

**GLEN EIRA PLANNING SCHEME  
Incorporated Document**

**31 Station Street, Caulfield East (Stages 7 and 8 of 'Caulfield Village') – June 2020**

**This document is an incorporated document in the Glen Eira Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987***

## **1.0 INTRODUCTION**

This document is an Incorporated Document in the schedule to Clause 45.12 and the schedule to Clause 72.04 of the Glen Eira Planning Scheme (the scheme) and pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (the Act).

## **2.0 PURPOSE**

The purpose of this Incorporated Document is to permit and facilitate the use and development of the land described in clause 3.0 for the purpose of Stages 7 and 8 of the Caulfield Mixed Use Area ('Caulfield Village') in accordance with Clauses 5.0 and 6.0.

## **3.0 ADDRESS OF THE LAND**

This Incorporated Document applies to part of the land at **31 Station Street, Caulfield East** (Lot S4 and Lot S22 on Plan of Subdivision 745039R/S3) that is affected by the schedule to Clause 45.12 (Specific Controls Overlay) of the scheme and identified at SCO1.

## **4.0 APPLICATION OF PLANNING SCHEME PROVISIONS**

This Incorporated Document approves an amended Development Plan in accordance with the conditions in Clause 6.0 for the purposes of Clause 37.06 Priority Development Zone Schedule 2 (PDZ2).

Despite any provision to the contrary or any inconsistent provision in the Scheme, no planning permit is required for, and no planning provision in the Scheme operates to prohibit, restrict or regulate the use and development of the land for the purposes of the project described in Clauses 5.0 and 6.0.

## **5.0 WHAT THIS DOCUMENT ALLOWS**

This Incorporated Document allows the use and development of the land for Stages 7 and 8 of the Caulfield Mixed Use Area, comprising a supermarket, retail premises, office, dwellings and associated road and infrastructure works in eight buildings ranging in height from two to nine storeys above two basement levels, generally in accordance with the following 'Incorporated Plans' prepared by ARM Architecture, dated August 2019 but modified to include changes required by the conditions of this Incorporated Document at Clause 6.0 of this document:

- TP-A1000 Site Plan
- TP-A1100 Basement Level 02
- TP-A1101 Basement Level 01
- TP-A1102 Ground Level
- TP-A1103 Site Level 01
- TP-A1104 Site Level 02
- TP-A1105 Site Level 03
- TP-A1106 Site Level 04
- TP-A1107 Site Level 05
- TP-A1108 Site Level 06
- TP-A1109 Site Level 07
- TP-A1110 Site Level 08
- TP-A1111 Site Level 09
- TP-A1112 Ground Level (with Landscape)
- TP-A1113 Site Level 03 (with Landscape)

TP-A2000 Site Elevations A-A & B-B  
TP-A2001 Site Elevations C-C & D-D  
TP-A2002 Building E Elevations  
TP-A2003 Building L Elevations  
TP-A2004 Building G Elevations  
TP-A2005 Building J Elevations  
TP-A2006 Building K Elevations  
TP-A2007 Building F Elevations  
TP-A2008 Building M Elevations  
TP-A2009 Building H Elevations  
TP-A3100 Site Sections  
TP-A3101 Site Sections

and including any amendment of the plans that may be approved from time to time under the conditions of this document. Once approved, these plans will be the endorsed plans.

## **6.0 THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:**

### **Amended Development Plan**

1. Before any works associated with Stages 7 and 8 of the Caulfield Village start, an amended Development Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended Development Plan must be generally in accordance with the Development Plan material including plans drawn by ARM Architecture (Appendix J dated August 2019) but modified to show:

#### *Traffic, Parking and Transport*

- a) All accessways, ramp grades, kerbs, column locations and car spaces designed and dimensioned in accordance with Clause 52.06 of the Glen Eira Planning Scheme to the satisfaction of the Responsible Authority;
- b) A signage and line marking plan for the car park to be prepared to the satisfaction of the Responsible Authority;
- c) Motorcycle parking provision to satisfy the requirements specified in AS2890.1:2004;
- d) Provision of cross-sectional information for each proposed ramp within the development to show compliance with Design Standard 3 at Clause 52.06-9 of Glen Eira Planning Scheme. Ramp widths and characteristics must meet the requirements of Figure 2.8 and Figure 2.9 of AS2890.1:2004 to the satisfaction of the Responsible Authority;
- e) Grade changes across a footpath and within the property designed in accordance with Appendix C of AS2890.1:2004 to ensure that vehicles will not scrape their undersides to the satisfaction of the Responsible Authority;
- f) Where the driveway crosses a footpath, the driveway grade is to be 1 in 40 (2.5%) or less across the footpath over a lateral distance of at least 1.0m to the satisfaction of the Responsible Authority;
- g) The loading bay entry widened to safely accommodate a medium ridged vehicle;
- h) The residential bicycle spaces labelled on the plans;
- i) All visitor bicycle spaces labelled on the plans; and
- j) Bicycle hoops to the kerb along The Boulevard modified to be parallel to the kerb, to comply with Figure 2.3 of AS2890.3-2015.
- k) A minimum of 554 car parking spaces, including 309 residential car parking spaces.

### *Development Plans*

- l) The location of any substation/services/metres to be clearly shown on the plans (to have limited visibility from the streetscape) and in a location to the satisfaction of the Responsible Authority. Any on-site substation must not be located in the front setbacks and must not reduce any open space for each apartment.
- m) 'Appendix S' modified to show 16 affordable dwellings (consisting of 3 studio apartments, 8 one-bedroom, 3 two-bedroom and 2 three-bedroom dwellings).

### **Layout not to be altered**

- 2. The development and layout and description of the uses as shown on the endorsed plans must not be altered or modified (unless the Glen Eira Planning Scheme specifies a permit or approval is not required), except with the written consent of the Responsible Authority.

### **General requirements**

- 3. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) except with the written consent of the Responsible Authority.
- 4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 5. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 6. Before the buildings are occupied, provision must be made for the connection of all required services to support the particular uses to the satisfaction of the Responsible Authority.
- 7. All redundant vehicle crossings are to be removed and reinstated with kerb and channel to the satisfaction of the Responsible Authority

### **Amenity requirements**

- 8. The use of the supermarket and retail premises must be managed so that the amenity of the area is not detrimentally affected though the:
  - a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any buildings, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil; and
  - d) The presence of vermin.

to the satisfaction of the Responsible Authority.

- 9. Noise levels to and from the development must not exceed those required to be met under the State Environment Protection Policy (Control of Noise from Industrial Commerce, Industry and Trade), No. N-1 (SEPP N-1) and the State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2 (SEPP N-2), or any other equivalent or applicable State or relevant policy and should meet accepted sleep disturbance criteria, EPA Publication 1254 and any other relevant guideline or Australian Standard.

10. All security alarms must be of a silent type and be directly connected to a security service to the satisfaction of the Responsible Authority.

### **Landscaping**

11. Before the development starts, a detailed landscape plan (including all public realm and street tree planting) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and generally in accordance with the plans submitted by Tract Consultants with the application. All species selected must be to the satisfaction of the Responsible Authority. The landscape plan must show:
  - a) A survey, including botanical names, of all existing vegetation to be removed and/or retained;
  - b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary (as applicable);
  - c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways
  - d) Landscaping and planting within all open space areas of the site;
  - e) Details of soil volumes to be provided for all core landscape areas to enable adequate soil depths for the future growth of all landscaping within the development site;
  - f) All species selected must be to the satisfaction of the Responsible Authority; and
  - g) Street furniture, public lighting and embellishments to public spaces or proposed buildings within the site consistent with an urban design concept prepared as part of the Landscape Plan.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscaping Plan must be carried out and completed to the satisfaction of the Responsible Authority.
13. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

### **Trolley Management Plan**

14. Before the supermarket use starts, a Trolley Management Plan to the satisfaction of the Responsible Authority detailing measures for the efficient management of shopping trolleys including collection and storage must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval.
15. The Trolley Management Plan must be implemented and complied with in association with the supermarket use at all times to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

### **Loading Bay Management Plan**

16. Before the supermarket use starts, a Loading Bay Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval. The plan must be drawn to scale and dimensioned. The plan must include:

- a) Operating hours of the loading bay for the supermarket;
  - b) Routes travelled on the local road network by commercial vehicles;
  - c) Specifications of commercial vehicles;
  - d) Frequency of commercial deliveries and details of the management of such deliveries;  
and
  - e) Maintenance and cleaning of the loading bay.
17. The provisions, recommendations and requirements of the endorsed Loading Bay Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

### **Waste Management Plan**

18. The provisions, recommendations and requirements of the endorsed Waste Management Plans identified as Waste Management Plan (Retail/Commercial Plan) and Waste Management Plan (Residential Plan), both dated 17 January 2020, must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

### **Construction Management Plan**

19. Before the development starts, including any demolition and excavation, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval. The Construction Management Plan must show:
- a) Hours for construction activity (including demolition);
  - b) Measures to control noise, dust, water and sediment laden runoff;
  - c) The location of vehicle wash-down bay/s for construction vehicles in the precinct;
  - d) Measures to minimise the disruption to traffic flow and the impact on available car parking in and around the precinct;
  - e) Measures to minimise inconvenience to surrounding residents from construction noise and altered or temporary traffic conditions;
  - f) Identification of the location of parking areas for construction and sub-contractors' vehicles;
  - g) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - h) Measures to minimise the disruption to traffic flow and impact on car parking in and around the precinct specifically during MRC events;
  - i) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - j) Measures to maintain access to residential properties within Haywood Street at all times;
  - k) Contact details of key construction site staff; and
  - l) The location of any site sheds and the like.
20. All construction (including demolition and excavation) must be carried out and complied with in accordance with the approved Construction Management Plan to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

## **Site Management Plan**

21. Before the development starts, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval. The Site Management Plan must include, but not limited to, measures to ensure:
  - a) No polluted water is to be discharged to the stormwater drainage system. Stormwater quality protection must be as per Section 110 of Council specifications;
  - b) All stored wastes are to be kept in designated areas or covered containers that prevent escape into the storm water system;
  - c) All EPA requirements including “Environmental Guidelines for Major Construction Sites” must be met;
  - d) Earth works must be as per AS 3798-2007 “Guidelines of commercial and residential developments”. All compaction to filling must be to Level 1. Independent Geotechnical Report with compaction tests must be submitted to Council;
  - e) Site Management and its implementation will be performance based. The developer must take immediate action to rectify any problems as and when identified by Council;
  - f) Prior to any earth works commencing immediate properties including Monash University and MRC shall be notified in writing at least 2 weeks prior; and
  - g) In the event of forecasts of extreme weather, the developer shall undertake any additional work as required and or identified by Council.
22. All construction (including demolition and excavation) must be carried out and complied with in accordance with the approved Site Management Plan to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

## **Public Realm Management Plan**

23. Before the development starts, a Public Realm Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the approval. The plan must be prepared by a suitably qualified urban design professional and must be drawn to scale and dimensioned. The plan must include:
  - a) Plans, elevations, treatments and materials schedules prepared in conjunction with the responsible authority for the following public areas: The Village Heart; Heywood Street; Normanby Road; and The Boulevard;
  - b) Description of proposed works, including proposed landscaping, surface treatments, street furniture (including signage, bins, seats, bicycle facilities, gates, fences and the like);
  - c) Details of water sensitive urban design;
  - d) A plan defining the area the works are to be undertaken; and
  - e) Vehicle and pedestrian access arrangements including any signage or safety measures.

Before the development is completed, the requirements of the endorsed Public Realm Management Plan must be carried out and completed to the satisfaction of the Responsible Authority.

## **Environmental Management Plan**

24. Before the development starts, an Environmental Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible

Authority. When approved, the plan will be endorsed and will then form part of the approval. The Environmental Management Plan must include:

- a) An explanation of the ecologically sustainable development (ESD) principles adopted for the proposed development;
  - b) A statement of the ESD targets proposed for the development of the site covered by this schedule and what key design initiatives will be incorporated to achieve these targets; and
  - c) An outline of the proposed management systems to ensure that the development can be set up and managed effectively to achieve and maintain the ESD performance targets identified for the site.
25. The provisions, recommendations and requirements of the endorsed Environment Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the written consent of the Responsible Authority.

### **Open Space Contribution**

26. Prior to occupation of buildings on the land associated with Stages 7 and 8, a cash contribution equal to 4% of the site value in respect of the Residential Precinct and 5% in respect of the site value of the Mixed Use Precinct must be paid to Council for open space in accordance with Section 9.0 of the Priority Development Zone Schedule 2. The amount of contribution will be calculated on the basis of a valuation of the land undertaken by Council. The valuation must occur no more than 12 months before the contribution payment.

### **Section 173 Agreements**

27. Before the development is occupied, the owner of the land must enter into an agreements with the Glen Eira City Council pursuant to Section 173 of the Planning and Environment Act 1987. The agreements must provide for the following respectively:

*Provision of affordable housing within the approved development.*

- a) The allocation of dwellings generally in accordance with the endorsed "Appendix S Affordable Housing Schedule" for the provision of affordable housing within the development;
- b) Each dwelling designated in the endorsed Appendix S shall be provided as affordable housing for a period of 10 years calculated from the date of first occupation of each designated dwelling;
- c) The affordable housing provided within the development is to primarily target, but is not limited to, the provision of Key Worker accommodation;
- d) All dwellings shall be provided at not more than 80% of the Market Rent to eligible Key Worker or other tenants meeting affordable housing criteria. Key Worker means any public or private sector employee who is considered to provide an essential service;
- e) The management of the affordable housing dwellings shall be by an institutional asset manager or other manager to the satisfaction of the Responsible Authority with no ownership criteria or controls;
- f) The institutional asset manager must prepare a management plan to the satisfaction of the Responsible Authority which includes a leases register and annual audit of all tenancies demonstrating compliance with affordable housing criteria;
- g) No State Government, Council or any Housing Provider or Association funding will be made available or required for the provision of affordable housing;



- h) Car spaces are to be provided to the affordable housing dwellings in accordance with the residential car parking rate set out for the Caulfield Mixed Use Area in the Glen Eira Planning Scheme; and
- i) One bicycle space must be allocated to each affordable housing dwelling.

*Normanby Road / Smith Street / Caulfield Boulevard intersection and Tram Stop*

- j) Provide a mechanism to either (1) delay the construction of the tram stop to facilitate and integrated bike path within the tram stop design and (2) to make a cash in lieu payment (including detailed costings to be verified by Council) for the construction of the tram stop to enable a design to be developed that incorporates a bike path, or (3) that the tram stop is to be delivered in accordance with the Integrated Transport Plan should a resolution on the bike path not be made with all costs borne by the developer.
- k) That this agreement is intended to supplement the agreement made pursuant to section 173 of the Planning and Environment Act 1987 registered on the land in instrument AJ044224F.

*Building over the easement in relation to works within the easement along the Normanby Road frontage of Buildings L and G (as shown on the endorsed Development Plan)*

- l) Implementing the requirements of Items 1 to 10 of City of Glen Eira document number 19/1255192 entitled "Owners Agreement to Standard Conditions for Application for Consent to Erect a Building or Structure Over Easements and/or Council's Drains or Build within 1.0m Laterally to Council's Drains".

The agreements must be registered on the current title to the subject land and, upon subdivision, any titles created which are affected by the easement.

**Civil works, drainage and infrastructure**

- 28. Before the development starts, excluding demolition, bulk excavation and site preparation works, detailed Drainage Plans to the satisfaction of the Responsible Authority in relation to Stages 7 and 8 must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the approval. The Drainage Plans must be prepared by a suitably qualified engineer and be designed to be generally in accordance with the Whole of Land Drainage Management Plan.
- 29. Before the development starts, excluding demolition, bulk excavation and site preparation works, functional layout plans of all civil works associated with Stages 7 and 8 to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the approval. The plans must be prepared by a suitably qualified engineer and must be drawn to scale and dimensioned.
- 30. The land must be drained to the satisfaction of the Responsible Authority.
- 31. Before the development is occupied, all public works including road works and drainage associated with Stages 7 and 8 must be constructed to the satisfaction of the Responsible Authority.

**Development time limit**

- 32. Notwithstanding other provisions of these conditions, the development permitted by this Incorporated Document will expire if one of the following circumstances applies:

- The development is not started within one year of the date of the gazettal of amendment C216glen.
- The development is not completed within five years of the date of the gazettal of amendment C216glen.
- If a new development proposal is applied for.

**End of Document**