

Ballarat Line Upgrade - Toolern Station

Incorporated Document

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

JANUARY 2018

1.0 INTRODUCTION

- 1.1. This document is an incorporated document in the Melton Planning Scheme (Planning Scheme) and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2. The land identified in Clause 3 of this incorporated document may be used or developed in accordance with the specific control in Clause 4 of this document.
- 1.3. The control in this document prevails over any contrary or inconsistent provision in the Melton Planning Scheme.

2.0 PURPOSE

- 2.1 The purpose of the control in this document is to allow and facilitate the use and development of the land described in Clause 3 for the purposes of Toolern station (Project) which includes but is not limited to:
 - Two station platforms connected by an accessible pedestrian link.
 - Bus interchange and shelters.
 - Sealed car parking.
 - Security (CCTV) and lighting.
 - Station facilities.
 - Road works and signalised intersection.

3.0 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

- 3.1 The control in this document applies to the land required for the project, as shown on the maps at Appendix 1, and described as:
 - The Project Land for land coloured 'red' in Appendix 1.
 - The Wider Project Land for land coloured 'blue' in Appendix 1.

4.0 CONTROL

4.1 Exemption from Planning Scheme Requirements

4.1.1 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 operate to prohibit or restrict, the use and development of the land described in Clause 3 for the purposes of the Project.

4.1.2 The subdivision of any part of the Project Land or Wider Project Land is exempt from a public open space contribution under clause 52.01 of the Planning Scheme and the subdivision of the Project Land or Wider Project Land is a class that is exempt from any public open space requirement under the *Subdivision Act 1988*.

4.1.3 The project includes, but is not limited to:

- a) Use and development of the Project Land for a *Railway* or *Railway station*, including ancillary use and development such as roads, cuttings, batters and fill, communications, signalling, electrical infrastructure, and public transport related infrastructure.
- b) Use and development of the Project Land or the Wider Project Land for ancillary activities to the use and development described in Clause 4.2(a), including, but not limited to:
 - i. Establishing and using lay down areas for construction purposes.
 - ii. Constructing and using temporary site workshops, storage, administration and amenities, buildings and associated vehicle parking areas.
 - iii. Displaying construction and business identification signs.
 - iv. Demolishing and removing buildings, structures and works.
 - v. Constructing fences.
 - vi. Constructing or carrying out works to create bunds, mounds and landscaping and to alter drainage and utilities.
 - vii. Subdividing and consolidating land.
 - viii. Temporary access and haulage roads.
 - ix. Maintenance tracks.
 - x. Property access tracks.
- c) Any use or development that the responsible authority confirms in writing is for the purposes of the project.

4.1.4 Land uses in italics have the same meaning as in Clause 74 of the Melton Planning Scheme.

4.2 Conditions

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

Environmental Management Framework

4.2.2 The Project must be undertaken in accordance with the Environmental Management Framework approved by the responsible authority in accordance with the *Ballarat Line Upgrade Incorporated Document, September 2017*.

Other conditions

4.2.3 Plans and other documents listed in Clause 4 may be prepared and approved for separate components or stages of the project but, subject to Clause 5, each plan or other document must be approved before commencement of works for that component or stage.

4.2.4 The plans and other documents may be amended from time to time to the satisfaction of the responsible authority or relevant approving authority listed in Clause 4.

4.2.5 The use and development of land for the project must be undertaken generally in accordance with the approved plans and documents.

4.3 Preparatory buildings and works

4.3.1 The following buildings and works may commence in the Project Land and Wider Project Land before the plans and other documents listed in Clause 4 are approved:

- a) Preparatory works for the Project including, but not limited to:
 - i. Works where planning approval would not be required under the provisions of the Planning Scheme.
 - ii. Investigating, testing and preparatory works to determine the suitability of land and property condition surveys.
 - iii. Creation and use of construction 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 designated 'no-go' zones.
 - vii. Demolition to the minimum extent necessary to enable preparatory works.

viii. Establishment of temporary car parking.

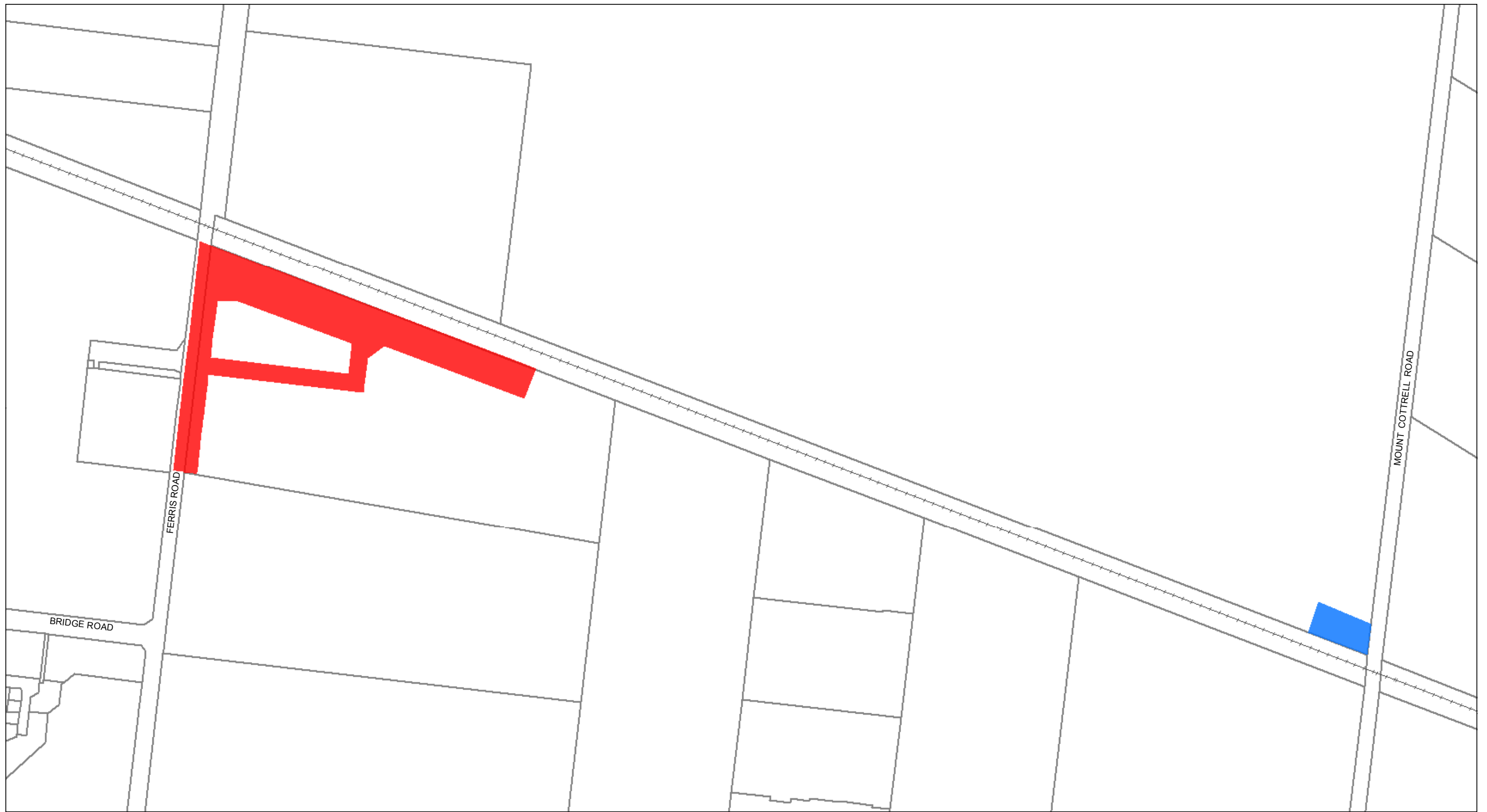
5.0 EXPIRY

- 5.1 The control in this document expires if any of the following circumstances apply.
- The development allowed by the control, including preparatory buildings and works, is not started by 30 June 2019.
 - The development allowed by the control is not completed by 30 June 2024.
- 5.2 The responsible authority may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

DRAFT

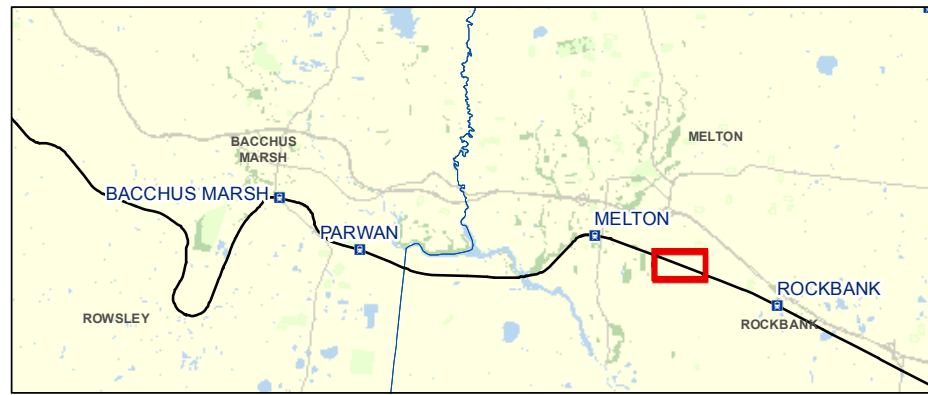
**APPENDIX 1 – LAND APPLICABLE TO TOOLERN STATION
PROJECT SCOPE**

DRAFT



- Project Land
- Wider Project Land
- Railway line
- Property boundary

Data Sources:
 - AJM-JV/MMRA
 Indicative Design
 (November 2017)
 - DELWP (2016)



Toolern Station Project
 Title:
 Incorporated Document Toolern Project Land

Drawing Number: BLU-AJM-PWAA-MP-NN-600150		Revision: P1.3	
Drawn By:	Approved By:	Date:	Map Size: A3

0 200
 Metres
 Coordinate System: GDA 1994 MGA Zone 55