

Waurn Ponds Train Maintenance and Stabling Facility Project

Incorporated Document

MAY 2020

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

1 INTRODUCTION

1.1 This document is an incorporated document in the Greater Geelong and Surf Coast planning schemes (planning schemes) and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

1.1 The land identified in Clause 3.0 of this document may be used and developed in accordance with the specific controls in this document.

1.2 The controls in this document prevail over any contrary or inconsistent provision in the planning schemes.

2 PURPOSE

2.1 The purpose of this incorporated document is to permit and facilitate the use and development of land, for the purposes of the Waurin Ponds Train Maintenance and Stabling Facility, and associated upgrades to the road and rail network (project).

2.2 The project includes, but is not limited to, use and development of:

- (a) A train maintenance and stabling facility located within the City of Greater Geelong; and
- (b) Associated utilities, road and rail infrastructure, signalisation, and rail crossing upgrades, located within both the City of Greater Geelong and the Surf Coast Shire.

3 LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

3.1 The control in this document applies to the land shown as SCO10 in the Greater Geelong Planning Scheme and SCO10 in Surf Coast Planning Scheme on the planning scheme maps and on the map at Appendix 1 which forms part of this document, described as:

- (a) The project land (being the land immediately required for the train maintenance and stabling facility), shown on the map at Appendix 1 with hatched black lines; and
- (b) The wider project land (being the land required for associated upgrades to utilities, road and rail infrastructure, signalisation and rail crossings), shown on the map at Appendix 1 bounded by a red line.

4 CONTROL

4.1 Despite any provision to the contrary or any inconsistent provision in the planning schemes, no planning permit is required for, and no provision in the planning schemes operates to prohibit or restrict, the use and development of the land for the purposes of the project, including any ancillary activities.

4.2 Within the project land, the project includes but is not limited to:

- (a) Train maintenance and stabling facilities, including loading/unloading facilities, staff amenities and car parking;
- (b) Railway infrastructure including stabling tracks, integration with the main line, and associated railway infrastructure including cabling, signalling and power upgrades;
- (c) Utilities including substations;
- (d) Road construction including a new access road and associated works;

- (e) Other works and facilities associated with the use for train maintenance and stabling; and
- (f) Any use or development that the Minister for Planning confirms in writing is for the purposes of the project.

4.3 Ancillary activities within the project land include but are not limited to:

- (a) Constructing and carrying out earthworks and works to create bunds, mounds and landscaping, salvage artefacts, excavate land, cuttings and fill;
- (b) Use and development of temporary and permanent access roads, livestock and vehicle crossings;
- (c) Use and development of lay down areas and building facilities for construction purposes;
- (d) Stockpiling of excavation material;
- (e) Removal, destruction or lopping of vegetation, including native vegetation;
- (f) Demolition and removal of buildings and works;
- (g) Relocation, modification and upgrade of drainage, services and utilities;
- (h) Construction of fences and site security;
- (i) Display of construction, directional or business identification signs; and
- (j) Subdivision and consolidation of land and creation, variation or removal of easements resulting from works required for the project.

4.4 Within the wider project land, the project includes but is not limited to:

- (a) Road and railway infrastructure works and upgrades including signalling, cabling, power upgrades, substations and modifications to railway crossings;
- (b) Relocation, modification and upgrade of drainage, services and utilities;
- (c) Removal, destruction or lopping of vegetation, including native vegetation; and
- (d) Associated ancillary activities.

5 CONDITIONS

5.1 Unless otherwise stated, the conditions set out in Clause 5 must be satisfied prior to the commencement of development (excluding preparatory buildings and works under Clause 6). The conditions may be satisfied in separate components or stages of the project. However, each condition must be satisfied prior to the commencement of development for that component or stage.

5.2 The plans and documentation required under Clause 5 may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or document is satisfactory or whether to consent to an amendment to a plan or document, the Minister for Planning or relevant approving authority may seek the views of the City of Greater Geelong and Surf Coast Shire Council or any other relevant authority.

5.3 The use and development of the project must be undertaken in accordance with this document and the plans and documentation prepared to the satisfaction of the Minister for Planning or relevant approving authority.

5.4 Where, but for this incorporated document, the relevant floodplain management authority would be a referral authority to the proposed buildings and works, the buildings and works must be undertaken to the satisfaction of the relevant floodplain management authority.

5.5 **Development plan**

5.5.1 A development plan for the project must be prepared to the satisfaction of the Minister for Planning and in consultation with the City of Greater Geelong and Surf Coast Shire Council. The development plan:

- (a) Must have regard to the reports required to be prepared under clause 5.7;
- (b) Must be generally in accordance with the Waurm Ponds Stabling and Maintenance Facility Concept Layout Plan at Appendix 2 (concept plan);
- (c) Must include:
 - i. Site layout plan(s);
 - ii. Site levels showing the full extent of proposed cut and fill;
 - iii. Architectural plans including elevations, and a schedule of materials;
 - iv. On-site landscaping details including a planting schedule, having regard to management of bushfire risk;
 - v. Lighting details that:
 - Require lighting design to minimise lighting impacts on nocturnal animals, where possible;
 - Require lighting to be set back from the edge of the project land, where possible, to allow for trees and other landscaping around the perimeter of the site (in accordance with the concept plan) to mitigate light spill to surrounds;
 - Provide shields on the luminaires to mitigate obtrusive light and specify lens, diffuser or reflectors to mitigate glare from the luminaire;
 - Require all external light fittings to have an Upwards Light Ratio of zero and to point straight down, where possible; and
 - Program external lighting not used for specific functions or not required for security to switch off during curfew hours to reduce problems with obtrusive light.
 - vi. Operational measures for the handling and storage of fuels and chemicals in accordance with industry standards;
 - vii. A report that demonstrates that operational amenity impacts of the project will be acceptable;
 - viii. An overarching site management plan that documents the management measures, design features and mitigation measures to be implemented in respect of the facility.

5.6 Environmental management framework

- 5.6.1 An environmental management framework (EMF) must be prepared to the satisfaction of the Minister for Planning and in consultation with the City of Greater Geelong and Surf Coast Shire Council. The EMF must include:
- (a) A summary of key construction methodologies;
 - (b) An overarching framework for site works or specific measures to reduce and manage environmental and amenity effects during construction of the project;
 - (c) A set of environmental management requirements (EMRs) that must be achieved during the design and construction of the project works to reduce and manage environmental and amenity effects, including those in respect of but not limited to:
 - i. Noise (having regard to EPA Publication 1254 as amended or replaced);
 - ii. Light spill;
 - iii. Weed and pest control;
 - iv. Traffic management including:
 - Location of access to the site for construction vehicle traffic;
 - Heavy vehicle routes from the arterial road network to the site;
 - Any restrictions on heavy vehicle routes, parking or loading;
 - Any timing restrictions;
 - Parking arrangements for construction personnel;
 - Measures for monitoring the surrounding road network;
 - The identification and design specifications of any necessary road upgrades;
 - A program to inspect, maintain and (where necessary) repair public roads used by construction traffic);
 - v. The process and timing for the preparation of a construction environment management plan and any sub-plan that is required by the EMRs;
 - vi. Measures to minimise impact to native fauna during removal of native vegetation.
 - (d) A summary of performance monitoring and reporting processes, including auditing to ensure environmental and amenity effects are reduced and managed during construction and operation of the project; and
 - (e) A summary of the consultation that informed the preparation of the EMF and a summary of the proposed ongoing engagement activities with councils, the community and other stakeholders during the construction of the project, including enquiries and complaints management.

5.7 Reports required

5.7.1 The following reports are required to be prepared:

- (a) An acoustic assessment report that must assess the operational noise impacts of the relevant stage of the facility and must be prepared having regard to the following:
 - i. EPA publication *Noise from Industry in Regional Victoria* (Publication 1411) (NIRV) (as amended or replaced), and where external NIRV targets cannot be reasonably or practically complied with, an internal Leq noise target which is the higher of:
 - A level that accords with the methodology prescribed by SEPP N-1 (as amended or replaced), or
 - Ambient noise inside the respective dwelling;
 - ii. The preliminary noise assessment dated 21 January 2020;
 - iii. Details of the proposed operation of the facility;
 - iv. Details of noise sensitive areas;
 - v. Details of background noise conditions at the time of the assessment;
 - vi. An assessment of potential noise impacts associated with the operation of the facility;
 - vii. Recommended mitigation measures where appropriate;
 - viii. Recommended auditing methodology, specifying a distinction between measured operations which occur only from the project and excluding noise emissions from the adjoining rail corridor; and
 - ix. A report detailing consultation with affected landowners where off-reservation works are proposed, including the outcome of consultation and any agreed implementation program.
- (b) A traffic management report detailing the traffic, access and car parking aspects of the project, including:
 - i. The location of access to the site;
 - ii. Management of deliveries to the site; and
 - iii. Parking provision and management.
- (c) A visual amenity report addressing visual amenity in the area and including:
 - i. External lighting details having regard to:
 - The measures specified in Clause 5.5;
 - Australian Standard AS 4282:2019, assessed for a curfew period, Environmental Zone A2; and
 - *CIE 126 - 1997 Guidelines for Minimising Sky Glow*;
 - ii. A visual impact assessment undertaken in respect of:

- The dwelling at 255 Reservoir Road, identifying measures to screen views to the facility and the outcomes of consultation with the owner of 255 Reservoir Road;
 - Properties at 250 and 300 Reservoir Road;
 - The property at 395 Pettavel Road;
 - Land to the east of Bogans Lane having regard to the current use and development of this land;
- iii. Site landscaping, including the maintenance of batter slopes at appropriate grades;
- iv. Substantial tree planting to mitigate views to proposed buildings from key vantage points on public roads; and
- v. Built form details and materials;
- (d) A stormwater management report that must demonstrate:
- i. The maintenance of environmental flow paths from the northern part of the land at 255 Reservoir Road to the southern part of that land (south of the project land), having regard to:
- Any alteration to hydrology caused by the removal or relocation of farm dams by reason of the project; and
 - Any potential erosion impacts downstream of culverts;
- ii. The implementation of water quality management measures having regard to the *Urban Stormwater Best Practice Environmental Management Guidelines* (as amended or replaced).
- (e) A bushfire management report; and
- (f) A weed and pest management report.

5.7.2 The reports required under Clause 5.7.1 must include:

- (a) The outcome of impact assessments;
- (b) Any management measures that are to be complied with during operations;
- (c) Any design features or mitigation measures proposed to address the potential impacts, including any offers of off-site works or off-site landscaping to be made to the owner of any dwelling identified as being affected in the relevant impact assessment referred to in Clause 5.7.2 (a) above; and
- (d) A summary of performance monitoring and reporting processes, including auditing to ensure environmental and amenity effects are managed during operation of the project.

5.8 **Native Vegetation**

- 5.8.1 Prior to the removal of native vegetation (other than native vegetation removed under Clause 6.0), information about that native vegetation in accordance with Application Requirements 1, 5 and 9 of the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning , December 2017) (guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP). For the avoidance of doubt, the information provided to the Secretary to DELWP must include information about any native vegetation that has been, or is to be, removed under Clause 6.0.
- 5.8.2 Prior to the removal of native vegetation (other than native vegetation removed under Clause 6.0), the biodiversity impacts from the removal of that native vegetation must be offset in accordance with the guidelines, and evidence that the required offset(s) has been secured must be provided to the Secretary to DELWP.
- 5.8.3 In exceptional circumstances, the Secretary to DELWP may vary the timing requirement in Clause 5.8.2.
- 5.8.4 The secured offset(s) for the project may be reconciled at the completion of the project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (DELWP, October 2018).
- 5.8.5 For the purpose of this document, the term 'remove native vegetation' includes to destroy and/or lop native vegetation.

6 **PREPARATORY BUILDINGS AND WORKS**

- 6.1 Preparatory buildings and works may commence on the land described in Clause 3.0 before the conditions set out in Clause 5.0 are satisfied:
 - (a) Preparatory buildings and works include but are not limited to:
 - i. The planting of a perimeter landscape treatment.
 - ii. Works, including vegetation removal, where, but for this document, a planning permit would not be required under the provisions of the planning scheme.
 - iii. Investigating, testing and preparatory works to determine the suitability of land, and property condition surveys.
 - iv. Construction and use of access points and working platforms.
 - v. Site establishment works including temporary site fencing, lighting and hoarding, site buildings, site offices, and hardstand and laydown areas.
 - vi. Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
 - vii. Establishment of environment and traffic controls, including designated 'no-go' zones.
 - viii. Establishment of temporary car parking.
 - ix. Demolition to the minimum extent necessary to enable preparatory works.
 - x. Site excavation and disposal of spoil off site as required.

- xi. Removal of native vegetation to the minimum extent necessary to enable preparatory buildings and works.
- xii. Salvaging and relocating artefacts and other preparatory works required to be undertaken in accordance with an approved Cultural Heritage Management Plan prepared for the project as pursuant to the *Aboriginal Heritage Act 2006* and to the satisfaction of the Registered Aboriginal Party.
- xiii. Salvaging and relocating artefacts and other preparatory works required to be undertaken in accordance with an approved Historic Heritage Management Plan prepared for the project pursuant to the *Heritage Act 2017* and to the satisfaction of the Victorian Heritage Council.
- xiv. Salvaging and translocating any vegetation, including any preparatory works required to enable salvage and translocation, identified in a Translocation Plan prepared to the satisfaction of the Secretary to DELWP.

6.2 Before the removal of native vegetation under Clause 6.0, information about the native vegetation to be removed must be provided to the Secretary to DELWP. The information provided to the Secretary to DELWP must include a description of, and maps showing, the native vegetation to be removed in accordance with Application Requirement 1 of the guidelines.

6.3 The biodiversity impacts from the removal of native vegetation under Clause 6.0 must be included in the total biodiversity impacts when determining the offset(s) in accordance with Clause 5.8.2.

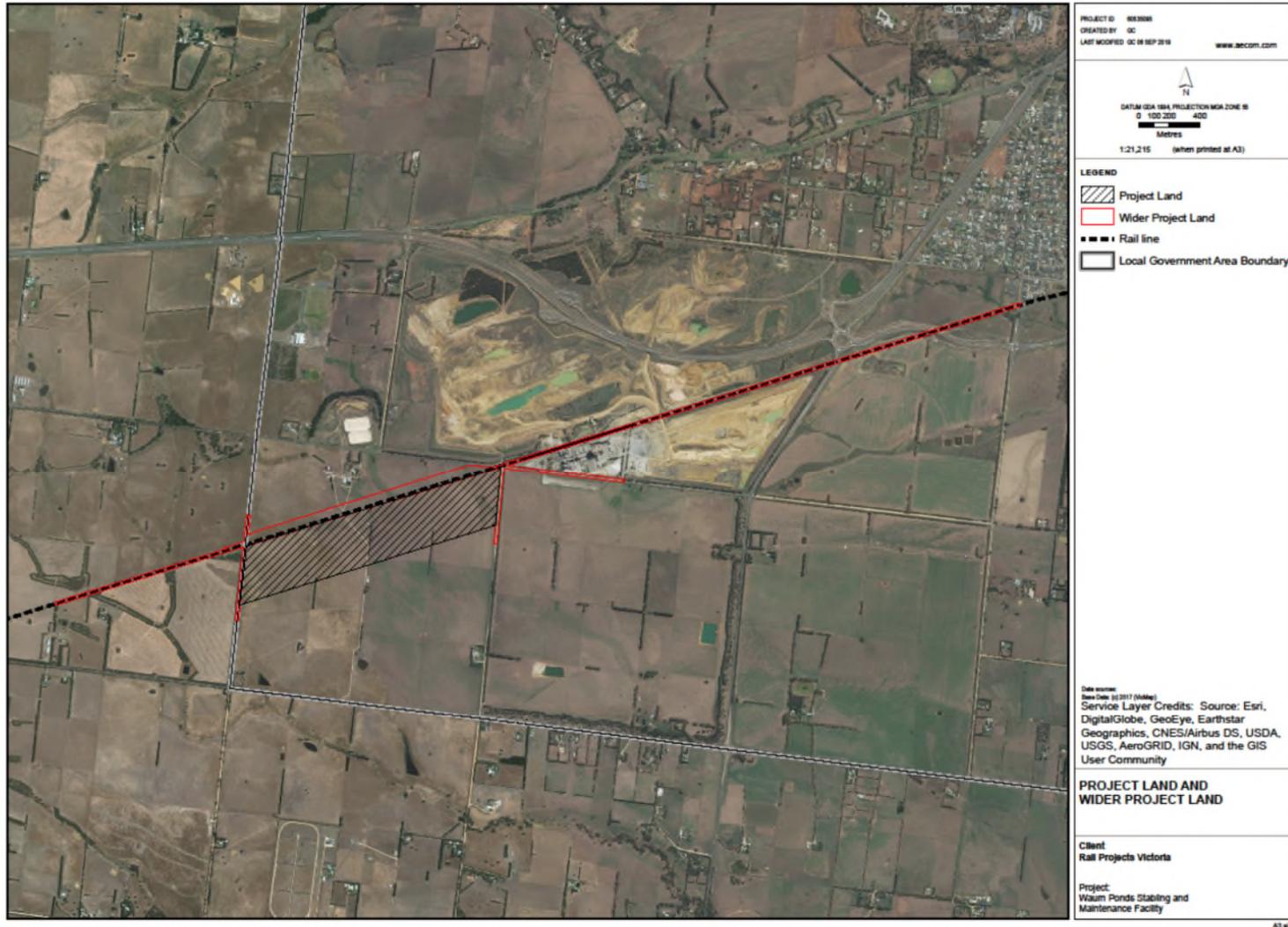
7 EXPIRY

7.1 The controls in this document expire if any of the following circumstances apply:

- (a) The development allowed by the controls is not commenced by 31 December 2022.
- (b) The development allowed by the controls is not completed by 31 December 2032.

7.2 The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

Appendix 1 – Waurn Ponds Train Maintenance And Stabling Facility – Project Land And Wider Project Land



Appendix 2 – Waurn Ponds Stabling and Maintenance Facility Concept Layout Plan

