

**115 and 121 Old Emerald Road, Monbulk
(Lot 1 and Lot 2 PS610486 Ca PT43 PMonbulk)**

Specific Controls Overlay 5

Incorporated Document

May 2024

1.0 INTRODUCTION

- 1.1 This document is an incorporated document in the Schedule to Clause 45.12 Specific Controls Overlay of the Yarra Ranges Planning Scheme.
- 1.2 The land identified in this document is to be used and developed in accordance with the specific controls contained in the document.
- 1.3 The control in this Incorporated Document prevails over any contrary or inconsistent provision in the planning scheme.

2.0 LAND

- 2.1 This document applies to 115 and 121 Old Emerald Road, Emerald shown on the planning scheme maps as SCO5 in the Yarra Ranges Planning Scheme.

3.0 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

- 3.1 Despite the provisions of Clause 51.03 Clause 42.03-2 of the Significant Landscape Overlay and Clause 3.0 of Schedule 5 to the Significant Landscape Overlay, a planning permit is not required to use and develop the land for a minor sports and recreational facility and associated vegetation removal (including any exotic vegetation along the adjacent road reserves), provided the development is generally in accordance with the Master Plan prepared by CPG Australia consisting of the Site Master Plan, Staging Plan and Cross Sections dated July 2012.

4.0 CONDITIONS

The use and development of the land designated for the minor sports and recreational facilities must comply with the following requirements to the satisfaction of the Responsible Authority:

4.1 General

- The use and development of the land must not be modified from the plans forming part of this incorporated document except with the consent of the responsible authority.
- No further subdivision of land may occur, with the exception of the consolidation of Lot 1 and Lot 2 PS610486.

4.2 Design

- All materials, finishes and colours used in the construction of the pavilion and any retaining walls must comprise muted tones and colours.
- The height of the pavilion must not exceed 8 metres above the ground level except for any architectural detailing or feature.
- Stormwater must be designed to ensure that post development discharge rates do not exceed pre-development levels considering run off volumes for a 100-year frequency event.

4.3 Amenity

- Noise emissions from all mechanical equipment and plant must comply with Noise from Industry in Regional Victoria (October 2011) Environment Protection Authority Publication 1411 or any subsequent applicable standard.
- No outdoor public address system is allowed.
- No music noise is allowed to be emitted from the pavilion.
- Prior to the commencement of any works, a noise management plan, to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority.
- When approved the noise management plan will form part of the Master Plan documentation.
- The noise management plan must detail works and management measures required to minimise noise emissions off the site.
- Light spillage from the site must be in accordance with the Australia Standard 4282 - 1997 or any subsequent applicable Australian Standard.

4.4 Vegetation Management and Landscaping

- Prior to the commencement of any works, a vegetation offset management plan, a construction management plan and a tree management strategy to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved the offset management plan, construction management plan and tree management strategy will form part of the Master Plan documentation. The plans may provide for staging.
- Net gain must be achieved on site through the protection and conservation of Habitat Zone 1, in accordance with the report by Tree Wishes dated May 2011 or any subsequent approved report.
- All landscaping must be maintained generally in accordance with the plans forming part of this incorporated document.

4.5 Construction Management

•Prior to the commencement of any works, a construction management plan to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved the construction management plan will form part of the Master Plan documentation.

4.6 Remediation

•Prior to the use of the land of the existing mechanics workshop for a soccer facility, any required remediation works must be undertaken in accordance with the recommendations of a site remediation plan approved by the Responsible Authority so as the environmental conditions of the land is suitable for recreational use to the satisfaction of the Responsible Authority.

5.0 EXPIRY

5.1 The conditions listed in this document expire on 31 April 2034.

5.2 The control will expire if the use and development is not completed prior to the above date specified in this Incorporated Document. Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.