

53 Hampstead Road, Maidstone Temporary Residential Facility

Incorporated Document

April 2020

1.0 INTRODUCTION

This document is an Incorporated Document in the Maribyrnong Planning Scheme (the Planning Scheme) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

The land identified in Clause 3.0 of this document may be used and developed in accordance with the specific controls in Clause 4.0 of this document.

The control in this Incorporated Document prevails over any contrary or inconsistent provision in the Planning Scheme.

2.0 PURPOSE

The purpose of this Incorporated Document is to allow the use and development of land described in Clause 3.0 for the purposes of the Temporary Residential Facility (the **Project**). The project is on behalf of the Department of Justice and Community Safety. The temporary residential facility forms part of an extensive program of responses required by the State Government to manage the spread Coronavirus Disease 2019 (COVID-19).

3.0 LAND

The control contained in Clause 4 applies to land affected by Specific Controls Overlay - Schedule 3 as shown on planning scheme maps as SCO3 in the Maribyrnong Planning Scheme (the **Project Land**). The land can generally be described as 53 Hampstead Road, Maidstone.

4.0 CONTROL

4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the Planning Scheme, no planning permit is required for, and no provision in the Planning Scheme operates to prohibit, restrict or regulate the use or development of the Project Land for the purposes of, or related to, constructing, maintaining or operating the Project.

The use and development of the Project Land for the purposes of, or related to, the Project includes, but is not limited to, the following:

- a) Use and development of land for accommodation.
- b) Demolition, buildings and works of the land to facilitate development for accommodation.
- c) Creation, removal or variation of easements.
- d) Ancillary activities, including:
 - i) Temporary medical centre or hospital facilities, uses or activities.
 - ii) Temporary facilities for staff or workers.
 - iii) Temporary food service, goods supplies, loading or activities.
 - iv) Removing, destroying and lopping of trees and removing vegetation, including native vegetation and dead native vegetation.
 - v) Demolishing and removing buildings, structures, infrastructure and works.
 - vi) Relocating, modifying and upgrading services and utilities.
 - vii) Constructing fences, temporary site barriers and site security.

- viii) Constructing or carrying out works to create or alter roads, car parking areas, bunds, mounds, landscaping, drainage infrastructure, to excavate land, salvage artefacts and alter drainage.
- ix) Constructing vehicle parking areas, loading and unloading areas, access paths and pedestrian walkways.
- x) Earthworks including cutting, stockpiling and removal of spoil, and formation of drainage works.
- xi) Displaying construction, directional and identification signs.

4.2 CONDITIONS

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

General use and development

- 4.2.1 The use and development of the facility must be carried out by or on behalf of the Department of Justice and Community Safety.

Environmental Risks

- 4.2.2 Pending the completion and implementation of any outcomes of a targeted confirmatory soil sampling and asbestos site walkover in areas which may result in direct contact (i.e. garden beds and recreational areas), the following controls are required:
 - a) Limit opportunities for direct contact with soils;
 - b) No excavation or digging is to be undertaken at the site;
 - c) Activities which involve direct contact with soils (including recreational activities) should not be undertaken;
 - d) The site soils are not to be used for growing fruit, vegetables or any other food substances;
 - e) Where soil disturbance is required for maintenance purposes, workers must wear appropriate personal protective equipment, including gloves, long sleeve shirt, long pants and boots, in addition to practicing good occupational hygiene practices (i.e. washing hands prior to eating, drinking or smoking);
 - f) No soils are to be disposed off-site prior to the completion of appropriate confirmatory testing, consistent with prevailing environmental regulations;
 - g) Until such time that an asbestos clearance certificate has been issued, if asbestos containing materials are observed upon the site soil surfaces, these areas are to be appropriately delineated to prohibit contact and further advice is to be sought from a qualified licensed asbestos assessor (LAA)/ occupational hygienist, such as JBS&G.
- 4.2.3 The risk control measures identified in clause 4.2.2 above should be reviewed and updated if required following the completion of the targeted confirmatory soil assessment works.

Creating or altering access to roads, or works within a Road Zone, Category 1

- 4.2.4 Where, but for this Incorporated Document, an application to create or alter access to a road in a Road Zone, Category 1, the creation or alteration of access must be undertaken to the satisfaction of the Roads Corporation.

5.0 EXPIRY

The controls in this document expire on 30 June 2021 unless otherwise agreed in writing by the Minister for Planning prior to expiry.