

8. Planning and Land Use

The Planning and Land Use Assessment examined the potential effects of the Project on land use, zoning and public infrastructure and consistency with the relevant Planning Schemes and strategies.

The study area spans part of Ararat Rural City and Northern Grampians Shire. It includes land that has been developed for grazing, cropping, viticulture, olive growing and residential and rural residential purposes. The Melbourne-Adelaide Railway line is within the study area, extending in part along the existing highway.

The assessment found that most land use and planning related impacts would be experienced in the construction phase and are therefore short term only. These include potential impacts on existing infrastructure due to the temporary relocation and/or disconnection of services, potential impacts on amenity such as noise and dust emissions, traffic disruptions and changes to landscape due to vegetation removal. Noise, dust, traffic and landscape impacts have been investigated through specific studies in this EES and would be managed to an acceptable level through the implementation of the Project Construction Environmental Management Plan (CEMP).

The proposed alignment has been designed to minimise impacts on existing land uses by varying the corridor to accommodate either land uses on private property or to avoid significant vegetation where possible. It is expected that there would be limited change to existing agricultural land use patterns or to future planned land uses and developments as a result of the Project. Overall, land acquisition impacts on individual land holdings have been minimised as the proposed alignment generally utilises the existing road corridor for the majority of the study area. Compensation for land acquisition impacts would be provided in accordance with the *Land Acquisition and Compensation Act 1986*.

The Project would result in longer term benefits for the economy and tourism in the area due to improved accessibility following the duplication of the highway. It would also deliver benefits for Great Western township in particular, due to the diversion of freight and other vehicles out of the town centre, thereby improving the safety and amenity of the town.

The Planning and Land Use assessment concluded that the Project as a whole would not result in any significant inconsistency with planning policy, or any broad change of land use within the study area.

As part of the planning assessment, draft planning scheme amendments have been prepared to the Ararat and Northern Grampians Planning Schemes to facilitate the acquisition of land by VicRoads and the construction of the Project without the need for planning permits.

8.1 EES Objectives

The EES objective relevant to the Planning and Land Use Assessment is:

- *To avoid or minimise disruption and other adverse effects on infrastructure, land use (including agriculture) and households, as well as road users resulting from construction and operation of the highway duplication.*

This chapter discusses planning and land use within the EES study area, the potential impacts from the Project on Planning and Land Use, and the management measures recommended for implementation to minimise these impacts. More specifically, this chapter addresses the EES scoping requirements by:

- Characterising the area in terms of land use (existing and likely), zoning and public infrastructure that support current patterns of economic and social activity.
- Describing the consistency of the proposed works and relevant alternatives with the provisions of the Ararat and Northern Grampians Planning Schemes and other relevant planning strategies. It also includes an analysis of the proposed works and relevant alternatives against relevant planning scheme provisions, which highlights potential Project implications in light of the relevant provisions.
- Identifying potential long-term and short-term effects of the Project on existing and potential future land uses either in the vicinity of the upgraded road or connected to it by the regional network (including induced development). Attention has been given to potential effects of the Project on residential uses, agricultural uses including vineyards, wind farm infrastructure and the Melbourne-Adelaide railway.
- Identifying measures to avoid, mitigate and manage any potential adverse land use effects.
- Assessing the likely residual effects of the Project on existing and potential future land uses.

This chapter also identifies whether any Planning Scheme Amendments (PSAs) and / or planning permits are required to facilitate the Project, outlines what the amendment proposes, and includes an assessment of the Project against any relevant considerations and/or requirements, where appropriate.

This chapter is based on a Planning and Land Use Assessment report completed by GHD Pty Ltd (2012a), that is included in Technical Appendix C. The chapter also draws upon other relevant assessments, including Economic (refer to Chapter 19), Social (refer to Chapter 18), Biodiversity and Habitat (refer to Chapter 13), and Cultural Heritage (refer to Chapter 14).

8.2 Study Area

The study area, for the purpose of the EES, encompasses a corridor extending approximately 1500 metres (m) either side (east and west) of the existing Western Highway, except around Great Western where it extends up to 1800m (encompassing the extent of new alignment possibilities). Figure 8-1 shows the study area and the municipal boundaries which are relevant to the Planning and Land Use chapter.

8.3 Methodology

The Planning and Land Use Assessment has been prepared by desktop methods, involving the review of relevant legislation, policies and strategies. The

assessment also involved the review of land titles and aerial photography, provided by VicRoads.

Meetings were also conducted with planning officers from Ararat Rural City Council and Northern Grampians Shire Council, and the regional office of the Department of Planning and Community Development (DPCD), who provided information regarding current and future strategic projects and developments in their respective municipalities or region.

A site inspection of the study area was undertaken to confirm existing land uses and subdivision patterns in the study area.

Other tasks completed were:

- Participation in an environmental risk assessment process.
- Consideration of potential impacts on planning and land use during construction of the Project.
- Consideration of potential ongoing impacts of the Project on planning and land use after construction.



Vineyard in Great Western

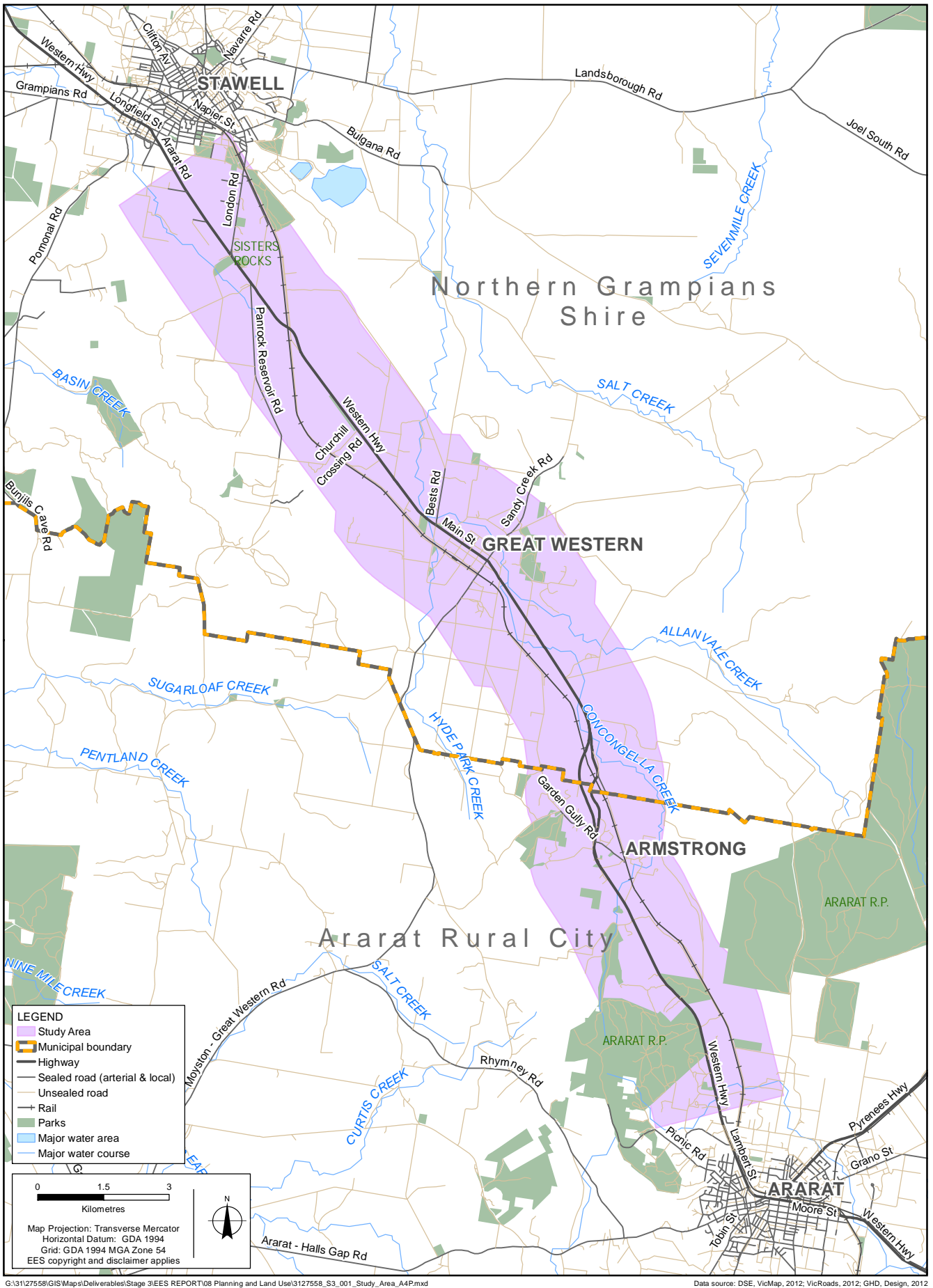


Figure 8-1 Planning and Land Use Study Area

8.4 Legislation and Policy

The relevant legislation and government policies and strategies for planning and land use are shown in Table 8-1.

Table 8-1 Relevant Planning and Land Use Legislation and Policies

Legislation/Policy	Description
State	
<i>Planning and Environment Act 1987</i>	<p>The Act establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interest of all Victorians. The Act sets out the legislative basis to ensure that standard planning provisions are prepared and approved throughout Victoria.</p> <p>The Act sets out procedures for preparing and amending the Victoria Planning Provisions (VPP) and planning schemes, obtaining permits under planning schemes, settling disputes, enforcing compliance with planning schemes, and other administrative procedures. The Act provides for a single instrument of planning control in a particular area, the planning scheme, which sets out the way land may be used or developed. The planning scheme is a legal document, prepared and approved under the Act.</p> <p>The relevant planning schemes for the study area are:</p> <ul style="list-style-type: none"> ▪ Ararat Planning Scheme; and ▪ Northern Grampians Planning Scheme.
<i>Land Acquisition and Compensation Act 1986</i>	<p>The process under which private land can be compulsorily acquired is set out in the <i>Land Acquisition and Compensation Act 1986</i> (LACA). Under the LACA, land required for a public purpose can be acquired by State Government Departments and Agencies. Acquisition can be done either compulsorily or by negotiation.</p> <p>The LACA provides:</p> <ul style="list-style-type: none"> ▪ The procedures for the compulsory or negotiated acquisition of land; and ▪ The procedures for the determination of compensation, including disturbance and severance costs.
<i>Transport Integration Act 2010</i>	<p>The <i>Transport Integration Act 2010</i> (TIA) provides a policy framework for transport and land use agencies. The TIA:</p> <ul style="list-style-type: none"> ▪ Provides for an integrated sustainable transport system by unifying all elements of the transport portfolio; ▪ Provides for a 'triple bottom line' (economic, social and environmental) assessment of the transport system; ▪ Provides for a common vision, objectives and principles for integrated and sustainable transport policies and operations; ▪ Provides for the integration of land use and transport planning by including 'interfacing bodies / agencies' under the coverage of the Act; and ▪ Recognises that the transport system should be conceived and planned as a single system rather than competing modes.
Regional	
Central Highlands Regional Strategic Plan, June 2010	<p>The Central Highlands Regional Strategic Plan (CHRSP), June 2010 was prepared by member Councils of the Central Highlands Region and co-ordinated by Regional Development Victoria on behalf of State Government. The CHRSP enunciates a Regional vision and a set of strategic directions and actions to be pursued. The following excerpt from the CHRSP is of direct relevance to the Planning and Land Use directions for the Western Highway:</p> <p><i>"3.3.2 Transport Upgrades - The road and rail east - west transport spine across the region with the further planned improvements to the Western Highway, such as the duplication of the Western Highway from Ballarat to Stawell (funded by Auslink). The VicRoads project scope is to include in the construction the bypasses of Trawalla, Buangor and Great Western. The ultimate construction of these critical aspects of infrastructure will strengthen the region's comparative advantage against other regions in the State."</i></p>
Wimmera Regional Catchment Strategy	<p>The Wimmera Regional Catchment Strategy (WRCS) is a blueprint for investment in environmental projects over a five year period. It provides the vision for the future landscape of the Wimmera based on good science and local commitment to a sustainable landscape improvement. The WRCS details projects and objectives to enhance and conserve the following regional assets:</p> <ul style="list-style-type: none"> ▪ Wetlands, streams and terminal lakes ▪ Groundwater ▪ Agricultural land ▪ Heritage sites ▪ Parks and reserves ▪ State forests ▪ Remnant vegetation.

Legislation/Policy	Description
Wimmera Southern Mallee Regional Plan 2010	<p>The Wimmera Southern Mallee Regional Plan (RMCG, June 2010) (WSMRP) directly references the importance of the Western Highway as "<i>the Western Highway is the principal road link between Melbourne and Adelaide, serving interstate trade between Victoria and South Australia</i>". The WSMRP acknowledges the need "<i>To improve road safety and enhance road freight efficiency, upgrading the Western Highway to a four lane highway between Stawell and the South Australian border is a long-term aspiration of the Wimmera Southern Mallee</i>".</p> <p>The WSMRP also states as an action, the "<i>Duplication of the Western Highway to the South Australian border to provide a safe road transport corridor through the region</i>".</p>
Local	
Ararat Planning Scheme and Northern Grampians Planning Scheme	<p>A planning scheme sets out objectives, policies and provisions relating to the use, development, protection and conservation of land in the area to which it applies. A planning scheme is established under the <i>Planning and Environment Act 1987</i> and regulates the use and development of land through planning provisions designed to achieve those objectives and policies. In this instance, the Ararat Planning Scheme and the Northern Grampians Planning Scheme are relevant to the study area.</p>
Ararat Residential Land Use Strategy 2005	<p>The objective of this strategy is to address the 30 year housing needs for the town of Ararat. Ararat has significant opportunities to address anticipated housing demand beyond the year 2035. The residential options discussed in this strategy are a high level identification of residential and rural residential land to address the housing needs of Ararat. The options also address many of the Victorian Government criteria for identifying residential land. It is important to note that to clarify a more detailed demand and supply position a local structure plan will have to be undertaken in the identified areas.</p>
Ararat Rural Zone Review 2007	<p>In 2007, a review of Rural Zones was undertaken within the Ararat Rural City. The review was undertaken to assess the 8,000 rural zoned lots which were less than the 40 hectare (ha) minimum lot size. The objective of the review was to provide recommendations to Council associated with the long term planning framework to guide urban residential and rural living (rural residential) development and to provide a framework for the development of dwellings on land in the Farming Zone. The Ararat Rural Zones Review suggested guidelines be incorporated into the planning scheme for residential development on lots less than 40ha. Recommendations from the Review associated with rural residential development and township frameworks were incorporated into the Planning Scheme, however, the guidelines for urban residential development are yet to be incorporated.</p>
Ararat Environmental Sustainability Strategy 2010-2020	<p>In September 2008 Ararat Rural City completed a Local Environment Sustainability Priority Statement (LESPP) which outlines and commits Council to key Accord Principles and forms the basis of future programs. The LESPP forms the action component of the Ararat Environmental Sustainability Strategy 2010-2020. The Strategy explores environmental themes, prioritises a plan of action and guide's Council's long term environmental management and sustainability commitments over the next 10 years.</p>
Ararat Rural City Council Plan 2009-2013	<p>The Council Plan sets the direction for Council to support the community through leadership and service provision. It is built on the following four 'pillars' and one 'Foundation' to achieve the vision of Ararat Rural City being 'Your location of choice':</p> <ul style="list-style-type: none"> ▪ Our People: We value our people and our community, their sense of place and connectedness and will target our services to meet their needs. ▪ Our Culture: We will strengthen the underlying community fabric by building upon the culture and heritage which defines our identity. ▪ Our Economy: We will enhance our community's prosperity through encouraging sustainable growth. ▪ Our Environment: We value our natural and built environment and want to manage, enhance and protect it, now and for future generations. ▪ Our Organisation (foundation): Our Council is open, fair and honest, engaging with the community to provide leadership and supporting our community through efficient and effective service provision.
Northern Grampians Council Plan 2009-2013	<p>The purpose of the Council Plan is to provide a framework for undertaking a range of actions that will enable the vision, 'Creating a better lifestyle and environment' of the Northern Grampians Shire to be achieved.</p> <p>The plan lists a range of goals and strategies to achieve the shared vision. The goals are:</p> <ul style="list-style-type: none"> ▪ A healthy, supportive and safe community providing a sustainable, quality lifestyle; ▪ A sustainable natural and built environment that meets current and future needs; ▪ A sustainable economy attracting and encouraging new enterprises while supporting existing businesses; and ▪ Progressive leadership, good governance, efficient and cost-effective services.

Legislation/Policy	Description
Northern Grampians Sustainable Living Strategy 2011	<p>The Northern Grampians Shire Council has developed a Sustainable Living Strategy to:</p> <ul style="list-style-type: none"> Ensure Council makes the pursuit of sustainable living a priority when undertaking its operations and fulfilling its responsibilities; Highlight sustainable gaps, concerns and issues; and Promote collective responsibility for sustainable living by engaging the community and supporting change. <p>The Strategy states that the Northern Grampians has some of the State's highest stressed ecosystems and that the Strategy has been prepared to help improve environmental management, reduce water use, energy use, and greenhouse gas emissions.</p> <p>Whilst the Western Highway is not part of the Strategy, improved traffic flow along the highway will assist in reducing greenhouse gas emissions and indirectly support Council's Strategy.</p>
Stawell – Ararat – Halls Gap Triangle Rural Zone Review (Draft Report) 2012	<p>This report was prepared by Planisphere for Ararat Rural City Council and Northern Grampians Shire Council to review existing rural zones and local level strategies and policies within Ararat Rural City and the Northern Grampians Shire to:</p> <ul style="list-style-type: none"> Establish a strategic vision for the study area; Provide clear direction for the staging of use and development; Make recommendations regarding effective and seamless planning controls across the municipal boundary; and Improve the application of the rural zones across Shire boundaries based on available strategic information. <p>The Western Highway forms the eastern boundary of the study area and as part of the rural zones review, further analysis was undertaken of the current and future tourism opportunities at Great Western arising from the Western Highway Project.</p> <p>The report acknowledges that there are a range of zones within the Great Western township and that zones around Best's Winery could be further investigated to protect future operations following finalisation of the alignment for the Western Highway Project. The report also recommends Council 'amend Clause 21.05 of the Planning Scheme to promote the revitalisation of Great Western associated with the Western Highway duplication'.</p> <p>On balance, the report notes that the duplication of the Western Highway provides an opportunity to revitalise the town centre and reinforce its role as a key tourism node in the Triangle. It is noted this report is currently out for comment and is yet to be finalised or implemented</p>
Country Towns Water Supply and Sewerage Program	<p>The Country Towns Water Supply and Sewerage Program commenced in July 2005. Since then, it has funded sustainable solutions to improve water and sewerage connections to small towns throughout Victoria. As part of the Program, Great Western has received funding to provide a sewerage scheme to the town that will comprise a pump well unit on each property that collects wastewater and grey water and pumps it to a central wastewater treatment plant.</p> <p>The Program will seek to avoid any potential impacts on public health or the environment resulting from faulty or ill maintained septic systems. Provision of a sewerage system within Great Western may also assist in facilitating growth of the township.</p>

8.5 Existing Conditions

8.5.1 Current Land Uses and Development

The Planning and Land Use Assessment considers the existing land uses within the study area and potential land uses having regard to planning controls. The study area has been divided based on municipal boundaries for ease of description, as outlined below:

- Ararat Rural City: commencing at Pollard Lane on the western side of Ararat and extending approximately 7 kilometres (km) to the Armstrong Deviation; and
- Northern Grampians Shire: commencing at the Armstrong Deviation and continuing for approximately 17km to Gilchists Road on the outskirts of Stawell.

Figure 8-1 illustrates the location of the municipal boundary in relation to the study area.

8.5.1.1 Ararat Rural City

The study area within the Ararat Rural City extends for approximately 7km, passing the locality of Armstrong, which was subject to a previous highway bypass (known as the Armstrong Deviation) approximately 10 years ago. The Melbourne-Adelaide railway line extends adjacent to (and under) the highway near Armstrong.

Land which abuts either side of the highway is mainly privately owned land (aside from the Ararat Regional Park) and comprises a range of allotment sizes (approximately 0.2ha to 54ha). The construction of the Armstrong Deviation has resulted in the creation of some smaller landholdings in this location.

The area also includes properties that have been developed for an olive grove and vineyards, located adjacent to the existing Western Highway. In addition, there are a number of dams which have been constructed within the study area along both sides of the Highway. It is also noted that the entire study area is covered by two current Mineral

Exploration Licences: Brimstone Resources Ltd and Range River Gold Ltd.

The Armstrong locality was subject to historic gold mining activity and the remnants of former mining works exist in places alongside the highway and in the wider area.

8.5.1.2 Northern Grampians Shire

The study area within the Northern Grampians Shire extends for approximately 17km and includes the proposed north – eastern bypass of Great Western. The proposed alignment extends adjacent to the existing highway (aside from the bypass) and land adjacent to the highway has been developed for agricultural purposes including grazing and viticulture.

Within and adjoining the township of Great Western are renowned vineyards, including Seppelt, Best's and Grampians Estate wineries. The immediate area surrounding the Western Highway is predominantly rural / rural residential, with agricultural land and bush reserves in the surrounding area.

It is noted that the highway extends over a number of creeks, including multiple times over the Concongella Creek, which was subject to flooding in January 2011. A summary of the flooding impacts are outlined in Chapter 12 (Surface Water).

Land to the north of Great Western has been developed for quarries and a former landfill. There are four current extractive industries (sand/gravel) owned by; Robert Briggs, K and J Baker Cartage Pty Ltd, Gregory James Newton and Northern Grampians Shire Council.

North-west of Great Western, the study area is predominantly agricultural land with a number of established dwellings located on rural properties. The Stawell Park Caravan Park and the 18-hole Grange Golf Course are located towards the end of the Project area, on the outskirts of Stawell.

The road reserve and surrounding area contains established vegetation, as described in the Biodiversity and Habitat Impact Assessment (refer to Technical Appendix H and Chapter 13). In addition, there are areas of Cultural Heritage significance which have been considered as part of the Cultural Heritage Impact Assessment (Refer to Technical Appendix I, J and K and Chapter 14).

8.5.2 Tenure

Land titles have been reviewed for the study area. The majority of land within the study area is freehold land, with areas of Crown Land managed by either VicRoads (Western Highway), VicTrack (railway line), or Department of Sustainability and Environment and Parks Victoria (Ararat Regional Park). Local access roads are generally Crown land (government roads) managed by the respective Councils.

It is noted most of the titles are broad acre, however, there are smaller lot subdivisions in the following locations:

- The Armstrong township, where allotments are as small as 0.2ha to 8ha.
- Great Western, where conventional residential lots are located, and lots of approximately 8ha on the edge of the town where the proposed alignment is located.
- Outskirts of Stawell, where allotments range from 2ha to 8ha.

Appendix D of Technical Appendix C (Planning and Land Use Impact Assessment) contains a mapbook illustrating the alignment and land tenure pattern within the project area.

8.5.3 Infrastructure

8.5.3.1 Physical Infrastructure

A review of existing utility services was undertaken based on available data, which identified local services and confirmed there are no State significant infrastructure pipelines or power lines within the study area. A detailed infrastructure services search would need to be completed prior to any roadworks being undertaken.

Roads and rail infrastructure identified within the study area are summarised in Chapter 9 (Traffic and Transport).

8.5.3.2 Community Infrastructure

The main concentration of community infrastructure in the study area is located in the township of Great Western. The details of schools, health services, and recreation and community infrastructure are outlined in Chapter 18 (Social).

8.5.4 Potential Future Land Use and Development

Potential future land uses and initiatives were identified during discussions with Ararat Rural City and Northern Grampians Shire planning officers. As of November 2012, the following permit applications were being considered by the Northern Grampians Shire Council:

- An 8 lot subdivision application in London Road, Stawell (affecting property Nos 3001 and 3002). This application is currently being considered by Council at the time of preparing the EES and would be impacted by the alignment.
- Application for planning permit for buildings and works at 111 Bests Road. Whilst the property is within the project area, the proposal comprises an extension to a shed and is situated outside the construction footprint.

In addition to the planning permit application, the Northern Grampians Shire Council is contemplating a planning scheme amendment to implement a Floodway Overlay (FO) around Great Western. It is

noted that this is a possible future amendment and is not currently listed.

As of November 2012, there are no current Planning Scheme Amendments and permits within the Ararat Rural City that are situated within the study area.

8.6 Impact Assessment

8.6.1 Key Issues

The key issues for consideration as part of the Planning and Land Use Assessment include:

- Temporary disruption to utility services and decreased amenity during the construction of the Project;
- Potential for longer term land use change and reduced amenity associated with a new road alignment; and
- Lack of compliance with planning policies due to the fragmentation of impacted properties.

The following Section 8.6.2 outlines in greater detail the potential planning and land use impacts of the proposed road alignment.

8.6.2 Impact Pathways

The Impact Pathways for the Planning and Land Use Assessment are:

- Potential for affects to existing infrastructure or utility services, including the Melbourne-Adelaide Railway Line;
- Potential short term and long term impacts for farming / agricultural purposes (including vineyards) activities resulting from acquisition; and
- Potential for inconsistency with planning policies and schemes (Ararat and Northern Grampians).

8.6.2.1 Short term Impacts

The Project is expected to have medium impacts over a short term during construction on utility services. There are a number of utility services located within and adjacent to the road reserve. Infrastructure that would be impacted includes overhead electricity lines, underground pipelines, and underground communication lines. The Project would result in two new crossings of the Melbourne-Adelaide Railway line. The short term impacts can be managed by VicRoads as part of the construction process in order to minimise impacts on landowners and infrastructure users.

8.6.2.2 Long term Impacts

The Project would result in a positive impact on the amenity of Great Western with the relocation of heavy vehicles out of the town.

The proposed bypass is also expected to have a positive impact on the safety of residents and visitors crossing the main road and is expected to reduce the noise emissions in the town.

The Project would result in the acquisition of parcels of landholdings but the majority of titles along the alignment are currently below the minimum lot size for a house except with a planning permit within both the Ararat and Northern Grampians Planning Schemes. The Project is expected to result in the reduced development potential of property 3001 which is situated in a Rural Living Zone with a minimum lot size of 8ha. The Project would reduce the lot area from approximately 8.7ha to 2ha. It is noted that the final amount of acquisition is subject to detailed design and finalisation of the PAO. The property is also subject to a current planning permit application for subdivision.

The Project would result in isolated impacts on some landowners along the alignment where acquisition of land would be required. In addition to land acquisition, some farm infrastructure (such as sheds or dams) and some dwellings are located within the construction footprint and would therefore be demolished/removed. Acquisition and compensation for these assets would be considered by VicRoads consistent with the provisions of the *Land Acquisition and Compensation Act 1986*.

The Project extends through a wine region and there was potential for significant impacts. However, the proposed alignment has been designed and sited with landowner inputs in order to minimise potential impacts. The front of some properties which have either grapes or olives (Property Nos 2533, 2546, 2550, 2710) would be subject to some acquisition. However, the extent of acquisition has been minimised in order to maintain operations for landowners. Any impact on the viability of any businesses would be subject to the *Land Acquisition and Compensation Act 1986*. Refer to Appendix D of Technical Appendix C for land tenure mapbook.

The proposed alignment extends across one operating vineyard in multiple titles on the north-eastern side of Great Western (Property No.s 2899, 2900, 2903, 2904, 2923 and 2928) but has been sited to not directly impact on the vines within the property.

The proposed alignment would require the acquisition of land from Property No. 2590, which has a trotting track adjacent to the existing highway. As part of the Project, the trotting track would no longer be able to function in its current configuration and compensation would be payable for its reconfiguration.

The alignment extends across a former landfill and through a quarry. The potential impacts associated with the landfill are related to relocation of waste materials which has been subject to separate analysis in the Soils and Geology Impact Assessment (Technical Appendix E). Any material to be relocated would require approval from the Environmental Protection Authority. The impact on the quarry would be longer term, however, there could be short

term benefits for the quarry in the supply of construction materials for the new roadway.

The Project would result in a negligible impact associated with land use change affecting patterns of economic and social activity. Within the study area, social gathering points and areas of economic activity include Great Western, Armstrong, Sisters Rocks, Ararat Regional Park, Stawell Park Caravan Park and Grange Golf Course. The Planning and Land Use assessment has found that access to these locations is a key consideration and the alignment has been designed to maintain access to each of the key locations, and appropriate signage would assist in maintaining accessibility for visitors.

Where the alignment is designed to freeway (AMP1) standard, alternate points of access would be available via new service road, or via existing side roads. Access to Stawell Park Caravan Park and Grange Golf Course outside Stawell would be via a new service road accessible from the London Road interchange.

It is considered that the Project would have a minor impact compared to a "Do Nothing" proposal in relation to longer term land use because the acquisition of land has been restricted to property boundaries where possible and the footprint of the

alignment has been varied to avoid or minimise impact on particular land uses, such as vines that are situated close to the existing highway and access arrangement and continuation of utility services can be maintained over the longer term. Minimisation of the construction footprint by VicRoads has reduced the overall potential impacts on landowners and the ongoing viability of land uses within the area.

8.6.2.3 Compliance with Planning Policies

It is considered that the Project is consistent with the State and Local Planning Policies which recognise the importance of major freight arterial routes to the economy of the State. Refer to Table 8-2 for an overview of the relevant State and Local policies in both the Ararat and Northern Grampians Planning Schemes.

The Project would result in minor impacts on existing planning policies and strategies and could have a positive outcome on the future growth of Great Western through improved amenity for the township. There are strategic objectives associated with the Western Highway in the planning schemes, which acknowledge the importance of the road as part of the national freight route and for connection of towns within the study area.

Table 8-2 Compliance with State and Local Planning Policy Framework

Clause	Principle/Objective	Compliance
State Planning Policy Framework (Ararat and Northern Grampians Planning Schemes)		
Clause 11.05 Regional Development	To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.	Compared with a 'do nothing' Option, the proposed alignment would assist in regional employment during the construction of the Project and during operation would reduce travel times to regional areas as well as improving access to the Grampians and other tourism destinations.
Clause 12 Environment & Landscape Values	Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values	The proposed alignment would require the removal of native vegetation. However, alignment option assessment and detailed alignment selection and involvement of the biodiversity and habitat specialists has assisted in reducing the potential overall impacts.
Clause 14 Natural Resource Management	Relevant policies within this Clause include those relating to protection of agricultural land, catchment planning and management, water quality and mineral and stone resources.	The proposed alignment is considered to have some impact on agricultural and extractive industrial (quarry) land when compared to the existing Western Highway alignment. The proposed alignment would extend across the quarry and materials extracted from the quarry could be utilised for the construction of the new road. Accordingly, the quarry is expected to have a short term benefit resulting from the Project.
Clause 18 Transport	This Clause seeks to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.	The proposed alignment has been designed to achieve the greatest overall benefit to the community and with regard to making the best use of existing social, cultural and economic infrastructure, minimising impacts on the environment and optimising accessibility, safety, emergency access, service and amenity.

Clause	Principle/Objective	Compliance
Local Planning Policy Framework – Ararat Planning Scheme		
Clause 21.03 Settlement & Housing	<p>To retain and promote the individual character and role of each of the towns as follows:</p> <ul style="list-style-type: none"> Ararat as the major residential, service and business centre in the municipality To control development in townships having regard to the environmental and physical sensitivities. To promote living opportunities in the Ararat central business district. To focus rural living opportunities in identified areas around existing towns and serviced areas. 	<p>The municipality is heavily dependent on road transport as its primary means of transport and travel. The Western Highway through the municipality is a principal road, linking state capital cities and is designated as a National Highway. This Clause supports the upgrade of the Western Highway and its underlying objectives to maintain safe and efficient access to key towns within the municipality.</p>
Clause 21.05 Economic Development	<ul style="list-style-type: none"> To maintain and promote a viable and sustainable agricultural industry. To recognise and protect farmland as an important resource. To promote and maximise the benefits of tourism for the municipality. 	<p>The proposed alignment seeks to minimise travel time for businesses utilising the highway and also to assist in tourism through safer road connections. Adoption of VicRoads' Tourism Signage Policy would assist in maintaining and promoting tourism for businesses along and off the highway.</p> <p>The proposed alignment has also taken into consideration the potential impacts on lot sizes and the ability for ongoing viable land uses.</p>
Local Planning Policy Framework – Northern Grampians Planning Scheme		
Clause 21.05 Settlement	<p>To facilitate the orderly development of the Shire's main townships.</p> <p>Stawell:</p> <ul style="list-style-type: none"> All urban development will be directed to the north of the Western Highway, ensuring that its role as a bypass is not prejudiced. <p>Great Western:</p> <ul style="list-style-type: none"> All development with frontage to the Western Highway will have regard to the importance of the highway as a national road. 	<p>The proposed highway alignment could provide a bypass of Great Western, reducing the volume of heavy vehicle movements through the town. The Municipal Strategic Statement (MSS) outlines the proposed growth of Great Western, but notes that further development is restricted by existing flood prone areas and poor soils which do not support septic systems. The new highway alignment could provide a new boundary to the town to the north-east.</p>
Local Planning Policy Clause 22.02 Western Highway	<p>To ensure that the use and development of land does not prejudice the levels of service, safety and amenity of the Western Highway.</p> <p>To minimise any adverse effects of noise from traffic using the highway, particularly where the highway passes through Stawell and Great Western.</p>	<p>The Project is consistent with and supports this Clause in that the policy recognises the importance of the highway to provide access to the region and supports the Project and its underlying objectives to maintain safe and efficient access to the region.</p>

8.7 Risk Assessment

An environmental risk assessment was undertaken on the Project options to identify key environmental issues associated with the construction and operation of the Project. The methodology for this risk assessment has been described in Chapter 4 (EES Assessment Framework and Approach to EES Investigations).

A risk assessment report that explains the process in detail and contains the complete Project risk register has also been included as Technical Appendix Q.

Table 8-3 shows a summary of the following in relation to planning and land use:

- The impact pathways identified; and
- A description of the consequence of each impact pathway.

Table 8-3 Planning and Land Use Risks

Risk No.	Impact Pathway	Consequence Description
PLU1	Potential for short term impacts from the Project associated with existing infrastructure, utility services, including fibre optic cables, overhead electricity lines, underground water pipelines, and the Melbourne-Adelaide railway line.	The safe and efficient operation or maintenance of utilities or infrastructure is disrupted during construction, with services being realigned along the new carriageway or median, affecting continued service, and ongoing ability to safely maintain the utility.
PLU2	Potential impact on short term and longer term use of land for farming / agricultural purposes, activities resulting from acquisition and potential for land use change.	Acquisition would be limited to the edge of property boundaries except for the bypass of Great Western. Properties that would have short term impacts include 2533 (olive grove), 2546 & 2555 (vines), 2590 (trotting track to be relocated), 2710 (vines), 2888 & 2889 (Quarry and former landfill), 2894 & 2895 (quarry), 2899, 2900, 2903, 2904, 2923 & 2928 (vineyard), 3024, 3001 and 3002. In each of these instances, part of the property would be impacted and arrangements may need to be made to address ongoing land use.
PLU3	Potential for inconsistency with planning policies and schemes including the Ararat and Northern Grampians Planning Schemes.	The Project would result in severance of some land parcels smaller than the minimum lot sizes for development of a house without a planning permit and loss of native vegetation, including habitat corridors. The importance of the Western Highway is recognised as a major freight / arterial route through both the Ararat and Northern Grampians municipalities. Accordingly, access and connectivity along the highway should be maintained. The bypass of Great Western has the potential to improve amenity of the town and attract future growth.

8.8 Environmental Management Measures

VicRoads has a standard set of environmental management measures which are typically incorporated into its construction contracts for road works and bridge works. These measures have been used as the starting point for the assessment of construction related risks and described in detail in Chapter 21 (Environmental Management Framework). In some instances, additional Project specific environmental management measures have been recommended to reduce risks.

Management measures specific to each identified planning and land use risk, and the residual risk rating after these environmental management measures have been applied, are outlined in Table 8-4 and Chapter 21 (Environmental Management Framework).



Gateway to Ararat

Table 8-4 Planning and Land Use Environmental Management Measures and Residual Risk

Risk No.	Environmental Management Measure	Residual Risk
PLU1	Relocation of the assets would be undertaken in accordance with provider requirements. Where practicable, assets would be kept within the road reserve. Easements would be sought in private freehold property as necessary. Services to be located outside of clear zone where within the road reserve. Relocation of assets would be undertaken in accordance with VicRoads Contract Shell requirements 1140.02, 1140.03	Medium
PLU2	Alternate access arrangements would be made where appropriate. Compensation would be paid to landowners associated with the loss of land and impact on farming operations.	Medium
PLU3	Clause 22.02 of the Northern Grampians Planning Scheme seeks to protect the ongoing use of the Western Highway and to minimise potential effects on Great Western township. Consolidation would be considered with adjoining lots in situations where the small size of the allotment left following acquisition affects the agricultural viability of the land, or the ability to develop a dwelling on the lot consistent with the zoning or Council policy. Any necessary compensation would be managed via the <i>Land Acquisition and Compensation Act 1986</i> .	Low

8.8.1 Residual Risks

Following implementation of the recommended mitigation measures, there are not expected to be any significant impacts, with the overall risk relating to Planning and Land use being medium.

8.9 Planning Scheme Amendments

In addition to the EES, planning approvals are required to facilitate the Project under the zone and overlay provisions of the Ararat and Northern Grampians Planning Schemes, as outlined in the Planning and Land Use Assessment (Section 7 of Technical Appendix C). Further, VicRoads cannot compulsorily acquire land under the *Land Acquisition and Compensation Act 1986* unless the land is first reserved via a 'planning instrument'. In a Planning Scheme, a 'Public Acquisition Overlay' (PAO) is the appropriate planning instrument to facilitate the acquisition of land.

A PAO can only be included in the Ararat and Northern Grampians Planning Schemes via a Planning Scheme Amendment (PSA). In addition to applying a PAO to the Project area, the PSA for the Project can provide for permit exemptions.

Accordingly, a PSA would be required to the Ararat and Northern Grampians Planning Schemes that:

- Applies a PAO over the area of land to be acquired for the Project;
- Provides for site specific planning permit exemptions under Clause 52.03 (Specific Sites and Exclusions) for the Project; and
- Introduces an Incorporated Document under Clause 81.01 that details approvals requirements (such as compliance with a CEMP).

As per the above, a draft PSA has been prepared for both the Ararat and Northern Grampians Planning

Schemes and is included in Technical Appendix C. The draft documents include one explanatory report which is common to both planning schemes and tailored Schedules to both schemes.

Whilst the drafts PSAs are being exhibited with the EES, it is not formal exhibition of the PSAs within the meaning of the *Planning and Environment Act 1987*. The exhibition with the EES, however, provides the opportunity for persons to comment on the PSAs along with the EES.

It is proposed that the planning scheme amendments to each of the Ararat and Northern Grampians Planning Schemes be processed pursuant to Section 20(4) of the P&E Act (the Minister for Planning being the planning authority). This is appropriate because:

- The Minister must consider the EES
- The Project is of significance to the State of Victoria
- The environmental, social and economic effects of the Project are considered through the EES process
- There has been extensive community consultation throughout the process of preparing the EES
- Relevant documents are exhibited with the EES.

A summary of the proposed planning scheme amendment process for the Project is provided in Figure 3-6 in Chapter 3 (Project Approval Requirements).

8.10 Conclusion

The proposed alignment utilises the existing highway corridor for the majority of the study area and therefore has reduced potential impacts on planning and land use compared to a new alignment through green-fields. The proposed alignment has been

designed to minimise impacts on existing land uses by varying the corridor to accommodate either land uses on private property or to avoid significant vegetation where possible. It is expected that there would be limited change to existing agricultural land use given the majority of allotments are below the minimum lot size and the Project would only reduce the development potential of one allotment (No. 3001).

At Great Western, the existing township would benefit from the bypass as the amenity and safety is expected to be improved by removing the heavy vehicles out of town. In addition, other initiatives, such as the reticulated sewerage program could make the town a more attractive prospect for permanent residents.

The Project would have a temporary impact on existing utility service provision and would require consultation with relevant service providers and

operators prior to works commencing. This would allow services to be realigned with minimal impact on landowners and farming. This potential impact would be appropriately managed by the Construction Environmental Management Plan prepared for the Project.

Overall, from a Planning and Land Use perspective, it is expected that the Project would result in a benefit for the region and to Victoria, principally in relation to enhancing existing road infrastructure and its associated safety, efficiency and economic benefits at a local and regional level. Whilst there are some disbenefits and impacts, these are generally minor, short term or localised, or as described in Table 8-4, could be reduced with the recommended mitigation measures.



Melbourne – Adelaide Railway Line