

**WARRNAMBOOL PLANNING SCHEME**  
**MOYNE PLANNING SCHEME**  
**CORANGAMITE PLANNING SCHEME**  
**COLAC OTWAY PLANNING SCHEME**  
**SURF COAST PLANNING SCHEME**  
**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT GC121**  
**EXPLANATORY REPORT**

**Who is the planning authority?**

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of Rail Projects Victoria (RPV), a division of the Major Transport Infrastructure Authority, an administrative office in relation to the Department of Transport.

**Land affected by the Amendment**

The amendment applies to land in the municipalities of Warrnambool, Moyne, Corangamite, Colac Otway, Surf Coast and Greater Geelong, which will be used and developed for the Warrnambool Line Upgrade (the project) as shown in the Attachment 1.

Generally, the project comprises:

- Signalling upgrades at Warrnambool station, Garvoc, Terang, Camperdown, Colac, Warncoot, Winchelsea, Moriac, Mount Duneed and Waurm Ponds.
- Stabling yard and track works at Warrnambool station.
- Crossing loop, new Combined Service Route, track duplication between Oswells Road and Boorcan Road, and widening and deepening of waterways at Boorcan.
- Active level crossings at Boorcan and Warncoot.
- Additional platform and pedestrian overpass at Waurm Ponds station, track duplication within the immediate works of the platform, and Combined Service Route relocation.

**What the amendment does?**

The amendment changes the Warrnambool, Moyne, Corangamite, Colac Otway, Surf Coast and Greater Geelong Planning Schemes (“the Planning Schemes”) to:

- Apply the Specific Controls Overlay (SCO) by inserting Clause 45.12 and an associated Schedule to allow the use and development of land for the purpose of the project in accordance with the specific controls in the *Warrnambool Line Upgrade Incorporated Document*, **[August 2019]**.
- Amend the Schedule to Clause 72.03 (What does this Planning Scheme Consist of?) to insert the Specific Controls Overlay map.

- Amend the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to insert an incorporated document titled *Warrnambool Line Upgrade Incorporated Document*, [August 2019].

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The \$1.7 billion Regional Rail Revival (RRR) program is a joint initiative of the Australian and Victorian governments and will upgrade stations, signalling and track across Victoria. RRR is a once in a generation investment that will deliver major upgrades to every regional passenger line in Victoria. The Warrnambool Line Upgrade (the project) is a package of works that will enable more frequent and reliable train services and help pave the way for VLocity trains to run to Warrnambool. RPV is responsible for the planning and implementation of the program on behalf of the State Government of Victoria.

An amendment to the relevant Planning Schemes is required to allow the use and development of land for the project by way of an incorporated document.

An amendment will address several planning triggers related to use and development, native vegetation removal and enable development where it would be otherwise prohibited under the Planning Scheme, in a streamlined and coordinated way.

The project has been declared under the *Major Transport Projects Facilitation Act 2009*.

The amendment allows for the use and development of land for the purposes of the project in accordance with the *Warrnambool Line Upgrade Incorporated Document*, [August 2019].

### **How does the Amendment implement the objectives of planning in Victoria?**

The amendment supports the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*. The following objectives are particularly relevant to the amendment:

- To provide for the fair, orderly, economic and sustainable use, and development of land;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise special cultural values;
- To protect utilities and other assets and enable the orderly provision and co-origination of public utilities and other facilities for the benefit of the community; and
- To balance the present and future interests of all Victorians.

The amendment facilitates the delivery of a project that will increase the capacity, reliability and efficiency of Melbourne's regional transport network and provide a critical foundation for future expansions to the network in response to regional population growth.

The amendment ensures that any environmental, social and economic effects of the project are appropriately managed and mitigated in accordance with a planning framework and environmental management framework prepared to the satisfaction of the Minister for Planning.

### **How does the Amendment address any environmental, social and economic effects?**

#### **Environmental**

The potential environmental effects of the project have been considered through specialist assessments for terrestrial and aquatic ecology, historic and Aboriginal cultural heritage, hydrology, acoustics and arboriculture. The specialist assessments informed the project design and preparation of the amendment.

Environmental management for the project will be addressed through the preparation of an Environmental Management Framework requiring the preparation of a Construction Environmental Management Plan.

## **Social**

The project is expected to generate positive social effects such as extra services on the Warrnambool line in response to population growth and patronage, and improved service punctuality and reliability of services.

## **Economic**

The project will enable the Warrnambool line to operate with greater frequency across passenger and freight services. This will allow greater access to jobs and more efficient movement of goods, improving economic opportunities for the local population and helping to grow local economies.

### **Does the Amendment address relevant bushfire risk?**

The project is located within a designated bushfire prone area. Emergency management agencies and the relevant fire authority will be consulted to receive their recommendations and implement appropriate bushfire protection measures.

It is noted that the land is not to be used for residential purposes, and is therefore not subject to the minimum construction requirements.

The amendment is unlikely to pose risk of bushfire to the community, infrastructure or the environment.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

Section 12(2)(a) of the *Planning and Environment Act 1987* requires that in preparing an amendment, a planning authority must have regard to the Minister's Directions. The following Ministerial Directions are relevant to this amendment:

#### **Ministerial Direction on the Form and Content of Planning Schemes**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

#### **Ministerial Direction No.9 – Metropolitan Strategy**

The purpose of this Direction is to ensure that planning scheme amendments have regard to Metropolitan Strategy which is *Plan Melbourne 2017-2050*.

*Plan Melbourne 2017-2050* supports similar rail infrastructure projects.

- Direction 7.1 supports investment in regional Victoria to support housing and economic growth
- Direction 7.2 seeks to improve transport connections for regional Victoria

The project supports these directions and will bring significant social and economic benefits to the south-western region, including better access to higher-income jobs and improved lifestyles through reliable commuter travel times.

#### **Ministerial Direction No.11 – Strategic Assessment of Amendments**

The purpose of this Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and its outcomes as detailed in this draft amendment.

### **How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment supports or implements the Planning Policy Framework as follows:

- The project will provide reliable access and strengthen the linkages between regional centres along the Warrnambool line, thereby supporting the needs of existing and future communities as stated in Clause 11.01-1S (Settlement).

- The controls in the draft amendment require that the project be designed to maintain biodiversity where practicable as stated in Clause 12.01 (Biodiversity) as well as protect environmentally sensitive areas (Clause 12.05 – Significant environment and landscapes).
- The project will be undertaken in accordance with environmental management practices to deal with effects on surrounding sensitive land uses (Clause 13.05-1S)
- The controls in the draft amendment require that the project be designed to ensure that works near waterways are undertaken to minimise impacts on catchments and on the quality of water as stated in Clause 14.02 (Water).
- Aboriginal places or areas of archaeological potential have been identified as part of the cultural heritage assessment of the project area. The draft amendment does not prejudice the preparation of a Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006*. Further, appropriate measures will be undertaken to ensure that places of local or State historic heritage significance within the project area are conserved during construction where practicable, in accordance with the heritage management conditions in the draft Incorporated Document (Clause 15.03 – Heritage).
- The project supports tourism to regional Victoria and provide associated employment, social and cultural benefits, thereby supporting Clause 17.01 (Tourism).
- The project supports state transport planning policy by improving accessibility to jobs and community services between Warrnambool and metropolitan Melbourne, and by optimising the use of the existing rail infrastructure within the local areas and across regional centres (Clause 18.01 – Integrated Transport and Clause 18.02 – Movement Networks).

### **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment will facilitate the delivery of a project of significance to regional Victoria. In that context, the project will also support local planning policies, both through the delivery of improved public transport services and infrastructure at the completion of the project, and in the manner of its construction.

The Local Planning Policy Frameworks, including the Municipal Strategic Statements for each municipality, contain broadly consistent planning frameworks relevant to the project directed to encouraging improvements in transport infrastructure, increasing public transport options and services, increasing access to jobs and services, and protecting heritage and biodiversity values.

#### Warrnambool Planning Scheme

Clause 21.03 (Environment and Landscape Values): the amendment supports this policy as it mitigates the impacts to the natural environment and landscape by containing most of the permanent works within the rail corridor and Road Zone Category 1, where possible. Where impacts on native vegetation are unavoidable, design refinement processes have been undertaken to reduce this impact.

Clause 21.06 (Built Environment and Heritage): the amendment addresses this policy as the project is sympathetic to existing heritages places and supports sustainable development principles by reducing car dependency.

Clause 21.09 (Transport): the amendment meets this policy requirement as it supports and enhances public transport to and within Warrnambool.

#### Corangamite Planning Scheme

Clause 21.03 (Environment and Natural Resources): the amendment meets this policy as development will protect, where possible, biological diversity. The project will be undertaken in line with a Construction Environmental Management Plan in order to minimise adverse effects to the environment.

Clause 21.05 (Infrastructure and Transport): the amendment meets this policy requirement as it will provide improved public transport services to this part of regional Victoria. The project will enhance commercial and tourism uses of the rail line and provide a safer passenger and freight network.

Clause 22.04 (Heritage): the amendment addresses this policy requirement as development will be sympathetic to existing heritage places and ensure they continue to make a positive contribution to the built landscape.

### Colac Otway Planning Scheme

Clause 21.03 (Settlement): the amendment supports the objectives and strategies of Clause 21.03 by increasing service frequency and reliability on the Warrnambool line which will reinforce connectivity between townships.

Clause 21.04 (Environment): the amendment supports this policy as it mitigates the impacts of the natural environment and landscape by containing most of the permanent works within the rail corridor and Road Zone Category 1, where possible. Where impacts on native vegetation are unavoidable, design refinement processes have been undertaken to reduce this impact.

Clause 21.05 (Economic Development): the amendment meets this policy by maximising the efficiency of passengers and freight movement thereby supporting employment, industries and tourism.

Clause 22.01 (Heritage Places and Areas): the amendment addresses this policy requirement as development will be sympathetic to existing heritage places and ensure they continue to make a positive contribution to the built landscape.

### Surf Coast Planning Scheme

Clause 21.02 (Settlement, Built Environment, Heritage and Housing): the amendment supports this policy as it provides enhanced public transport infrastructure and access along with increased service frequency and better reliability for the growing south west region.

Clause 21.03 (Environmental Management): the amendment meets this policy as development will protect, where possible, biological diversity. The project will be undertaken in line with a Construction Environmental Management Plan in order to minimise adverse effects to the environment.

Clause 21.04 (Tourism): the amendment meets this policy by maximising the efficiency of the passenger rail line to key destinations and enabling new opportunities both within and outside of Warrnambool.

### Greater Geelong Planning Scheme

Clause 21.05 (Natural Environment): the amendment supports this policy as it mitigates the impacts on the natural environment and landscape by containing most of the permanent works within the rail corridor and Road Zone Category 1, where possible. Where impacts on native vegetation are unavoidable, design refinement processes have been undertaken to reduce this impact.

Clause 21.06 (Settlement and Housing): The amendment supports this policy as it provides enhanced public transport infrastructure and access along with increased service frequency and reliability to the growing population of this region.

Clause 21.07 (Economic Development and Employment): The amendment meets this policy by maximising the efficiency of passenger rail between Warrnambool, key destinations and markets, enabling precincts to respond to new opportunities both within and outside Warrnambool. The track duplication and additional platform at Warrnambool station will maximise the efficiency of passengers and freight movement.

Clause 21.08 (Development and Community Infrastructure): The amendment meets the requirements of this policy as it will provide improved frequency public transport services and access to and from Warrnambool, increasing reliability, connectivity and liveability and reducing the ecological footprint by taking more cars off the road.

### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment uses the provisions of Clause 45.12 Specific Controls Overlay and Clause 72.04 Documents Incorporated in this Planning Scheme to provide specific controls for the project in accordance with the new Victoria Planning Provisions.

The specific controls are detailed in the *Warrnambool Line Upgrade Incorporated Document*, [August 2019] which facilitates the use and development of land for the purposes of the project in accordance with conditions in the incorporated document.

### **How does the Amendment address the views of any relevant agency?**

An engagement program is being undertaken with following key stakeholders and agencies from January to May 2019:

- Aboriginal Victoria
- Heritage Victoria
- Warrnambool City Council
- Corangamite Shire Council
- Colac Otway Shire Council
- Surf Coast Shire Council
- Greater Geelong City Council
- Department of Environment, Land, Water and Planning
- Transport for Victoria
- VicTrack
- V/Line
- VicRoads

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The *Transport Integration Act 2010* requires interface bodies to have regard to the transport system objectives, the decision-making principles and any applicable statement of policy principles when exercising powers and performing functions that are likely to have a significant impact on the transport system.

The amendment is necessary to facilitate the project, which will provide a significant benefit to the transport system.

The transport objectives are set out in Part 2, Division 2 of the *Transport Integration Act 2010* and include social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, and safety, health and wellbeing.

The decision-making principles are set out in Part 2, Division 3 of the *Transport Integration Act 2010* and include the principles of integrated decision making, triple bottom line assessment, equity, transport system user perspective, precautionary principle, stakeholder engagement and community participation and transparency.

The amendment was prepared having regard to the transport system objectives and decision-making principles under the *Transport Integration Act 2010*. Regard has been given to the policy principles as follows:

- **Social and economic inclusion:** the project will support social and economic inclusion by improving frequency, punctuality and reliability of the Warrnambool line, thereby expanding opportunities for access to social and economic opportunities.
- **Economic prosperity:** the project will create local jobs during construction, increase access to employment and economic opportunities by providing extra services on the Warrnambool line, and improve public transport assets, which in turn will increase the reliability and punctuality for rail passengers and freight.
- **Environmental sustainability:** the project adheres to biodiversity principles to avoid, minimise and mitigate any environmental impacts. The project will be designed and constructed in accordance with an Environmental Management Framework, which requires the preparation of a Construction Environmental Management Plan.
- **Integration of transport and land use:** the project is one of a number of major projects intended to transform Victoria's regional rail network. The draft amendment will ensure the project is delivered in a timely manner to support the current and future requirements of the transport system and the growing population of regional Victoria.
- **Efficiency, coordination and reliability:** the draft amendment will facilitate efficient and effective delivery of the improved services on the Warrnambool line.
- **Safety and health and wellbeing:** the project will be aligned with the principles of safety, performance of transport infrastructure, and promotion of safe user behaviour.

- Principle of integrated decision making: the project is the result of a coordinated process between RPV, local councils, landowners and other relevant agencies. The project is consistent with State policy including the *Regional Network Development Plan, Plan Melbourne 2017-2050* and local policies.
- Principle of triple bottom line assessment: the economic, environmental and social costs and benefits of the project have been considered. The investigations undertaken for the project satisfy the principles of triple bottom line assessment.
- Principle of equity: the project will improve the operation of the transport system in regional Victoria and will cater for the needs of existing and future communities.
- Principle of the transport system user perspective: the project will improve accessibility, comfort and safety on the Warrnambool line.
- Precautionary principle: the precautionary principle was implemented during the development of the project through technical investigations to avoid serious or irreversible damage to the environment.
- Principle of stakeholder engagement and community participation: the draft amendment is supported by a community and stakeholder engagement program which included consultation with local communities, councils and other key stakeholders.
- Principle of transparency: the draft amendment is supported by a community and stakeholder engagement program which included consultation with local communities, councils and other key stakeholders.

### **Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The new planning provisions introduced by the amendment will not have a significant impact on the resources and administrative costs of the responsible authorities. The draft incorporated document requires the Minister for Planning to approve any documents required by the conditions, however the councils remain responsible authorities for administration and enforcement of all planning matters under the Planning Schemes.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

#### Warrnambool City Council

Warrnambool Civic Centre  
25 Liebig Street, Warrnambool VIC 3280

#### Moyne Shire Council

Point Fairy Office  
Princes Street, Port Fairy

#### Corangamite Shire Council

181 Manifold Street, Camperdown VIC 3260

#### Colac Otway Shire Council

2-6 Rae Street, Colac VIC 3250

#### Surf Coast Shire Council

1 Merrijig Drive, Torquay VIC 3228

#### Greater Geelong City Council

City Hall, 30 Gheringhap Street, Geelong VIC 3220

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).