

MELTON PLANNING SCHEME

AMENDMENT C194

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of Melbourne Metro Rail Authority (MMRA) an administrative office in the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

Land affected by the Amendment

The amendment applies to land in the City of Melton, which will be used and developed for Toolern station, as represented in Figure 1 below. Toolern station will be located at 201-243 Ferris Road Cobblebank (Melton South), near the intersection of Ferris Road and the Ballarat-Melbourne railway line. The incorporated document applies to the land required for the project, described as the Project Land for land coloured 'red' and the Wider Project Land, as described below, for land coloured 'blue'.

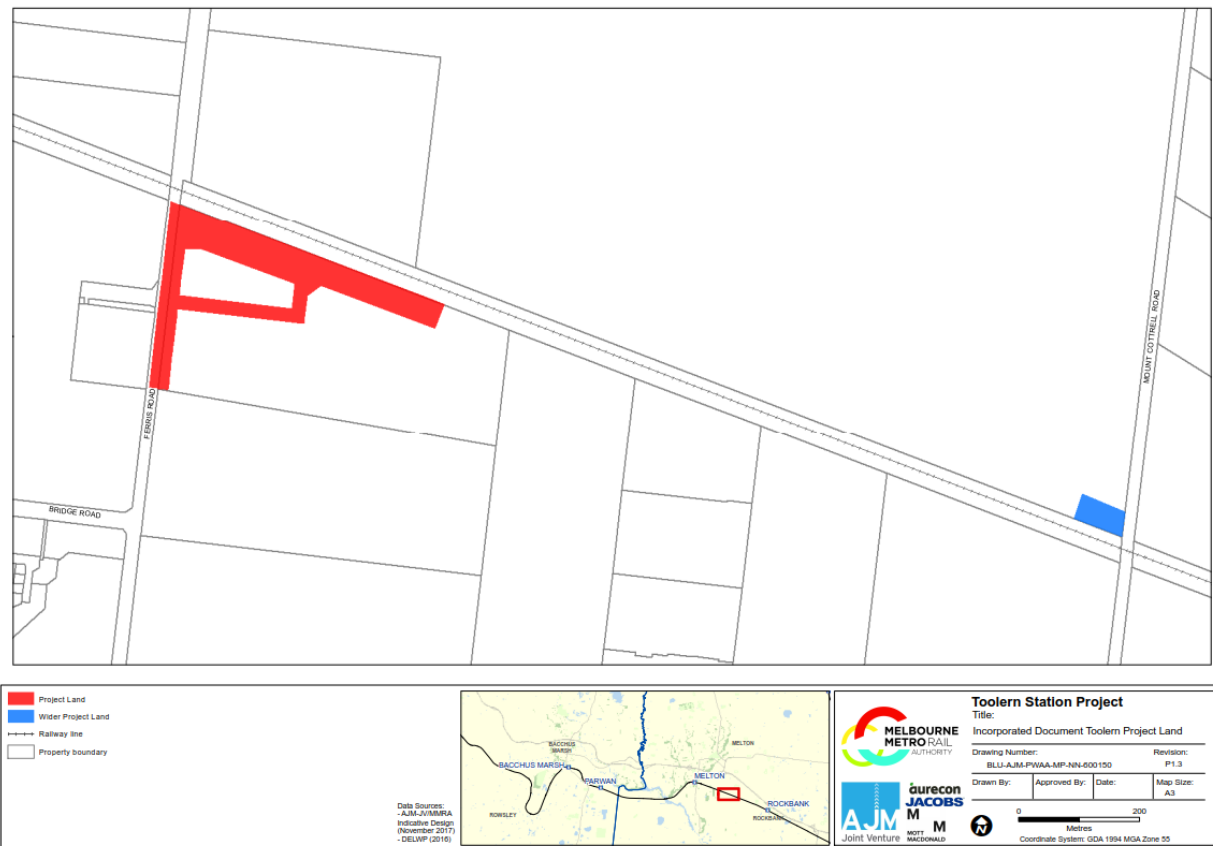


Figure 1: Land affected by Amendment C194

The amendment changes the Melton Planning Scheme to facilitate the development of Toolern railway station and associated facilities to be located in the future town centre of Toolern.

A temporary construction area, known as a secondary construction area, will be located adjacent to the rail reserve on Mount Cottrell Road to the east of Toolern station. The secondary construction area is identified as 'Wider Project Land' on the "Project Land" maps in the incorporated document.

What the amendment does

The amendment changes the Melton Planning Scheme to:

- Amend the Schedule to Clause 52.03 *Specific Sites and Exclusions* to allow the use and development of land required for Toolern station as identified in the project plans of the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.
- Amend the Schedule to Clause 61.01 *Administration and Enforcement of this Scheme* to state that the Minister for Planning is the responsible authority for administering and enforcing the use and development of Toolern station and associated facilities as determined in the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.
- Amend the Schedule to Clause 81.01 *Table of Documents* incorporated in this Scheme to insert an incorporated document titled Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to facilitate the delivery of Toolern station. The Victorian Government announced funding for the station in November 2017 to support Melbourne's growing population in the outer west and take pressure off Melton station.

The new station and associated facilities will contribute to the overall improvement of rail infrastructure services on the Ballarat line, as part of the Ballarat Line Upgrade (Ballarat Line Upgrade Incorporated Document, September 2017, approved under Amendment GC69). The Ballarat Line Upgrade is a key component of the Victorian Government's Regional Network Development Plan.

Toolern station is located between Melton and Rockbank stations on the Ballarat-Melbourne railway line and is expected to be completed in 2019 and taking passengers by the end of 2019. The project will be funded through the Growth Area Infrastructure Contribution (GAIC).

The delivery of the project will provide for an additional station to support the growing population in the outer west and take pressure off Melton station. The population of Toolern is anticipated to increase from the current approximate 1000 residents to 55,000 once established (Toolern Precinct Structure Plan, Victorian Planning Authority, 2010). The amendment delivers early transport infrastructure within the Melton growth corridor and facilitates future transit oriented development within the Toolern Metropolitan Activity Centre.

Toolern station project and associated facilities comprises:

- Two platforms connected by an accessible pedestrian link.
- Sealed car parking.

- Drop-off zones, taxi spaces and secure bicycle facilities.
- Bus interchange and shelters.
- Security (CCTV) and lighting.
- Station facilities.

The amendment allows the use and development of land in the project area for the purposes of the project in accordance with the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018. The Ballarat Line Upgrade Incorporated Document, September 2017 facilitated works within the rail reservation and temporary construction areas, including for the new station of Toolern. This amendment is now required to facilitate works required for the construction of the station outside of the rail corridor, not previously included in the Ballarat Line Update Incorporated Document, September 2017.

The Toolern station project will be required to be undertaken in accordance with the Ballarat Line Upgrade Environmental Management Framework (EMF) and the incorporated Environmental Performance Requirements (EPRs), which define the environmental outcomes that must be achieved for the design and construction for that project.

The amendment also establishes the Minister for Planning as the responsible authority for administering and enforcing the provisions of the Melton Planning Scheme as they relate to the use and development of land for the purposes of Toolern station and associated facilities.

How does the Amendment implement the objectives of planning in Victoria?

The amendment supports the objectives of planning in Victoria as set out in section 4 of the *Planning and Environment Act 1987*. The following objectives are particularly relevant to the amendment:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest, or otherwise special cultural values;*
- *to protect utilities and other assets and enable the orderly provision and co-origination of public utilities and other facilities for the benefit of the community;*
- *to balance the present and future interests of all Victorians.*

The amendment will benefit rail commuters and the Melton community by increasing access to regional, metropolitan and future local business districts through the development of Toolern station. This will increase employment and access to services for current and future residents and visitors.

The Project Land contains no Aboriginal Places or significant assets, however in the event of building and works uncovers significant assets the objective above will be upheld in conjunction with the *Aboriginal Heritage Act 2006* and relevant representatives.

How does the Amendment address any environmental, social and economic effects?

Environmental

The potential environmental effects of Toolern station have been considered through targeted investigations for:

- Aboriginal cultural heritage and historic heritage.
- Ecology, including assessment of native vegetation impacted by the project works, protected flora, fauna and ecological communities.

The findings of these investigations informed the preparation of the planning controls proposed by the amendment, including the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.

The study area is subject to the *Toolern Native Vegetation Precinct Plan, 2015* (NVPP). No native vegetation was identified for retention or removal in the NVPP. An additional targeted ecology assessment was undertaken for Toolern station and did not identify any native vegetation, any threatened flora or fauna species or threatened ecological communities within the study area. A condition for native vegetation removal is therefore not required as part of the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018 as there is no planning permit trigger.

Under the Ballarat Line Upgrade, Incorporated Document, September 2017, an EMF is required to provide a transparent and integrated governance framework to manage the environmental aspects of the project. The Toolern station project will be required to be undertaken in accordance with the Ballarat Line Upgrade EMF and the incorporated Environmental Performance Requirements (EPRs), which define the environmental outcomes that must be achieved for the design and construction for that project.

Technical and specialist assessments were conducted and documented as part of the Ballarat Line Upgrade project investigations. Assessments included significant flora and fauna, Aboriginal Cultural Heritage, overland water flows and drainage, and noise. The findings from these investigations have been used to design Toolern station.

These measures will ensure there will not be significant adverse environmental effects as a result of the Toolern station project, and the resulting environmental effects can be addressed through the amendment.

Social

The development of Toolern station will directly benefit the emerging Toolern community, by providing public transport access and increasing commuting options.

A program of community and stakeholder engagement has been undertaken by the MMRA to investigate potential social effects of the project and to inform design and planning controls. This complements the significant program of engagement undertaken for the Ballarat Line Upgrade. The MMRA advises that this included direct consultation with owners of land to which the incorporated document applies.

Consultation to understand the views of affected parties, including local residents and commuters, was undertaken in November 2017 primarily through face-to-face and online engagement. Feedback received was related to construction and environmental impacts. These concerns have been addressed through conditions in the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018.

Economic

The improved connectivity to other civic centres and metropolitan Melbourne will provide better access to employment and services. The amendment will provide crucial rail access to the future town centre of Toolern and facilitate transit oriented development within the Toolern Metropolitan Activity Centre.

Does the Amendment address relevant bushfire risk?

The land identified in this amendment is not within the Bushfire Management Overlay in the Melton Planning Scheme. The Project Land is located within a Bushfire Prone Area, however once urbanised the land will not be within these areas. The amendment is unlikely to pose risk of bushfires to community, infrastructure or the environment.

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

Section 12(2)(a) of the *Planning and Environment Act 1987* requires that in preparing an amendment, a planning authority must have regard to the Minister's Directions. The following underlined sections are the relevant current Ministerial Directions of this amendment:

Ministerial Direction on the Form and Content of Planning Schemes

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

Ministerial Direction No. 9 – Metropolitan Strategy

The purpose of this Direction is to ensure that planning scheme amendments have regard to the Metropolitan Planning Strategy. This amendment is consistent with the current Metropolitan Planning Strategy which is *Plan Melbourne 2017-2050*.

Plan Melbourne 2017-2050 supports the project and similar rail infrastructure projects. The support of increasing public transport, via the creation of a new railway station in growth areas is essential to supporting public transport options for future residents.

Ministerial Direction No.11 – Strategic Assessment of Amendments

The purpose of this Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. The amendment has been prepared in accordance with Ministerial Direction No. 11, and various elements of the project have undergone strategic assessments through the following documents: The Victorian Transport Plan (State of Victoria, 2008), the Toolern Precinct Structure Plan, the Toolern Development Contributions Plan (specifically the bus interchange), and the Ballarat Line Upgrade project.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment supports or implements the State Planning Policy Framework as follows:

- It encourages the build-up of future and existing activity centres around stations and a concentration of activities which provide a variety of land uses and are highly accessible to the community (Clause 11.01 Activity Centres).
- The controls in the amendment will require the Project to be designed to maintain biodiversity where practicable (Clause 12.01 Biodiversity) as well as protect environmentally sensitive areas.
- Toolern station controls in the amendment will be delivered in accordance with environmental management practices to deal with potential land contamination issues (Clause 13.03 Soil Degradation) and noise effects on surrounding land uses (Clause 13.04 Noise and Air) identified through investigations.
- There have been no Aboriginal places or areas of archaeological potential identified as part of the cultural heritage assessment of the Toolern project area. No historical heritage has been identified through assessment (Clause 15.03 Heritage).
- Toolern station increases accessibility to regional areas, increasing tourism opportunities to regional Victoria and provide associated employment, social and cultural benefits (Clause 17.03 Tourism).
- Toolern station supports State transport planning policy by improving accessibility to jobs and community services between Ballarat and metropolitan Melbourne, and by providing a new station which creates a better linkage between civic and regional centres across the Principal Public Transport Network (Clause 18.01 Integrated Transport, Clause 18.02 Movement Networks).

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The following local policies of the Melton Planning Scheme are of relevance to the project:

- Clause 22.04 Urban Development Policy. The amendment meets the requirements of this policy as it provides enhanced public transport infrastructure (and opportunities) for the City of Melton allowing increased access to Central Melbourne for the broader Melton region.
- Clause 22.07 Transport and Movement Policy. The amendment meets the requirements of this policy as it will provide improved public transport services and access to Melbourne's growing west and regional Victoria, increasing service frequency and reliability and will reduce journey times.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions (VPP) as follows:

- The amendment uses the provisions of Clause 52.03 Specific Sites and Exclusions and Clause 81.01 Table of Documents incorporated in this Scheme to provide specific controls for the project. The specific controls are detailed in the Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018 which facilitates the use and development of land for the purposes of Toolern station and associated facilities in accordance with conditions in the incorporated document.

- The amendment uses the provisions of Clause 61.01 Administration and Enforcement of this Scheme to make the Minister for Planning the responsible authority for administering and enforcing the provisions which apply to the use and development of land for the purposes of the project.

The site specific controls are detailed in the associated incorporated document and allow the use and development of the land in the project area for the purposes of the project, as of right, in accordance with the conditions in the incorporated document.

How does the Amendment address the views of any relevant agency?

Specific stakeholder consultation has been undertaken and is ongoing with the following parties:

- City of Melton.
- Department of Environment, Land, Water and Planning.
- VicTrack.
- V/Line.
- Victorian Planning Authority (VPA).

A significant program of engagement occurred with key stakeholders and agencies through 2017 and continuing into 2018 as part of this project and the Ballarat Line Upgrade.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is aligned with the objectives of the *Transport Integration Act 2010* outlined in Part 2, as follows:

- **Social and economic inclusion:** Toolern station will provide a new and accessible means for current and future railway and bus patrons to access the social and economic opportunities in the future Toolern metropolitan activity centre and the districts of Ballarat and metropolitan Melbourne.
- **Economic prosperity:** Toolern station will facilitate economic prosperity by improving public transport assets in the rapidly expanding Western growth corridor, facilitating investment in Victoria through infrastructure development and providing access to a wider range of employment opportunities.
- **Environmental sustainability:** The building and works associated with the amendment will seek to protect and conserve the natural environment and adhere to the biodiversity principles to avoid, minimise and offset any loss of native vegetation. Further, the project promotes the sustainable use of cleaner travel modes of public transport.
- **Integration of transport and land use:** The project will be a catalyst for transit-oriented development within the future Toolern Metropolitan Activity Centre. It will increase integrated and multimodal transport opportunities for local and surrounding communities through the development of Toolern station, a bus interchange, car parking and bicycle facilities.
- **Efficiency, coordination and reliability:** Toolern station and associated infrastructure will introduce a new transport destination in the wider network, increasing reliable movement of commuters, and facilitating integrated and seamless travel within and between different modes of transport.

- Safety and health and wellbeing: The project will be aligned with the principles of safety performance of transport infrastructure, transport and promotion of safe user behaviour.

Resource and administrative costs

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

These provisions are not expected to have a significant impact on the resource and administrative costs of the Minister for Planning as the responsible authority.

Where you may inspect this Amendment

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

Melton Civic Centre

232 High Street

MELTON 3337

The amendment can also be inspected online, free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection