

# Ballarat Western Link Road (Stage 2) Incorporated Document

Prepared by Ballarat City Council

September 2016

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 Ballarat Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987. This document has been incorporated by Amendment C170 to the Ballarat Planning Scheme.

The land identified in this document may be developed and used in accordance with the control in this document.

The control in this document prevails over any contrary or inconsistent provision in the Ballarat Planning Scheme.

## 2 Purpose

The purpose of the control in this document is to allow the development and use of land for the purposes of the Ballarat Western Link Road Stage 2 (**the Project**).

## 3 Project Description

The Project includes but is not limited to the following use and development:

- a four lane divided carriageway from Western Freeway to Glenelg Highway and associated works;
- a single lane carriageway in each direction from Glenelg Highway to Midland Highway and associated works;
- service lanes as part of the Ballarat West Growth Area sub precincts;
- new and upgraded intersections;
- shared on and off road pedestrian and bicycle paths;
- Construction of approximately a 12 kilometres road from Boulevard Drive, Alfredton following Dyson Drive and crossing the Glenelg Highway before turning south-east along Bells Road to the Midland Highway, south of Ballarat.
- A road reservation that includes a widened/new 40 metre reservation between Boulevard Drive and Bells Road, and retention of the 60 metre wide reservation along Bells Road to Midland Highway.
- Upgraded/new intersections at Ballarat-Carngham Road, Greenhalghs Road, Glenelg Highway, Ross Creek Road and Midland Highway.

## 4 Land

The control in this document applies to land required for the construction and operation of the Project shown as the Project Area in the map attached to this document.

## 5 Control

Despite any provision to the contrary or any inconsistent provision in the Ballarat Planning Scheme, no planning permit is required for, and nothing in the Planning Scheme operates to prohibit or restrict the development or use of land in the Project Area for the Project, which includes but is not limited to:

- road construction and all associated works;
- the removal, destruction and lopping of trees and the removal of vegetation, including native vegetation, to the minimum extent necessary for the Project;
- the demolition and removal of buildings and works;
- the creation or alteration of access to a road in a Road Zone or land in a Public Acquisition Overlay if the purpose of acquisition is for a road or road reservation;
- Landscaping
- Activities ancillary to the above-mentioned matters, including but not limited to:
  - Creating and using lay down areas for construction purposes.
  - Constructing and using temporary site workshops, storage, administration and amenities buildings and associated vehicle parking areas.
  - Displaying direction, tourist, 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 bunds, mounds and landscaping, excavate land, salvage artefacts and to alter drainage and utilities.
  - Creating or altering access to a road in a Road Zone
  - Relocating services
- Subdividing and consolidating land.
- Development and use of land in the Project Area for:
  - Temporary access
  - Maintenance tracks

- Property access tracks.

This control is subject to the conditions in clause 6 of this document.

The Project may proceed in stages. Each stage must comply with the conditions in clause 6 of this document.

## **6 Conditions**

### **6.1 Development Plan**

Prior to the commencement of works a Development Plan must be prepared to the satisfaction of the Responsible Authority.

### **6.2 Drainage**

The Project must be designed and constructed to manage floodplain matters to the satisfaction of the relevant floodplain management authority appointed under the Water Act 1989.

### **6.3 Native Vegetation**

Prior to the removal of native vegetation, an offset strategy must be prepared in accordance with “Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines” (Department of Environment and Primary Industries, September 2013) or relevant guidelines at the time of works to the satisfaction of the Department of Environment, Land, Water and Planning. The Offset Strategy and the provision of offsets may occur in stages in accord with the staging of the Project.

### **6.4 Access Management**

Prior to the commencement of works, an Access Management Strategy must be prepared to the satisfaction of the Responsible Authority.

### **6.5 Environment Management Plan**

Prior to the commencement of works an Environment Management Plan (“EMP”) must be prepared to the satisfaction of the Responsible Authority. The EMP:

6.5.1 must form part of the Construction Project Environment Protection Strategy (or equivalent document);

6.5.2 must address environmental issues of:

- erosion and sediment control;
- impacts and potential impacts on surface and ground water;
- management during construction of dust, air quality, noise and vibration;
- flora and fauna management; and
- weed and pest animal control.

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

The following site establishment works are exempt from the requirements of Clause 6.1, 6.2, 6.4 and 6.5:

- Establishment of temporary site offices and compounds, including communications equipment, water storage and vehicle parking areas.
- Excavation for geotechnical testing or to salvage artefacts.
- Establishment of temporary creek crossings.
- Construction of maintenance tracks, property access tracks and temporary access and haulage roads.
- Construction of fences.
- Relocation of services.

## **7 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 2020.
- The development allowed by the control is not completed by 31 December 2031.
- The use allowed by the control is not started by 31 December 2031.

The Responsible Authority may extend these periods if a request is made in writing before the expiry date or within six months afterwards.

# Project Area

