

ARARAT PLANNING SCHEME – AMENDMENT C* NORTHERN GRAMPIANS PLANNING SCHEME – AMENDMENT C*

EXPLANATORY REPORT

Who is the planning authority?

These amendments have been prepared by the Minister for Planning, who is the planning authority for the amendments.

Land affected by the amendment

The amendments affect land within 1.5 kilometres adjacent to the existing Western Highway between Ararat and Stawell as illustrated in the Western Highway Project Section 3 Environment Effects Statement and contained in Figure 1 of the Incorporated Document forming part of this amendment.

More specifically, within the Ararat Planning Scheme, the amendment applies to land between Pollard Lane (north of Ararat) and Mckays Woolshed Road (just north of the Armstrong township).

Within the Northern Grampians Planning Scheme, the amendment applies to land between Mckays Woolshed Road and Gilchrist Road, Stawell, including land required for a bypass to the east of Great Western.

What the amendment does

The amendments apply Public Acquisition Overlays along the proposed alignment of the duplicated Western Highway to facilitate acquisition of land by the Roads Corporation (trading as VicRoads).

The amendments also exempt all buildings, works and activities required for the Western Highway Project (Section 3 – Ararat to Stawell), including the lopping, destruction or removal of vegetation, from any prohibitions, constraints or planning permit requirements which may be contained within the planning scheme by means of an Incorporated Document. The Incorporated Document, exhibited as part of the planning scheme amendments, will require that all works be carried out in accordance with an approved Construction Environmental Management Plan (CEMP).

Ararat Planning Scheme:

The amendment:

- Introduces planning scheme map 5PAO into the Ararat Planning Scheme;
- Amends the Schedule to Clause 52.03 'Specific Sites and Exclusions' to exempt the Western Highway Project (Section 3 Ararat to Stawell) and associated works from requiring planning permits;
- Amends Clause 61.03 to reflect the addition of new planning scheme maps to the Ararat Planning Scheme; and
- Amends Clause 81.01 to introduce the 'Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE' as an incorporated document within the Ararat Planning Scheme.

Northern Grampians Planning Scheme:

The amendment:

- Introduces Clause 45.01 Public Acquisition Overlay (PAO) into the Northern Grampians Planning Scheme;
- Introduces a Public Acquisition Overlay (PAO1) at the Schedule to Clause 45.01 into the Northern Grampians Planning Scheme;
- Amends the Table of Contents to include reference to Clause 45.01 Public Acquisition Overlay;
- Introduces planning scheme maps 26PAO and 39PAO into the Northern Grampians Planning Scheme;
- Amends the Schedule to Clause 52.03 'Specific Sites and Exclusions' to exempt the Western Highway Project (Section 3 Ararat to Stawell) and associated works from requiring planning permits;
- Amends Clause 61.03 to reflect the addition of new planning scheme maps to the Northern Grampians Planning Scheme; and
- Amends Clause 81.01 to introduce the 'Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE' as an incorporated document within the Northern Grampians Planning Scheme.

Strategic assessment of the amendment

• Why is the amendment required?

The amendment is required to reserve land in addition to other changes required to the planning schemes to facilitate the duplication of the Western Highway, within the Rural City of Ararat and Northern Grampians Shire consistent with the Western Highway Project: Section 3 (Ararat to Stawell) Environment Effects Statement.

The Western Highway forms part of the principal road link between Melbourne and Adelaide and part of the National Land Transport Network. The Western Highway Project proposes that the 100km long section of the existing Western Highway, between Ballarat and Stawell (excluding bypasses of Beaufort and Ararat) be progressively upgraded to create a safer and more efficient four-lane divided road.

The amendment is required in order to facilitate the Western Highway Project to allow for the staged upgrade of the existing highway to meet demand and address safety requirements.

In October 2010, the then Minister for Planning determined an Environment Effects Statement (EES) is required as the Project...*"could have significant effects on existing land uses, infrastructure and communities, including by impacting on amenity and landscapes..."* This amendment has been prepared based on an alignment determined by the EES process which provides a balance between matters including safety, environmental and social needs.

• How does the amendment implement the objectives of planning in Victoria?

The planning scheme amendment will be supportive of and assist in the implementation of the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*. In particular, the amendment implements:

- 4(1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land; through the facilitation of a principal stage of a major highway duplication which has appropriately assessed the environmental, social and economic impacts to ensure a balanced and sustainable option.
- 4(1)(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity; through the completion of an Environment Effects Statement and thorough assessment process to balance resources, environmental investigation and the design considerations of the alignment and the use of an approved CEMP to ensure that all works meet appropriate environmental requirements.
- 4(1)(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria; through its achievement of a safe and efficient road system for local road users and wider travelling public.
- 4(1)(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; by design considerations and mitigation of any potential effects on the heritage values and features of the area.
- 4(1)(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; by facilitating the provision, protection and coordination of a major public infrastructure asset of benefit to the community.
- 4(1)(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); through facilitating development of an important component of the State and regional road system that best meets the Minister's environmental assessment and objectives for planning in Victoria.
- 4(1)(g) to balance the present and future interests of all Victorians; by consideration of the short and long term environmental, social and economic benefits to the community of an upgraded major infrastructure asset.

• How does the amendment address the environmental effects and any relevant social and economic effects?

The amendments implement Section 3 of the Western Highway Project (the Project), which has been considered by the Minister for Planning under the *Environment Effects Act 1978*. This process has included the preparation of an Environment Effects Statement (EES) to consider of potential environmental, social and economic effects of the Project.

The EES includes an Environmental Management Framework (EMF) which would guide the management of potential environmental effects resulting from the proposed works. The EMF comprises mitigation measures required to reduce potential impacts of the Project to acceptable levels, and provides a framework for the preparation of an Environmental Management Plan, which is to be implemented through the requirements of the Incorporated Document.

Environmental Effects:

The EES outlines the potential environmental effects of the Project having regard to detailed studies, including flora and fauna, surface water, groundwater, air and noise assessment, soils and geology and heritage impact assessments. The EES states that potential environmental effects can be reduced by adopting the mitigation measures recommended in the EMF. In addition, the requirement in the *Western Highway Project, Incorporated Document, DATE*, for a Construction Environmental Management Plan(s) (CEMP) to be prepared and implemented, is intended to provide a suitable means to

establish an integrated and accountable framework for managing environmental effects during both project construction and operation.

The requirement in the *Western Highway Project, Incorporated Document, DATE*, for an Offset Management Plan to be prepared to the satisfaction of the Department of Sustainability and Environment would ensure that unavoidable losses of native vegetation are offset in accordance with Clause 52.17 of the Planning Schemes.

Social and Economic Effects:

The amendments will facilitate a Project that will have positive social impacts by providing improved safety and accessibility through the western region of Victoria. The EES included social, visual and economic impact assessments to determine the potential extent of impacts resulting from the Project. The proposed upgrade of the highway is not expected to have any adverse community health impacts, and amenity impacts would be managed through the implementation of the CEMP.

Impacts associated with the acquisition of land will be managed through compensation procedures under the *Land Acquisition and Compensation Act 1986*. As part of the EES, extensive consultation has been undertaken with landowners within the project area to help inform localised impacts resulting from the Project. In addition, the discussions with landowners have informed the final alignment of the Project and the land subject to acquisition is identified in the maps forming part of the amendments.

The Project is expected to result in positive economic effects at a regional and state level. The Western Highway is part of the National Freight route and upgrades to the road will result in improved efficiencies for the economy. In addition, the Project will generate employment primarily during the construction period with flow on effects to the wider economy. Further, it will improve links between Ararat and Stawell, and provide wider employment opportunities for the local residents.

- **How does the amendment address any relevant bushfire risk?**

The amendments would facilitate works associated with the acquisition of land for a new road carriageway and is not expected to have a detrimental impact on the existing bushfire risk. The Project has included consultation with the Country Fire Authority which has assisted in determining the final alignment for the duplication of the Western Highway.

- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is not affected by any of the Minister's Directions under Clause 12 of the Act. The amendment is consistent with the Ministerial Direction on the Form and Content of the Planning Schemes under section 7(5) of the Act.

The amendment complies with Ministerial Direction No. 11 – Strategic Assessment of Amendments, as outlined in this explanatory report.

- **How does the amendment support or implement the State Planning Policy Framework?**

The amendments support and implement the objectives and strategies of the State Planning Policy Framework (SPPF). In a broader context, the amendments will assist in improving the network across the region and thereby assist in promoting the regional competitive advantage and result in growth within Regional Victoria.

In relation to Clause 11 (Settlement), the Project is expected to respond to the needs of existing and future communities through the continued provision of zoned land for farming purposes and improved amenity for the town of Great Western. The amendment will result

in improved transport and land use integration through consideration of potential land use impacts through the development and selection of options.

In relation to Clause 12 (Environmental and Landscape Values), the amendment has considered biodiversity and protection of habitat in determining the final alignment. The Project includes a native vegetation offset strategy and has identified the extent of offsets required. As part of the Incorporated Document forming part of this amendment, net gain offsets will be secured through an agreement between VicRoads and DSE.

The amendment has considered environmental risks as outlined in Clause 13 (Environmental Risks). As part of the Project, a flood modelling assessment was undertaken along waterways intersecting the Project Area in order to inform the grade line of the new carriageways and to avoid any increased potential for future flooding. In undertaking the environmental assessment for the Project, potential impacts on air quality and noise emissions have been considered. On balance, as a result of the Project and more efficient grade lines, it is anticipated that existing air and noise conditions would be improved.

The amendment supports Clause 14 (Natural Resource Management) through the protection of agricultural land by limiting the public acquisition overlay to the boundaries of properties where possible. The amendment would also result in a safer commuting environment for the farming community within the project area through the introduction of service lanes. The amendment implements the objectives of Clause 14.02-1 associated with catchment planning and management through the protection of water catchments, waterways and groundwater within the project area.

The amendment is consistent with the objectives of Clause 15 (Built Environment and Heritage), including recognition of cultural identity through an extensive assessment of Aboriginal and non-Aboriginal heritage assessments. Where potential areas of significance were identified, the alignment for the new road was realigned where possible to protect these areas of sensitivity.

In relation to Clause 17 (Economic Development), the amendment is expected to result in improved road connectivity to the Grampians Region and thereby assist in promoting tourism opportunities. The amendment would also result in employment opportunities during the construction of the road for the local area.

In relation to Clause 18 (Transport) the amendment is expected to result in 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.

Clause 19 (Infrastructure) states that planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

The amendment is consistent with the strategic direction of the SPPF in that the proposed amendment will facilitate the development of a safer road which provides connectivity at the National, State and regional level.

- **How does the amendment support or implement the Local Planning Policy Framework?**

Ararat Planning Scheme

Local planning policies seek to protect and enhance the natural and built environment within Ararat. Access to Ararat is heavily dependent on road transport and the Western Highway is the principal linkage through the municipality (Clause 21.03). The upgrade of the highway will assist in facilitating access to local tourist destinations and will maintain safe and efficient access to the region. The EES has helped determine the alignment of the new highway, including confirmation of areas subject to flooding along the existing

highway. The new alignment will be designed to mitigate existing flooding issues, consistent with Clause 21.04. The Western Highway Project will result in new signage along the highway, consistent with VicRoads Policy and consistent with Council's requirement to discourage the proliferation of signage as outlined in Clause 21.04-8.

Northern Grampians Planning Scheme

Key considerations within the Northern Grampians Shire that relate to the Western Highway Project include:

- The protection and management of agricultural land;
- The stimulation of economic development and tourism; and
- The protection and management of the Shire's natural resources and environment.

Clause 21.06 seeks to support the development of sustainable agricultural and horticultural industries by discouraging the fragmentation of rural land by small lot subdivision. The alignment of the Western Highway has been sited to assist in reducing impacts on high quality agricultural land and reduce the potential for the creation of sub minimal lot sizes.

The upgrade of the highway is expected to have a positive impact on the future amenity of Great Western by removing heavy vehicles out of the township and by improving safety for existing and future residents. This is consistent with strategies outlined in Clause 21.05 that seek to provide for a vibrant small community at Great Western. The Western Highway Project Section 3 (Ararat to Stawell) in combination with other local initiatives may also improve viability for existing businesses in Great Western.

Clause 22.02 recognises the national importance of the Western Highway and encourages use and development of land that is consistent with its operation. In accordance with the objectives of Clause 22.02, management measures will be undertaken to minimise traffic noise during operation of the upgraded highway.

The selection of a proposed alignment for the duplication of the Western Highway has sought to achieve a balance between enhancing the safety and efficiency of an important transport route, and maintaining local economic viability, protecting the local environment and biodiversity values. Environmental values have been identified and considered through the selection of a proposed highway alignment. The amendment provides for the management of the environment and an Offset Management Plan will address Net Gain requirements.

• Does the amendment make proper use of the Victoria Planning Provisions?

The amendments make proper use of the Victoria Planning Provisions (VPPs) by retaining the existing zones and using Clauses 52.03 and 81.01 to include an incorporated document in the Ararat and Northern Grampians Planning Schemes, which establishes specific controls to facilitate the use and development of land for the purposes of the Western Highway Project Section 3 (Ararat to Stawell).

In addition, the amendments also make proper use of the VPPs through the use of the PAO and existing schedules to reserve land for road purposes on behalf of VicRoads.

• How does the amendment address the views of any relevant agency?

The views of relevant agencies have been obtained through a consultation program throughout the planning and design of the Project. In addition, agencies are provided an opportunity to make a submission to the Panel Inquiry appointed to consider the EES.

Agencies consulted as part of Section 3 (Ararat to Stawell) include:

- Aboriginal Affairs Victoria;
- Department of Planning and Community Development;

- Department of Sustainability and Environment;
 - Department of Sustainability, Environment, Water, Population and Communities;
 - Environment Protection Agency;
 - Wimmera Catchment Management Authority;
 - Heritage Victoria;
 - Parks Victoria;
 - Rural City of Ararat; and
 - Northern Grampians Shire.
- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The Western Highway Project Section 3 (Ararat to Stawell) will address the requirements of the *Transport Integration Act 2010*.

In preparing the amendment, the project has considered Division 2 of the *Transport Integration Act 2010*, which identifies the objectives relating to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, and safety, health and wellbeing. In accordance with the *Transport Integration Act 2010*, the functions of VicRoads are to construct, maintain and vary roads, plan for the road system as part of an integrated transport system, lead in the development and implementation of strategic and operational policies, and plan to improve the safety of the road system for all users.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The Minister for Planning, as the Planning Authority for this amendment, will have the majority of the resource and administrative costs associated with the processing and approval of the amendment. In addition, approval requirements and responsibilities have been outlined in the Incorporated Document forming part of this amendment.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

VicRoads

Western Highway Project office
237 Ring Road
Wendouree

Department of Transport Library

Level 5
121 Exhibition Street
Melbourne

Ararat Rural City Council

Ararat office
Corner Vincent and High Streets
Ararat

Northern Grampians Shire Council

Stawell office
63-65 Main Street
Stawell

**Department of Sustainability,
Environment, Water, Population and
Communities Resource Library**

John Gorton Building

King Edward Terrace

Parkes ACT

The amendments can also be inspected free of charge at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection.

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Planning and Environment Act 1987

ARARAT PLANNING SCHEME

AMENDMENT C* INSTRUCTION SHEET

The planning authority for this amendment is the Minister for Planning

The Ararat Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map.

Overlay Maps

1. Insert new Planning Scheme Map Nos. 5PAO in the manner shown on the attached maps marked Ararat Planning Scheme, Amendment C*.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Particular Provisions – Clause 52.03, replace the schedule with a new schedule in the form of the attached document.
3. In General Provisions – Clause 61.03, replace the schedule with a new schedule in the form of the attached document.
4. In Incorporated Documents – Clause 81.01, replace the schedule with a new schedule in the form of the attached document.

End of document

Amendment C*

List of changes to the Ararat Planning Scheme

Clause / Map Numbers	Change	Comment
PLANNING SCHEME MAP CHANGES		
INSERTING MAPS		
Map No 5PAO	Insert a new Planning Scheme Map in the manner shown on the attached map marked "5PAO Ararat Planning Scheme, Amendment C*".	Inserts a new planning scheme map into the Ararat Planning Scheme.
PARTICULAR PROVISIONS		
Clause 52.03 Schedule	In the address of land column, insert: "The land required for the Western Highway Project, Section 3 (Ararat to Stawell), as identified in Section 3 of the Incorporated Document". and opposite in the "Title of the Incorporated Document", insert: "Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE"	Includes the "Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE 2012" document into the Ararat Planning Scheme to provide project specific planning controls to allow for the construction of the Western Highway, Section 3 without the need for planning permits.
GENERAL PROVISIONS		
Clause 61.03 Schedule	Insert new Planning Scheme Map No. 5PAO into the Ararat Planning Scheme.	Updates the Schedule to Clause 61.03 to insert a planning scheme map into the Ararat Planning Scheme.
INCORPORATED DOCUMENTS		
81.01 Schedule	Inserts the following incorporated document to the Ararat Planning Scheme: "Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document [DATE] 2012".	Updates the list of incorporated documents in the Ararat Planning Scheme.
LIST OF AMENDMENTS		
List of Amendments	Insert: Amendment number "C*", In operation from "[DATE TO BE INSERTED BY DPCD]", Brief description:	Updates the list of amendments in the Ararat Planning Scheme.

Clause / Map Numbers	Change	Comment
	"Introduces maps to apply a Public Acquisition Overlay (PAO), and amends the schedules to Clause 52.03 and 81.01 by incorporating the 'Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE 'into the Planning Scheme to facilitate the acquisition of land and construction of Section 3 (Ararat to Stawell) of the Western Highway Project"	

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C*

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
The land required for the Western Highway Project, Section 3 (Ararat to Stawell), as identified in Section 3 of the Incorporated Document	Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE

SCHEDULE TO CLAUSE 61.03**Maps comprising part of this scheme:**

- 1, 1SLO, 1VPO1, 1VPO2, 1WMO
- 2, 2SLO, 2VPO1, 2VPO2, 2WMO
- 3, 3ESO, 3HO, 3SLO, 3VPO1, 3VPO2, 3WMO
- 4, 4ESO, 4HO, 4SLO, 4VPO1, 4VPO2, 4WMO
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- 6, 6VPO1, 6VPO2, 6WMO
- 7, 7HO, 7EAO, 7VPO1, 7VPO2, 7RXO
- 8, 8HO, 8PAO, 8RXO, 8EAO, 8VPO1, 8VPO2
- 9, 9HO, 9VPO1, 9VPO2, 9WMO, 9EAO
- 10, 10HO, 10EAO, 10VPO2, 10WMO
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- 12, 12DDO, 12DPO, 12ESO, 12HO, 12VPO1, 12VPO2, 12WMO
- 13, 13ESO, 13VPO1, 13VPO2, 13WMO
- 14, 14ESO, 14HO, 14VPO1, 14VPO2, 14WMO
- 15, 15ESO, 15VPO1, 15VPO2
- 16, 16ESO, 16HO, 16SLO, 16VPO1, 16VPO2, 16WMO
- 17, 17ESO, 17HO, 17SLO, 17VPO1, 17VPO2, 17WMO
- 18, 18ESO, 18HO, 18SLO, 18RO, 18VPO1, 18VPO2, 18WMO
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- 23, 23SLO, 23ESO, 23VPO1, 23VPO2
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- 25, 25EAO, 25HO, 25ESO, 25VPO2, 25PAO
- 26, 26ESO, 26HO, 26RO, 26VPO2, 26WMO
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- 30, 30ESO, 30HO, 30VPO1, 30VPO2
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- 33, 33ESO
- 34, 34ESO, 34VPO1, 34VPO2, 34WMO

35, 35ESO, 35HO, 35VPO1, 35VPO2

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C***SCHEDULE TO CLAUSE 81.01**

Name of document	Introduced by:
Ararat Heritage Study 1994	C7
Ararat Heritage Study Review 2001	C7
Sites of Biodiversity Significance in the Ararat Rural City – January 2004 (GHCMA and WCMA – Maps and Tables)	C7
Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE	C*

Planning and Environment Act 1987

NORTHERN GRAMPIANS PLANNING SCHEME

AMENDMENT C* INSTRUCTION SHEET

The planning authority for this amendment is the Minister for Planning.

The Northern Grampians Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 2 attached maps.

Overlay Maps

1. Insert new Planning Scheme Map Nos. 26PAO and 39PAO in the manner shown on the attached maps marked Northern Grampians Planning Scheme, Amendment C*.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Table of Contents – Clause 3, replace the Clause with a new Clause in the form of the attached document to include reference to Clause 45.01- Public Acquisition Overlay.
3. In Overlays – Insert new Clause 45.01 in the form of the attached document.
4. In Particular Provisions – Clause 52.03, replace the schedule with a new schedule in the form of the attached document.
5. In General Provisions – Clause 61.03, replace the schedule with a new schedule in the form of the attached document.
6. In Incorporated Documents – Clause 81.01, replace the schedule with a new schedule in the form of the attached document.

End of document

Amendment C*

List of changes to the Northern Grampians Planning Scheme

Clause / Map Numbers	Change	Comment
PLANNING SCHEME MAP CHANGES		
INSERTING MAPS		
Map No.s 26PAO and 39PAO	Insert new Planning Scheme Maps in the manner shown on the attached maps marked "26PAO and 39PAO" Northern Grampians Planning Scheme, Amendment C*".	Inserts a new planning scheme map into the Northern Grampians Planning Scheme.
TABLE OF CONTENTS		
Table of Contents	Insert: "45.01 Public Acquisition Overlay".	Updates the Table of Contents.
OVERLAYS		
Clause 45.01	Insert Clause 45.01 in the form of the attached document.	Inserts the Public Acquisition Overlay into the Northern Grampians Planning Scheme.
Clause 45.01 Schedule	Inserts a new Schedule to Clause 45.01 in the form of the attached document.	Inserts the Public Acquisition Overlay for the Western Highway Project: Section 3 – Ararat to Stawell.
PARTICULAR PROVISIONS		
Clause 52.03 Schedule	In the address of land column, insert: "The land required for the Western Highway Project, Section 3 (Ararat to Stawell), as identified in Section 3 of the Incorporated Document". and opposite in the "Title of the Incorporated Document", insert: "Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE"	Includes the "Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE 2012" document into the Northern Grampians Planning Scheme to provide project specific planning controls to allow for the construction of the Western Highway, Section 3 without the need for planning permits.
GENERAL PROVISIONS		
Clause 61.03	Insert new Planning Scheme Map No.s 26PAO and 39PAO into the Northern Grampians Planning	Updates the Schedule to Clause

Clause / Map Numbers		Change	Comment
Schedule	Scheme.		61.03 to insert planning scheme maps into the Northern Grampians Planning Scheme.
INCORPORATED DOCUMENTS			
81.01 Schedule	Inserts the following incorporated document to the Northern Grampians Planning Scheme: "Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document [DATE] 2012".		Updates the list of incorporated documents in the Northern Grampians Planning Scheme.
LIST OF AMENDMENTS			
List of Amendments	<p>Insert: Amendment number "C*", In operation from "[DATE TO BE INSERTED BY DPCD]", Brief description:</p> <p>"Introduces maps to apply a Public Acquisition Overlay (PAO), and amends the schedules to Clause 52.03 and 81.01 by incorporating the 'Western Highway Project: Section 3 – Ararat to Stawell Incorporated Document, DATE 'into the Planning Scheme to facilitate the acquisition of land and construction of Section 3 (Ararat to Stawell) of the Western Highway Project"</p>		Updates the list of amendments in the Northern Grampians Planning Scheme.

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C*

SCHEDULE TO THE PUBLIC ACQUISITION OVERLAY

PS Map	Acquisition Authority	Purpose of Acquisition
PAO1	Roads Corporation (VicRoads)	Western Highway Project: Section 3 – Ararat to Stawell

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
The Mildura Line (Gheringhap to Yelta) shown on the project area maps for the Rail Gauge Standardisation Project in the incorporated document.	Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002
Land between Lake Bellfield and Yaapeet required for the construction of the Wimmera Mallee Pipeline Project- Headworks and Western Leg Stage 1 as shown in the incorporated document.	Wimmera Mallee Pipeline Project Headworks and Western Leg January 2007
The Mildura Line (Gheringhap to Yelta) shown on the project area map for the Mildura-Geelong Rail Freight Upgrade Project in the incorporated document.	Mildura –Geelong Rail Freight Upgrade Project September 2007
Land in the shire required for the construction of the Wimmera Mallee Pipeline Project.	Wimmera Mallee Pipeline Project Northern Grampians Planning Scheme Incorporated Document.
The land required for the Western Highway Project, Section 3 (Ararat to Stawell), as identified in Section 3 of the Incorporated Document	Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE

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SCHEDULE TO CLAUSE 61.03

Maps comprising part of this scheme:

- 1
- 2, 2LSIO
- 3, 3HO, 3LSIO
- 4, 4LSIO, 4WMO
- 5, 5LSIO
- 6,
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- 28, 28EAO, 28HO, 28WMO
- 29, 29AEO, 29DDO, 29EAO, 29HO, 29WMO
- 30, 30EAO, 30HO, 30WMO
- 31, 31ESO, 31WMO
- 32,
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- 34, 34WMO

35, 35DDO, 35ESO, 35SLO, 35VPO, 35WMO

36, 36DDO, 36EAO, 36VPO, 36WMO

37, 37DDO, 37VPO, 37WMO

38, 38WMO

39, 39HO, 39ESO, 39PAO, 39LSIO, 39WMO

40, 40ESO, 40WMO

41, 41AEO, 41DDO, 41ESO, 41WMO

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C-**SCHEDULE TO CLAUSE 81.01**

Name of document	Introduced by:
Australian Standard AS2021-2000, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia International Ltd, 2000	VC11
Mildura –Geelong Rail Freight Upgrade Project September 2007	C23
Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002	VC17
Wimmera Mallee Pipeline Project Headworks and Western Leg January 2007	C21
Wimmera Mallee Pipeline Project Northern Grampians Planning Scheme Incorporated Document	C28
Western Highway Project: Section 3 – Ararat to Stawell, Incorporated Document, DATE	C*

Western Highway Project: Section 3 – Ararat to Stawell

Incorporated Document

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

DATE xxxx

1.0 INTRODUCTION

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

The land identified in this document may be used or developed in accordance with the controls in this document.

The controls in this document prevail over any contrary or inconsistent provision in the Ararat and Northern Grampians Planning Schemes.

2.0 PURPOSE

The purpose of the controls in this document is to allow the use and development of land for the purposes of the Western Highway Project, Section 3 – Ararat to Stawell.

3.0 LAND

The controls in this document apply to the land shown in Figure 1: Western Highway Project - Project Area.

The land specified in this document is referred to as the Western Highway Project, Section 3 (Ararat to Stawell).

4.0 CONTROLS

Despite any provision to the contrary or any inconsistent provision in the Ararat or Northern Grampians Planning Schemes, no planning permit is required for, and no restrictions or prohibitions apply, to use or development of the Western Highway Project Area as shown in Figure 1, for:

- Buildings, works and any maintenance associated with the duplication of the Western Highway.
- Removal, lopping and destruction of vegetation, including native vegetation, provided it is undertaken in accordance with the Native Vegetation Assessment approved in accordance with Section 5.3 of this control.
- Activities ancillary to any of the abovementioned matters including, but not limited to:
 - Creating and using lay down areas for construction purposes.
 - Altering watercourses, provided that the alterations have been approved by the relevant water authority and Catchment Management Authority.
 - Constructing fences, walls and barriers.
 - Creating or altering access to a road in a Road Zone to the satisfaction of the Roads Corporation (VicRoads).
 - Constructing and using temporary site workshops and storage, administration and amenity buildings.
 - Undertaking earthworks including to construct the road, create bunds, mounds, batters, landscaping and wetlands and otherwise to excavate land, salvage artefacts and alter drainage and utilities.
 - Any subdivision or consolidation of land required in order to establish a continuous road reserve for works associated with the Western Highway Project;

in accordance with a Construction Environmental Management Plan approved in accordance with Section 5 of this document.

These controls are subject to the conditions in Section 5 of this document.

5.0 CONDITIONS

5.1 The use, development and the ancillary activities specified in Section 4 of this document must be for the Western Highway Project, Section 3 Ararat to Stawell (as shown in Figure 1) and undertaken by or on behalf of the Roads Corporation (VicRoads).

5.2 Preparation of a Construction Environmental Management Plan(s)

Consistent with the staging of works, and prior to the commencement of construction or carrying out of any buildings or works, Construction Environmental Management Plan(s) must be prepared and implemented to the satisfaction of the Roads Corporation (VicRoads), in accordance with the Environmental Management Framework included as part of the *Western Highway Project, Section 3, Ararat to Stawell Environment Effects Statement*, December 2012 and any requirements as described in the Minister for Planning's assessment of the Environment Effects Statement.

5.3 Offset Management Plan

Prior to the removal of native vegetation, the following must be undertaken:

- An Offset Management Plan must be prepared to the satisfaction of the Secretary to the Department of Sustainability and Environment.

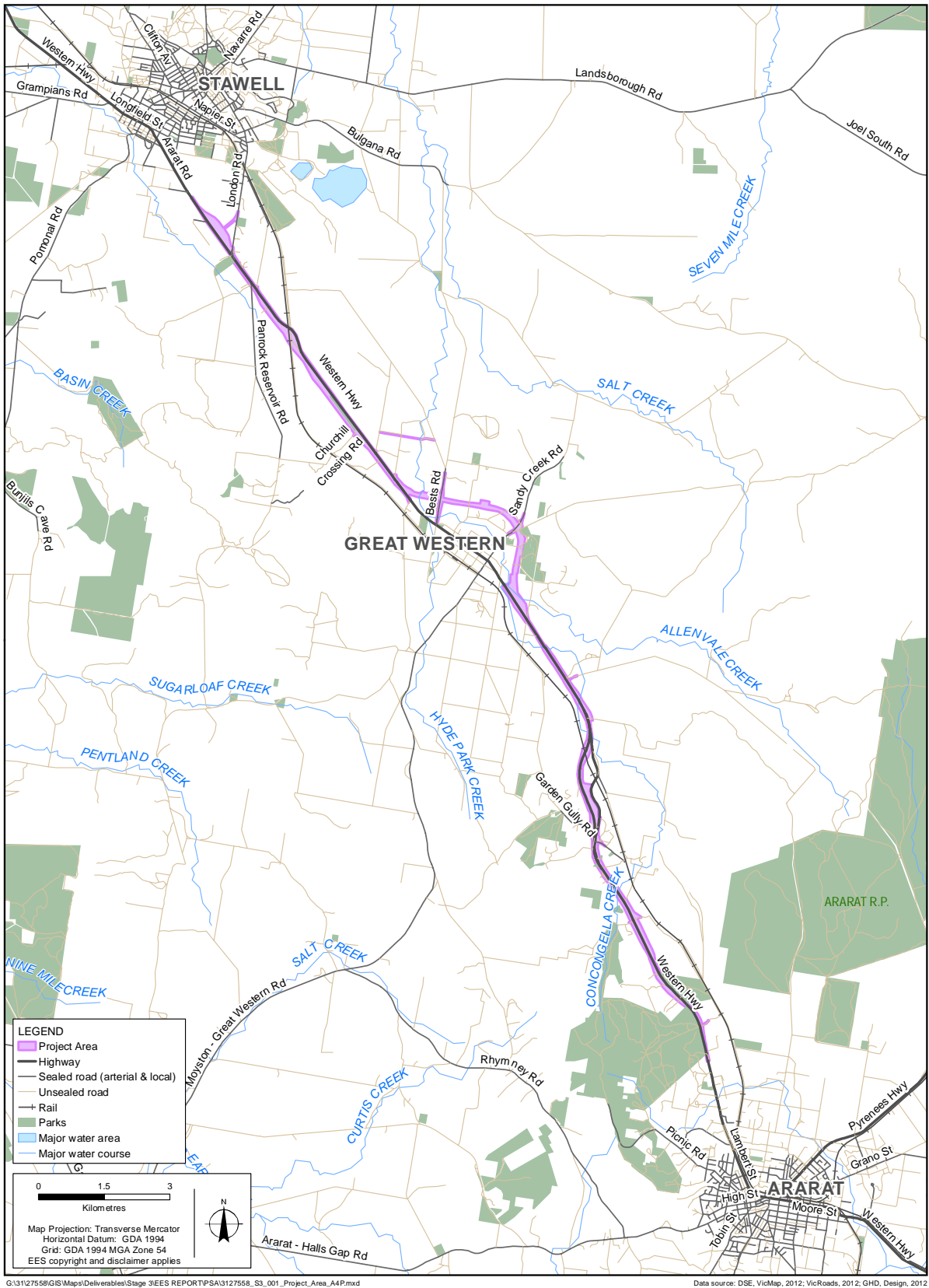
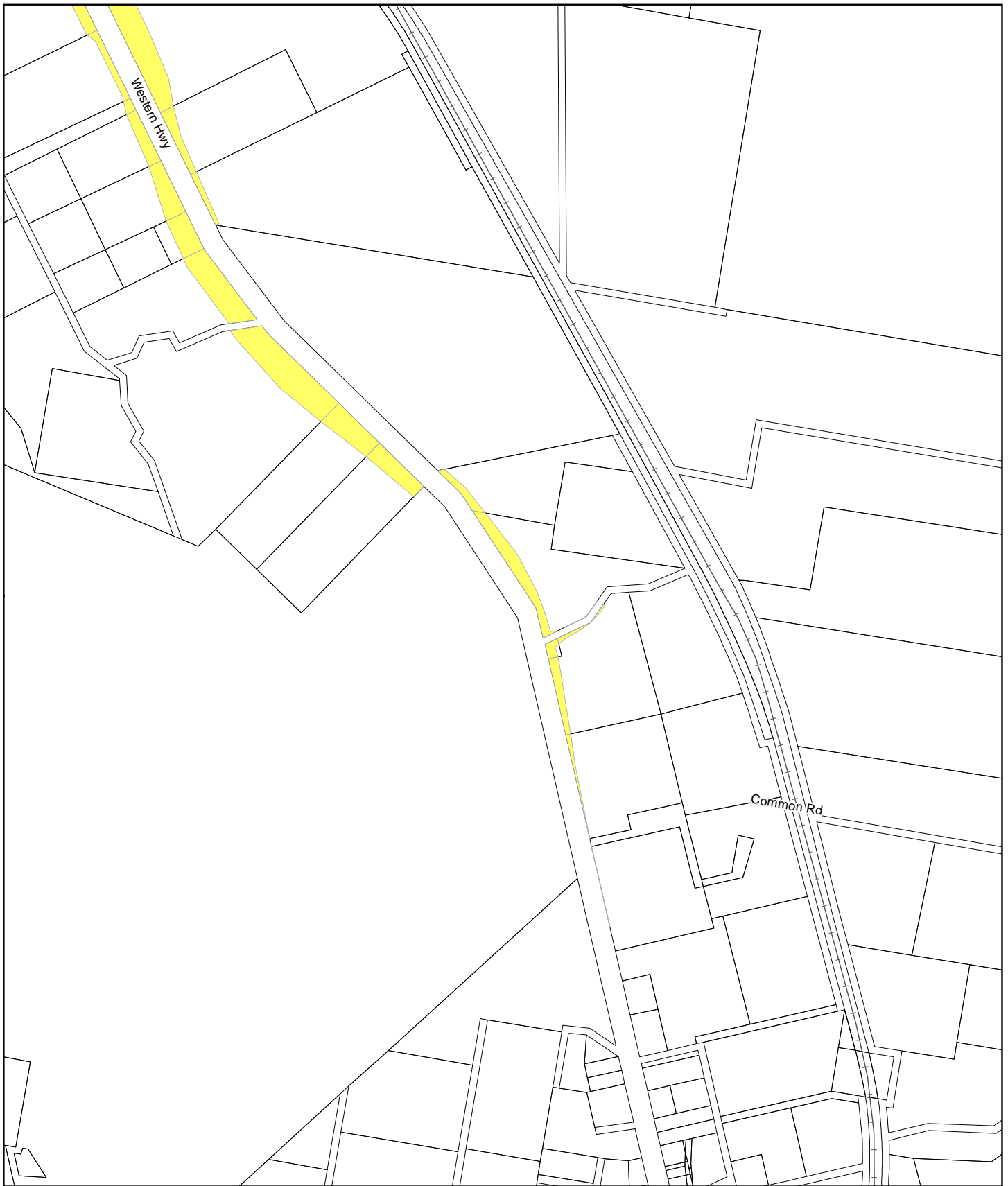


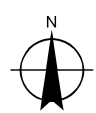
Figure 1: Western Highway Project - Section 3 Project Area



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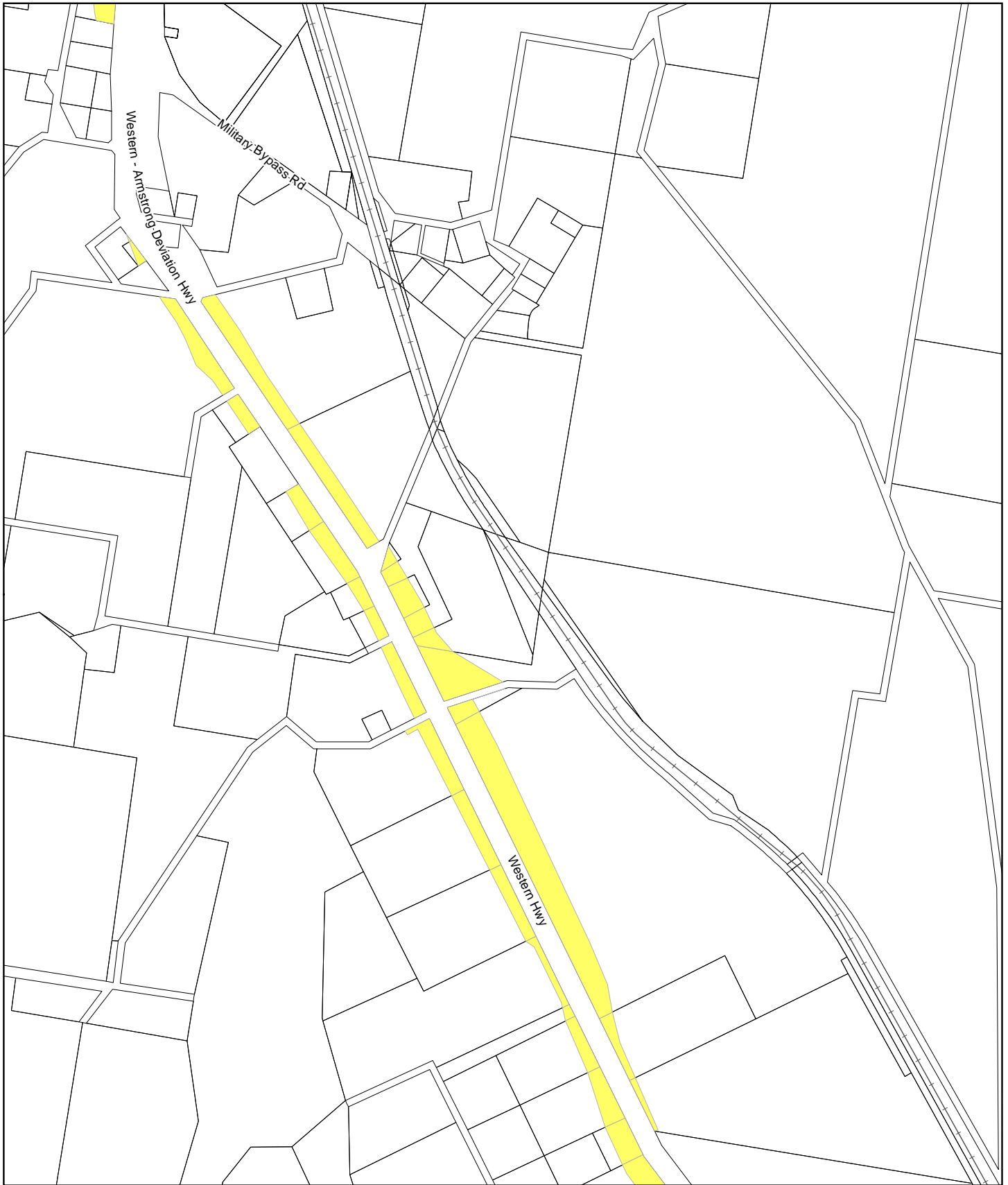
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 Revision | B
 Date | 08 Nov 2012

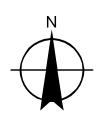
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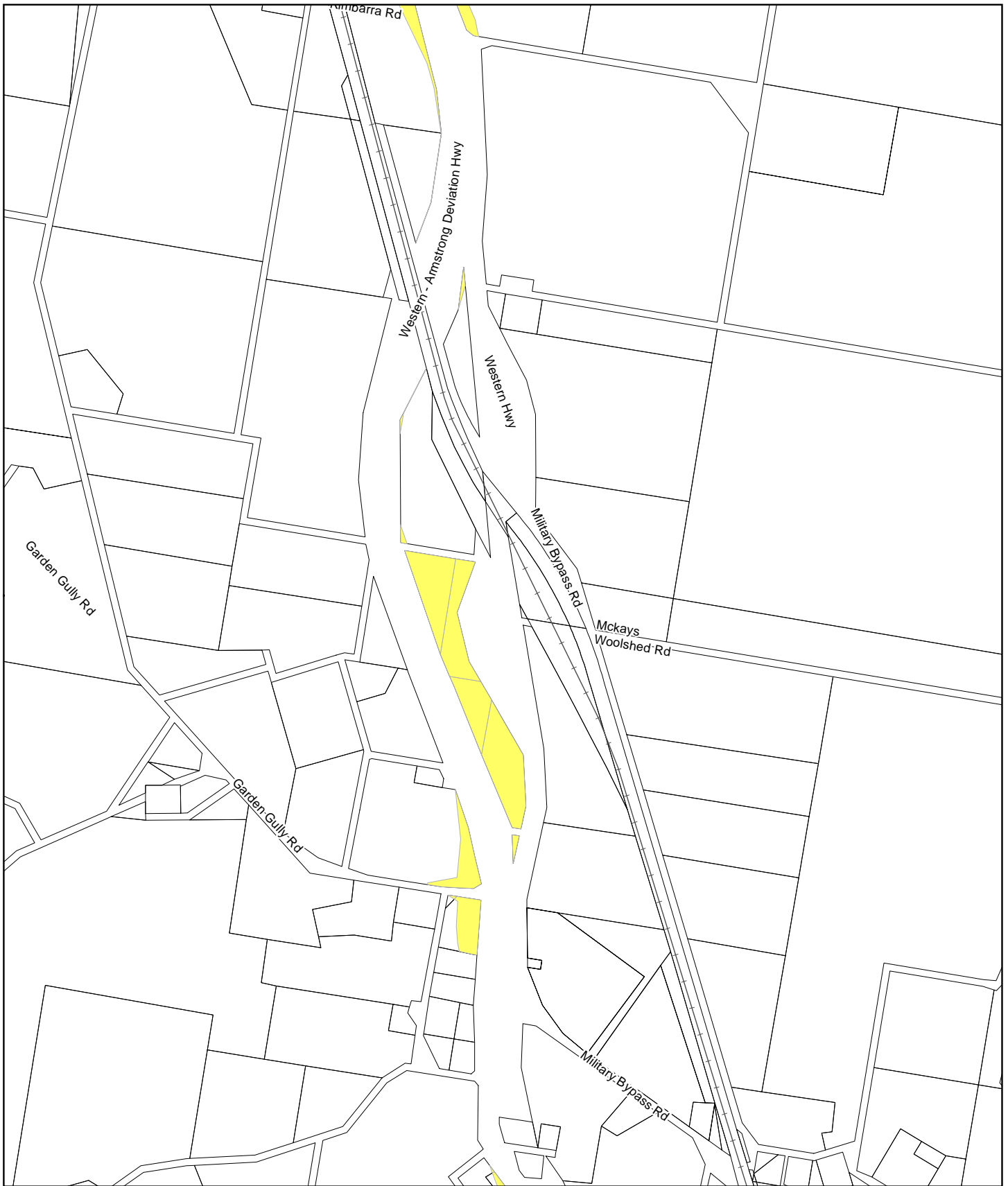


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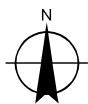
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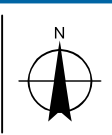
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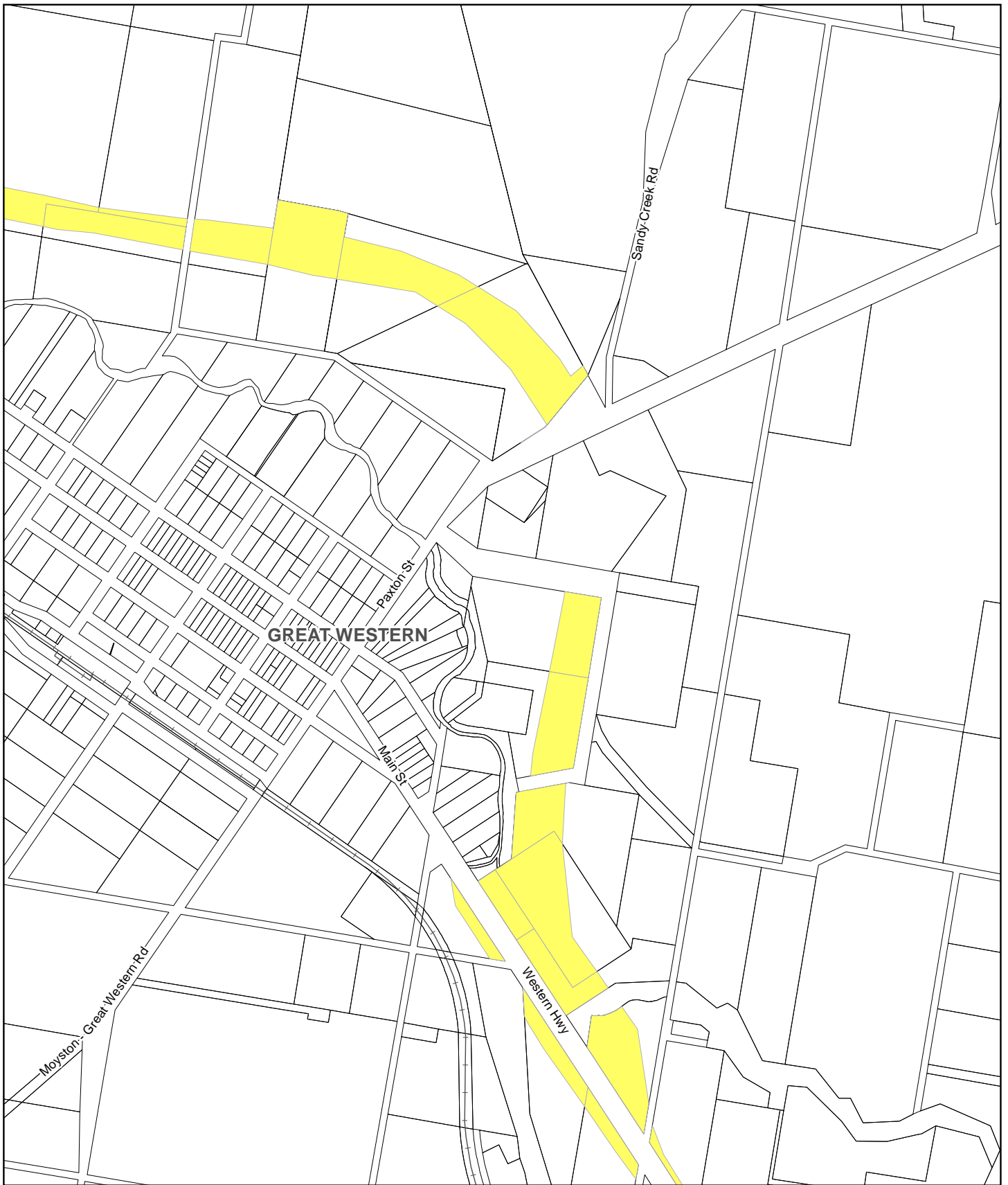
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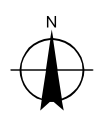
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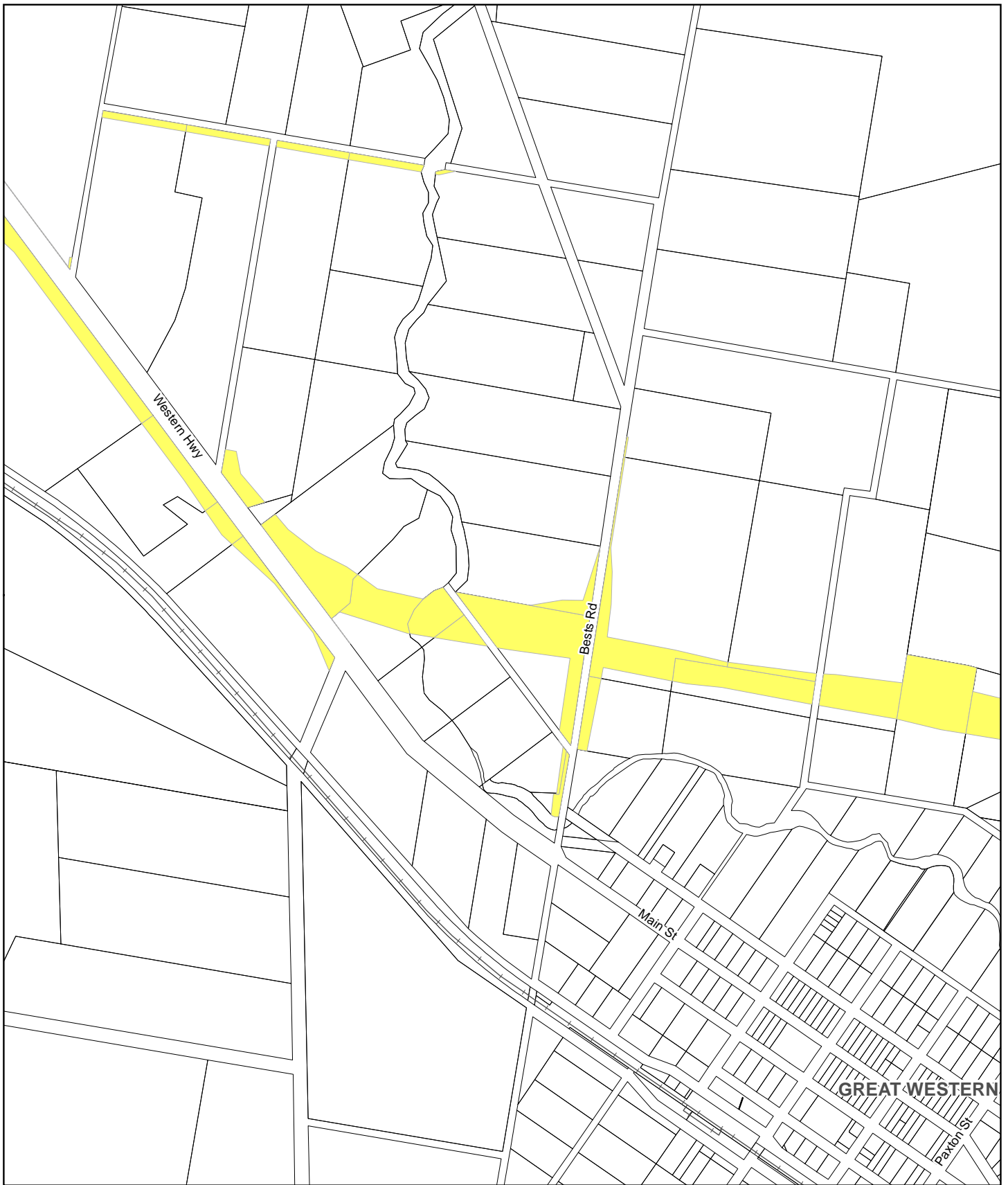
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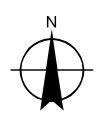
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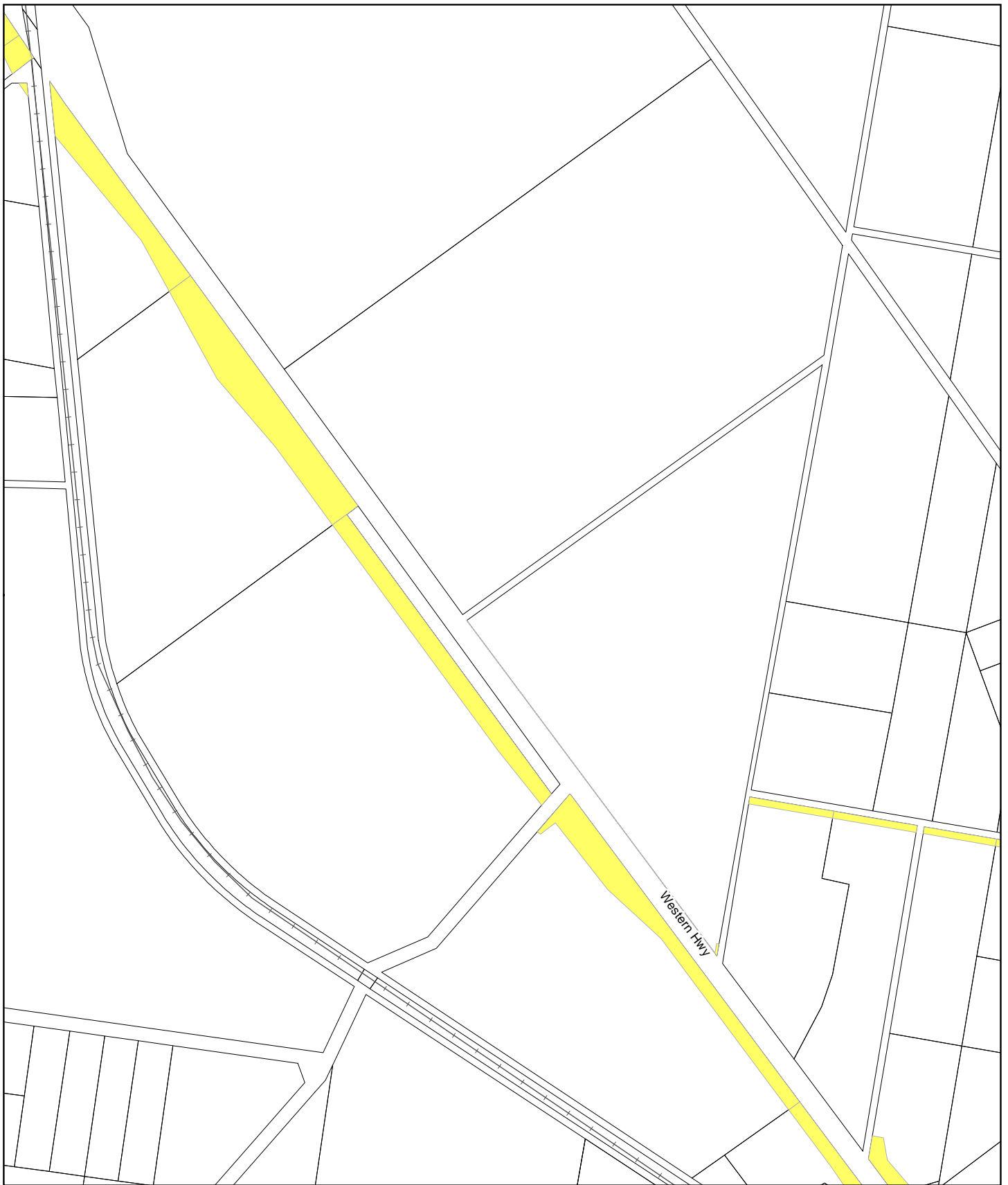


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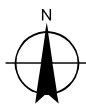
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 Western Highway Project

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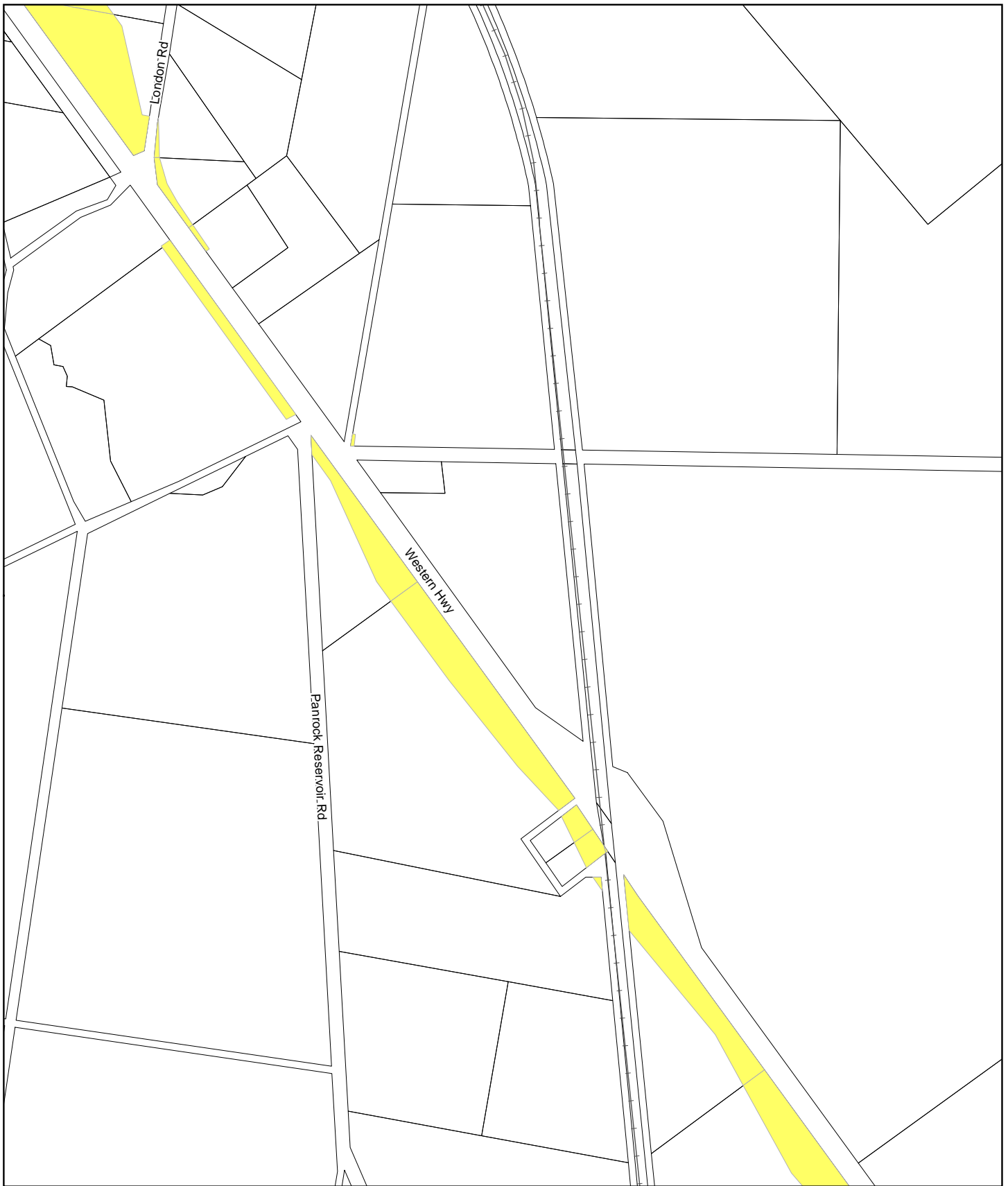
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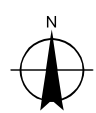
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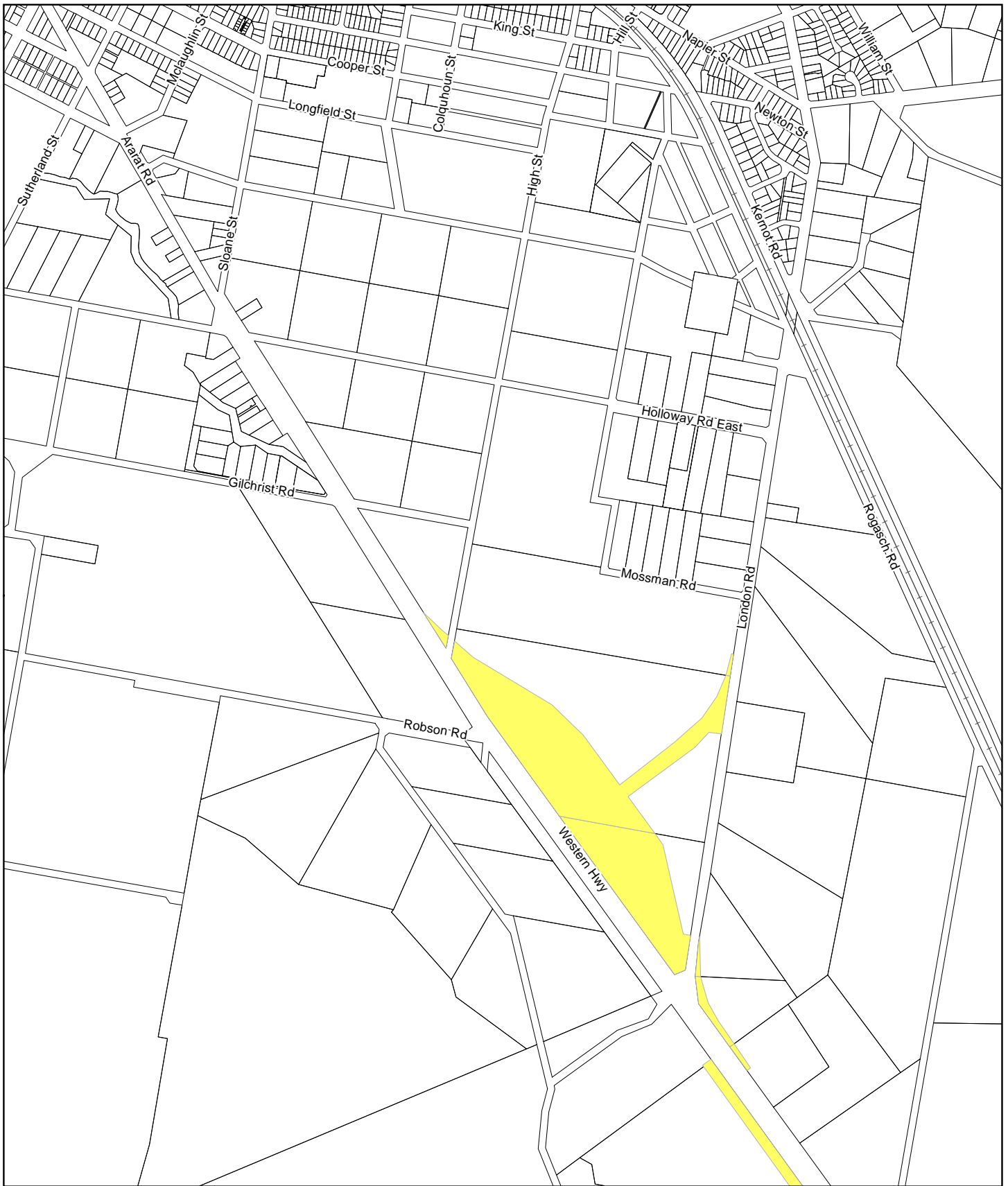
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 Metres
 Map Projection: Transverse Mercator
 Horizontal Datum: GDA 1994
 Grid: GDA 1994 MGA Zone 54



VicRoads
 Western Highway Project
 Ararat to Stawell
 Public Acquisition Overlay

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 Revision | B
 Date | 08 Nov 2012

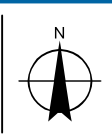
Sheet 8
Appendix E



- LEGEND**
- Public Acquisition Overlay
 - Parcel

DRAFT

Paper Size A4
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 Metres
 Map Projection: Transverse Mercator
 Horizontal Datum: GDA 1994
 Grid: GDA 1994 MGA Zone 54



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