

Cheltenham Level Crossing Removal Project

Incorporated Document

July 2017

1.0 INTRODUCTION

This document is an incorporated document in the Bayside and Kingston Planning Schemes (planning schemes) and is made 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 control in Clause 4.0 of this document.

The control in this document prevails over any contrary or inconsistent provision in the planning schemes.

2.0 PURPOSE

The purpose of this incorporated document is to allow the use and development of land for the purposes of the Cheltenham Level Crossing Removal Project (the project).

3.0 LAND

The control in this document applies to the land required for the project as shown in the project area maps forming part of this document.

4.0 CONTROL

4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning schemes, no planning permit is required for, and no provision in the planning schemes operates to prohibit or restrict the use or development of land for the purposes of the project.

The project includes, but is not limited to, the following:

- a) Removal of the level crossing at Charman Road, Cheltenham where it crosses the Frankston rail line.
- b) Removal of the level crossing at Park Road, Cheltenham where it crosses the Frankston rail line.
- c) Construction of a railway turn-back.
- d) Demolition of the existing railway station and development of a new railway station, including car parking, bicycle facilities and loading and unloading facilities.
- e) Railway construction and associated works to lower the existing Frankston rail line under Park Road and Charman Road, including, but not limited to, bulk excavation, relocation of utilities and installation of new utility infrastructure, earthworks, installation of drainage and retaining walls, replacement of track infrastructure, access tracks, landscaping, vegetation removal and construction of bicycle and pedestrian shared users paths.
- f) Road construction and associated works including construction of two road bridges for Park Road and Charman Road and associated works including alterations to road access arrangements.
- g) A railway, including railway tracks and associated communications, signalling, electrical and overhead infrastructure.

- h) Provision of pedestrian access and shared user paths, including the construction of pedestrian bridges over the railway line.
- i) Engineering and foundation works required to enable transit orientated development.
- j) Ancillary activities including, but not limited to:
 - i) Use and development of lay down areas for construction purposes.
 - ii) Stockpiling of excavation material.
 - iii) Use and development of temporary site workshops and storage, administration and amenities buildings, access and vehicle parking.
 - iv) Removal, destruction or lopping of vegetation, including native vegetation and dead native vegetation.
 - v) Demolition and removal of buildings and works.
 - vi) Combined Services Routes, cabling and signalling upgrades and modifications.
 - vii) Construction of fences, temporary site barriers and site security.
 - viii) Construction or carrying out works to create or alter roads, car parking areas, bunds, mounds, landscaping, excavate land, salvage artefacts and alter drainage.
 - ix) Earthworks including cutting, stockpiling and removal of spoil, and formation of drainage works.
 - x) Display of construction, directional or identification signs.
 - xi) Subdivision and consolidation of land.

4.2 CONDITIONS

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

Environmental Management Strategy

- 4.2.1 An Environmental Management Strategy (EMS) must be prepared to the satisfaction of the Minister for Planning. The EMS must be prepared in consultation with Bayside City Council and Kingston City Council (the councils) The EMS must include:
- a) A summary of key construction methodologies.
 - b) An overarching framework for site or works specific measures to reduce and manage environmental and amenity effects during construction of the project.
 - c) A summary of the consultation that informed the preparation of the EMS and a summary of the proposed ongoing engagement activities with the councils, the community and other stakeholders during construction of the project, including enquiries and complaints management.
 - d) A summary of performance monitoring and reporting processes, including auditing to ensure environmental and amenity effects are reduced and managed during construction of the project.

Native Vegetation

- 4.2.2 Details of the proposed removal, destruction or lopping of native vegetation necessary for the construction of the project must be prepared in accordance with the *Permitted clearing of native vegetation - Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP), except as otherwise agreed by the Secretary to DELWP.
- 4.2.3 Native vegetation offsets must be provided in accordance with the *Permitted clearing of native vegetation - Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013), except as otherwise agreed by the Secretary to DELWP.

Heritage Management

- 4.2.4 Prior to the commencement of any development within the Heritage Overlay, the following must be prepared to the satisfaction of the Minister for Planning, except as otherwise agreed by the Minister for Planning:
- Details of how the project responds to the heritage significance of the existing Cheltenham Railway Station building complex
 - Details of any relocation of the building(s)
 - An assessment of the development's impact on the heritage place.
- 4.2.5 Prior to the commencement of any development within the Heritage Overlay, a full photographic survey of the Cheltenham Railway Station buildings, comprising photographs of both the exterior and interiors of the buildings and contextual images of the buildings environs and their settings, must be prepared to the satisfaction of the Minister for Planning, except as otherwise agreed by the Minister for Planning.

Multi-storey car park

- 4.2.6 The design of any multi-storey car park, including materials and access arrangements, must be developed in consultation with the relevant council.

Utility installation

- 4.2.7 Buildings and works associated with a utility installation (excluding minor utility installation) must be undertaken in accordance with site plans and elevations prepared to the satisfaction of the Minister for Planning.

Flood Management

- 4.2.8 Buildings and works on land within the Special Building Overlay must be undertaken to the satisfaction of the relevant floodplain management authority.

Creating or altering access to roads

- 4.2.9 The creation or alteration of access to a road declared as a freeway or arterial road under the *Road Management Act 2004* or land owned by the Roads Corporation for the purpose of a road, must be undertaken to the satisfaction of the Roads Corporation.
- 4.2.10 Before a plan of subdivision is certified under the *Subdivision Act 1988*, the consent of the Roads Corporation must be obtained to subdivide land adjacent to a road declared as a freeway or arterial road under the *Road Management Act 2004* or land owned by the Roads Corporation for the purpose of a road.

Engineering or foundation works to enable future transit oriented development

- 4.2.11 Prior to the commencement of any engineering or foundation works (except below ground works) required to enable future transit oriented development, plans of the works must be prepared to the satisfaction of the Minister for Planning.

Other Conditions

- 4.2.12 Unless otherwise stated, the plans or other documents listed in Clause 4.2 must be approved prior to the commencement of works. The plans or other documents may be prepared and approved for separate components or stages of the project but each plan or other document must be approved before commencement of works for that component or stage.
- 4.2.13 The plans and other documents may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or other document is satisfactory or whether to consent to an amendment to a plan or other document, the Minister for Planning or relevant approving authority may seek the views of any relevant council or any other relevant authority.
- 4.2.14 The use and development of land in the project area must be undertaken generally in accordance with the approved plans and documents.

4.3 PREPARATORY BUILDINGS AND WORKS

The following buildings and works may commence in the project area before the plans and other documents listed in Clause 4.2 are approved:

- a) Preparatory works for the project include, but are not limited to:
- i) Works, including vegetation removal, where but for this incorporated document, a planning permit would not be required under the provisions of the planning schemes.
 - ii) Investigation, testing and preparatory works to determine the suitability of land, and property condition surveys.
 - iii) Construction of access points and working platforms.
 - iv) Site establishment works including temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
 - v) Construction, protection, modification, removal or relocation of utility

services, rail signalling, overhead and associated infrastructure.

- vi) Establishment of environment and traffic controls, including designation of 'no-go' zones.
 - vii) Establishment of temporary car parking.
 - viii) Demolition to the minimum extent necessary to enable preparatory works.
 - ix) Salvage and relocation of aboriginal cultural heritage material and other management actions required to be undertaken in compliance with a Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act.
- b) The removal, destruction or lopping of native vegetation to the minimum extent necessary to enable preparatory works, to the satisfaction of the Minister for Planning. Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the project and native vegetation offsets must be provided in accordance with the *Permitted clearing of native vegetation - Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) except as otherwise agreed by the Secretary to DELWP.

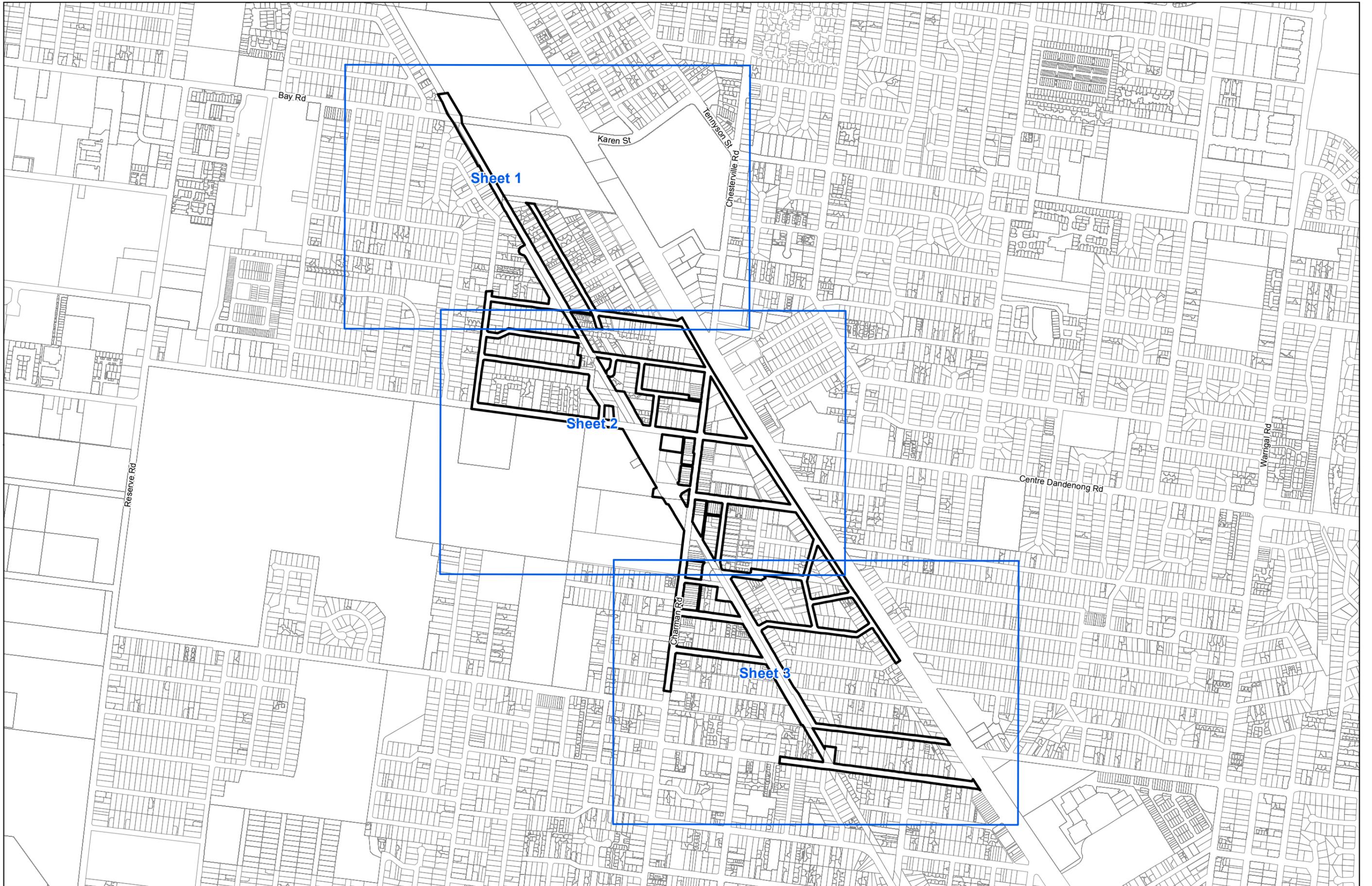
5.0 EXPIRY

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

- The development allowed by the control, including preparatory works, is not started by 1 December 2020.
- The development allowed by the control is not completed by 1 December 2025.

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

PROJECT AREA MAPS



Sheet 1

Sheet 2

Sheet 3



0 100 200
Metres

Scale 1:10,000 @ A3

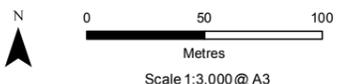
Index (Page 1 of 4)

Date: 06 Jun 2017

-  Project Area
-  Cadastre

CHELTENHAM LEVEL CROSSING REMOVAL PROJECT AREA



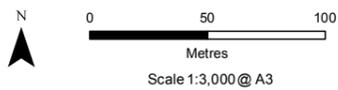


Scale 1:3,000 @ A3

-  Project Area
-  Cadastre

CHELTENHAM LEVEL CROSSING REMOVAL PROJECT AREA





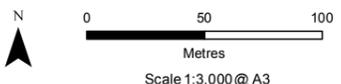
- Project Area
- Cadastre

CHEL TENHAM LEVEL CROSSING REMOVAL PROJECT AREA





Charmán Rd



Scale 1:3,000 @ A3

-  Project Area
-  Cadastre

CHELTHENHAM LEVEL CROSSING REMOVAL PROJECT AREA

