Palmers Road Upgrade Project
(Western Freeway to Calder Freeway)

Incorporated Document

June 2017

This document is an incorporated document in the Brimbank Planning Scheme and Melton Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987.
1. **INTRODUCTION**

This document is an incorporated document in the Brimbank and Melton Planning Schemes (the **Planning Schemes**) pursuant to section 6(2)(j) of the **Planning and Environment Act 1987**.

This document gives effect to the specific control for the Palmers Road Upgrade Project (Western Freeway to Calder Freeway) (the **Project**) pursuant to clause 52.03 of the Planning Schemes. The land identified in the schedule to clause 52.03 may be used or developed in accordance with the specific controls identified in this document. The Project includes the upgrade of Robinsons Road, Westwood Drive and Calder Park Drive from Western Freeway to Calder Freeway in the City of Brimbank and the City of Melton.

The controls in this document prevail over any contrary or inconsistent provisions in the Planning Schemes.

2. **PURPOSE**

The purpose of this control is to allow the use and development of land for the purposes of the Palmers Road Upgrade Project, in accordance with clause 4.

3. **LAND DESCRIPTION**

The control in clause 4 applies to the land required for the Project in the cities of Brimbank and Melton shown in Figures 1 to 4 at Appendix 1 (the **Project Land**).

4. **CONTROL**

**Exemption from Planning Scheme Requirements**

Despite any provision to the contrary or any inconsistent provision in the Brimbank Planning Scheme and Melton Planning Scheme (**Planning Schemes**), no planning permit is required for, and no provision in the Planning Schemes operates to prohibit, control or restrict the use or development of the Project Land in accordance with the control in this document, for the purposes of constructing or maintaining the Project.

The Project to which this control applies includes but is not limited to:

- A three-lane, two way divided carriageway (six lanes total) and associated works.
- Interchanges along the route.
- Two new bridges over waterways.
- Grade separated crossings.
- Shared off-road pedestrian and bicycle paths.
- Access restoration works.
- Activities ancillary to the construction and operation of the Project.

The Project may proceed in stages. Each stage must be completed in accordance with the conditions set out in this document.

**Conditions**

The **Key Stages** for the purposes of the conditions set out in this document are the stages that include the following parts of the Project:

- Calder Freeway interchange.
• Albert Road interface, Sydenham.
• Kororoit Creek bridge/s, approaches and related structures.

The Project permitted by this document must be undertaken in accordance with the following conditions:

By or on behalf of the Roads Corporation or City Council

1. The use, development and ancillary activities, as specified in this document, must be for the Project and must be undertaken by or on behalf of the Roads Corporation (VicRoads) (or its successor), or by Melton City Council or Brimbank City Council (or their successors) to the satisfaction of the Minister for Planning.

Staging Plan and Concept Design Plans for the Key Stages identified in this document

2. Prior to the submission of any concept design plans to the Minister for Planning for approval, a staging plan is to be prepared to the satisfaction of the Minister for Planning, showing the sequence of the construction of the Project. The staging plan must be submitted to and approved by the Minister for Planning prior to the commencement of any works. Once endorsed, the staging plans must not be altered without the prior written consent of the Minister for Planning.

3. Prior to submission of any concept design plans to the Minister for Planning for approval, the concept design plans must be provided to the Design Review Panel of the Office of the Victorian Government Architect for review and consultation. Before submitting the concept design plans to the Minister for Planning for approval, the comments from the Design Review Panel must be considered, and implemented where appropriate.

4. Prior to the submission of any concept design plans to the Minister for Planning for approval, the concept design plans for any stage identified in the staging plan that is north of the Melton Highway must be provided to Australia Pacific Airports (Melbourne) Pty Ltd or its successor, for review and consultation. Before submitting the concept design plans to the Minister for Planning for approval, the comments of Australia Pacific Airports (Melbourne) Pty Ltd must be considered, and implemented where appropriate in respect to (but not limited to) the following:

   a) Potential to impact airspace;
   b) Protrusion of bridges and other structures into prescribed airspace;
   c) Air emissions;
   d) Landscaping; and
   e) Lighting.

5. Prior to the construction or carrying out of any buildings and works for each of the Key Stages of the Project, concept design plans for the corresponding Key Stage/s of the Project must be prepared, submitted to and approved in writing by the Minister for Planning. The design plans must be drawn to scale with dimensions and must generally accord with the design plans assessed by the Minister for Planning under the Environment Effects Act 1978. The plans must show each of the following:

   a) Site layout, including the location of all key design elements of the Project.
b) Elevations showing all bridges or grade separated crossing approaches and structures, noise walls/barriers, earth mounds and any other key structures.

c) Landscaping and planting locations within the Project Area consistent with the approved Landscape Plan.

Once approved, these plans will be the endorsed concept design plans and must not be altered without the prior written consent of the Minister for Planning.

6. The concept design plans may be prepared and approved in stages or parts, and may be amended from time to time, to the satisfaction of the Minister for Planning.

7. The concept design plans must be consistent with the recommendations in the Minister for Planning’s ‘Assessment under the Environment Effects Act 1978’ dated March 2016 to the satisfaction of the Minister for Planning.

**Landscaping for the Key Stages**

8. Prior to the commencement of any buildings or works a comprehensive Landscape Plan(s) must be prepared in consultation with Brimbank and Melton City Councils and relevant stakeholders to the satisfaction of the Minister for Planning and must be submitted to and approved in writing by the Minister for Planning.

9. The comprehensive landscape plan/s for the stage that includes the Albert Road interface, Sydenham must be prepared in consultation with the relevant council/s and with the owners and occupiers of adjoining properties in Albert Road, Sydenham and must show landscape buffers and design solutions for the Albert Road interface in Sydenham.

10. The landscape plan may be prepared and approved in stage or parts, and may be amended from time to time to the satisfaction of the Minister for Planning prior to the commencement of any buildings or works.

**Environmental Management Framework**

11. Prior to the commencement of any buildings or works, an Environmental Management Framework (EMF) for the Project must be prepared to the satisfaction of the Minister for Planning. The EMF must be submitted to and approved in writing by the Minister for Planning. The EMF must include:

   a) The framework for approvals, consents and related statutory instruments that underpin the environmental management of the Project.

   b) The applicable environment management system, including the organisational accountabilities and responsibilities assigned for the Project.

   c) Environmental mitigation and management measures set out in the Project’s Environmental Effects Statement (EES).

   d) The environmental performance objectives and indicators for guiding management actions.

   e) The process for monitoring, reporting, auditing and evaluating performance and environmental outcomes, as well as revising management measures.

12. The EMF may be prepared and approved in stages or parts, and may be amended from time to time to the satisfaction of the Minister for Planning prior to the commencement of any buildings or works.

Construction Environmental Management Plan

13. Prior to the commencement of any buildings or works, a Construction Environmental Management Plan (CEMP) must be prepared to the satisfaction of the Secretary to the department administering the Conservation, Forests and Lands Act 1987 and must be submitted to and approved in writing by the Secretary to the department administering the Conservation, Forests and Lands Act 1987. The CEMP must be prepared in consultation with the relevant council/s, the Department of Environment, Land, Water and Planning and Melbourne Water and must address the on and off site management requirements of the EMF.

14. The CEMP may be prepared and approved in stages or parts, and may be amended from time to time to the satisfaction of the Minister for Planning prior to the commencement of any buildings or works.

Native Vegetation Offset Strategy

15. Prior to the removal of any native vegetation associated with the Project and consistent with the staging of works, a Native Vegetation Offset Strategy must be provided to the Department of Environment, Land, Water and Planning in accordance with the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines (Department of Environment and Primary Industries, May 2013), or any relevant guidelines at the time of submission, or be in accordance with any existing approvals. The Strategy must be prepared in consultation with the relevant stakeholders and agencies, and submitted to and approved in writing by the Secretary to the department administering the Conservation, Forests and Lands Act 1987 prior to the commencement of any buildings or works.

Threatened Species Management Plan

16. Prior to the commencement of any buildings or works, a Threatened Species Management Plan must be prepared to the satisfaction of the Secretary to the department administering the Conservation, Forests and Lands Act 1987 and must be submitted to and approved in writing by the Secretary to the department administering the Conservation, Forests and Lands Act 1987 for any stage/s of the Project where threatened flora and/or fauna are known or found to be present, or be in accordance with any existing approvals. The Plan must be prepared in consultation with the relevant stakeholders and agencies.

Floodplain Management

17. Prior to the commencement of any buildings or works, a Floodplain Management Plan must be prepared to the satisfaction of the Minister for Planning and must be submitted to and approved in writing by the Minister for Planning. The plan must be prepared in consultation with Melbourne Water or its successor and must include the following:

a) Plans showing that the behaviour and extent of flooding for waterway crossings are minimised; and
b) Demonstrate that the impact on waterways and floodplain environments is minimised.

The Floodplain Management Plan must ensure that any impacts from the works on floodplains and/or waterways are sufficiently managed to the satisfaction of the Minister for Planning, or be in accordance with any existing approvals.

Noise Mitigation

18. Prior to the completion of the corresponding stage/s of the Project adjacent to Albert Road in Sydenham as identified in the staging plan, design plans are to be prepared by an independent suitably qualified acoustic engineer to demonstrate that appropriate acoustic fencing and landscaping is to be provided along Calder Park Drive, adjacent to Albert Road in Sydenham. The form and type of acoustic treatment is to be designed in consultation with owners and occupiers of affected properties in Albert Road, Sydenham. The design plans are to be submitted to and approved in writing by the relevant council/s. The design must provide a level of noise attenuation consistent with the existing conditions, or alternatively be in compliance with the detailed requirement and performance standards in the VicRoads Traffic Noise Reduction Policy, to the satisfaction of the relevant council/s.

19. Prior to the completion of the corresponding stage/s of the Project incorporating the bridge/s over the Kororoit Creek as identified in the staging plan, design plans are to be prepared by an independent suitably qualified acoustic engineer and submitted to and approved in writing by the Minister for Planning to demonstrate that impacts to all sensitive uses identified in the EES are to be sufficiently attenuated using appropriate acoustic treatments. The noise attenuation must be designed to be consistent with the performance standards / objectives detailed in the VicRoads Traffic Noise Reduction Policy, or otherwise to the satisfaction of the Minister for Planning.

5. EXPIRY

The control in this document expires if any of the following circumstances apply:

a) The development allowed by this control is not started by 31 December 2035.

b) The development allowed by this control is not completed by 31 December 2045.

c) The use allowed by this control is not started by 31 December 2045.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within six months afterwards.
Appendix 1 – Project Land

Figure 1: Palmers Road Upgrade Project – Western Freeway to Calder Freeway
Figure 2: Palmers Road Upgrade Project – Western Freeway to Burnside
Figure 3: Palmers Road Upgrade Project – Burnside to Taylors Hill
Figure 4: Palmers Road Upgrade Project – Taylors Hill to Calder Freeway