

Regional Rail Link Project Section 1 Incorporated Document

January 2013

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 Melbourne, Maribyrnong, Brimbank and Melton Planning Schemes (**the Planning Schemes**) 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 Planning Schemes.

2. Project

The Regional Rail Link Project (**the Project**) comprises a railway connection from Southern Cross Station in central Melbourne to west of Werribee via Deer Park. The Project comprises two sections:

- Section 1 - extending from Southern Cross Station to Deer Park through the municipalities of Melbourne, Maribyrnong, Brimbank and Melton (**Section 1**).
- Section 2 - extending from Deer Park to west of Werribee through the municipalities of Melton and Wyndham (**Section 2**).

This document applies only to Section 1 of the Project, but excluding the section from Southern Cross Station to Dudley Street in Docklands.

3. Land

The control in clause 4 of this document applies to the land described as the Regional Rail Link Section 1 Project Area on Plan Number LEGL./11-280 (Sheets 1 to 39 inclusive), Plan Number LEGL./12-003 (Sheets 1 to 7 inclusive) and Plan Number LEGL./12-004 (Sheets 1 to 12 inclusive) signed by the Surveyor-General and lodged at the Central Plan Office (**the RRL1 Project Land**).

4. Control

Despite any provision to the contrary or any inconsistent provision in the Planning Schemes, no planning permit is required for, and nothing in the Planning Schemes operates to prohibit or restrict:

- The use or development of the RRL1 Project Land for the purposes of Section 1 of the Project for:
 - A passenger and freight railway, which includes but is not limited to railway tracks, railway stations (including community uses and the selling of food, drinks and other convenience goods and services), transport interchanges, car parking facilities, utility infrastructure, signalling, communications and electrical infrastructure, train stabling and maintenance facilities and storage facilities.
 - Works and structures facilitating pedestrian, road and watercourse crossings.
- On the RRL1 Project Land, activities ancillary to any of the above-mentioned matters for the purposes of Section 1 of the Project, including but not limited to:

- Creating and using lay down areas for construction purposes.
- Carrying out preparatory works to facilitate the commencement of Section 1 of the Project.
- Displaying construction and business identification signs.
- Removing, destroying and lopping trees and removing vegetation.
- Demolishing buildings, structures and works.
- Removing railway infrastructure.
- Altering watercourses.
- Constructing fences and temporary site barriers.
- Constructing or carrying out works to create roads, car parking areas, bunds, mounds, landscaping, shared use paths and wetlands, excavate land, salvage artefacts and alter drainage and utilities.
- Creating or altering access to a road in a Road Zone to the satisfaction of the relevant road authority.
- Constructing and using temporary site workshops and storage, administration and amenities buildings.
- Subdividing and consolidating land.

This control is subject to the conditions in clause 5 of this document.

5. Conditions

5.1 The use and development and the ancillary activities specified in clause 4 of this document must be for Section 1 of the Project as authorised by the Victorian Government and undertaken by or on behalf of the Victorian Government.

5.2 Environmental Management Plan

The use and development and the ancillary activities specified in clause 4 of this document must be undertaken generally in accordance with an Environmental Management Plan prepared to the satisfaction of the responsible authority. The Environmental Management Plan must provide an integrated and accountable framework for managing environmental effects during project construction and operation.

An Environmental Management Plan may be prepared and approved for stages of Section 1 of the Project and may be amended from time to time to the satisfaction of the responsible authority.

5.3 Development Plan

A Development Plan must be prepared to the satisfaction of the responsible authority for development relating to the following:

- Footscray Station.
- West Footscray Station.

- Nicholson Street road-over-rail bridge, Footscray.
- Maribyrnong River rail bridge, Footscray.
- Land abutting the Joseph Road Precinct, Footscray.

A Development Plan must:

- Include a site layout plan.
- Show the horizontal and vertical alignments.
- Include architectural, urban design and landscape plans.

A Development Plan must be prepared in consultation with the Council for the relevant municipal district within the meaning of the *Local Government Act 1989* and, where relevant, the Roads Corporation and Melbourne Water Corporation.

A Development Plan must be approved prior to commencement of the development.

For land to which a Development Plan applies, development must be carried out generally in accordance with an approved Development Plan.

An approved Development Plan may be amended from time to time to the satisfaction of the responsible authority.

5.4 Preparatory works

Clauses 5.2 and 5.3 do not apply to the carrying out of preparatory works to facilitate the commencement of Section 1 of the Project, including but not limited to:

- Investigation and testing to determine the suitability of land.
- Site establishment works.
- The relocation of railway infrastructure and utility services.
- The removal, destruction and lopping of trees and the removal of vegetation to the minimum extent necessary to enable such preparatory works.

6. 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 2013.
- The development allowed by the control is not completed by 31 December 2018.
- The use allowed by the control is not started by 31 December 2018.

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