the Project and not as a requirement of this approval. The nature of such a change is such that it may be appropriate for further and other advice if it is to be considered.
- (j) I have included a condition on the approval decision to require the submission to me of a Development Plan for the final design of the eastern flyover before its construction.
- (k) Consistent with this reasoning the sidetrack should remain but can be the subject of further consideration during the detailed design and construction process. The Committee suggested that further guidelines may be necessary to protect residential amenity abutting the sidetrack area. While I agree residential amenity ought to be protected I consider that this matter can be dealt with in the final design and in the Construction Environmental Management Plan.

Impacted Properties

46. I have included as a condition of my approval decision a requirement that the Development Plans be accompanied by a report prepared to my satisfaction which identifies properties that are materially impacted by any elevated structures shown on the Development Plans (the Property Impact Report) in consideration of the fact that the final design for these structures has not been resolved.

47. This will allow further consideration of whether any adjustments should be made to the land identified in Figure 1 of the Incorporated Document forming part of Planning Scheme Amendment GC2 and whether there is a need for Linking Melbourne Authority to acquire additional properties within or immediately adjacent to that land. The Property Impact Report will also consider whether any further mitigation measures are required to ameliorate significant impacts on affected properties.

Applicable approvals

Applicable approval: Decisions to prepare, adopt and approve Planning Scheme Amendment GC2 under sections 8, 29 and 35 of the *Planning and Environment Act 1987*

48. Planning Scheme Amendment GC2 to the Melbourne, Moonee Valley, Moreland and Yarra Planning Schemes is required to facilitate the use and development of land shown on the maps which form part of Amendment GC2 for the purposes of the Project.
49. Amendment GC2 introduces an incorporated document into the planning schemes that removes the need for a planning permit for the Project, subject to conditions, and makes the Minister for Planning the responsible authority for administering and enforcing the planning schemes in relation to Part A of the Project.
50. After considering the applicable law criteria under the Planning and Environment Act 1987 (the PE Act), and relevant Ministerial Directions the Committee recommended in Recommendation 1(b) to issue the applicable approval being Planning Scheme Amendment GC2, under sections 8, 29 and 35 of the PE Act, for Part A of the Project as modified in the decision.
51. My decision is to adopt Planning Scheme Amendment GC2, generally as exhibited, and including Part B, subject to:
- (a) A condition requiring the use and development and the ancillary activities specified in the Incorporated Document to be in accordance with the Urban Design Principles (Table 1) and the Performance Requirements (Table 2).
 - (b) deleting the exhibited Design and Development Overlays until the final design is adopted.
52. Having regard to the Recommendations of the Committee, and having had regard to the applicable law criteria under the PE Act, I have decided to prepare, adopt and approve Planning Scheme Amendment GC2 which includes the Committee's recommended Incorporated Document as shown at Appendix D of the Report subject to the changes outlined below.
53. The Incorporated Document requires the Project to be developed in accordance with the Performance Requirements and the Urban Design Principles attached to this decision. These revised Performance Requirements and the revised Urban Design Principles form part of the revised Incorporated Document.
54. In addition to revising the Incorporated Document as described above, for clarity I have made the following changes to the Incorporated Document:

- (a) In accordance with Recommendation 2(f) in the Report, the exhibited Design and Development Overlays in the Yarra Planning Scheme and Melbourne Planning Scheme have not been included at this time. The form of the Design and Development Overlays will be considered once the tunnel alignment has been finalised.
- (b) Changing the description of Figure 1 to East West Link (Eastern Section) Incorporated Document and the legend to identify in yellow the land to which the East West Link (Eastern Section) Incorporated Document applies.

55. Where I have made changes to the Incorporated Document including the Performance Requirements and Urban Design Principles that are not described in these reasons those changes are made for consistency with my approval decision and these reasons.

Applicable approval: works approval under section 19B of the *Environment Protection Act 1970*

56. A Works Approval is required under section 19B of the *Environment Protection Act 1970* (the EP Act) to construct the ventilation and lighting systems required for the proposed tunnels forming part of Part A of the Project.
57. The Committee concluded that impacts on air quality, including greenhouse gas emissions, and noise impacts arising from the tunnels ventilation and lighting systems, should be able to be managed in accordance with relevant State Environment Protection Policies (SEPPs) and protocols for environment management (PEMs) under the EP Act. After considering the applicable law criteria under the EP Act that are relevant to the granting of a works approval, the Committee recommended granting a Works Approval in Primary Recommendation 1(a), subject to conditions that are outlined in Recommendation 25.
58. On 28 May 2014, I received advice from the EPA under section 64 of the MTPF Act regarding the Works Approval, dated 23 May 2014. The EPA has concluded that compliance with the SEPPs (Air Quality Management and N-1) and Protocol for Environmental Management (Greenhouse Gas Emissions and Energy Efficiency in Industry) can be achieved by the Project, and that a works approval for the tunnels ventilation system should issue, subject to conditions.
59. My decision to grant the Works Approval has had regard to:
- the Committee's Recommendations and the Committee's discussion of the issues relating to the Works Approval;
 - the advice of the EPA under section 64 of the MTPF Act; and
 - the applicable law criteria under the EP Act for the granting of a works approval.
60. Both the Committee's Recommendations and the EPA's advice under section 64 of the MTPF Act dealt with conditions that should be included in the Works Approval. The conditions included on the Works Approval are consistent with the Committee's Recommendations and the EPA's advice.

61. In particular, Condition WA_W1 requires the proponent (Linking Melbourne Authority) to provide to the EPA a report or reports with detailed plans and specifications of the tunnels ventilation system (including the stacks and any mid-tunnel air intake), and the lighting system, which demonstrate how they comply with the relevant SEPPs and the Protocol for Environmental Management 'Greenhouse Gas Emissions and Energy Efficiency in Industry'. The reports are also required to demonstrate that the impacts of the final design are no greater than those predicted by modelling for the Reference Project. This condition is generally as recommended in the EPA's advice to me under section 64 of the MTPF Act, and is consistent with the conditions recommended by the Committee in Recommendations 25(a) and (b).
62. The Works Approval also includes a Premises Plan that identifies the general locations of the ventilation stacks.
63. Condition WA_R1.1.1 of the Works Approval requires the proponent to provide the EPA with a plan, at least 18 months prior to commissioning the tunnels ventilation and lighting systems, that includes a monitoring program for in-tunnel air quality, stack emissions, and ambient air quality and noise both before and after operation of the tunnels commences. This condition, which is consistent with the Committee's Recommendations 25(f) and which has been endorsed by the EPA, will ensure that proper baseline data is gathered before the commencement of the operation of the tunnels. This will enable the future performance of the tunnels ventilation system to be accurately measured, and decisions to be made regarding the need to retrofit pollution control equipment, consistent with the Committee's Recommendations 25(d) and (e).
64. The Committee's Recommendation 25(c) was to include a condition on the Works Approval adopting the Carbon Monoxide in-tunnel air quality standards used for the CityLink and Eastlink projects. Consistent with the advice of the EPA under section 64, I have not included this condition on the Works Approval as I consider that it is more appropriate to be included on the licence that will be required under the EP Act to operate the tunnels ventilation and lighting systems.
65. The Committee's Recommendations 25(d) and (e) relate to making provision for retrofitting pollution control equipment in the ventilation stacks if particulate emissions exceed certain levels. Based on the EPA's advice to me under section 64 of the MTPF Act, I have not included specific conditions on the Works Approval to this effect as the EPA advises that they are not required. I adopt the EPA's reasons in this regard.
66. Additional Performance Requirements relating to air quality and noise have been recommended by the Committee. These Recommendations will be implemented primarily via the conditions on the Works Approval (as relevant) and the requirement in the Incorporated Document that the Project meet the revised Performance Requirements. I note that it may be appropriate for Performance Requirements which relate to emissions from the scheduled premises to be referenced in the licence to operate the tunnels ventilation and lighting systems that the proponent will require under the EP Act (to be issued by the EPA), and I have informed the EPA of this.

Applicable approval: licence under section 67 of the *Water Act 1989*

67. The Project requires a licence under section 67 of the Water Act 1989 (the Water Act) to construct, alter, operate or decommission works on a waterway, including works to deviate a waterway.
68. The Committee concluded that impacts on surface water, including waterways, should be able to be managed acceptably through project delivery and that any separate conditions on the water licence were not required on the assumption that the Performance Requirements are complied with.
69. After considering the applicable law criteria under the Water Act, the Committee recommended in Recommendation 1(f) to issue the applicable approval being a licence under section 67 of the Water Act to construct, alter, operate or decommission works on a waterway, including deviate a waterway, subject to Primary Recommendations 2 and 3 and Issue Specific Recommendations 5 to 36. Recommendation 30 is to issue the licence for works on waterways in Merri Creek and Moonee Ponds Creek (for Part A of the Project).
70. Having had regard to the applicable law criteria under the Water Act and the Committee's Report and Recommendations, I have decided to issue a licence under section 67 of the Water Act for Part A of the Project, in accordance with the Committee's Recommendations. I have also decided to issue the licence for Part B of the project. The licence will be issued in the format used by Melbourne Water for the issue of a licence.
71. Primary Recommendation 2(b) is to apply the revised Performance Requirements shown in Appendix E of the Report to the Project. This is relevant to the grant of the licence under the Water Act because the Performance Requirements provide measures to manage the potential effects of the Project on waterways.
72. Melbourne Water is required to administer the licence. For this reason, conditions have been included on the licence to ensure that the requirement to comply with the specific Performance Requirements that are relevant to impacts on waterways can be enforced by Melbourne Water under the licence and the Water Act.
73. Consistent with Primary Recommendation 2(b), I have included conditions 1 and 2 on the licence. These conditions require the licence holder (Linking Melbourne Authority) to carry out all works in accordance with the specific Performance Requirements and Urban Design Principles (in the revised form recommended by the Committee) that relate to works on a waterway. These conditions also give effect to other Issue Specific Recommendations of the Committee that are relevant to the licence under section 67 of the Water Act.
74. Primary Recommendation 4 was that Part B of the Project be set aside, and that the applicable approvals for Part B not issue. I have addressed earlier in these reasons my response to that recommendation, and the Description of Works in the licence relates to works that are required in connection with Parts A and B of the Project.

Applicable approval: heritage permits under section 74 of the *Heritage Act 1995*

75. In making my approval decision granting the permits required by section 74 of the Heritage Act 1995 (the Heritage Act) authorising works in relation to registered places, I have had regard to the applicable law criteria and the relevant Recommendations of the Committee.
76. The Committee recommended the granting of five permits under the Heritage Act for the following places recorded in the Victorian Heritage Register, in Primary Recommendation 1(c):
- Melbourne General Cemetery (H1788);
 - Cambridge Terrace (H1606);
 - Royal Parade (H2198)
 - Former Police Station complex (H1545); and
 - The former College Church (H0394).
77. The Committee considered the extent to which the Project would affect the cultural heritage significance of the places recorded in the Victorian Heritage Register within the proposed Project Area. The Committee concluded that for the five heritage places for which a heritage permit has been sought, the impacts are limited due to tunnelling at a minimum approximate depth of 20 metres, and that permits should be granted.
78. The Committee recommended applying the revised Performance Requirements shown in Appendix E of their Report, in Recommendation 2(b). This is relevant to the permits under the Heritage Act because the revised Performance Requirements provide measures to manage the potential effects of the Project on cultural heritage including places recorded in the Victorian Heritage Register. I have accepted the Committee's revised Performance Requirements insofar as they relate to heritage matters.
79. The Committee did not consider that any separate conditions were required to manage impacts on places recorded in the Victorian Heritage Register, on the assumption that the Performance Requirements will be complied with.
80. However, given the Executive Director, Heritage Victoria is required to administer and enforce the permits, I have included condition 1 on the permits to ensure that the requirement to comply with the specific Performance Requirements relevant to cultural heritage can be enforced by the Executive Director, Heritage Victoria under the permits and the Heritage Act.
81. The heritage permits also include the standard conditions that would normally be applied to the issue of permits under the Heritage Act, modified slightly to reflect that the Minister for Planning has issued the approval under the MTPF Act, rather than the Executive Director, Heritage Victoria issuing the permits under the Heritage Act.

Applicable approval: heritage consents under section 129 of the *Heritage Act*

82. In granting the consents to damage or interfere with archaeological sites or relics under section 129 of the Heritage Act, I have had regard to the Recommendations of the Committee that are relevant to the granting of those consents, and the applicable law criteria.
83. The Committee recommended in Primary Recommendation 1(d) the granting of two consents under section 129 of the Heritage Act for impacts on archaeological sites and relics recorded in the Heritage Inventory affected by Part A of the Project, namely for works affecting Yarra Bend Park (H7922-0142) and Royal Park (H7822-2311). I have also decided to grant consents under s 129 for the sites and relics recorded in the Heritage Inventory affected by Part B of the Project, namely for works affecting Debney's Park East (H7822-0209) and the West Melbourne Rubbish Tips – Dynon Road Tip (H7822-0312).
84. The Committee recommended applying the revised Performance Requirements shown in Appendix E of their Report to the Project, in Recommendation 2(b). The Performance Requirements provide measures to manage the potential effects of the Project on cultural heritage including known archaeological historic sites and relics. I have accepted the Committee's revised Performance Requirements insofar as they relate to heritage matters.
85. The Committee did not consider that any separate conditions for cultural heritage were required, on the assumption that the Performance Requirements will be complied with.
86. However, given the Executive Director, Heritage Victoria is required to administer and enforce the consents, I have included condition 1 on the consents which to ensure that compliance with the specific Performance Requirements that are relevant to the matters covered by the consents can be enforced under the consents and the Heritage Act.
87. The consents also include the standard conditions that would normally be applied to the issue of consent under the Heritage Act, modified slightly to reflect that the Minister for Planning has issued the consents under the MTPF Act, rather than the Executive Director, Heritage Victoria issuing the consents under the Heritage Act.

Applicable approval: consent under clause 1, Schedule 2 of the *Road Management Act 2004*

88. In deciding to issue consent under clause 1 Schedule 2 of the Road Management Act 2004 (the RM Act) for connections to a freeway by the Project, I have had regard to the applicable law criteria under the RM Act and the Recommendations of the Committee.
89. The Committee recommended granting consent under clause 1, Schedule 2 of the RM Act for Part A of the Project at Primary Recommendation 1(e), for the following freeway connections:
- Direct connection to the eastbound carriageway of East West Link with the eastbound carriageway of the Eastern Freeway.

- Direct connection of the westbound carriageway of the Eastern Freeway with the westbound carriageway of East West Link.
- Exit ramp from the southbound carriageway of Citylink/Tullamarine Freeway connecting to the eastbound carriageway of East West Link.
- Entry ramp to the northbound carriageway of the Citylink/Tullamarine Freeway providing connection from the westbound carriageway of East West Link.

90. I have decided to grant consent for these freeway connections. For the reasons identified earlier I have also determined to grant consents for the freeway connections for Part B of the Project at this time being the entry ramps from the westbound carriageway of the East West Link connecting to the southbound carriageway of CityLink in Parkville and from the northbound carriageway of CityLink to the eastbound carriageway of East West Link.

91. I note that VicRoads provided in principle support for the granting of the relevant consents in its letter to the Linking Melbourne Authority on 29 September 2013 that is included in the CIS prepared for the Project.

92. The Committee's Recommendation 2(b) recommends the implementation of the revised Performance Requirements. This is relevant to the decision to grant consent for connections to a freeway, because the Performance Requirements include measures to manage traffic and transport impacts of the Project including impact from road traffic noise, and specific requirements for consultation with relevant road management authorities. I have generally accepted the Committee's revised Performance Requirements insofar as they relate to road management matters. The Performance Requirements will be implemented via the inclusion of the Performance Requirements in the Incorporated Document which is being introduced by Planning Scheme Amendment GC2.

93. I have also included conditions on the consent that were requested by VicRoads.

94. The Committee's Recommendations 3(g) and 4 recommended that the southbound connection between CityLink/Tullamarine Freeway and the Project be set aside. For the reasons identified earlier in these reasons I have determined that the southbound connection between the CityLink/Tullamarine Freeway and the Project will be approved as part of this approval but subject to the requirement for the submission of a Development Plan to my satisfaction.

Applicable approval: Comment on a Plan of Works under Section 66 of the Conservation Forests and Lands Act 1987

95. In relation to the comment from the Secretary of DEPI pursuant to section 66 of the Conservation, Forests and Lands Act 1987 on a plan of works across a waterway, this is required for works affecting the Moonee Ponds Creek for Part B of the Project.

96. The CIS included a plan of works pursuant to section 66 of the Conservation, Forests and Lands Act 1987, which was assessed by the Committee. The Committee was presented with evidence and submissions relating to the potential impacts of the Project on aquatic ecology and impacts on flora and fauna identified in the plan of works.
97. Moonee Ponds Creek is highly modified due to historical land use impacts and a large proportion of Moonee Ponds Creek within the Project Area is concrete-lined (channelised) with little to no aquatic vegetation or habitat.
98. I am satisfied that the potential impacts of the Project on habitat, vegetation and on flora and fauna have been given appropriate consideration. I am satisfied that the Performance Requirements imposed on the Project and the Environmental Management Framework provide an appropriate framework for managing the impacts of the Project and these requirements will be implemented by the conditions on the Project contained within the Incorporated Document being implemented pursuant to Planning Scheme Amendment GC5. Accordingly, I grant the applicable approval under Section 66 of the Conservation Forests and Lands Act.

Other conditions on the approval decision

99. The other conditions I have included on the approval decision are self-explanatory and are otherwise explained in these reasons. In general terms the inclusion of these conditions is consistent with my decision to approve the whole Project in a single and integrated approval decision, and to establish a further process for my satisfaction of specified aspects of the final design.
100. The inclusion of a condition requiring a Property Impact Report will enable the further consideration of certain impacts on properties after the resolution of the final design. I note here that the approval decision can be amended on the application of the Project Authority and I also retain powers under the Planning and Environment Act 1987 should it become appropriate to make adjustments to the Incorporated Document in the future.

Date:

Matthew Guy MLC
Minister for Planning

30.6.14

