

Regional Rail Link Project Section 2 Incorporated Document

Department of Transport

November 2011

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 Melton and Wyndham 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 west of Werribee to Southern Cross Station in Melbourne via Deer Park and Sunshine. The Project comprises two sections:

- Section 1 - extending from Southern Cross Station in Melbourne to Deer Park (**Section 1**).
- Section 2 - extending from Deer Park to west of Werribee through the Shire of Melton and City of Wyndham (**Section 2**).

This document applies only to Section 2 of the Project and works to be undertaken in conjunction with Section 2 of the Project.

3. Land

The control in this document applies to the land described as the Regional Rail Link 2 Project Area on Plan Number LEGL./11-101 (Sheets 1 to 15) and Plan Number LEGL./11-279 (Sheets 1 and 2) signed by the Surveyor-General and lodged at the Central Plan Office (**the Section 2 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 Section 2 Project Land for:
 - A passenger and freight railway, which includes but is not limited to 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 Section 2 Project Land, activities ancillary to, or undertaken in conjunction with, any of the above-mentioned matters, including but not limited to:
 - Creating and using lay down areas for construction purposes.
 - Carrying out preparatory works to facilitate the commencement of Section 2 of the Project.
 - Displaying construction and business identification signs.
 - Removing, destroying and lopping trees and removing vegetation.
 - Demolishing buildings, structures and works.
 - Altering watercourses.
 - Constructing fences.
 - 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.
 - Constructing or carrying out works to Armstrong Road, Wyndham Vale and Christies Road, Deer Park.

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

5. Conditions

The use or development and the ancillary activities specified in clause 4 of this document must be for Section 2 of the Project, or undertaken in conjunction with Section 2 of the Project, as authorised by the Victorian Government and undertaken by or on behalf of the Victorian Government.

The use or development and the ancillary activities specified in clause 4 of this document must be undertaken generally in accordance with a Development Plan prepared to the satisfaction of the Minister for Planning. The Development Plan must incorporate an Environmental Management Plan and must be consistent with:

- An Ecological Impact Management Plan prepared to the satisfaction of the Minister for Environment and Climate Change.
- Any Noise Impact Management Plan required by the Minister for Planning.

These documents may be prepared and approved for stages of Section 2 of the Project and may be amended from time to time to the satisfaction of the relevant approval authority.

The requirement for these documents does not apply to preparatory works to facilitate the commencement of Section 2 of the Project, including but not limited to:

- Investigation and testing to determine the suitability of land.
- Site establishment works.
- The relocation of tracks and 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.