

Bayswater Level Crossing Removal Project  
Incorporated Document  
December 2015

Incorporated document pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*

## **1. INTRODUCTION**

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

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 Knox Planning Scheme.

## **2. PURPOSE**

The purpose of the control in this document is to allow the use and development of land for the purposes of the Bayswater Level Crossing Removal Project (the Project).

## **3. LAND**

The control in this document applies to the land required for the Project, as shown as the Project Area in Figure 1 and Figure 2.

## **4. CONTROL**

Despite any provision to the contrary or any inconsistent provision in the Knox Planning Scheme, no planning permit is required for, and nothing in the Knox Planning Scheme operates to prohibit or restrict, the use or development of land in the Project Area for the Project.

The Project includes, but is not limited to, the following uses and development:

- Removal of the Mountain Highway and Scoresby Road rail level crossings.
- New railway station at Bayswater.
- New station forecourt/plaza.
- New railway, including rail infrastructure.
- New bus stops/interchange and associated shelters.
- New car parking at Bayswater Station, including associated vehicle and pedestrian access from Station Street.
- New car parking at Boronia Station.
- New roads, road-bridges, railway and associated infrastructure.
- New shared user path and bridge across the rail corridor.
- Provision of bicycle storage, bicycle lanes, and shared paths.
- Provision of toilets, lighting and seating (furniture).
- Removing, destroying and lopping trees and removing native vegetation.

Ancillary activities including, but not limited to:

- Constructing and using permanent and temporary access roads and vehicle parking, loading and unloading areas and pedestrian walkways.

- Constructing and using temporary site workshops and storage, administration and amenities buildings, car parks and loading bays.
- Constructing or carrying out works to install, alter or relocate drainage, utilities and services.
- Constructing and using a power substation.
- Displaying direction, construction and business identification signs.
- Reducing the car park requirements at the new Bayswater railway station, with any reduction in parking offset at the adjacent railway stations (no net loss).
- Demolishing buildings, structures and works.
- Constructing fences, temporary site barriers and site security.
- Constructing or carrying out works to roads, car parks, bunds, mounds, landscaping, excavate land and salvage artefacts.
- Creating or altering access to a road in a Road Zone, Category 1 to the satisfaction of the relevant road authority.
- Subdividing and consolidating land.
- Creating, varying and removing easements resulting from works required for the project.

The Project may proceed in stages. Each stage must comply with the conditions in Clause 5 of this document.

## **5. CONDITIONS**

### **Native Vegetation and Areas of Environmental Significance**

- 5.1 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 & Planning (DELWP) (or delegate).
- 5.2 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).
- 5.3 Prior to the commencement of works in relevant areas, appropriate protective fencing must be installed around all remnant patches of native vegetation to be retained. The fencing must be maintained until the completion of works. Prior to the installation of the fencing, the alignment must be marked onsite to ensure construction will not impact on native vegetation.

## **Landscaping**

- 5.4 A landscape concept plan for the project area must be prepared in consultation with Council and will include, where possible:
- Retention of vegetation which is representative of the natural heritage of the City of Knox;
  - Provision of vegetation which provides natural beauty and interest;
  - Provision of a high quality habitat for native fauna;
  - Connectivity between sites of environmental significance;
  - Consideration of impacts from buildings and pedestrians upon areas of environmental significance and measures to ensure these areas are protected; and
  - At Boronia Station, landscaping provided between the car park area and adjacent dwellings.

## **Flood Management**

- 5.5 Works on land in the project area within the Special Building Overlay must be undertaken to the satisfaction of the relevant floodplain management authority.

## **Construction Environmental Management Plan**

- 5.6 Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) for the project must be prepared to the satisfaction of the Minister for Planning. The CEMP must be prepared in consultation with Knox City Council and include:
- A summary of key construction methodologies and staging.
  - Measures to minimise and manage environmental and amenity effects during construction of the project, including:
    - vegetation
    - fauna
    - erosion, sedimentation and water quality
    - groundwater
    - contaminated land
    - weeds
    - site rehabilitation
    - hazardous substances
    - waste
    - mud and dirt on roads
    - noise
    - dust
    - vibrations
    - transport and traffic and car parking impacts associated with the project, including the impacts of temporary closures of vehicle access to properties and measures to consult with Council in regards to traffic management
  - A consultation strategy which outlines the proposed community and stakeholder consultation processes to be undertaken to inform and engage with Council, residents, traders and other stakeholders in relation to the construction process.

- An outline of proposed performance monitoring and reporting processes which will be undertaken to ensure environmental and amenity impacts are minimized and actively managed over the duration of the project.

### **Design Statement for Bayswater Station**

- 5.7 A Design Statement must be prepared in consultation with Council, to articulate how the Project has taken into consideration the Bayswater Structure Plan. The Design Statement must include reference to how the project will:
- Provide a high quality urban design response to the Bayswater Activity Centre and Bayswater Structure Plan and make a positive contribution to the area;
  - Enhance street frontages and improve pedestrian amenity;
  - Create a high quality public realm;
  - Provide increased passive surveillance of public open spaces; Enhance pedestrian links or facilitate new pedestrian links; and
  - Address safety and CPTED principles.

### **Other Conditions**

- 5.8 Unless otherwise stated, all plans and documents listed in Clause 5 must be approved prior to the commencement of works. Plans may be prepared and approved for separate components or stages of the project but each plan must be approved before commencement of works for that component or stage.
- 5.9 The plans may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan is satisfactory or whether to consent to an amendment to a plan, the Minister for Planning (or delegate) may seek the views of council or any other relevant authority.
- 5.9 The use and development of land in the project area must be undertaken generally in accordance with all approved plans and documents.

## **6. Preparatory Works**

The following works may commence before the plans and other matters listed in Clause 5 are approved:

- Preparatory works for the project including, but not limited to:
  - Works, including vegetation removal, not requiring a permit under the provisions of the Knox Planning Scheme.
  - Investigating, testing and preparatory works to determine the suitability of land.
  - Creation and use of construction access points.
  - Site establishment works including temporary site fencing, site offices and laydown areas.
  - Construction, protection, modification, removal or relocation of other existing utility services.
  - Rail corridor enabling works including piling and relocation of signalling and overheads.
  - Establishment of environment and traffic controls.
  - Demolition to the minimum extent necessary.

- 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).

The Minister for Planning (or delegate) may require a staged CEMP for preparatory works which result in environmental and amenity impacts.

## **7. 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 2017.
- The development allowed by the control is not completed by 31 December 2022.
- The use allowed by the control is not started by 31 December 2022.

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

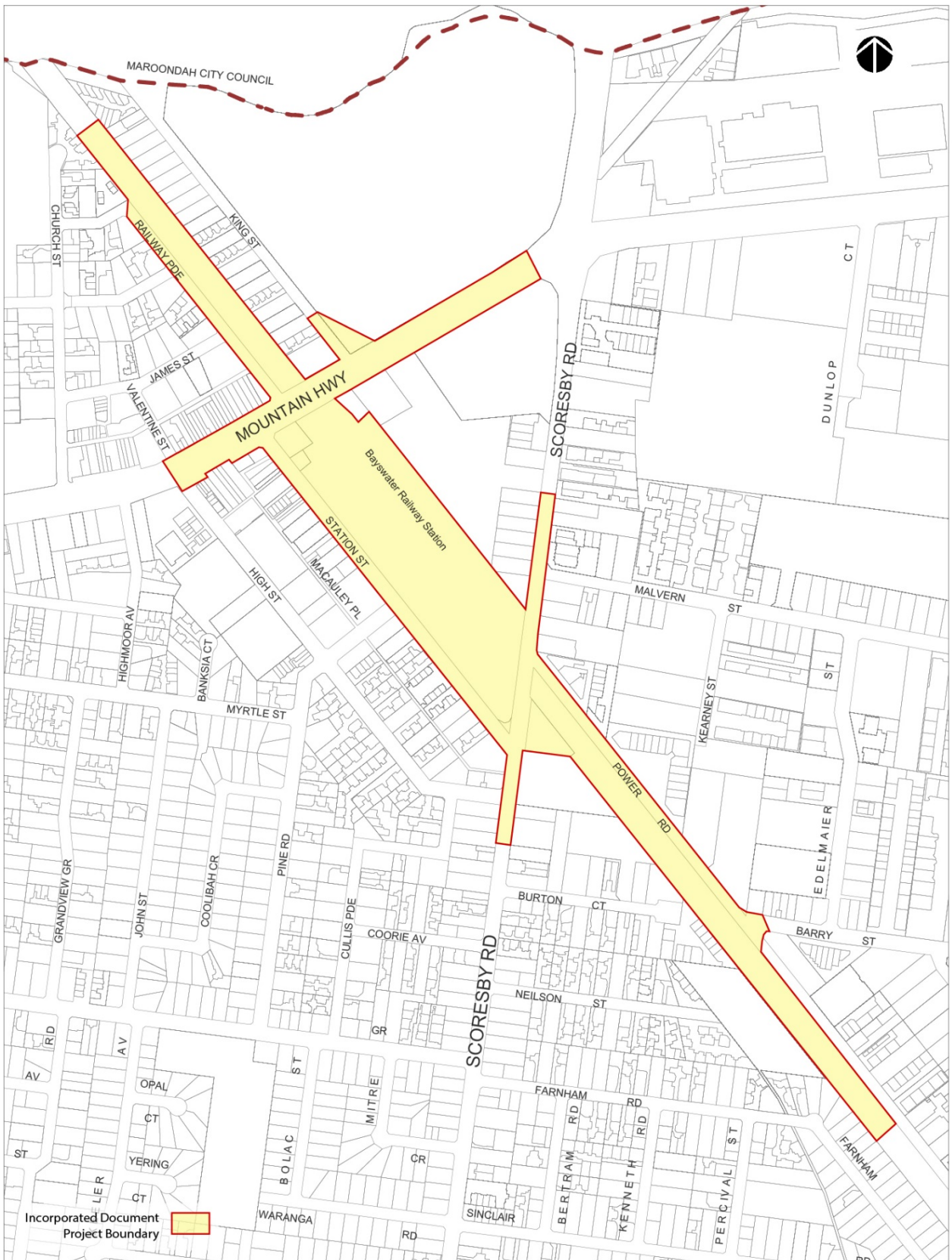


Figure 1 Project Area (Bayswater Station)

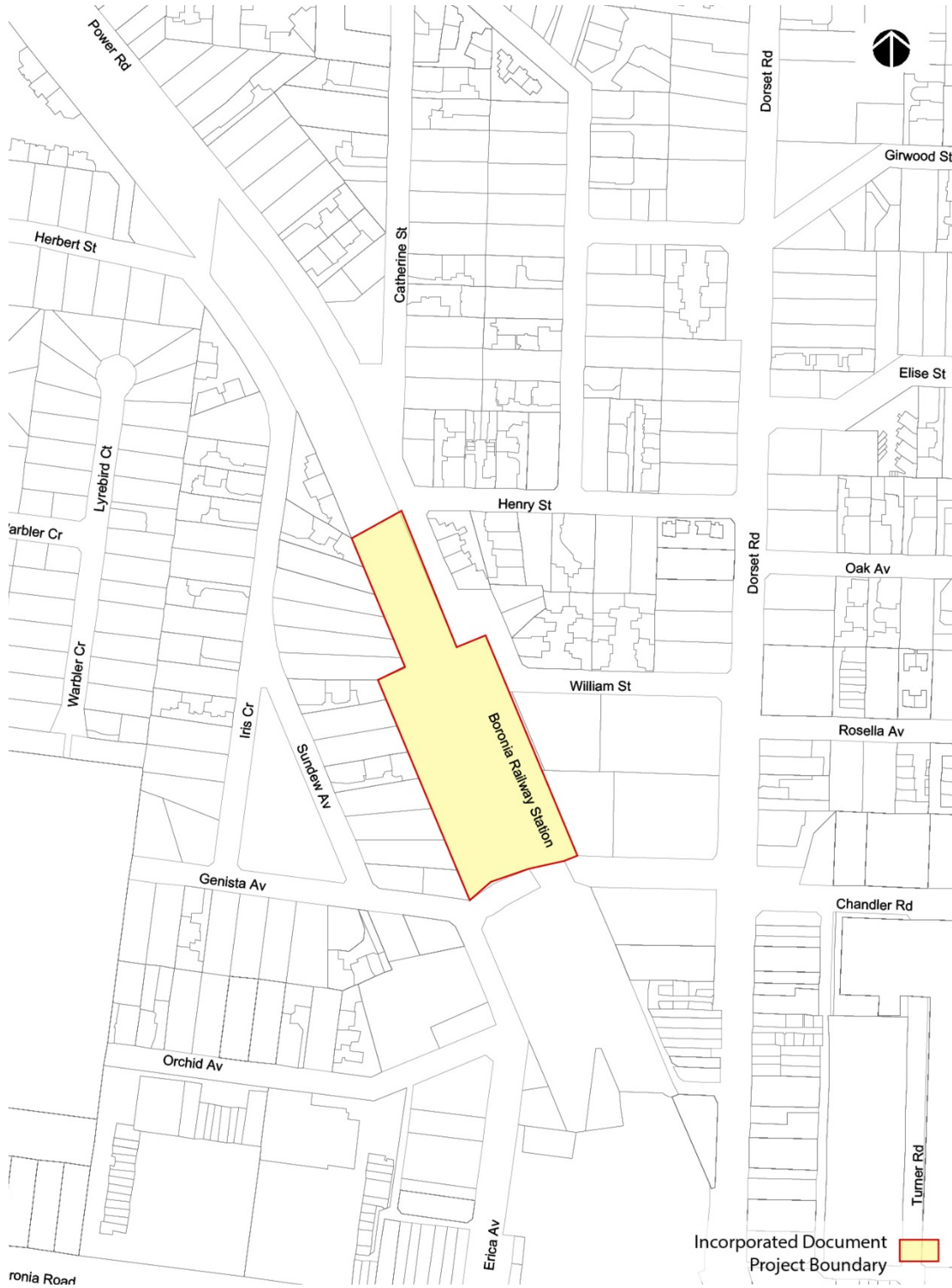


Figure 2 Project Area (Boronia Station)