



AGENDA

Special Council Meeting Wednesday, 18 December 2019

I hereby give notice that a Special Meeting of Council will be held on:

Date: Wednesday, 18 December 2019

Time: 6.00pm

**Location: The Pavilion Room,
Darley Civic and Community Hub, Darley**

**Derek Madden
Chief Executive Officer**

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1 OPENING OF MEETING AND PRAYER

Almighty God be with us as we work for the people of the Shire of Moorabool. Grant us wisdom that we may care for the Shire as true stewards of your creation. May we be aware of the great responsibilities placed upon us. Help us to be just in all our dealings and may our work prosper for the good of all. Amen.

2 ACKNOWLEDGEMENT OF COUNTRY

We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.

3 PRESENT

4 APOLOGIES

5 DISCLOSURE OF CONFLICTS OF INTEREST

Under the *Local Government Act 1989*, the classification of the type of interest giving rise to a conflict is; a direct interest; or an indirect interest (section 77A and 77B). The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the *Local Government Act 1989* set out the requirements of a Councillor or member of a Special Committee to disclose any conflicts of interest that the Councillor or member of a Special Committee may have in a matter being or likely to be considered at a meeting of the Council or Committee.

Definitions of the class of the interest are:

- A direct interest (section 77A, 77B)
- An indirect interest (see below)
 - indirect interest by close association (section 78)
 - indirect financial interest (section 78A)
 - indirect interest because of conflicting duty (section 78B)
 - indirect interest because of receipt of gift(s) (section 78C)
 - indirect interest through civil proceedings (section 78D)
 - indirect interest because of impact on residential amenity (section 78E)

Time for Disclosure of Conflicts of Interest

In addition to the Council protocol relating to disclosure at the beginning of the meeting, section 79 of the *Local Government Act 1989* (the Act) requires a Councillor to disclose the details, classification and the nature of the conflict of interest immediately at the beginning of the meeting and/or before consideration or discussion of the Item.

Section 79(6) of the Act states:

While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must:

- (a) Leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and

- (b) Remain outside the room and any gallery or other area in view of hearing of the room.

The Councillor is to be notified by the Mayor or Chairperson of the special committee that he or she may return to the room after consideration of the matter and all votes on the matter.

There are important reasons for requiring this disclosure immediately before the relevant matter is considered.

- Firstly, members of the public might only be in attendance for part of a meeting and should be able to see that all matters are considered in an appropriately transparent manner.
- Secondly, if conflicts of interest are not disclosed immediately before an item there is a risk that a Councillor who arrives late to a meeting may fail to disclose their conflict of interest and be in breach of the Act.

6 PRESENTATIONS/DEPUTATIONS

The Council has made provision in the business of the Special Meetings of the Council for the making of presentations or deputations to Council in relation to matters presented on the agenda for Council consideration.

Presentations or deputations are required to be conducted in accordance with the requirements contained within the **Presentation/Deputations Protocols and Procedural Guidelines**.

Persons wishing to make a presentation or deputation to Council on a matter included in the agenda shall inform Council prior to the meeting by contacting the Chief Executive Officer's office and registering their name and agenda item being spoken to.

At the meeting the Mayor will invite the persons wishing to make a presentation or delegation to address the Council on the agenda item.

The person making the presentation or deputation is to stand and address Council on the item.

No debate on the item is permitted between the person making the presentation or delegation and the Council.

A maximum of three minutes per presentation or delegation will be allocated. An extension of time may be granted at the discretion of the Mayor.

Councillors, through the Mayor, may ask the person making the presentation or delegation for clarification of matters presented.

The Mayor may direct that a member of the gallery ceases speaking if the above procedure is not followed.

7 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT REPORTS

7.1 PARWAN INDUSTRIAL PRECINCT - DEVELOPMENT PLAN

Author: Rod Davison, Senior Strategic Planner

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Economic Development

Attachments: 1. Development Plan

PURPOSE

This report considers an application for approval of a *Development Plan - Parwan Industrial Precinct* (Ricardo; October 2019), to facilitate the first stage of development including a Protein Recovery Facility (PRF), an abattoir and a cold storage facility, as well as future stages of development on the land at 3922 Geelong-Bacchus Marsh Road, Parwan.

EXECUTIVE SUMMARY

Parwan and Co. (the proponent) has submitted a *Development Plan – Parwan Industrial Precinct* (the *Development Plan*) (Ricardo; October 2019) for Council’s consideration and approval as required by Schedule 1 to Clause 43.04 Development Plan Overlay. A Development Plan must be approved before any planning permit is approved for development or subdivision on the site. Any planning permit application must demonstrate compliance with the approved Development Plan.

The *Development Plan* applies to 190.9 hectares of land at 3922 Geelong-Bacchus Marsh Road, Parwan (the subject site). The subject site is within the Industrial 1 Zone but is currently used for farming.

The *Development Plan* has been assessed in accordance with the Development Plan Overlay Schedule 1 (‘Moorabool Agribusiness Industrial Area’) that applies to the subject land. The *Development Plan* (see Attachment 1) is considered suitable for Council’s approval.

RECOMMENDATION

That Council:

1. Approves the *Development Plan – Parwan Industrial Precinct* (Ricardo; October 2019) in Attachment 1.

BACKGROUND

Subject Site and Surrounds

The subject site is known as 3922 Geelong-Bacchus Marsh Road, Parwan (described as Lots 1 and 2 on TP188461) (refer to Figure 1) and is located within the Parwan Employment Precinct (PEP).



Figure 1: The subject site is shown delineated in red.

The site is highly accessible and located approximately 5.5 kilometres south of the Bacchus Marsh urban area. The land has a total area of 190.9 hectares and has frontages to the Geelong-Bacchus Marsh Road, Nerowie Road and Parwan South Road, of 1.54 kilometres, 1.90 kilometres and 0.76 kilometres respectively.

The land is within the Industrial 1 Zone (IN1Z) and is affected by the following overlays:

- Development Plan Overlay Schedule 1 (DPO1) ('Moorabool Agribusiness Industrial Area');
- Design and Development Plan Overlay Schedule 2 (DDO2) ('Visual amenity and building design'); and
- Environmental Significance Overlay Schedule 4 (ESO4) ('Wetland areas'; applies to the northern portion of the land only).

The land is currently used for farming and contains an old weatherboard dwelling and sheds which are located in the north-western corner. The topography is mildly undulating with a number of depressions which contain remnant wetlands.

The surrounding land is generally within the Farming Zone (FZ) and used for agriculture, with the exception of the following:

- Bacchus Marsh Aerodrome (FZ) – located to the west of Geelong-Bacchus Marsh Road;
- Sir Jack Brabham Park (speedway) (Comprehensive Development Zone Schedule 1) – located immediately to the east of the subject site (east side of Parwan South Road);

- Parwan Recycled Water Plant (Public Use Zone 1) – located to the north-east of the subject site (east side of Parwan South Road);

Geelong-Bacchus Marsh Road is an arterial road within the Road Zone Category 1. Nerowie Road is within the Road Zone Category 2.

Moorabool Planning Scheme Amendment C76

Amendment C76 (gazetted on 21 December 2017) resulted in 3922 Geelong-Bacchus Marsh Road, Parwan (i.e. the subject site) being rezoned from FZ to IN1Z (refer to Figure 2) and an updated DPO Schedule 1 being applied to the subject land. The amendment also rezoned land to the immediate north of the subject site (PC362391Y) from IN1Z to FZ and deleted the DPO1 from this land. The updated DPO Schedule 1 seeks to facilitate the development of the subject site for industrial uses associated with agribusiness.

The amendment also made the following changes to the planning scheme:

- Updated Clause 21.01 to introduce the Moorabool Agribusiness Industrial Area as a key economic development opportunity for Bacchus Marsh.
- Updated Clause 21.04 to insert the Moorabool Agribusiness Industrial Area as a new strategy to achieve Clause 21.04-4 – industry objective.
- Updated Clause 21.07 to insert the Moorabool Agribusiness Industrial Area as a new strategy for accommodating township growth and updated the Bacchus Marsh Framework Plan to show the Moorabool Agribusiness Industrial Area.

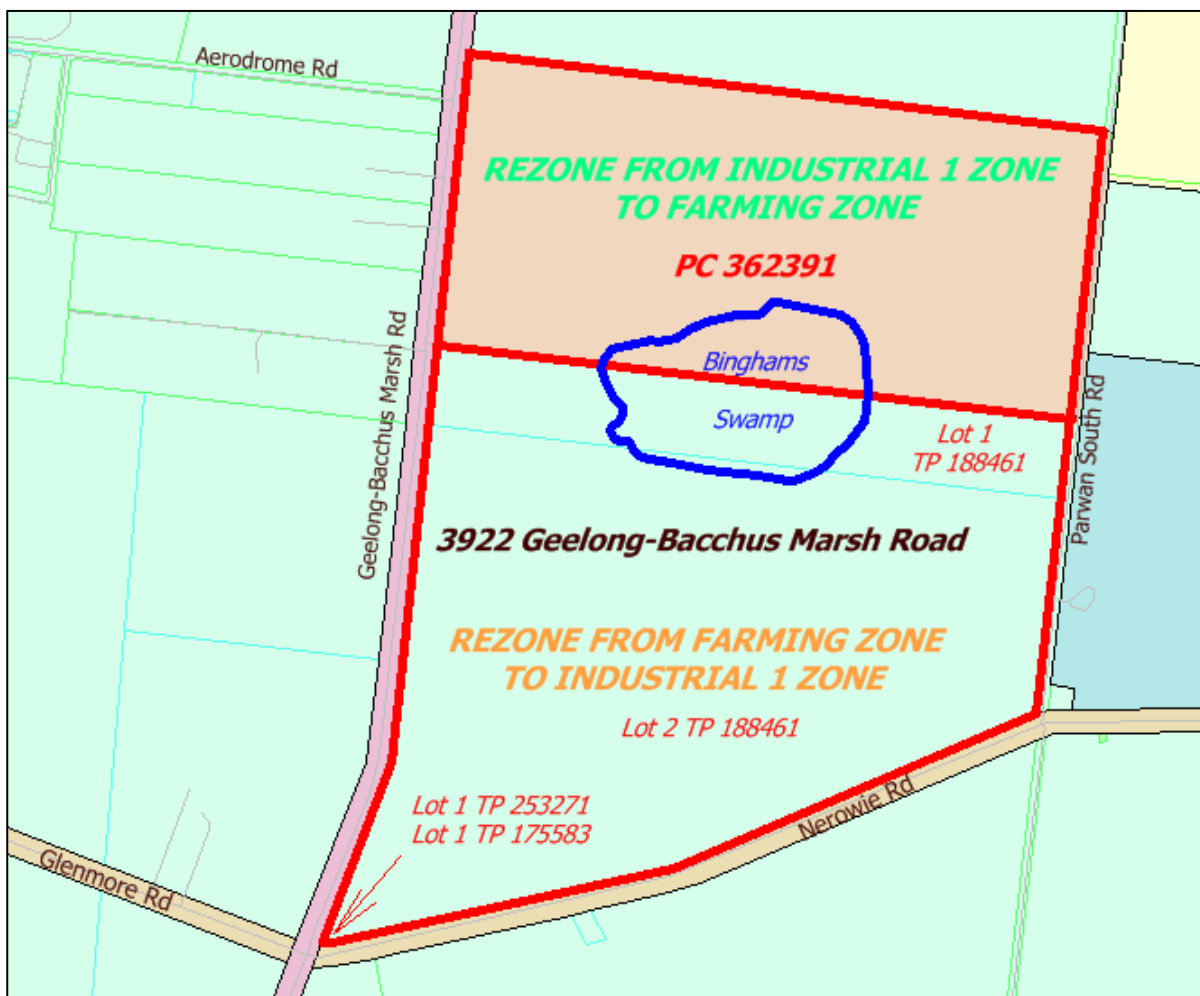


Figure 2: Land affected by Amendment C76 (delineated in red).

Moorabool Planning Scheme Amendment C81

Amendment C81 (gazetted on 6 December 2018) implemented the Bacchus Marsh Urban Growth Framework (UGF), by updating the Local Planning Policy Framework. Amongst other changes, the amendment updated the Bacchus Marsh Framework Plan in Clause 21.07 (Bacchus Marsh), to show three residential growth investigation areas and the Parwan Employment Precinct (PEP).

Clause 21.04-1 (Economic Development and Employment) was updated to identify the significant employment generating potential of the PEP, as follows:

“The clustering of employment generating land uses is a high priority within the Parwan Employment Precinct to the south of Bacchus Marsh, in order to provide for an increasing level of local employment. This precinct benefits from accessibility to the Western Freeway, the Melbourne-Ballarat rail corridor, significant separation from sensitive uses and larger landholdings. The Parwan Employment Precinct provides a range of opportunities for industrial and agribusiness investment, particularly value adding enterprises that are vertically or horizontally integrated with the local agricultural sector, and which export products beyond the Shire.”

The UGF notes that:

“The PEP holds significant economic and employment growth potential for Bacchus Marsh, with the ability to attract high levels of new industrial investment. To achieve this, it must be serviced, protected against residential encroachment and properly marketed. The PEP is beneficially located within the Bacchus Marsh food bowl, close to markets and away from residential land. It has the capacity to accommodate value-add and high amenity impact businesses, particularly those seeking to relocate to more affordable and unencumbered land close to the metropolitan (area).”

The Parwan Industrial Precinct is located within the PEP (as shown in Figure 3) and will serve as a catalyst for future investment and development opportunities within the broader PEP, by assisting in the provision of essential infrastructure. The first stages of the Parwan Industrial Precinct will deliver a significant agribusiness related industrial hub, that will add significant value to the primary production occurring in the region. The first stages of the Parwan Industrial Precinct involve the proposed development of a large-scale protein recovery facility, followed by an abattoir and a cold storage facility, which are expected to create approximately 500 direct jobs over the next five years.

The Victorian Planning Authority, as planning authority for the PEP, has commenced technical studies which will inform the preparation of a Development Plan for the broader PEP. As part of the preparation of the PEP Development Plan, the VPA and Council Officers are working closely with the consultants for the *Development Plan – Parwan Industrial Precinct*, to ensure that the two Development Plans provide for a holistic and integrated planning framework for the broader PEP.

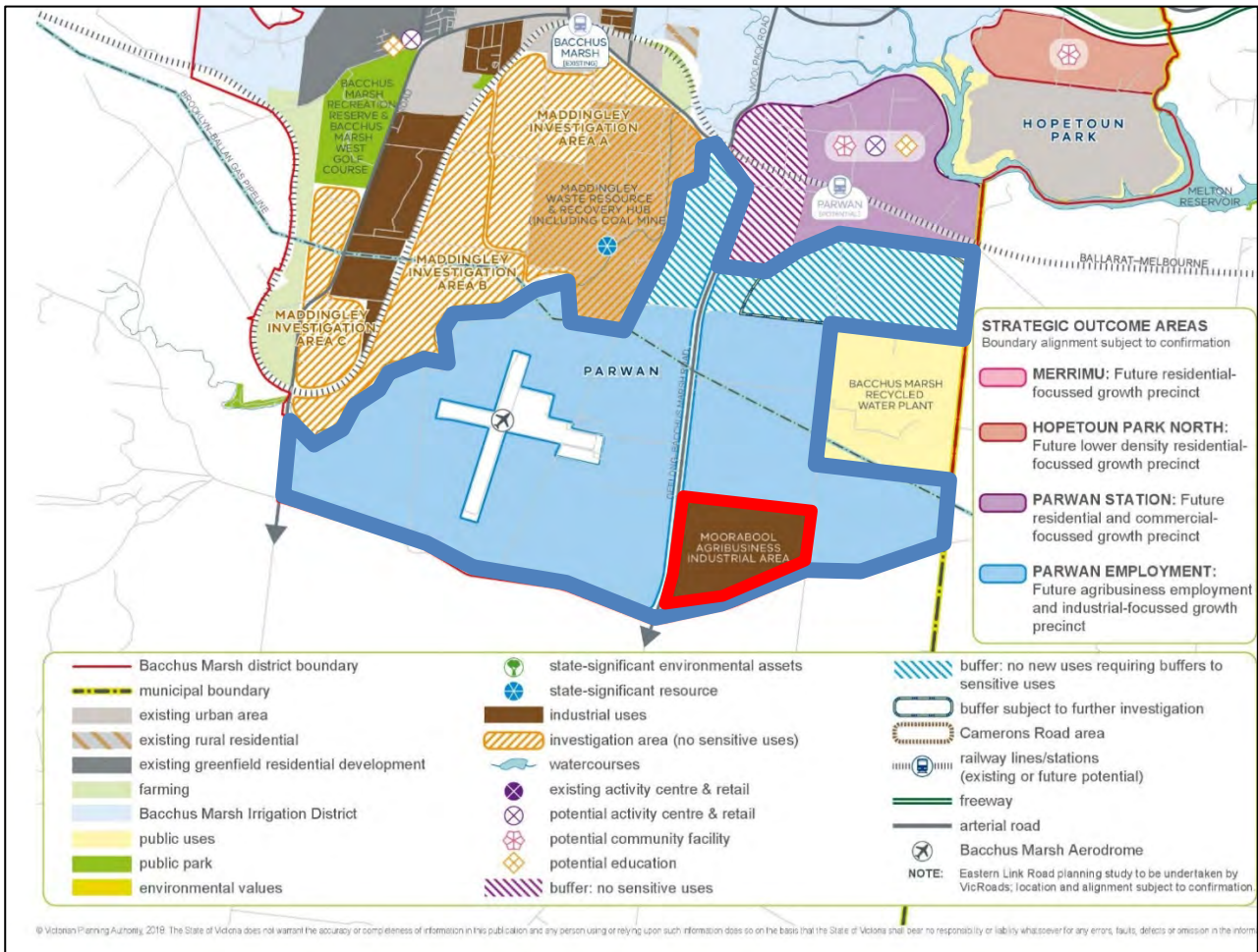


Figure 3: Extract of the Bacchus Marsh Framework Plan, showing the ‘Moorabool Agribusiness Industrial Area’ (delineated in red) located within the Parwan Employment Precinct (delineated in blue).

Schedule 1 to Clause 43.04 - Development Plan Overlay (DPO)

The purpose of the DPO is:

- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

A DPO is typically applied to land, as a means of ensuring a master planned development outcome, which considers and responds to the precinct’s constraints and opportunities.

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority (Council).

A development plan for the subject site must be prepared in accordance with the requirements of DPO Schedule 1.

PROPOSAL

The proponent has submitted the *Development Plan - Parwan Industrial Precinct* (Ricardo; October 2019), for Council’s consideration and approval. The *Development Plan* includes the following details:

- Vision;
- Site information and analysis;
- Physical constraints;
- Environmental and cultural heritage constraints and protection;
- Bacchus Marsh Aerodrome constraints and protection;
- Urban design masterplan;
- Integrated transport;
- Integrated water management;
- Landscape masterplan; and
- Infrastructure servicing.

The development plan includes an *Urban Design Masterplan* (see Figure 4) which depicts the overall development concept for the subject site.

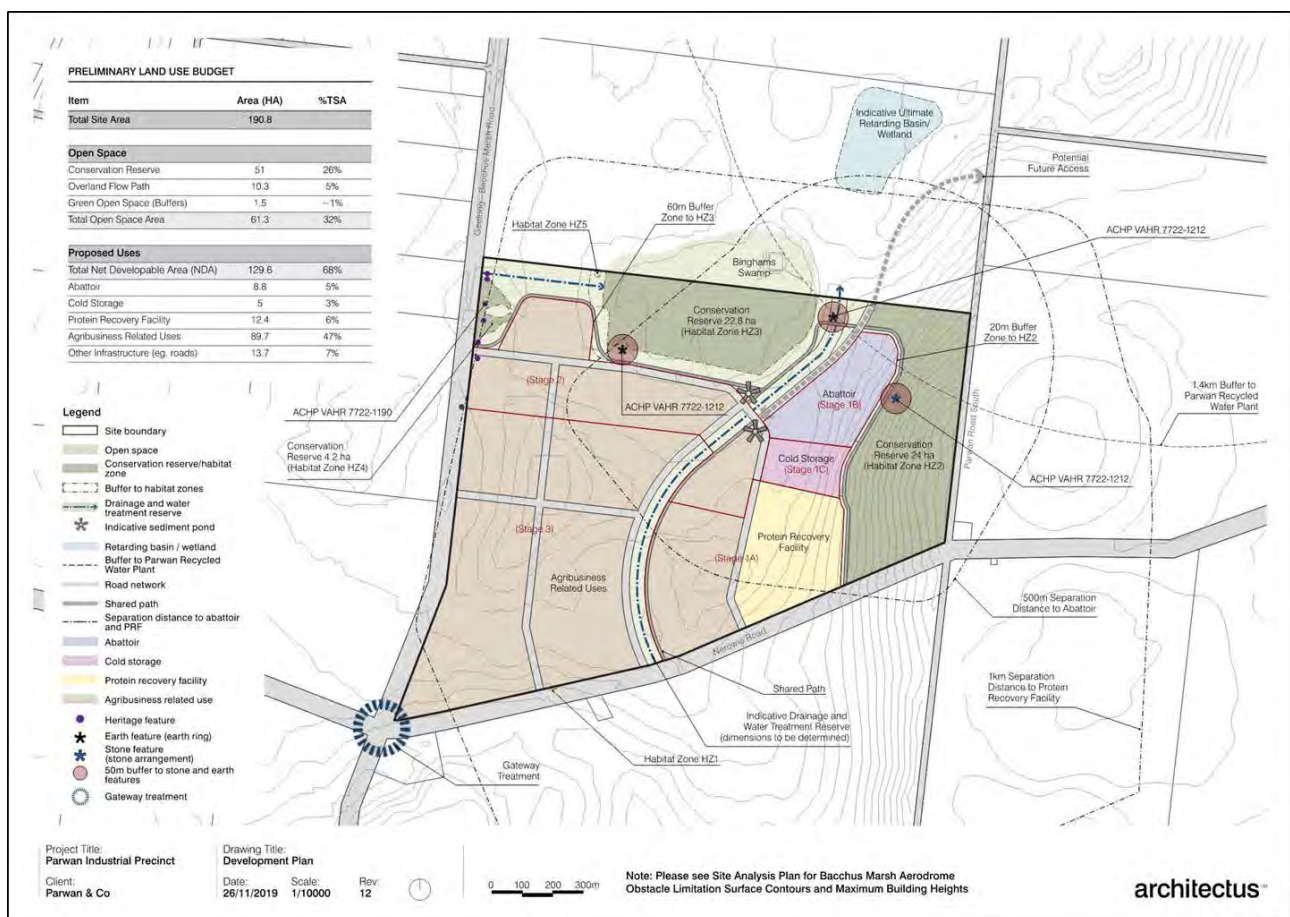


Figure 4: Urban Design Masterplan (for a larger version, refer to Figure 10 in the *Development Plan* [Attachment 1 to this report])

Development Plan Assessment

The following has been taken into account when assessing the development plan:

- The submitted information including the *Development Plan - Parwan Industrial Precinct* (Ricardo; October 2019) and associated technical reports, as follows:
 - *Ecological Assessment Report* (Nature Advisory; September 2019);
 - *Arboricultural Assessment* (Axiom Tree Management Pty Ltd; July 2018);
 - *Bacchus Marsh Aerodrome Impact Assessment Report* (To70 Aviation Australia; March 2019);
 - *Plume Rise Assessment Report* (To70 Aviation Australia; September 2019);
 - *Integrated Water Management Plan* (Alluvium; April 2019);
 - Integrated Water Management Plan Addendum (Reeds Consulting letter dated 30 September 2019)
 - *Integrated Transport Management Plan* (Traffix Group Pty Ltd; April 2019) and Traffix Group letter dated 31 October 2019;
 - *Infrastructure Servicing Plan* (Reeds Consulting letter dated 30 September 2019);
- Responses received from Council departments and government agencies, including Melbourne Water, Western Water, Regional Roads Victoria, Environment Protection Authority, Department of Environment Land Water and Planning, Civil Aviation Safety Authority and the Victorian Planning Authority;
- Compliance with the requirements included in DPO Schedule 1; and
- Any other relevant planning policies and controls.

Below is an assessment of the development plan against the requirements of DPO Schedule 1:

Development Plan Requirement	Officer Response
An <i>Urban Design Masterplan</i>	<p>The <i>Urban Design Masterplan</i> (see Figure 4) will inform the ultimate development layout for the Parwan Industrial Precinct. The masterplan is considered satisfactory, as it appropriately identifies the following features and details at a high level:</p> <ul style="list-style-type: none"> • Proposed conservation reserves, to protect biodiversity values including Bingham's Swamp and patches of remnant native vegetation including Lignum Swamp (ecological vegetation class [EVC] 104), Plains Woodland (EVC 803) and Plains Grassland (EVC 132_63). • Aboriginal artefact sites and associated buffers; • Proposed road network; • Proposed shared path network; • Proposed drainage reserves, sediment ponds and retarding basin;

	<ul style="list-style-type: none"> Proposed land uses; EPA recommended separation distances to the proposed protein recovery facility and abattoir; and Design objectives, to guide future planning decisions. <p>The <i>Development Plan</i> is considered to include a satisfactory <i>Urban Design Masterplan</i>.</p>
A <i>Site Analysis Plan</i>	<p>The <i>Site Analysis Plan</i> is considered satisfactory, as it appropriately identifies the following:</p> <ul style="list-style-type: none"> Site context; Natural surface contours; Nearby sensitive land uses; Existing road network; Patches of remnant native vegetation; Aboriginal artefact sites and associated buffers; and Obstacle limitation surface contours associated with the Bacchus Marsh Aerodrome. <p>The <i>Development Plan</i> is considered to include a satisfactory <i>Site Analysis Plan</i>.</p>
An <i>Ecological Assessment Report</i> prepared in consultation with the Department of Environment, Land, Water and Planning (DELWP).	<p>The <i>Ecological Assessment Report</i> (Nature Advisory; Sep 2019) identified six patches of native vegetation on the subject site and adjoining road reserves, including three patches of Lignum Swamp (EVC 104), two patches of Plains Woodland (EVC 803) and a large patch of Plains Grassland (EVC 132_63). These patches cover an area of 42.3 hectares and include numerous large trees. In addition, the subject site includes 34 scattered trees, 26 of which are large.</p> <p>One ecological community listed under the Environment Protection and Biodiversity Conservation Act 1999 was recorded within the study area, namely a 24 hectare area of Natural Temperate Grassland of the Victorian Volcanic Plain, associated with the Plains Grassland in the eastern portion of the site.</p> <p>A number of listed threatened flora and fauna species were also considered to have potential to occur within the area of native grassland on the subject site.</p> <p>The assessment recommends the retention of the native vegetation as follows:</p> <ul style="list-style-type: none"> All five patches of native vegetation, except for a small area (0.476 hectares) of Plains Grassland; and 27 scattered trees, including all trees assessed as being of 'high' retention value, most trees of 'medium' retention value and some trees of 'low' retention value;

	<p>as per the Arboricultural Assessment (Axiom Tree Management Pty Ltd; July 2018).</p> <p>The <i>Development Plan</i> is considered to include a satisfactory response to the <i>Ecological Assessment Report</i>.</p>
<p>A <i>Bacchus Marsh Aerodrome Impact Assessment Report</i> that is consistent with the National Airports Safeguarding Framework.</p>	<p>The <i>Bacchus Marsh Aerodrome Impact Assessment Report</i> (To70 Aviation Australia; March 2019) identifies the obstacle limitation surface (OLS) contours associated with the Bacchus Marsh Aerodrome. The OLS is a series of imaginary 3-dimensional surfaces associated with each runway at an aerodrome, that sets the safe height of objects such as buildings. The assessment recommends</p> <p>The <i>Development Plan</i> is considered to include a satisfactory response to the <i>Bacchus Marsh Aerodrome Impact Assessment Report</i>.</p>
<p>An <i>Integrated Water Management Plan</i>, prepared in consultation with Melbourne Water, Western Water, the Environment Protection Authority and Council.</p>	<p>The <i>Integrated Water Management Plan Addendum</i> (Reeds Consulting letter dated 30 September 2019) outlines interim and ultimate stormwater drainage strategies to:</p> <ul style="list-style-type: none"> • Convey external and internal catchment flows via proposed waterway drainage reserves; • Manage increases in developed peak stormwater outflows via a proposed retarding basin; and • Treat stormwater runoff to best practice. <p>Melbourne Water, as the statutory drainage authority for catchments larger than 60 hectares, has provided conditional in-principle support for the development plan. Melbourne Water's conditions relate to the following matters and have been incorporated into the development plan:</p> <ul style="list-style-type: none"> • Prior to commencement of the use of the protein recovery facility, the owner must enter into an agreement with Melbourne Water regarding drainage infrastructure servicing. • Prior to any development on the land to the west of the proposed north-south waterway corridor, an environmental flows assessment must be prepared and approved; to ensure the maintenance of environmental flows to Bingham's Swamp. • It is the responsibility of the developer/landowner to design and deliver the drainage infrastructure required to service development of the subject site. <p>Western Water is primarily concerned with the provision of water supply and sewerage services to the subject site, and with the potential for stormwater flows from the precinct impacting on operations at the Parwan Recycled Water Plant (PRWP). Western Water has provided conditional</p>

	<p>in-principle support for the development plan. Western Water’s conditions relate to the following matters and have been incorporated into the development plan:</p> <ul style="list-style-type: none"> • Trade waste: The developer must consult with Western Water regarding the development of a sewer and trade waste strategy in considering Stage 1 and the ultimate development site. • Water supply: The developer must work with Western Water to further investigate options for the use of Class C recycled water from the PRWP as an alternative supply. • Sewerage: The developer must consult with Western Water regarding the development of a sewer strategy. • Stormwater: <ul style="list-style-type: none"> ○ The developer must ensure that the overall development site does not result in any increased stormwater flows into downstream properties in accordance with the Drainage Authority requirements, taking into account and meeting Western Water EPA licence conditions. ○ The developer must ensure that stormwater discharge from the site will be treated for water quality to Best Practice in accordance with the Drainage Authority requirements. ○ The developer must ensure that should any outfall drainage works impact on Western Water’s operations at its PRWP, the outfall drainage works will be designed to bypass the PRWP to the satisfaction of Western Water. <p>The <i>Development Plan</i> is considered to include a satisfactory response to the <i>Integrated Water Management Plan</i>.</p>
<p><i>A Landscape Masterplan</i></p>	<p>The <i>Landscape Masterplan</i> includes the following details:</p> <ul style="list-style-type: none"> • Street tree species. • Native vegetation to be retained and removed. • Tree protection zone specifications for scattered native trees to be retained. • Cross-sections showing details of proposed landscape buffers adjoining the proposed conservation reserves. • Cross-sections showing details of proposed 7m wide landscape screens around the perimeter of the subject site, to ensure visual amenity at the interface with surrounding land uses. <p>The <i>Development Plan</i> is considered to include a satisfactory <i>Landscape Masterplan</i>.</p>

<p>An <i>Integrated Transport Management Plan</i>, prepared in consultation with Regional Roads Victoria and Council.</p>	<p>The <i>Integrated Transport Management Plan</i> includes the following details:</p> <ul style="list-style-type: none"> • A high level transport network, comprising: <ul style="list-style-type: none"> ○ Two east-west internal roads which intersect with Geelong-Bacchus Marsh Road; with left-in / left-out intersections, as consented to by RRV as the agency responsible for arterial roads. ○ Three north-south internal roads which intersect with Nerowie Road; with standard T-intersections with designated turning lanes. ○ Proposed roundabout at the intersection of Nerowie Road and Geelong-Bacchus Marsh Road. ○ Standard internal road cross-section, providing for a minimum road reserve width of 25m and a minimum carriageway width of 12.5m, in accordance with Council's Infrastructure Design Manual. ○ A shared path network, to provide pedestrian and cyclist access to the network of conservation and open space reserves. ○ A potential future access road, connecting the north-east of the subject site to Parwan South Road. Prior to construction of this road, the proponent must commit to the provision of appropriate upgrade works to Parwan South Road and the intersection of this road with Nerowie Road, to the satisfaction of Council. <p>The <i>Development Plan</i> is considered to include a satisfactory response to the <i>Integrated Transport Management Plan</i>.</p>
<p>An <i>Infrastructure Servicing Plan</i>, prepared in consultation with relevant agencies and Council.</p>	<p>The <i>Infrastructure Servicing Plan</i> includes the following high-level details:</p> <ul style="list-style-type: none"> • The provision, staging and timing of the stormwater drainage infrastructure. • The provision, staging and timing of reticulated water, sewerage, electricity, telecommunications and gas supply. • Identification of the responsible agencies for the infrastructure provision. <p>The <i>Development Plan</i> is considered to include a satisfactory response to the <i>Infrastructure Servicing Plan</i>. It should be noted, however, that substantial infrastructure extension and augmentation works will be required to service industrial development on the subject site to the satisfaction of the relevant agencies.</p>

Based on the above assessment the *Development Plan* (in Attachment 1) is considered satisfactory, as it generally accords with Schedule 1 to the DPO and the Moorabool Planning Scheme more broadly. Importantly, it includes an appropriate level of detail to inform future planning decisions.

COUNCIL PLAN

The Council Plan 2017-2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development

Context 3A: Land Use Planning

The proposal to approve the *Development Plan - Parwan Industrial Precinct* (Ricardo; October 2019) is consistent with the Council Plan 2017 – 2021, as it will provide a framework for a master-planned industrial precinct that will provide for employment opportunities.

FINANCIAL IMPLICATIONS

Approval of the *Development Plan* will enable future planning permit applications to be considered by Council, for industrial use and development of the subject land. There is an existing section 173 agreement (under the *Planning and Environment Act 1987*) relating to the subject land, which requires the owner to:

- Pay a development infrastructure levy to Council towards road works to improve north-south freight movements through and around Bacchus Marsh; and
- Fully fund the design, supervision and construction of drainage works and infrastructure projects in the general vicinity of the subject land.

There is also a section 173 agreement relating to land described as PC362391Y, to the immediate north of the subject land, to ensure the provision of drainage works and drainage easements to service the subject land.

These agreements will be triggered via conditions on planning permits relating to the development of the subject land.

A development contributions plan will be prepared by the VPA for the Parwan Employment Precinct which will trigger the payment of development contributions for all other land within the precinct.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Approval of the *Development Plan* will not result in any risk or occupational health and safety issues.

COMMUNICATIONS & CONSULTATION STRATEGY

Notably, Amendment C76 resulted in the subject land being rezoned from FZ to IN1Z, and DPO1 (including a concept plan) being applied. Amendment C76 underwent public exhibition in accordance with the *Planning and Environment Act 1987* and was subject to a planning panel process.

The *Development Plan* was not publicly exhibited, as there are no such requirements in either the Moorabool Planning Scheme or the *Planning and Environment Act 1987*. However, the *Development Plan* was informally referred to relevant government agencies and Council departments for consideration and comment.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 80C of the *Local Government Act 1989* (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Executive Manager – Henry Bezuidenhout

In providing this advice to Council as the Executive Manager, I have no interests to disclose in this report.

Author – Rod Davison

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The *Development Plan* is consistent with the requirements of DPO Schedule 1 and the vision for the broader PEP, as it will provide for employment generating agribusiness land uses.

Approval of the *Development Plan* will provide an appropriate framework for industrial use and development of the subject site and will enable future planning permit applications to be considered by Council.



Delivering Excellence Through
Innovation & Technology



Development Plan Parwan Industrial Precinct (PIP)

December 2019
Prepared for Parwan and Co

Customer:

Honed Property

Customer reference:

30636

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Approved By:

Tom Harrington

Date:

09 December 2019

Ricardo Energy Environment & Planning reference:

Ref: 30636- Final

1. Introduction

Ricardo Energy, Environment and Planning (Ricardo hereafter) act on behalf of Parwan and Co and submit this Development Plan for approval in relation to land at 3922 Geelong-Bacchus Marsh Road, Parwan.

The approved Development Plan will enable the development of the site for industrial uses generally in accordance with the Moorabool Agribusiness Industrial Area Development Plan Overlay, Schedule 1 (DPO1), Clause 43.04 of the Moorabool Planning Scheme and will deliver the vision established for the Precinct.

Amendment C076 was gazetted on 21 December 2017 and rezoned the subject site from Farming Zone (FZ) to Industrial 1 Zone (IN1Z) and applied the DPO1.

This Development Plan provides a response to the requirements of the Development Plan Overlay specified at DPO Schedule 1 of the Moorabool Planning Scheme. The proposed Urban Design Masterplan forms part of this plan and has been prepared generally in accordance with the Moorabool Agribusiness Industrial Area Concept Plan contained within DPO1.

It is envisaged that Council will use this Development Plan when assessing future planning permit applications for the site.

This Development Plan was developed by Parwan and Co with assistance from the following specialist consultants:

- **Ricardo:** Lead Consultant: Planning and Environment
- **Alluvium:** Integrated Water Management Strategy
- **Architectus:** Urban Design
- **Axiom Tree Management:** Arboricultural Assessment
- **Benchmark Heritage Management:** Cultural Heritage
- **Nature Advisory:** Ecological Assessment
- **Nicholas and Alexander Architects:** Architecture
- **Reeds Consulting:** Integrated Water Management Strategy and Servicing Strategy
- **To70 Aviation:** Aerodrome Impact Assessment
- **Traffix Group:** Traffic and Transport
- **Weir and Co:** Landscaping

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2. Vision

The Parwan Industrial Precinct (PIP) is a regionally scaled employment precinct. The PIP holds significant economic and employment growth potential for the region, with the ability to attract high levels of new agriculturally focused industrial and business investment. The PIP is beneficially located within the Parwan Employment Precinct (PEP), in close proximity to Bacchus Marsh Irrigation District, markets, suppliers, and key transport nodes. The PIP has the capacity to accommodate agribusiness related industries that add value to agriculture in Bacchus Marsh and the broader region.

The importance and potential of the PEP is recognised at the State level, and government agencies are undertaking planning work to facilitate development infrastructure to support its activation. The Parwan Employment Precinct Business Case (March 2018) prepared for Regional Development Victoria and Moorabool Shire Council identifies some of the key infrastructure and investment priorities required to support the development of the PEP.

Key to the success of the wider employment precinct is the provision of the essential services of gas, power, water and drainage. The PIP will be the catalyst for these upgrade works, but the benefits will be shared by many stakeholders. The PIP will also leverage access to Bacchus Marsh Aerodrome, to support agribusiness freight and logistics.

The first stage within the PIP will deliver a significant agribusiness related industrial hub, creating approximately 500 direct jobs over the next 5 years that will add enormous value to the primary production occurring in the region. It will deliver a large-scale Protein Recovery Facility (PRF), an abattoir and a cold storage facility. The layout and design of the PIP celebrates and protects the environmental and cultural heritage value of the land, including the retention and management of Bingham's Swamp.

Future stages will explore innovative solutions for treatment of organic waste opportunities from the PIP, to complement conventional renewable energy sources, in wind and solar. The sustainable and environmental credentials of the PIP will be further enhanced through emissions standards, measures and controls to achieve carbon neutrality.

Parwan Industrial Precinct Vision:

"A regional scale agribusiness related industrial hub employing best practice agribusiness related industrial techniques within the Parwan Employment Precinct, that adds value to the agricultural sector in western Victoria and demonstrates innovation through industrial symbiosis, advanced agn-tech and circular economy initiatives. It will be the key destination for agricultural related industry in the region, being accessible from key markets and suppliers in western and northern Victoria, and capitalising on access to export related infrastructure in Melbourne and Geelong"

3. Site Information

3.1. Locality

The site is located at 3922 Geelong-Bacchus Marsh Road, Parwan.

The subject site is bounded by the Geelong-Bacchus Marsh Road (west), Nerowie Road (south) and Parwan South Road (east).

On a regional scale, the site is midway between Melbourne and Ballarat being approximately:

- 44km west of Melbourne, and
- 52km east of Ballarat

On a local scale, the site is located within the Parwan Employment Precinct, approximately 7km to the south of the Bacchus Marsh Railway Station. The Bacchus Marsh Aerodrome is directly to the west of the site with the runways being only 1.5km from the site's western boundary.

The township of Melton is approximately 13km to the north-east of the site.

3.2. Size

The site measures 190.9ha in extent. It has boundary lengths of 1612m (northern boundary), 760m (eastern boundary - Parwan South Road), 1746m (southern boundary - Nerowie Road) and 1542m (western boundary - Geelong-Bacchus Marsh Road).

3.3. Ownership / Legal

The site is owned by Parwan Pty Ltd (Lots 1 and 2 on TP188461).

Lot 1 on TP175583 and Lot 1 on TP253271, in the SW corner of the site and which together measure approximately 360m², are owned by the Australian Telecommunications Commission and are outside of the Development Plan Overlay Schedule 1.

There is a Section 173 Agreement (AQ982928W) relating to development contributions and infrastructure works between the Moorabool Shire Council and Parwan Pty Ltd. A development infrastructure levy must be paid to Council, upon subdivision or development of the subject land, in accordance with the terms of the agreement.

There is also a Section 173 Agreement (AR019905C) relating to drainage works on the property described as PC362391Y, to the north of the site that will serve the industrial land.

There are no further easements or encumbrances affecting the site.

3.4. Existing Zoning and Overlays

The site falls within the Industrial 1 Zone (IN1Z) of the Moorabool Planning Scheme. This zoning became effective on 21 December 2017.

It is also affected by the following overlays:

- Design and Development Overlay (Schedule 2) (DDO2) – Visual amenity and building design;
- Development Plan Overlay (Schedule 1) (DPO1) – Moorabool Agribusiness Industrial Area; and the
- Environmental Significance Overlay (Schedule 4) (ESO4) –



Figure 2: Existing Zone

Wetland areas.

Other overlays in the vicinity but not directly affecting the site are the Airport Environs (AEO) and Heritage (HO) overlays.



Figure 3 -Design and Development Overlay



Figure 4- Environmental Significance Overlay



Figure 5- Development Plan Overlay



Figure 6- Airport Environs and Heritage Overlay

(Note: The site adjoins but is not subject to these overlays)

The concept plan for the Moorabool Agribusiness Industrial Area is contained in Schedule 1 of the Development Plan Overlay (DPO) as



Figure 7: Moorabool Agribusiness Industrial Area Concept Plan

shown below:

3.5. Parwan Employment Precinct

A detailed assessment against State and Local Planning Policies has been undertaken in Section 6 of this report. In addition, any planning and/or development proposals for the site must be cognisant of the planning currently being undertaken for the Parwan Employment Precinct by the

Victorian Planning Authority (VPA) in association with Moorabool Shire Council.

The Parwan Employment Precinct holds significant economic and employment potential and has the ability to attract significant levels of new agribusiness and related industrial investment. These businesses will add value and complement the produce from the Bacchus Marsh Irrigation District. The Parwan Employment Precinct will also contribute to the delivery of the Eastern Link Road.

3.6. Council Strategic Planning Studies

The Moorabool Shire Council has adopted the following strategic planning studies relevant to the PIP:

- Bacchus Marsh Urban Growth Framework (2018)
- Moorabool Shire Economic Development Strategy (2015)
- Moorabool Industrial Areas Strategy (2015)

3.7. Existing Land Use

The majority of the site is used for agricultural purposes (grazing land). There is a dwelling and shed on the site that gains access from Geelong-Bacchus Marsh Road. The dwelling will not be retained in the development.

There is a Telstra rural telephone exchange facility in the south-western corner of the site, which is outside of the Development Planning Overlay Schedule 1.

The Bingham's Swamp is on the central north part of the site.

3.8. Nature of the Surrounding Area

The Bacchus Marsh Aerodrome is to the west of the site while Western Water's Parwan Recycled Water Plant is to the northeast of the site.

The Sir Jack Brabham Park (motor sports) is located to the east of the site. There is a chicken broiler farm to the north of the site on Parwan South Road and Parwan Valley Mushrooms to the north on Geelong-Bacchus Marsh Road.

The state significant Maddingley Waste and Resource Recovery Hub (and associated brown coal mine) is located approximately 3 kilometres north-west of the site, towards Bacchus Marsh.

There are also several horse training tracks evident in the surrounding area. The surrounding area thus has mixed land uses, mainly focussed on rural agricultural business uses.

4. Site Constraints

4.1. Natural and Environmental Features

The site contains five patches of remnant native vegetation, as shown in **Figure 8: Native vegetation within study area** and summarised below (refer to Table 1 for a summary of habitat hectare assessment results).

The site slopes from its southern and eastern boundary towards the Bingham's Swamp - see Site Analysis Plan (see Figure 11: Site Analysis Plan). Bingham's Swamp has been identified as an important natural environmental feature, as well as a cultural feature in the local landscape.

There are various scattered trees on the western half of the site that are shown on the Tree Retention Plan (see Figure 14). These 34 trees have been identified and assessed by an arborist (**Arboricultural Assessment, Axiom Tree Management, July 2018**). As shown in Tables 2-4, the trees are all indigenous species (comprising of Bull Oak, Grey Box, River Red Gum and Yellow Gum), with 13 (of 34) assigned a 'high' retention value, 8 assigned a 'medium' retention value and 13 assigned a 'low' retention value.

Habitat Zone	EVC No.	Area (ha)	Condition score (out of 100)	Listed ecological communities
1	Plains Woodland (EVC 803)	0.028	33	-
2	Low-rainfall Plains Grassland (EVC 132_63)	24.000	40	NTGVVP*
3	Lignum Swamp (EVC 104)	16.811	38	-
4	Lignum Swamp (EVC 104)	1.459	18	-
5	Plains Woodland (EVC 803)	0.040	25	-
6	Remnant wetland #70069, deemed to be a patch of Plains Grassy Wetland (EVC 125)	4.108		No native vegetation occurs in this wetland.
Total		46.446		

*NTGVVP = Natural temperate grassland of the Victorian Volcanic Plain (EPBC Act listed community)

Table 1: Summary of habitat hectare assessment results

ID	Botanical Name	H x W	DBH (cm)	Health	Structure	ULE
7	<i>Eucalyptus microcarpa</i>	14m x 16m	103	Fair	Poor	20+ years
14	<i>Eucalyptus leucoxydon</i>	11m x 16m	128	Poor	Poor	5-10 years
19	<i>Allocasuarina leuhmannii</i>	15m x 7m	56	Fair	Fair	20+ years
25	<i>Eucalyptus microcarpa</i>	11m x 7m	38	Fair	Fair	20+ years
26	<i>Eucalyptus microcarpa</i>	8m x 5m	40	Fair	Fair	20+ years
27	<i>Eucalyptus microcarpa</i>	10m x 10m	53	Fair	Fair	20+ years
29	<i>Eucalyptus microcarpa</i>	17m x 18m	84	Fair	Fair	20+ years
30	<i>Eucalyptus microcarpa</i>	13m x 12m	74	Fair	Poor	20+ years
31	<i>Eucalyptus microcarpa</i>	15m x 5m	53	Fair	Fair	20+ years
32	<i>Eucalyptus microcarpa</i>	14m x 12m	82	Fair	Poor	20+ years
34	<i>Eucalyptus camaldulensis</i>	12m x 14m	87	Good	Fair	20+ years
37	<i>Eucalyptus camaldulensis</i>	20m x 18m	116	Good	Fair	20+ years
38	<i>Eucalyptus camaldulensis</i>	12m x 5m	42	Good	Fair	20+ years

Table 2: Trees with high retention value

ID	Botanical Name	H x W	DBH (cm)	Health	Structure	ULE
4	<i>Eucalyptus microcarpa</i>	12m x 12m	120	Fair	Poor	10-20 years
8	<i>Allocasuarina leuhmannii</i>	5m x 5m	45	Fair	Poor	10-20 years
10	<i>Eucalyptus microcarpa</i>	10m x 8m	57	Fair	Poor	10-20 years
11	<i>Eucalyptus microcarpa</i>	9m x 6m	55	Fair	Poor	10-20 years
15	<i>Allocasuarina leuhmannii</i>	12m x 7m	68	Poor	Poor	5-10 years
28	<i>Eucalyptus macrocarpa</i>	8m x 7m	86	Fair	Fair	10-20 years
33	<i>Eucalyptus camaldulensis</i>	9m x 3m	42	Good	Fair	20+ years
39	<i>Allocasuarina leuhmannii</i>	11m x 8m	63	Fair	Very poor	5-10 years

Table 3: Trees with medium retention value

ID	Botanical Name	H x W	DBH (cm)	Health	Structure	ULE
3	<i>Allocasuarina leuhmannii</i>	10m x 5m	58	Poor	Very poor	1-5 years
6	<i>Eucalyptus microcarpa</i>	12m x 8m	81	Very Poor	Very poor	0 years
12	<i>Allocasuarina leuhmannii</i>	12m x 7m	85	Fair	Very poor	1-5 years
13	<i>Allocasuarina leuhmannii</i>	10m x 6m	66	Fair	Very poor	1-5 years
17	<i>Allocasuarina leuhmannii</i>	14m x 6m	73	Fair	Very poor	1-5 years
18	<i>Allocasuarina leuhmannii</i>	12m x 8m	82	Poor	Very poor	1-5 years
20	<i>Allocasuarina leuhmannii</i>	10m x 8m	48	Poor	Very poor	1-5 years
21	<i>Allocasuarina leuhmannii</i>	11m x 8m	59	Poor	Very poor	1-5 years
22	<i>Allocasuarina leuhmannii</i>	11m x 3m	70	Poor	Very poor	1-5 years
23	<i>Allocasuarina leuhmannii</i>	11m x 5m	46	Poor	Very poor	1-5 years
24	<i>Allocasuarina leuhmannii</i>	13m x 8m	68	Poor	Very poor	1-5 years
35	<i>Allocasuarina leuhmannii</i>	15m x 4m	65	Fair	Very poor	0 years
36	<i>Allocasuarina leuhmannii</i>	11m x 3m	41	Very Poor	Very poor	0 years

Table 4: Trees with low retention value



Figure 8: Native vegetation within study area

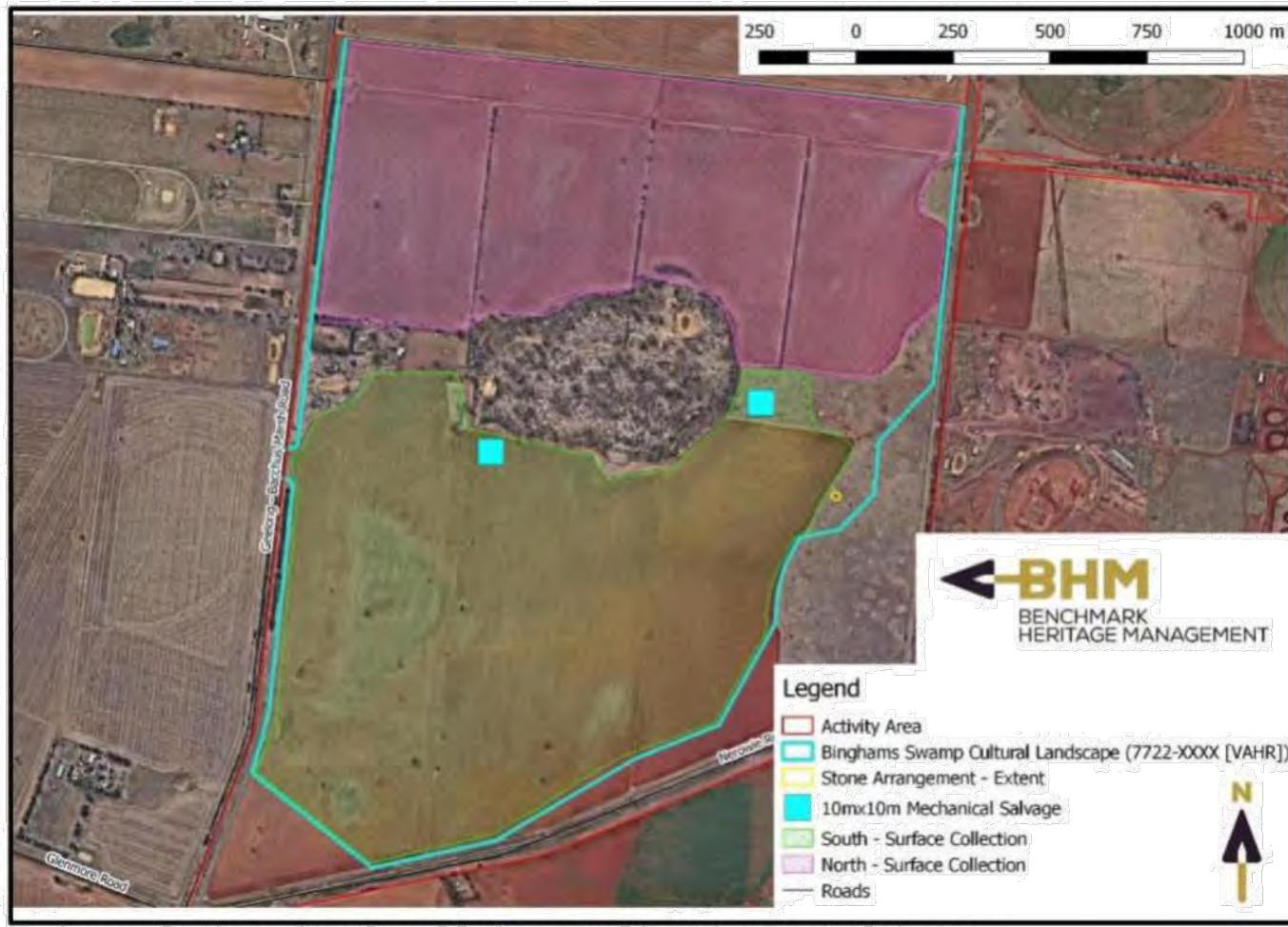
4.2 Aboriginal Cultural Heritage

The Cultural Heritage Management Plan (CHMP) has been prepared by Benchmark Heritage which identifies that a substantial number of scattered and sub-surface artefacts have been located and it is proposed to seek a single registration called Bingham's Swamp Cultural Landscape which will merge existing artefact sites with new ones. The CHMP requires protection of certain Aboriginal Cultural Heritage Places and establishes a number of management conditions that must be met prior to commencement of the proposed activity.

The Standard and Complex Assessment of the PIP resulted in the identification of three Aboriginal Cultural Heritage Places (ACHP): VAHR 7722-1212 (Bingham's Swamp Cultural Landscape), VAHR 7722-1205 (Parwan South Road, Parwan LDAD1) and VAHR 7722-1190 (Geelong-Bacchus Marsh Road Section 3 LDAD1) (refer to Figure 9 and Figure 10).

The CHMP permits the proposed activity to harm part of ACHPs VAHR 7722-1212 (Bingham's Swamp Cultural Landscape) and VAHR 7722-1205 (Parwan South Road, Parwan LDAD1), in accordance with the management conditions specified in the CHMP. The CHMP does not permit the proposed activity to harm ACHP VAHR 7722-1190 (Geelong-Bacchus Marsh Road Section 3 LDAD1), in accordance with the management conditions specified in the CHMP.

The management conditions of the approved Cultural Heritage Management Plan will be implemented through the Development Plan and future planning permits.



Map 1: ACHP VAHR 7722-1212 (Binghams Swamp Cultural Landscape) Management Condition Map

Figure 9: ACHP VAHR 7722-1212 Binghams Swamp Cultural Landscape

5. Proposal

The Parwan Industrial Precinct (PIP) is situated within the proposed Parwan Employment Precinct and provides an ideal opportunity to implement innovative best practice water cycle management and agribusiness-related industrial uses and processes, to propel local agricultural investment and employment.

The Development Plan will deliver the PIP vision by providing a framework for future use and development, including a protein recovery facility, abattoir, cold storage and other complementary uses.

It is generally in accordance with the Moorabool Agribusiness Industrial Area Concept Plan within DPO1 in that it:

- Provides for immediate access to the site from both Geelong-Bacchus Marsh and Nerowie Roads, with potential future access off Parwan South Road
- Retains all Habitat Zones shown on the Moorabool Agribusiness Industrial Area Concept Plan
- Makes provision for land to be used as an abattoir and a PRF
- The retention of all scattered trees identified as high and medium retention value, (refer to Tables 2-4)

The Development Plan has also made provision for the creation of super lots that will be subject to development at a later date. Given industrial development is demand driven by future business owners, the Development

Plan will maintain some flexibility to be able to cater for a variety of future uses and lot sizes.

The DPO established the requirements for a Development Plan. Section 6 establishes how each of these requirements have been met.

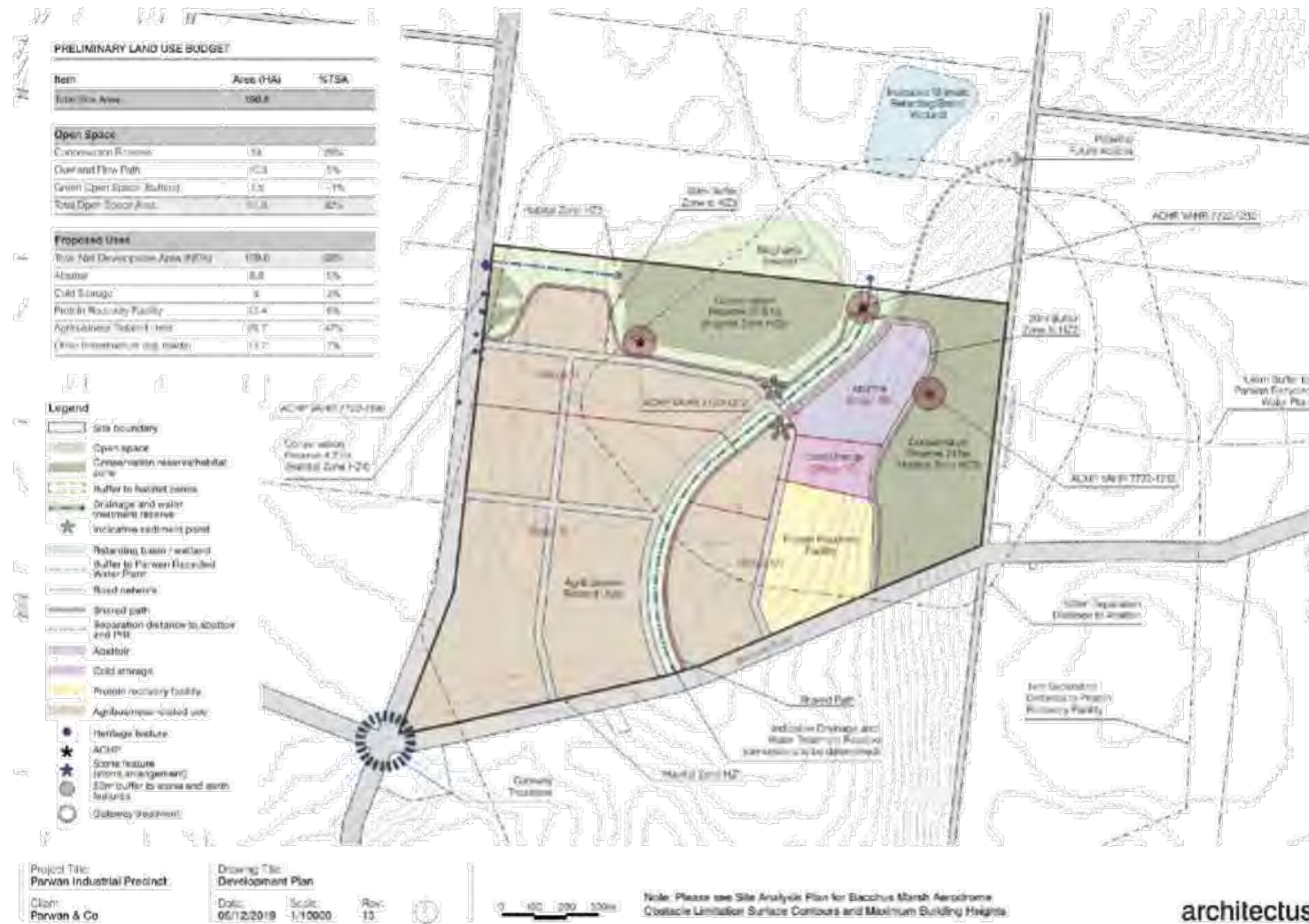


Figure 10: Urban Design Masterplan

5.1. Moorabool Agribusiness Industrial Area Development Plan Requirements

Schedule 1 to Clause 43.04 Development Plan Overlay includes a number of requirements that must be met by a Development Plan for the subject land. The Development Plan must include:

- An Urban Design Masterplan
- A Site Analysis Plan
- Ecological Assessment Report
- A Bacchus Marsh Aerodrome Impact Assessment Report
- An Integrated Water Management Plan
- A Landscape Masterplan
- An Integrated Transport Management Plan
- An Infrastructure Servicing Plan.

In addition to the above plans and reports, a Cultural Heritage Management Plan (CHMP) has also been prepared (**Proposed Parwan Agribusiness Precinct, City Gate Gas Pipeline and Plant- Cultural Heritage Management Plan- Desktop, Standard and Complex Assessments, Benchmark Heritage management, October 2019**).

5.2. Urban Design Masterplan

The Urban Design Masterplan (Figure 10) is generally in accordance with the Moorabool Agribusiness Industrial Area Concept Plan in the Development Plan Overlay as follows:

- Subdivision layout including roads, drainage reserves, habitat conservation areas/reserves, land uses and interface treatments. The layout is generally in accordance with the Moorabool Agribusiness Industrial Area Concept Plan in the Development Plan Overlay. It proposes:
 - Access points from Geelong Bacchus Marsh Road, Nerowie Road and a long-term potential future access point from Parwan South Road that avoids Habitat Zone 2
 - Retention of all scattered trees identified as having 'high' or 'medium' retention value
 - Land uses consistent with the zoning and Concept Plan. It identifies an abattoir and PRF in the initial stages and longer-term agribusiness related industrial uses¹ industrial uses. The Development Plan sets a vision for the delivery of an agribusiness related industrial precinct in accordance with the Development Plan Overlay.
- Identification of uses and relevant separation distances and buffers (see Separation Distances, Figure 12)
- Landscaping (see Landscape Masterplan, Figure 13)
- Staging of subdivision (see Urban Design Masterplan, Figure 10)
- Provision for Integrated Water Management (see Infrastructure Servicing Plan, Figure 19)

- The retention of Bingham's Swamp (Habitat Zone 3) and appropriate buffer area to industrial uses (see Urban Design Masterplan, Figure 10)
- Retention of all other Habitat Zones identified in the Development Plan Overlay, together with Habitat Zone 5 (see Urban Design Masterplan, Figure 10)
- Buffer areas and procedures to protect any site of Aboriginal Cultural Heritage in accordance with the Cultural Heritage Management Plan (see Urban Design Masterplan, Figure 10)
- Recommended maximum heights for buildings and landscaping located within the including Obstacle Limitation Surface Protection Area (OLSPA) from the existing aerodrome (see Site Analysis Plan, Figure 11).
- A pedestrian network that maximises internal pedestrian connectivity by linking key locations, conservation reserves and open space (see Urban Design Masterplan, Figure 10).

Design Objectives

These high-level design objectives have been established to encourage high-quality industrial development that encourages the principles of sustainability and to provide a framework for the development of design guidelines for clear decision making and the establishment of detailed design guidelines.

Ecology and Natural Resources

- To actively seek opportunities for improved environmental outcomes including support for development which provides for environmental protection, restoration or enhancement

- Integrate development into the local environment through site-responsive design which recognises, protects and where possible rehabilitates important landscapes, landform, natural areas and hydrological systems
- Street lighting and external security lighting should be designed to minimise negative impacts on nocturnal native fauna.

Subdivision, Building and Land Use

- To ensure the design of new industrial developments (including subdivisions) respond to the local characteristics of the site and its context
- Buildings should be located at the front of any site apart from when visitor car parking is provided in the front setback, so to present an attractive address to the street
- Buildings heights should generally not exceed 20m. Where it is demonstrated that a taller built form is required, for each 3 metres above 20 metres, the building should be recessed an additional 5 metres from the initial street setback.
- To integrate appropriately with surrounding urban and non-urban areas
- To promote passive solar design through the orientation of buildings
- Ensure a variety of lot sizes to maximise the efficient use of the land and encourage diversity of uses consistent with the minimum lot sizes required by the Development Plan Overlay Schedule 1.
- Buildings should incorporate a variety of forms, features, materials and colours
- Buildings should be designed to address the public realm.
- Street lighting and external security lighting should be designed to minimise negative impacts on nocturnal native fauna.

- Stockpiles, waste and storage areas should be screened from the public realm
- Seek opportunities to maximise passive surveillance of open space and conservation reserves.

Streets, Access and Movement

- Provide a safe, low-speed street layout with a clearly defined access hierarchy to facilitate traffic flow of heavy goods delivery vehicles as well as commuter and visitor traffic

Landscaping and Interfaces

- A landscaping theme consistent with the Landscape Masterplan should be developed along streets and access ways. Various street tree species should be used to create visual cues in appropriate locations such as at the termination of view lines, key intersections and in parks.
- A 20m buffer zone must be provided around all edges of Habitat Zone 2. The buffer zone must exclude buildings but may include paths, landscaping, public open space and drainage infrastructure
- A 60m buffer zone must be provided around all edges of Habitat Zone 3. The buffer zone must exclude buildings but may include paths, landscaping, public open space and drainage infrastructure
- To ensure that fencing on the public realm interface is semi-transparent and contributes positively to the appearance of the public realm.
- To promote the use of drought-resistant, local vegetation in landscaping.
- Building developments must be provided with a landscape strip of 5m minimum width to all road frontages. Landscape strips of 2m

minimum width should also be provided along side and rear boundaries where feasible, except where walls are built to the boundary.

- A gateway treatment must be provided at the intersection of Geelong-Bacchus Marsh Road and Nerowie Road, to the satisfaction of Moorabool Shire Council and Regional Roads Victoria.

The Urban Design Masterplan meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

Site Analysis Plan

The site analysis (see Figure 11) shows the following:

- Orientation, boundaries and dimensions of the site
- Easements
- Surrounding land uses and development
- Contours
- Provision of services
- Surrounding movement network.

The site generally slopes gently from the south-east in a northerly direction towards Bingham's Swamp. The highest part of the site is in the SE corner of the site (approx. 164m AHD) with the lowest point being in the Bingham's Swamp (approx. 142m AHD).

The existing grassland (Habitat Zone 2) along the eastern boundary of the site has the "steepest" slopes (approx. 1:25) in a westerly direction. Slopes on other parts of the site are approximately:

- 1:250 in a northerly direction on the Geelong-Bacchus Marsh Road boundary
- 1:70 in a northerly direction on the Parwan South Road boundary
- 1:275 in a northerly direction from Nerowie Road to the Bingham Swamp.

The Site Analysis Plan clearly demonstrates that the key features of the site have been protected through the proposed urban design masterplan that has been prepared.

The Site Analysis meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

Ecological Assessment

Nature Advisory (formerly Brett Lane and Associates) undertook an Ecological Assessment (3922 Geelong-Bacchus Marsh Road, Parwan, **Ecological Assessment Report, Nature Advisory, November 2019**) of 3922 Geelong-Bacchus Marsh Road, Parwan. Five patches of native vegetation were identified in the study area, including two areas of Lignum Swamp (EVC 104), two areas of Plains Woodland (EVC 803) and a large area of Low-rainfall Plains Grassland (EVC 132-63). This totalled an area of 42.338 hectares of native vegetation in patches and included numerous large trees. In addition to patches, 34 scattered trees occur within the study area, 26 of them which are classified as large trees.

The Development Plan has adopted the key recommendations provided in the Ecological Assessment for the retention of native vegetation and habitat on-site, particularly through the establishment of three common property conservation reserves including:

- A 22.8-hectare Conservation Reserve that includes the retention of Bingham's Swamp (Habitat Zone 3), as well as a 60-metre development free buffer area (which incorporates Habitat Zone 5) around the swamp to accommodate avifauna flight path and habitat requirements.
- A 23.8-hectare Conservation Reserve that includes the retention of the vast majority of native grassland (Habitat Zone 2), as well as a 20-metre development free buffer area to accommodate habitat requirements; and
- A 4.2-hectare Conservation Reserve in the North West which includes the retention of a further area of Lignum Swamp (Habitat Zone 4)
- In addition to the establishment of the above listed three conservation reserves, the Development Plan also proposes to retain all structurally sound remaining scattered trees identified as high and medium retention value, (see Figure 14) within the development, and the area of Plains Woodland recorded in Habitat Zone 1 will be retained in the Nerowie Road reserve. Internal roads have been located in the development to avoid impacts to trees where possible.

The Ecological Assessment also identifies risks to ecological values in each Habitat Zone and makes recommendations for management.

Whilst the majority of native vegetation in the study area will be retained and managed for conservation, some areas of native vegetation will be required to be removed to allow for the practical development of the site.

This includes:

- A small portion (0.497 ha) of low-quality Plains Grassland from Habitat Zone 2. Given the area of Plains Grassland proposed to be removed is <0.5ha and is a narrow area of grassland surrounded by paddocks, it is unlikely to result in a significant impact on the ecological community.
- Remnant wetland #70069 which is deemed to be a patch (4.108 ha) of Plains Grassy Wetland (EVC 125), in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017),
- Scattered trees identified in the Axiom Arboricultural Assessment as being in poor health and or structure (trees 3, 6, 12, 13, 17, 18).

Scattered trees will be protected through the establishment of tree protection zones (TPZ), calculated according to *Protection of Trees on Development Sites* (AS 4970-2009) for all trees to be retained calculating the TPZ as 12 times the trunk diameter at 1.4m above ground level (DBH). The TPZ fence will be designed to act as a physical barrier of protective fencing that is a minimum of 1.8m high. It is erected around retained specimens (at the edge of the TPZ) before site works commence.

Development proposals will consider opportunities to maximise ongoing protection of retained scattered trees, such as:

- Protecting TPZs within widened sections of road or drainage reserves;
- Protecting TPZs within open space reserves;
- Protecting TPZs within landscaping areas;
- Protecting TPZs within permanent fencing and installing a small 'protected tree' sign.

The small area of impact to native grassland vegetation (<0.5 hectares) is considered unlikely to result in a significant impact on matters of national environmental significance (see Ecological Assessment).

The retained ecological values in Bingham's Swamp and in the grassland to the east may meet the eligibility criteria for listing as a native vegetation offset site on the Victorian Native Vegetation Credit Register. These areas are to be retained in conservation reserves and have the potential to provide significant native vegetation gains under the appropriate management regime. At the time of development, opportunities should be sought to realign the property boundary to bring the footprint of Bingham's Swamp into a single title and managed by a single entity. 'Risks to ecological values in each Habitat Zone', and 'Recommendations for protection and management' are outlined in sections 5.1.1 and 5.1.2 in the Ecological Assessment Report (Nature Advisory, November 2019).

An important part of any management regime for Bingham's Swamp (Habitat Zone 3) will be the implementation of an appropriate environmental watering regime, that is in line with the natural watering regime of the wetland. Importantly, the timing, frequency and longevity of the planned watering should provide the adequate wetting and drying phases associated with the

relevant vegetation type. The EVC benchmark for the relevant EVC (Lignum Swamp) states that the desirable period between flood events is 10 years. A watering regime based around this frequency must be included in the development of a management plan for the wetland.

The management of the common property conservation reserves will be the responsibility of a private owner (e.g. an owners' corporation) and will include an ongoing management regime to be funded through the tenants of the broader precinct. Potential security mechanisms could include a Trust for Nature Agreement or a Section 89 (Conservation, Forests & Land Act 1987) Agreement with DELWP.

A Habitat Zone Management Plan must be prepared at for the conservation reserves, at an appropriate stage of development. A management plan must include management actions for each habitat zone and associated buffer area to mitigate risks to ecological values during subdivision and development and from industrial use of the balance of the PIP.

The proponent is required to meet the objectives of Clauses 12.01-1S Protection of Biodiversity and 12.01-2S Native Vegetation Management to the satisfaction of DELWP and the Responsible Authority.

The Ecological Assessment meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

Bacchus Marsh Aerodrome

The Bacchus Marsh Aerodrome Impact Assessment Report (**Parwan Industrial Precinct- Bacchus Marsh Aerodrome Impact Assessment**

Report, to70 Aviation Consultants, March 2019) was undertaken by to70 Aviation Consultants.

The Bacchus Marsh Aerodrome Impact Assessment Report identifies the maximum building heights in relation to the OLSPA from the Bacchus Marsh Aerodrome. The maximum building heights vary from 52-65m and are identified on the Site Analysis Plan (Figure 10). Buildings and structures proposed within the Development Plan area must not exceed the maximum building height set by the OLSPA. The boiler stacks planned as part of the PRF in Stage 1 are expected to be the highest structure within the Precinct. The critical height identified in the Plume Rise Assessment (**L&G Meats Protein Recovery Facility- Plume Rise Assessment Report, to70 Aviation Consultants, September 2019**) for the PRF where the plume velocity is sufficiently reduced is 31m, well below the maximum building height limit.

The site is not affected by the AEO (Airport Environs Overlay).

The Bacchus Marsh Aerodrome Impact Assessment meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.



Figure 11: Site Analysis Plan

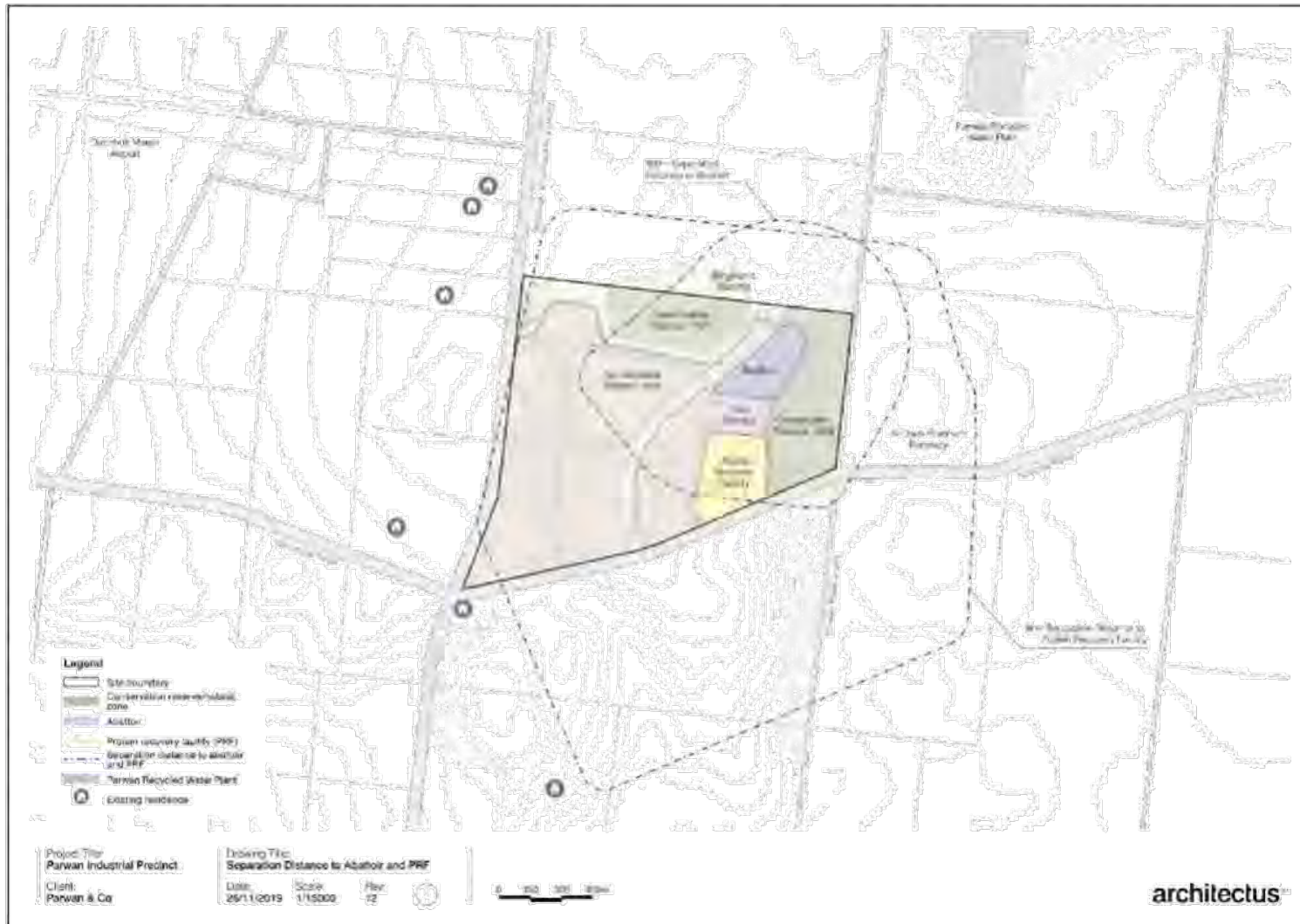


Figure 12: Separation distances to Abattoir and PRF plan

Integrated Water Management Plan

The Integrated Water Management Plan was undertaken by Alluvium (**Parwan Industrial Precinct Integrated Water Management Plan, Alluvium Consulting, April 2019**) and Reeds Consulting (**Addendum to the Integrated Water Management Plan, Reeds Consulting, October 2019**).

This report recognises that the Parwan / Moorabool Agribusiness Precinct is seeking to commence development and that the ultimate natural drainage outfall has been obstructed by Western Water's Parwan Wastewater Treatment Plant. Hence a staged drainage solution has been proposed. The design concept for drainage is contained within the Integrated Water Management Plan (refer to Figures 18 - 21). The staged solution includes:

- An interim on-site storage solution utilising an existing natural depression within the precinct
- A drainage reserve to manage stormwater flowing from the southern catchment to the ultimate drainage reserve
- A drainage reserve to maintain natural flows from the western catchment to Bingham's Swamp
- Appropriate separation from the drainage reserve to Bingham's Swamp
- An ultimate outfall solution that allows the initial stages of the Precinct to develop and is consistent with the wider proposed Melbourne Water drainage scheme
- 2 sediment ponds within the precinct to capture pollutants from the development prior to discharge in the waterway.

There is an existing Section 173 Agreement in place to enable the construction of stormwater retention facilities and drainage works on the adjoining land. Detailed designs of these suggested works will be submitted in due course for the necessary approvals by Council and Melbourne Water.

Drainage Infrastructure and Environmental Flows:

- Prior to the commencement of the use of the Protein Recovery Facility, which forms part of Stage 1 of this development, the owner must enter into an appropriate agreement with Melbourne Water regarding the drainage infrastructure servicing outcomes for this site; this agreement will also relate to adjoining land parcels.
- Prior to any development and/or subdivision applications on the land to the west of the proposed north-south waterway corridor, an environmental flows assessment must be prepared and approved to the satisfaction of DELWP and Melbourne Water. The developer/land-owner will be responsible for delivering the recommendations of the approved environmental flows assessment.
- It is the responsibility of the developer/landowner and their consultants to design and deliver the drainage infrastructure servicing outcome required to service development of the subject site, inclusive of a free-draining outfall, to the satisfaction of Melbourne Water and Moorabool Shire Council. If interim drainage solutions are required, they must be appropriately designed, constructed and maintained by the developer/landowner, and may require the submission of an appropriate bond, to the satisfaction of the Responsible Authority.

- Outfall drainage works must be designed to the satisfaction of the Drainage Authority, in consultation with relevant downstream land owners/managers.
- The developer must ensure that the overall development site does not result in any increased stormwater flows into downstream properties in accordance with the Drainage Authority requirements, taking into account and meeting Western Water's EPA licence conditions in relation to the operation of the Parwan Recycled Water Plant.
- Stormwater discharge from the site will be treated for water quality to Best Practice in accordance with the Drainage Authority requirements.
- Outfall drainage works must be designed to avoid impact on the Parwan Recycled Water Plant, to the satisfaction of Western Water (as the sewerage authority).

Trade Waste:

It is currently proposed that wastewater generated on the precinct will be disposed of to Western Water's Parwan Recycled Water Plant (PRWP), located approximately 2km north-east of the site. The disposal of wastewater from the site will occur under a Trade Waste Agreement (TWA) for each proposed use, which is yet to be drafted. The TWA will set out acceptance criteria for wastewater, which will limit the concentration and load of contaminants for wastewater.

- The developer must consult with Western Water regarding the development of a sewer and trade waste strategy in considering Stage 1 and the ultimate development site.

Water Supply:

- Detailed servicing strategies into the provision of potable water supplies to the precinct are required to meet the servicing demands of the precinct.
- The developer must work with Western Water to further investigate options for the use of Class C recycled water from the PRWP as an alternative supply.

Sewerage:

- A detailed servicing strategy into the provision of sewerage services to the precinct is required.
- The developer must consult with Western Water regarding the development of a sewer strategy.

The Integrated Water Management Plan meets the requirements for a Development Plan established in Clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

Landscape Masterplan

A copy of the Landscape Masterplan (**Landscape Masterplan, Weir & Co, September 2019**) undertaken by Weir & Co (see Figure 13 - Figure 17).

The Landscape Masterplan includes:

- Landscape Masterplan
- Tree Retention Plan
- Landscape Screen Elevation
- Landscape Buffer Cross Section to Habitat Zones.

The Landscape Masterplan provides species selection, planting densities and landscape buffers around the perimeter of the precinct.

The proposed landscaping complements the conservation requirements of the retained habitat zones, including Bingham's Swamp. The species and density of vegetation have been established for each buffer area.

All vegetation proposed will not exceed the maximum building heights in relation to the OLSPA from the Bacchus Marsh Aerodrome. The maximum mature height of the species to be planted is approximately 45 metres for the Eucalyptus Camaldulensis (River Red Gum).

Detailed landscaping proposals for each site will be dealt with at the planning permit stage for each new development. The retention of and use of indigenous vegetation is encouraged. Any future development should identify and protect landscape buffer areas through an appropriate mechanism, such as a 'landscape buffer easement' or 'restriction' shown on any future plan of subdivision.

The Landscape Masterplan meets the requirements for a Development Plan established in Clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

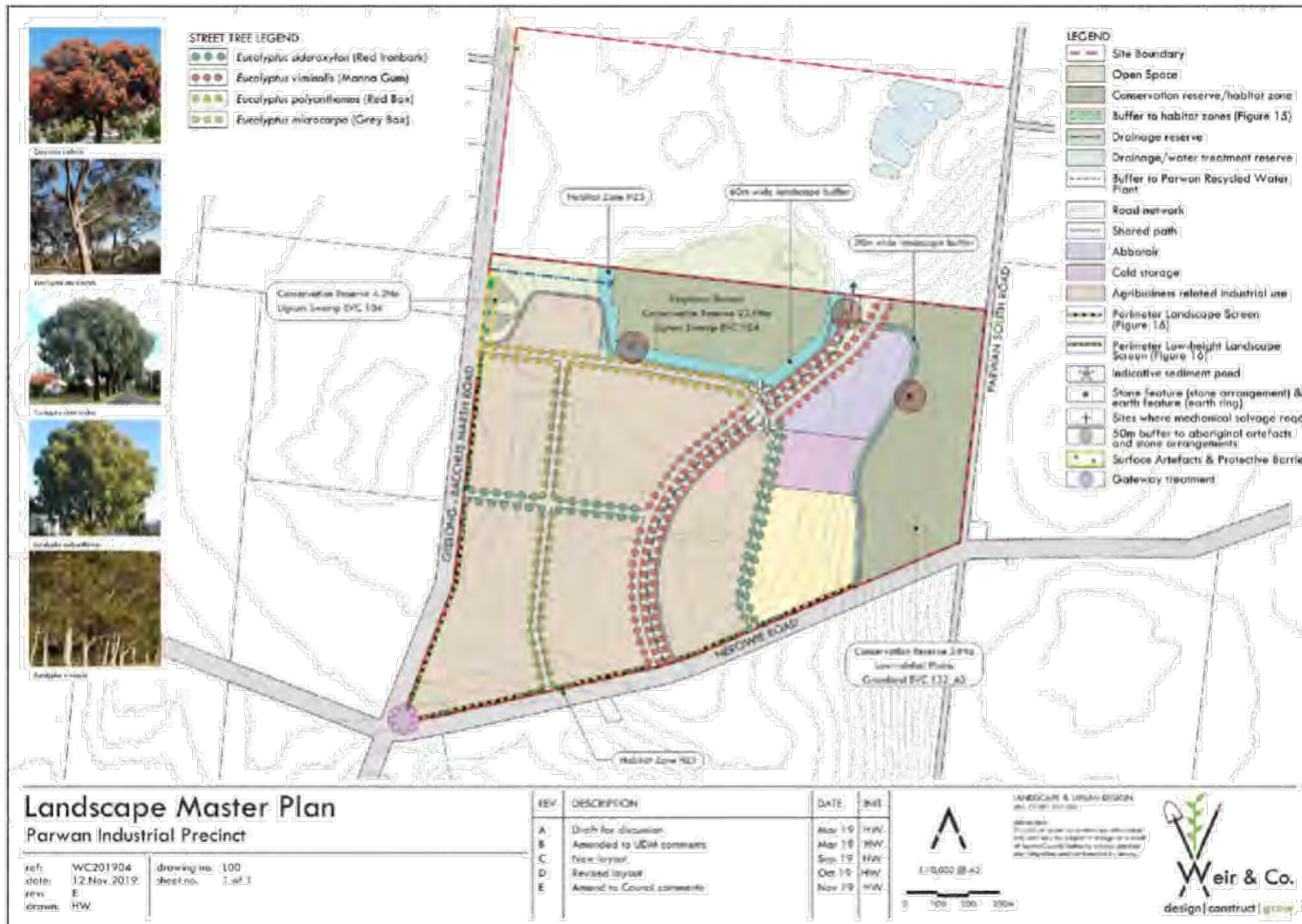


Figure 13: Landscape Masterplan



Figure 14: Tree Retention Plan

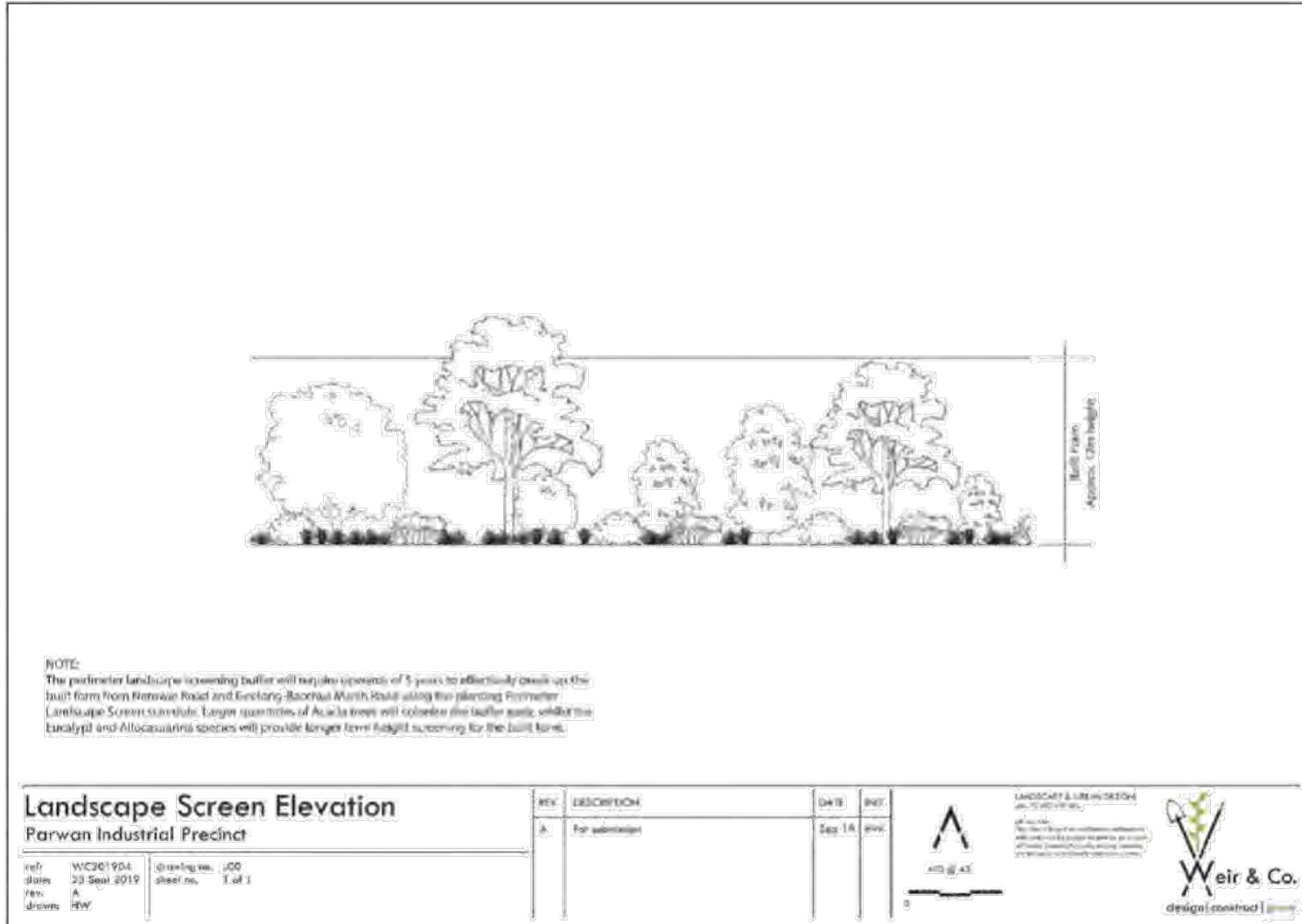


Figure 15: Landscape screen elevation

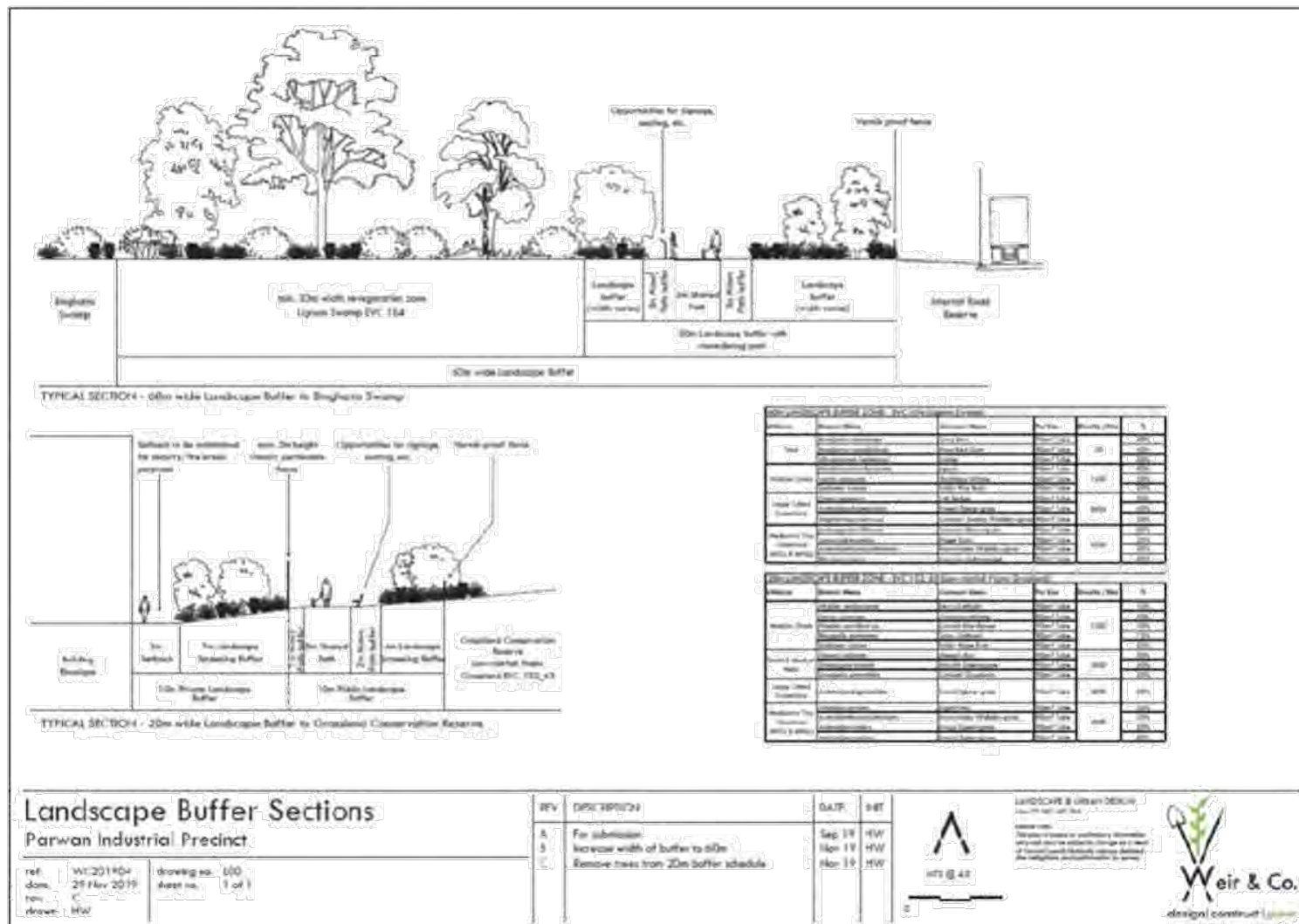


Figure 16: Landscape Buffer Sections

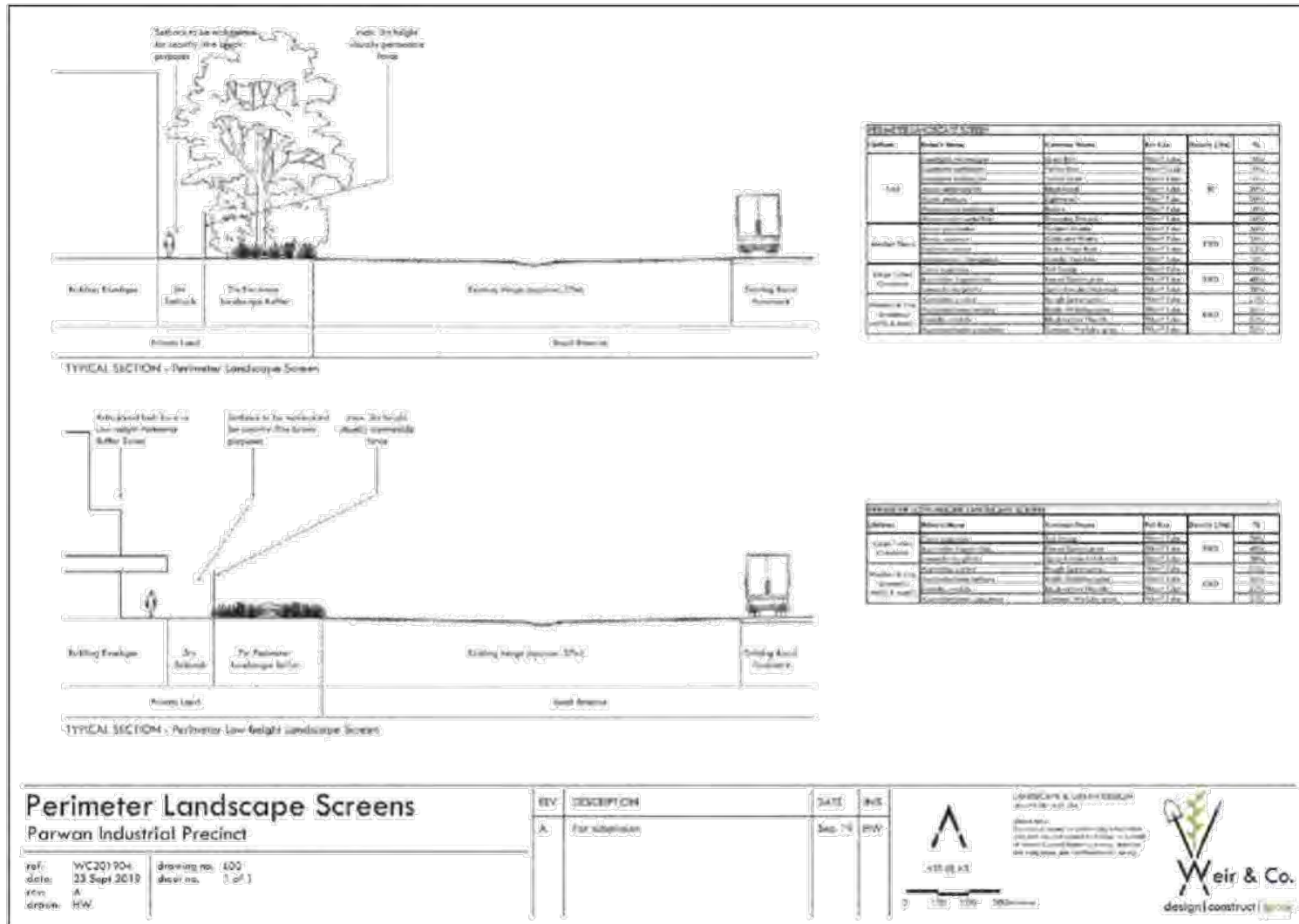


Figure 17: Perimeter Landscape Screens

Integrated Transport Management Plan

The Integrated Transport Management Plan was undertaken by Traffix Group (**Integrated Transport Management Plan, Moorabool Agribusiness Industrial Area at 3922 Geelong-Bacchus Marsh Road, Parwan, Traffix Group, April 2019**). The Access and Movement Plan is shown at Figure 20.

All road, path and drainage infrastructure must be in accordance with Moorabool Shire's Infrastructure Design Manual (IDM). The internal road network should be developed in accordance with the requirements of the IDM. For an industrial street, the minimum road reserve should be 25.0m wide, including a minimum carriageway width of 12.5m as shown in the cross-section at Figure 18.



Figure 18: Standard Industrial road cross section

- The Integrated Transport Management Plan identifies:
 - Existing conditions
 - The proposed internal road layout
 - Site access points and identification of intersection treatments
 - Traffic distribution
 - Pedestrian network

- Proposed road capacities and cross-sections.

The key findings from the Integrated Transport Management Plan include:

- Standard T-intersections with designated turn-lanes into the site would be appropriate at each of the site's three connections with Nerowie Road. The Integrated Transport Management Plan recommends that construction of an Auxiliary Left Turn and channelised right turn at each of the three access points to Nerowie Road. The access points are sufficiently separated to ensure that there is no compromise to lane lengths.
- A 'left in-left-out' access will be required at the site's connections with Geelong-Bacchus Marsh Road
- No upgrades are required at the existing Parwan South Road/Nerowie Road intersection.
- The existing conditions at Geelong-Bacchus Marsh Road/Nerowie Road/Glenmore Road will be sufficient to accommodate some level of additional traffic generated by the subject site.
- Nerowie Road will be upgraded as staging requires.
- The roundabout upgrade to be constructed by VicRoads at the Geelong-Bacchus Marsh Road/Nerowie Road/Glenmore Road intersection will be more than sufficient to accommodate the ultimate traffic predicted to be generated by the subject site.
- The proposed internal road cross-section(s) will adequately cater for parking, pedestrian, cyclists and motor vehicles (both type and volumes) consistent with current best practice.

Prior to construction of the 'potential future access' to Parwan South Road, the proponent must commit to the provision of appropriate upgrade works

to Parwan South Road and the intersection of this road with Nerowie Road, to the satisfaction of Moorabool Shire Council.

The Integrated Transport Management Plan meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

Infrastructure Servicing Plan

The Infrastructure Servicing Plan (**Parwan Industrial Precinct, Servicing Report for L&G Meats, UDM, April 2019**) and Addendum (**Addendum to the Infrastructure Servicing Plan, Reeds Consulting, October 2019**) was undertaken, and the Infrastructure Servicing Plan is shown in Figure 19.

The Infrastructure Servicing Plan has been prepared in consultation with relevant agencies and Moorabool Shire Council. The Servicing Plan establishes:

- The provision, staging and timing of the stormwater drainage infrastructure.
- The provision, staging and timing of reticulated water, sewerage, electricity, telecommunications and gas supply
- Identification of the responsible agencies for the infrastructure provision.

The initial stage will commence in the eastern portion of the site and will include the delivery of the PRF, abattoir and cold storage facility. The interim drainage solution identified in the Integrated Water Management Plan will be delivered for this initial stage.

Sewer reticulation outfall from the development is expected to connect directly to the Western Water Wastewater Treatment Plant located to the north-east of the subject site.

Western Water is the authority responsible for the provision of potable and recycled water to the site. The Infrastructure Servicing Plan found that existing infrastructure would require augmentation to facilitate future development

Powercor is the responsible agency for the provision of electricity to the site. It is anticipated that existing assets would have to be augmented to facilitate the proposed development.

Ausnet Services is the responsible authority for the provision of gas distribution to the site. A citygate and reticulation is required to deliver gas to the site.

Melbourne Water is responsible for regional drainage, flood plain and waterway management, and for contributing to the protection and improvement of waterway health across greater Melbourne, including the Bacchus Marsh district. Melbourne Water owns and maintains constructed assets downstream of the 60 hectare limit. The remaining assets are transferred to local councils following an agreed process. Councils are also responsible for managing local drainage infrastructure in catchments of less than 60 hectares, including ownership and maintenance of drainage assets.

A plan showing existing and proposed servicing is provided in Figure 19.

The Infrastructure Servicing Plan meets the requirements for a Development Plan established in clause 3.0 of Schedule 1 to Clause 43.04 Development Plan Overlay.

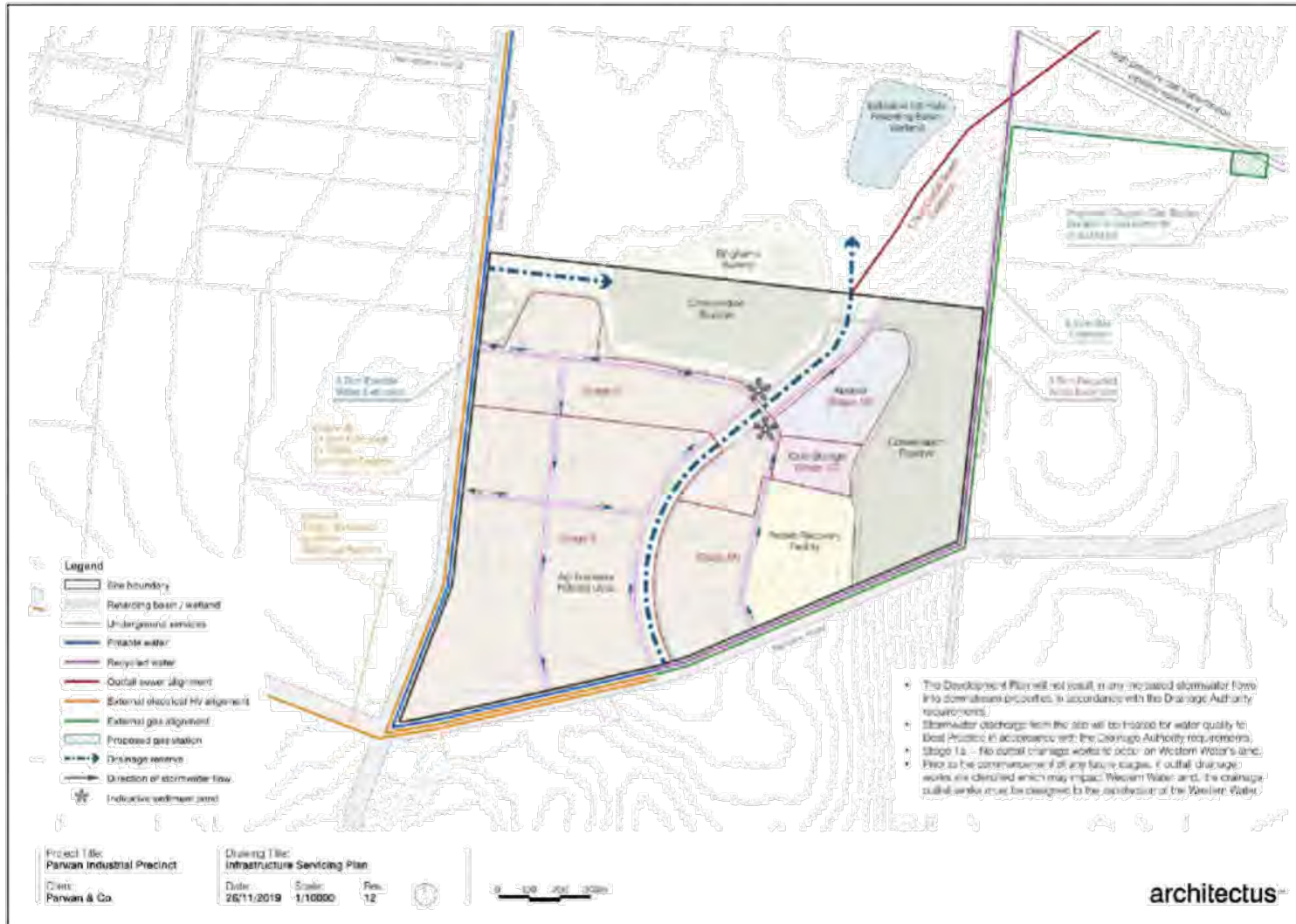


Figure 19: Infrastructure Servicing Plan



6. Assessment

6.1. Against Planning Policy Framework

All State related policies were taken into account when the site was rezoned to Industrial 1 purposes (effective from 27 December 2017).

The rezoning approval resulted in a Concept Plan for the site being included as Clause 43.04 into the Moorabool Planning Scheme. The Development Plan provides greater detail that is generally in accordance with the already approved Concept Plan.

It is therefore not deemed necessary to assess the Development Plan against all State planning policies. Suffice to say that the proposed Development Plan supports and reinforces State planning policies in respect of settlement, environmental and landscape issues, environmental risks and amenity, natural resource management, built environment and heritage, economic development, transport and infrastructure as listed in Clauses 12-19 of the Moorabool Planning Scheme.

6.2. Against Local Planning Policy Framework

Similarly, an assessment against local planning policies is also deemed unnecessary. The Moorabool Council has approved and supported the principle of the site being used for industrial and agribusiness purposes and took all required administrative and legal steps to ensure that the site was correctly rezoned.

The more detailed refinement of the Concept Plan is not an issue that needs to be assessed against local policies – that assessment occurred when the site was rezoned. This application for the approval of the Development Plan is a technical matter and will enable the site to be used for its intended agribusiness-related industrial and complementary uses.

6.3. Against Zoning and Overlays

As discussed in 2.4 above, the site falls within the Industrial 1 Zone.

The proposed use of the land is fully in compliance with the intention of its zoning. Separate planning permit applications will be submitted in due course for the various future uses.

The overlays affecting the site are:

- Design and Development Overlay (Schedule 2) (DDO2) – the provisions of this overlay relate mainly to visual amenity and building design and will be used to inform future planning permit applications submitted for each site and new land use.
- Development Plan Overlay (Schedule 1) (DPO1) – this overlay requires the various plans and reports as discussed in 5.1 above. The technical assessments undertaken in response to each of the Development Plan requirements have been based on specialist reports. The Development Plan is in general accordance with the Development Plan Overlay.

- Environmental Significance Overlay (Schedule 4) (ESO4) – this overlay relates to the importance of protecting wetland areas. The proposed Development Plan has created 3 conservation/habitat sites with a total area of just over 50 ha. One of these is for the Bingham Swamp with an area of almost 23ha.

6.4. Against Planning Documents

Plan Melbourne 2017-2050

Plan Melbourne seeks to manage growth in the city and suburbs to 2050. It is underpinned by 9 key principles together with supporting outcomes, directions and policies.

The 9 key principles are (Source: Plan Melbourne Summary)

- A distinctive Melbourne
- A globally connected and competitive city
- A city of centres linked to regional Victoria
- Environmental resilience and sustainability
- Living locally (20-minute neighbourhoods)
- Social and economic participation
- Strong and healthy communities
- Infrastructure investment that supports balanced growth
- Leadership and partnership.

Policy 7.1.2 in Plan Melbourne seeks to support planning for growing towns in peri-urban areas. Bacchus Marsh is listed as one of the peri-urban towns having the potential for growth.

This Development Plan is in accordance with the general intent of Plan Melbourne 2017-2050.

7. Conclusion

The Development Plan complies with the strategic intent of the Development Plan Overlay and the surrounding area in terms of the Municipal Strategic Statement of the Moorabool Shire Council as well as its Planning Scheme. It will facilitate and allow the land to be developed for industrial, agribusiness and complementary uses.

Following various investigations and studies, the proposed Development Plan is generally in accordance with the Development Plan Overlay. Section 5.1 sets out how each of the requirements for a Development Plan have been met.

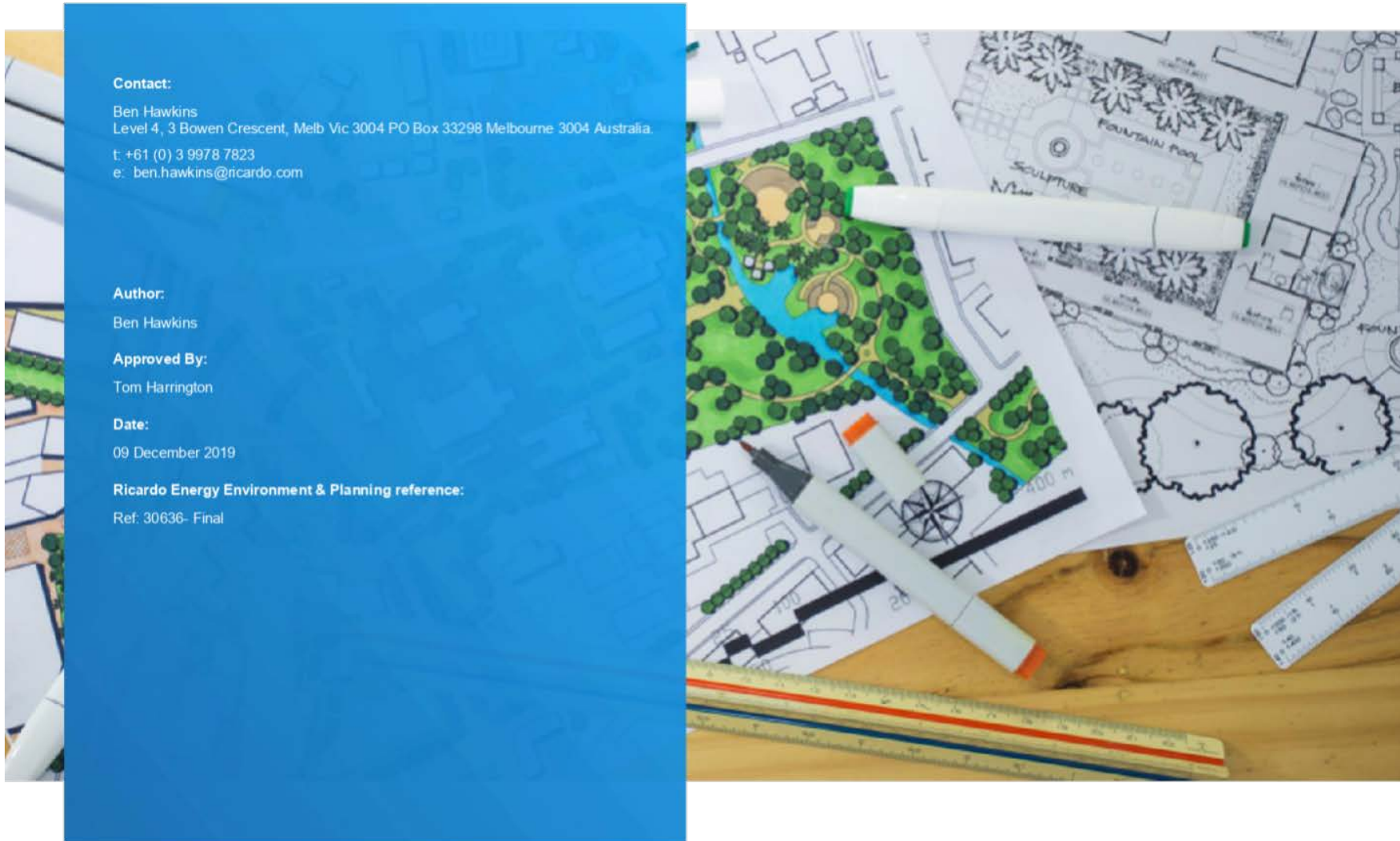
The Development Plan will form the background guidance for assessing the future development of the precinct.

Based on the content of this Development Plan and the supporting technical assessments, it is submitted that the proposed Development Plan establishes a planning framework that can successfully deliver the vision and development outcomes established for the precinct and meets all the requirements for a Development Plan in Clause 3 of Schedule 1 to the Development Plan Overlay, and is in general accordance with the Moorabool Agribusiness Industrial Area Concept Plan in Clause 4.

Appendix 1: Development Plan Reference Documents

The following assessments were undertaken as required by the Development Plan Overlay Schedule 1. They are reference documents to the Development Plan:

- Addendum to Integrated Water Management Report, Reeds Consulting, October 2019
- Addendum to Integrated Transport Management Plan, Traffix Group, October 2019
- Infrastructure Servicing Plan (Reeds Consulting letter dated 30 September 2019)
- Arboricultural Assessment, Axiom Tree Management, July 2018
- Bacchus Marsh Aerodrome Impact Assessment Report, to70 Aviation, March 2019
- Ecological Assessment, Nature Advisory, November 2019
- Integrated Transport Management Plan Moorabool Agribusiness Industrial Area, Traffix Group, April 2019
- Parwan Industrial Precinct (Integrated Water Management Plan), Alluvium, April 2019
- Plume Rise Assessment Report, to70 Aviation, September 2019



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Approved By:
Tom Harrington

Date:
09 December 2019

Ricardo Energy Environment & Planning reference:
Ref: 30636- Final

7.2 PA2019124 - APPLICATION FOR PROTEIN RECOVERY FACILITY - PARWAN INDUSTRIAL ESTATE, 3922 GEELONG-BACCHUS MARSH ROAD, PARWAN

Author: Bronwyn Southee, Co-ordinator Statutory Planning

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Economic Development

Attachments: 1. Development Plans
2. Conceptual Plans

APPLICATION SUMMARY

Permit No: PA2019124

Lodgement Date: 12 June 2019

Planning Officer: Bronwyn Southee

Address of the land: 3922 Bacchus Marsh Road, Parwan.

Proposal: Protein Recovery Facility & Reduction in carparking

Lot size: 12.39ha

Why is a permit required? 33.01-4 Buildings and Works in Industrial 1 Zoned land. Absence of DPO1 – Moorabool Agribusiness Industrial Area Development Plan

RECOMMENDATION

That Council, having considered all matters as prescribed by the *Planning and Environment Act 1987*, issues to Grant a Permit for the Development and Use of a Protein Recovery Facility and Reduction of Carparking on 3922 Geelong- Bacchus Marsh Road, Parwan.

Endorsed Plans:

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application or some other specified plans but modified to show:
 - a) Conservation reserve frontage: a minimum 20m wide landscape buffer, in accordance with figure 15 of the Development Plan – Parwan Industrial Precinct (DP-PIP).
 - b) Nerowie Road Frontage: A minimum of 7m wide landscape buffer in accordance with figure 16 of the Development Plan – Parwan Industrial Precinct (DP-PIP).
 - c) Internal road frontage: A minimum 5.0m wide landscape buffer, in accordance with the design objectives of the DP-PIP.
 - d) Northern site boundary: A minimum 2.0m wide landscape buffer, in accordance with the design objectives of the DP-PIP.
 - e) External fencing treatments, with semi-transparent fencing on the public realm interfaces, in accordance with the design objectives of the DP-PIP.

- f) **Nominated area of 8 square meter or less for advertising signage.**
 - g) **Landscape plan developed to the satisfaction of the responsible authority that shows:**
 - **How views to the site are being addressed from key approaches**
 - **Planting palette including species**
 - **Tree size and densities**
 - **Typical planting details (including but not limited to staking, mulching etc)**
 - **Details of soil amelioration and importation**
 - **Indicative maintenance period (minimum of 24 months)**
 - **Pest plant and animal management**
2. **Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use.**
 3. **Prior to the submission of any engineering plans for, and prior to the commencement of any road, traffic and drainage works on, Nerowie Road, a concept plan, developed to the satisfaction of the responsible authority, must be submitted that shows the ultimate upgrade for Nerowie Road from the intersection with Geelong Bacchus Marsh Road to Parwan South Road. As a minimum the concept plan must show the layout of all proposed intersection treatments in accordance with the Development Plan for the precinct; the layout of the road between all intersections; and, typical cross-sections at key locations with lane configurations and channelisation.**
 4. **Prior to the use commencing all servicing including water, sewerage, waste water management, power and gas must be installed, unless otherwise approved in writing by the Responsible Authority.**
 5. **The development as approved can only be undertaken in the area detailed in the endorsed plans until such time as the land is subdivided into a separate Title.**

Development Plan Overlay:

6. **The Use and Development is to be strictly in accordance with the endorsed Development Plan under the Development Plan Overlay, Schedule 1.**

Amenity:

7. **The amenity of the area must not be detrimentally affected by the use or development, through the:**
 - a) **Transport of materials, goods or commodities to or from the land;**
 - b) **Appearance of any building, works or materials;**
 - c) **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
 - d) **Presence of vermin; or**
 - e) **Any other way.**
8. **All measures to be introduced (including, but not limited to, temporary fencing and**

signage) to ensure that construction activity on the land does not impact on any vegetation identified as retained on DP-PIP, with particular emphasis on conservation reserves.

9. Noise generated by mechanical plant equipment must not cause a nuisance by reason of noise to the occupiers of the subject land or surrounding land.
10. External lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site. Street lighting and external security lighting must be designed to minimise negative impacts on nocturnal native fauna, in accordance with the design objectives of the DP-PIP.
11. The site shall be maintained in good order and appearance to the satisfaction of the Responsible Authority.
12. Prior to any works commencing on the land a "Construction Management Plan" (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the developer will manage the environmental and construction issues associated with the development. The plan must address, but not be limited to the following:
 - a) How the land is to be accessed during the construction period;
 - b) All measures to be introduced to ensure that construction on the land does not impact on any vegetation to be retained
 - c) All measures to be introduced to minimise soil erosion and runoff;
 - d) Details relating to the storage of all plant and equipment during the construction period; and
 - e) Measures to be implemented to ensure the containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside of the site.
 - f) The plan must identify the protection of the conservation areas in the DP-PIP for all works.

The CMP is to comply with Standard W3 pursuant to Clause 53.18 of the Moorabool Planning Scheme.

13. No dangerous goods defined under the Dangerous Goods Act 1985 are to be kept onsite unless with the prior written consent of the Responsible Authority.
14. Outdoor storage areas are to be suitably screened to the satisfaction of the Responsible Authority.
15. Emission Stacks are to have appropriate safety measures installed, including to prevent conflict with air traffic.

Landscaping:

16. Before the use/occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
17. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

Developer Contribution:

18. Prior to the issue of any Certificate of Occupancy, the owner must pay the Development Infrastructure Levy in accordance with the agreement pursuant to section 173 of the Planning and Environment Act 1987 registered on title under dealing number AQ 982928W.

Servicing:

19. The site must be connected to reticulated services, including power, water, sewer for non-chemical materials, telecommunications infrastructure and gas.

Environmental Protection Authority:

20. Odours offensive to the senses of human beings must not be discharged, emitted or released beyond the boundaries of the premises.
21. The permit holder must ensure that nuisance dust and/or nuisance airborne particles must not be discharged or emitted beyond the boundaries of the premises.
22. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following: a) the environment in the area around the premises; and b) the wellbeing of persons and/or their property in the area around the premises.
23. Surface water discharge from the premises must not be contaminated with waste.
24. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard.

Western Water:

25. The Owner/Developer must consult with Western Water regarding the development of a sewerage and trade waste strategy.
26. The Owner/Developer must consult with Western Water regarding the use of Class C recycled water from the Parwan Recycled Water Plant to provide an alternative to water supply.
27. The use and development must not result in any increased stormwater flows into downstream properties to the satisfaction of Western Water.
28. Stormwater discharged from the site must be treated to the Best Practice water quality standards in accordance with the Drainage Authority requirements and to the satisfaction of Western Water.
29. No outfall drainage works to occur on Western Waters land resulting from the use and development of this site.

Melbourne Water:

30. Prior to the commencement of works, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
31. Prior to the development plans being endorsed and the commencement of works, an appropriate drainage strategy, specific to the use proposed by this application, must be

prepared and submitted to Melbourne Water and Council for review and approval. The developer/land-owner must arrange and fully fund the design and construction of all drainage works required to service this site.

32. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways. Prior to the commencement of works, a Site Management Plan detailing pollution and sediment control measures is to be submitted to Melbourne Water for our records.
- a) Stormwater runoff from the subdivision must achieve State Environmental Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.

VicRoads:

33. Before the use of the development starts, swept path analysis for all relevant vehicles proposed to use the Geelong-Bacchus Marsh/Nerowie Roads intersection must be submitted to the Roads Corporation for assessment to determine any upgrade works required.
- a) Should upgrade(s) be required:
- i. Those works must be undertaken prior to use of the development commencing, to the satisfaction of, and at no cost to, the Roads Corporation.
 - ii. The applicant must enter into a works agreement with VicRoads, confirming design plans and works approvals processes, including the determination of fees and the level of VicRoads' service obligations.
Contact: southwestworks@roads.vic.gov.au

Infrastructure:

34. Prior to the commencement of the use, the intersection of Nerowie Road and the internal road must be provided with a type CHR/AUL intersection on Nerowie Road, and a divided carriageway and splitter island on the internal road, in accordance with the traffic management plan, constructed in accordance with the IDM, to the satisfaction of the responsible authority.
35. The internal road must be constructed from Nerowie Road to the Northern boundary of the PRF site to the standard specified in the Traffic Management Plan, in accordance with the Infrastructure Design Manual, to the satisfaction of the responsible authority.
36. Prior to the commencement of the use, a road reserve vested in Council must be created on a plan of subdivision to the satisfaction of the responsible authority. The dimensions of the road reserve must generally conform to the requirements of the Infrastructure Design Manual, Standard Drawing 620 "Industrial Street" and contain the extent of the roadworks, footpaths and provision for a temporary turning area at the northern end.
37. Urban industrial standard vehicle crossings must be provided to all access/egress points from the internal road to the satisfaction of the Responsible Authority. The crossing must be designed and constructed to facilitate the operation of B-Doubles into and out from the site.
38. Design computations for all road pavement construction, based on a geotechnical investigation of the site, must be prepared and submitted to the Responsible Authority for

approval.

39. Plans and specifications of all road, traffic and drainage works must be prepared and submitted to the responsible authority for approval prior to the commencement of such works and all such works must be carried out in accordance with the approved plans to the satisfaction of the Responsible Authority.
40. An Environmental Management Plan for the road construction works must be submitted to the Responsible Authority for approval prior to the commencement of construction. All works must be performed in accordance with the approved Environmental Management Plan. The plan must identify the protection of the conservation areas in the DP-PIP for all works.
41. Traffic management treatments must be provided in the form of line marking, signage and pavement markers at intersections and vehicle turning areas, to the satisfaction of the Responsible Authority.
42. Prior to the commencement of the use, street lighting must be provided in accordance with the requirements of AS1158 – Lighting for Roads and Public Places, to the satisfaction of the Responsible Authority. All lighting fittings must be “Standard” fittings maintained by the electricity network provider at no additional cost to Council. All lights must utilise LED type luminaires where available.
43. Prior to the commencement of the use, the developer must pay:
 - a) 0.75 % of the total estimated cost of works for the checking of engineering plans for the road and drainage works associated with the development.
 - b) 2.50 % of the total estimated cost of works for the supervision of the road and drainage works associated with the development
44. Prior to the commencement of the use, after all engineering works pertaining to the development have been completed, the following “as constructed” details must be submitted in the specified format to the Responsible Authority:
 - a) Drainage construction details in “D-Spec” format.
 - b) Roadworks construction details in “R-Spec” format.
 - c) Subject to the consent of the responsible authority, the data may be provided prior to the end of the maintenance period for the relevant stage of the subdivision.
45. All road and drainage works must be maintained in good condition and repair for a minimum of 3 months after completion of the works, to the satisfaction of the Responsible Authority.
46. Prior to the commencement of the use, a security deposit of 5% of the total value of engineering works for that stage as approved by the Responsible Authority must be lodged with the Responsible Authority, to cover the maintenance of all works. The deposit will be returned after the final inspection of works, 3 months after the completion of works, subject to the satisfactory completion of all required maintenance and rectification works.
47. Management of the stormwater runoff from the subject land must be undertaken in accordance with an approved stormwater management plan. The SWMP must be prepared in accordance with the requirements of Clause 53.18 of the Moorabool Planning Scheme.
48. Prior to the development and use commencing, engineering drainage plans and

computations must be submitted to the Responsible Authority for approval and shall incorporate the following:

- a) The development as a whole must be self-draining and must be connected to an approved point of discharge in an approved manner to the satisfaction of the Responsible Authority.
 - b) Underground piped drainage for the whole development shall cater for 10% AEP storm.
 - c) Overland 1% AEP flow path(s) for the development must be shown on layout plans and shall ensure that no property is subject to inundation by such a storm to the satisfaction of the Responsible Authority.
49. Storm water drainage from the proposed buildings and impervious surfaces must be directed to the legal point of discharge to the satisfaction of the Responsible Authority. A Stormwater Point of Discharge permit must be obtained from the responsible authority prior to the commencement of the works associated with the permit.
50. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).
51. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.
52. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.
53. Prior to the use commencing, the car park areas must be constructed with a sealed surface, line-marking and drainage to the satisfaction of the responsible authority, and shall incorporate the following:
- a) Parking bays and aisle widths of the car park shall comply with Australian Standard AS 2890.1:2004 Off-Street car parking. Disabled Parking bays shall comply with Australian Standard AS2890.1:2009 Off-Street Parking for People with Disabilities.
 - b) Designated loading areas shall be shown on layout plans.
 - c) There must be a minimum of 45 designated car parking bays supplied.
 - d) The parking areas shall be provided with an asphalt or concrete surface and associated drainage.
 - e) Concrete kerb of a minimum height of 150mm must be provided between landscaped areas and areas provided for parking and the passage of vehicles.
 - f) The car park must provide sufficient space for a service truck to enter and exit the site in a forward direction. The service truck shall comply with the medium rigid vehicle detailed in AS2890.2 section 2.2. Turning templates shall be submitted for approval.

Permit Expiry

54. This permit will expire if one of the following circumstances applies:
55. The development is not started within two years of the date of this permit;
56. The development is not completed within six years of the date of this permit.

Permit Note:

Other approvals

Should the installation for services off site require vegetation removal further planning approval may be required. Such service installation must avoid the areas of conservation referred to in the DP-PIP.

Environmental Protection Authority (EPA):

This permit is not an EPA works approval or licence.

Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the Environment Protection Act 1970 are met. This may include obtaining a works approval or licence.

Country Fire Authority (CFA):

CFA would recommend that any landscaping and planting out of vegetation on the site reflects good bushfire practice (CFA publication Landscaping for Bushfire – Garden Design and Plant Selection).

CFA would also recommend that an Emergency Management Plan (which includes bushfire) is developed for the site. The plan should satisfactorily address the following matters:

- a) The Fire Danger Rating triggers for the closure of the facility if applicable.
- b) Monitoring and notifying staff and visitors of forecast Fire Danger Rating and any consequential actions.
- c) Details of the location/s for emergency assembly, evacuation and shelter-in place (in the event that evacuation from the site is not practicable).
- d) Transport arrangements for staff and visitors.
- e) The need for any additional arrangements for persons with special needs.
- f) Training of staff, visitors on emergency procedures.
- g) The nature and frequency of emergency procedure exercises.
- h) Emergency procedures (bushfire action statements) including the assignment of roles and responsibilities to staff. This must include assigning responsibility for the:
 - i) Management and oversight of emergency procedures.
 - j) Training of employees in emergency procedures.
 - k) Reviewing the effectiveness of emergency procedure exercises and implementing procedure improvements.
 - l) Accounting for all persons during the emergency procedures.
 - m) Monitoring and review of the Emergency Plans at least annually.

PUBLIC CONSULTATION	
Was the application advertised?	No. The application is exempt from the advertising process.
Notices on site:	No.
Notice in Moorabool Newspaper:	No.
Number of objections:	Nil.
Consultation meeting:	No.

POLICY IMPLICATIONS

The Council Plan 2017-2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development

Context 3A: Land Use Planning

The proposal for a Protein Recovery Facility is consistent with the Council Plan 2017 – 2021.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 80C of the *Local Government Act 1989* (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Henry Bezuidenhout

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Bronwyn Southee

In providing this advice to Council as the Author, I have no interests to disclose in this report.

EXECUTIVE SUMMARY

Application referred?	Yes – CFA, DEWLP, EPA, Melbourne Water, Southern Rural Water, VicRoads, Western Water, Strategic Planning, Infrastructure.
Any issues raised in referral responses?	Yes, the first round of referral responses came back raising concerns that the Development Plan (as required under Development Plan Overlay – schedule 1) is yet to be endorsed & prior to this happening further information on servicing, water management and environmental considerations must be clarified.
Preliminary concerns?	There are concerns regarding how not only this site

	would be serviced by reticulated water, sewer, drainage and electricity supply but the remainder of the Parwan Employment Precinct (PEP). Melbourne Water and Western Water each expressed concerns about the provision of water supply, sewerage and trade waste services. Both agencies have since provided conditional consent to the development plan and planning permit. The other major concern is the formalisation of the Development Plan occurring in conjunction with the permit being issued.
Any discussions with applicant regarding concerns?	Various joint discussions have been held between Council Officers and the Applicant, primarily relating to servicing requirements for the site and consistency with Development Plan requirements.
Any changes made to the application since being lodged?	A Request for Further Information was sent to the applicant requiring further information on the operational aspects of the site and servicing requirements. Throughout the planning permit process, no major changes were made to the proposal.
Brief history.	The site was subject to a rezoning CO76 gazetted in December 2018. This site would be the first development within Moorabool Agribusiness Industrial Area. The applicant is concurrently running this application alongside the approval of the Development Plan for this site. The Development Plan must be approved prior to this application.
Previous applications for the site?	Nil.
General summary.	This application cannot be considered until the Development Plan for the Moorabool Agribusiness Industrial Area is approved by Council. This application is for a Protein Recovery Facility (PRF), commonly referred to as a Rendering Plant which is proposed to be the first development within the agribusiness precinct and future Parwan Employment Precinct. The subject application covers approximately 12.39ha with approximately 6ha of this hardstand. It is considered that this application will synergise well with the future intended land uses for this area. The Cultural Heritage Management Plan has been assessed by Officers. It is considered that this application does not have any negative impact to Cultural Heritage within this area.

Summary Recommendation

That, having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council issues a Permit for the Development and Use of a Protein Recovery Facility and Reduction of Carparking on 3922 Geelong- Bacchus Marsh Road, Parwan.

SITE DESCRIPTION

The subject site is known as 3922 Geelong- Bacchus Marsh Road, Parwan (described as lots 1 & 2 on TP188461). The subject site is approximately 190 hectares in total, however, this proposal relates to a 12.39ha area located within the Industrial Zone 1 land and is subject to further strategic planning consideration in the form of the Development Plan Overlay, Schedule 1 (DPO1) for the Moorabool Agribusiness Industrial Area. The PRF is the first stage of the Parwan Industrial Precinct.

The subject site is located 7 kilometres south of Bacchus Marsh railway station and abuts Geelong Bacchus Marsh Road. The subject site is bordered by roads on three sides; to the west is Geelong-Bacchus Marsh Road, access to the site would be provided by Nerowie Road to the south., Parwan South Road is to the east and vacant rural land to the north. The site is located in the middle of two large pieces of infrastructure, which are Sir Jack Brabham Raceway. To the east, of the site is the Sir Jack Brabham Raceway and the Bacchus Marsh Aerodrome to the west and the Parwan Wastewater Treatment Plant to the north east. The surrounding land aside from the aerodrome and raceway is typically of rural nature, with some dwellings adjacent to the site, but would be approximately 1300 meters away from the area of development. The subject site is located 7 kilometres south of Bacchus Marsh railway station. Further to the east is the boundary between Moorabool and Melton Shires.

The land is currently vacant grazing land with several scattered trees and native vegetation patches which have been assessed under the Development Plan Overlay, Schedule 1. There are a number of depressions where water contributes to a wetland area, into known as the Bingham Swamp. The land is currently not connected to reticulated services and would require a holistic upgrade to the infrastructure that is for required for services; gas, power, water, drainage, sewer etc.

The site area is partly subject to within an Area of Aboriginal Cultural Heritage Sensitivity however no part of this proposal encroaches within the sensitive area.

Figure 1 shows the subject site and the area where development would be located and the as-before-mentioned Bingham Swamp



Figure 1 Site Context Plan

PROPOSAL

The application is proposing to establish a Protein Recovery Facility/Rendering Plant (PRF) for animal by-products to be processed on site. The site is proposed to operate 24/7, however Sundays are to be used for routine maintenance of the facility. There are approximately 12 staff proposed to operate the site.

The first stage of the development would be to process ovine and bovine (lamb and beef), the second stage subject to further approval would be for fish and poultry by-products. The process of a PRF is to process animal by-product which comprises of offal, bones and other by-products (to be sourced off site). The raw materials would be delivered by trucks and received in the designated unloading areas. An elevator will then send the material to a pre-crusher/processor. All animal material will then go down a material pipe system to the boiler house. The crushed material will be treated through a drying process.

No material would be stored outside the facility. Bovine and ovine streams would be processed separately. The bovine material is processed in high temperature batch cookers, ovine at higher temperatures. Approximately 80% of animal blood is processed off site, the remaining blood is gradually included into the process. A Protein Recovery Facility converts these animal products into tallow, an animal fat product that is used for a range of products, including candles, soaps and cosmetics amongst other uses.

The development is broken into 3 stages;

Stage 1 - would comprise of development of the southern portion of the site including the administration office, on-site car park, building one (Ovine/Bovine), Boiler House and associated structures; Stage 1 Building Floor areas – 2856.2m² & 2896.6m², a workshop 280.8m², a boiler house 262.2m² and an administration office 160m². The total floor area of Stage 1 is 6456.2m².

Stage 2 - would involve the development of the northern portion of the site for poultry/feathers -2856.2m² & 2896.6m², office 160m² and broiler house 2 262.6m², totalling an area of 6175.4m².

Stage 3 - building for fish processing 2896.6m², office 165m² and broiler house 3 134m², totalling an area of 3195.6m².

The total building floor area for all stages being 16,173m² with a maximum building height of – 16.62 meters to the eaves and 19.26 meters to the ridge.

The buildings are to be constructed of reinforced pre-cast concrete panel walls with Colourbond wall cladding and aluminium cladding feature walls. There is proposed 45 car parking bays to be provided, with a request for a carparking dispensation, which will be discussed later in the report.

In addition, a gatehouse and weighbridge are proposed on site immediately south of the administration building. This is a two-storey building with a height of 6.85m, walkways would be constructed on the second story to allow inspections of trucks with incoming material to ensure it complies with the works approval from EPA. There are two tank farms proposed which are 9m high cylinders which are filled with tallow for transportation off site. The Environmental Protection Authority requires a 1000m separation buffer around this use.

Traffic and odour impact assessments have been undertaken as part of this application. The odour control system proposed is a split system facility which captures 90% of the air/odour. The rendering air would pass through a dedicated biofilter system which is designed to remove all foul/rendering odour character form the airstreams prior to atmospheric discharge. This is subject to further approval from the Environmental Protection Authority through a separate works approval.

Proposed Site Servicing Information

Traffic

The applicant has supplied a Traffic Engineering Assessment which details the following;

The site is designed to accommodate up to 26-metre-long B-double trucks, there are 5 plants proposed to be onsite, which will be serviced with the following breakdown of vehicle movements:

Product being bought in to the site:

300 tonnes/day per plant bringing in approximately 1,500 tonnes per day	
Vehicle Type	Maximum Number of movements in a 24 hour period
B – Doubles (40 Tonne per load)	40
Semi-Trailers (20 Tonnes per load)	40

Product being removed from site

150 tonnes/day per plant removing approximately 750 tonnes per day	
Vehicle Type	Maximum Number of movements in a 24 hour period
B – Doubles (40 Tonne per load)	40
Semi-Trailers (20 Tonnes per load)	40

Other vehicle movements:

Vehicle Type	Maximum Number of movements in a 24 hour period
Light vehicles (staff vehicles)	40

Total floor area of buildings proposed is 16,173m² requiring 469 carparking spaces in accordance with Clause 52.06. The applicant is proposing 45 car spaces (the proposed dispensation will be discussed later in the report) and 17 bicycle parking bays (16 are required under Clause 52.34). Vehicle access is proposed from a new road created off Nerowie Road which would provide access at top of this site.

Water

Potable water – serviced by Western Water, due to limited availability in the current system the development would be serviced through an upgrade extension from existing water main located 8.7km from the site.

Recycled water has been considered as a secondary option to support operations for this site, with further exploration of this has been requested by Western Water as a condition.

Waste water

The proposal is required to manage waste water through two main streams:

Raw sewage will be connected to the existing sewer network. The sewerage connection point is approximately 1.7km from the subject site.

Any chemically polluted wastewater will be required to be managed through pre-treatments systems prior to any discharge into the outfall sewer.

Gas

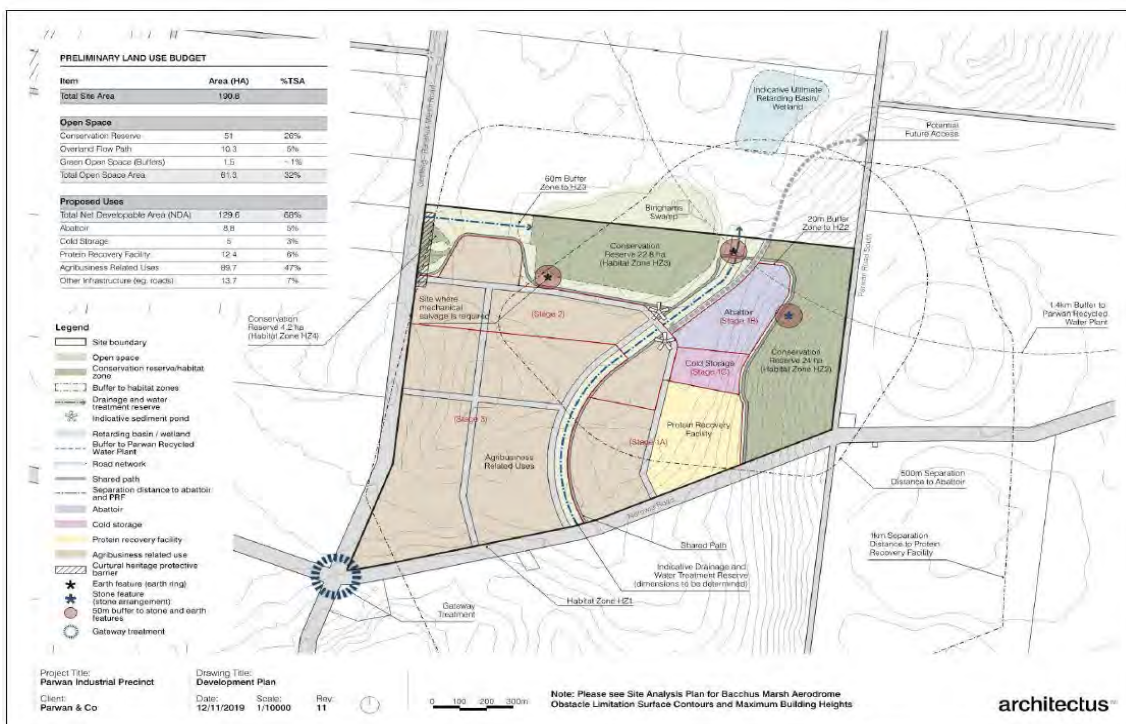
Gas is proposed for the site and its surrounds through a new proposed ‘City Gate’ connection to the high-pressure gas main. The applicant has consulted AusNet for the delivery and management of this service. Any proposed system provided by Ausnet should be capable of servicing this development in addition to the greater industrial area. The applicant has advised that they will be dedicating land for the ‘City Gate’ infrastructure on adjoining land to this proposal.

Power

PowerCor have advised there is no existing electrical infrastructure within the vicinity of this site and therefore the applicant has proposed two upgrade options from existing sub stations located 10.3km and 11.8km from the site with the most likely option being to connect and extend power from the existing Kerrs Road sub-station.

BACKGROUND TO CURRENT PROPOSAL

Amendment C76 to rezone the site and its surrounds from Farming Zone to Industrial 1 Zone was gazetted on 21 December 2018. As part of this rezoning Development Plan Overlay – Schedule 1 was created requiring a Development Plan to be supplied to and approved by Council prior to any permits being approved on site. The development plan for this site was submitted and has been assessed concurrently to this application. The subject landowners of this land own Westside meats currently located on the corner of Woolpack Road and the Avenue of Honour.



HISTORY

As specified above amendment C076 was gazetted over the site. This is the precursor to this application and the development plan.

PUBLIC NOTICE

The application was exempt from public notice in accordance with 43.04-3. Which stipulates that; if a Development Plan has been prepared to the satisfaction of the Responsible Authority, Planning Permits are exempt from public notification. In addition to this, as CO76 was notified to the public it is considered (in accordance with the Planning and Environment Act) that public notification has been satisfied through an earlier process.

There are no sensitive uses located within the 1000m buffer area, external to this buffer the closest sensitive receptor is a dwelling located 1300m from the proposed development. There was a local church located on Nerowie road opposite to the site, this has recently been purchased by the landowner to ensure any possible land use conflict is mitigated.

Independent of Council processes, the applicant is required to obtain a works licence/approval which prior to obtaining requires the applicant to consult with the community. The applicant is currently undertaking community consultation drop in sessions and providing information on this application in the local newspaper and on its website.

SUMMARY OF OBJECTIONS

NIL.

LOCALITY MAP

The map below indicates the location of the subject site and the zoning of the surrounding area.



Figure 2 Location and Zoning Plan

PLANNING SCHEME PROVISIONS

Council is required to consider the Victoria Planning Provisions and give particular attention to the Victorian Planning Provisions (VPPs), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).

The relevant clauses are:

VPPs:

Clause 11 Settlement

Clause 12 Environmental Risks and Amenity

Clause 14 Natural Recourse Management

Clause 15 Built Environment and Heritage

Clause 17 Economic Development

Clause 18 Transport

Clause 19 Infrastructure

LPPF:

Clause 21.01 Municipal Context

Clause 21.01.2 Key Issues

Clause 21.01.3 Vision and Strategic Framework

Clause 21.02 Natural Environment

Clause 21.03 Settlement and Housing

Clause 21.04 Economic Development and Employment

Clause 21.05 Development and Community Infrastructure

Clause 21.06 Heritage

Clause 22 Local Policy

The proposal complies with the relevant sections of the SPPF and VPPs

ZONE

The subject site is zoned Industrial Zone 1, the objectives of the zone are as follows;

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

The proposed application is consistent with the objectives of this zone once the Development Plan is approved by Council. Buildings and Works within the Industrial 1 Zone is the planning permit trigger. There are a number of planning permit conditions proposed to manage the amenity for neighbouring farming and industrial land holders.

OVERLAYS**Development Plan Overlay – Schedule 1 (DPO1)**

The purpose of this overlay is to:

- Implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the form and conditions of future use and development to be shown on a Development Plan before a permit can be granted to use and develop the land.
- To exempt an application from notice and review if a Development Plan has been prepared to the satisfaction of Council.

The applicant has provided a development plan with specific design guidelines for the development within. An assessment of the development has been undertaken in accordance with the development plan the requirements of the development plan overlay.

Design & Development Overlay Schedule 2 (DD02)

The subject site is in the Design & Development Overlay Schedule 2. The purpose of the overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

A planning permit is required under Clause 43.02-2 for building and works consisting of reflective building materials. The subject development does propose zincalume cladding, however due to location and siting of the proposed development it is considered the proposal will not cause detriment.

Environmental Sensitive Overlay – Schedule 4 (ESO4) Wetland Areas

This overlay is applicable to the subject site and its surrounds. The purpose of this overlay is to acknowledge the environmental significance of local Wetlands as follows:

- A number of important wetlands exist within Moorabool Shire. These wetlands are significant in terms of wildlife habitat and due to the existence of important species of flora. Often the wetlands are home to rare species of flora and fauna. The wetlands are important and unique landforms within the region. The wetlands are often surrounded by agricultural land and offer refuge for many types of animals. The vegetation within the wetlands is in some cases the only remaining remnant vegetation in the area.
- Applications within this overlay must detail any proposed clearing of vegetation within this area.

RELEVANT POLICIES**Aboriginal Cultural Heritage regulations**

The Cultural Heritage Management Plan (CHMP) has identified a substantial number of scattered and sub-surface artefacts throughout the site and its surrounds. It is proposed to seek a single registration called Bingham's Swamp Cultural Landscape which will merge existing artefact sites with new ones. The CHMP requires protection of certain Aboriginal Cultural Heritage Places and establishes a number of management conditions that must be met prior to commencement of the proposed activity.

The Standard and Complex Assessment of the PIP resulted in the identification of three Aboriginal Cultural Heritage Places (ACHP): VAHR 7722-1212 (Binghams Swamp Cultural Landscape) and VAHR 7722-1205 (Parwan South Road, Parwan LDAD1) and VAHR 7722-1190 (Geelong-Bacchus Marsh Road Section 3 LDAD1).

The subject site is not subject to either of these critical locations for cultural heritage and therefore, does not impact this development being approved.

Development Plan Overlay – Schedule 1 (DPO1)

The land is within the Development Plan Overlay Schedule 1 – a development plan has been submitted as per DPO1 and upon approval by Council will allow the proposed development to proceed.

Particular Provisions

Clause 52.06 Carparking

The application proposes 45 car spaces. The required amount in accordance with Clause 52.06 is 2.9 spaces per 100m². As the subject proposals floor area is 16173m² the applicant requires a total of 469 spaces meaning they are requesting a dispensation of 424 car parking bays, clearly not meeting the required amount in accordance with the scheme.

When undertaking a more detailed assessment, it is considered that this building is highly unlikely to ever be repurposed in the future due to its very specific structural and internal fit out requirements. Therefore, should the site be purchased in the future for another use it is likely that the site would need a complete redesign. This is due to the fact that there are only 13 staff proposed for the whole establishment with ample room should additional parking ever be required in the future it is considered this dispensation is acceptable.

Clause 52.17 Native Vegetation

The native vegetation on site has been assessed in an ecological report in conjunction with the Development Plan Overlay, Schedule 1

Clause 52.34 Bicycle Facilities

The subject site falls under the classification of Industry. The industry bicycle parking requirement for employees is 1 to each 1000m² of net floor area, with no visitor bicycle bay requirements therefore requiring a total of 16 bays. The application proposed 17bays, which meets the scheme requirements.

Clause 53.10 Uses with Adverse Amenity Potential

This clause requires the subject proposal to have a 1000m buffer threshold from the point of use to the nearest sensitive receptor. In addition, to providing the appropriate buffer, the applicant has also supplied specific odour modelling to confirm that the proposal will meet the requirements of EPA guidelines for this use – they are also required to obtain a works licence and approval from the EPA to manage any possible environmental risk or nuisance. The closest dwelling to this proposal is in excess of 1300m from the proposal.

Clause 53.18 Stormwater Management

The objectives and standards relating to stormwater management were assessed by Councils engineers, who have consented to the application subject to condition. A Construction Management Plan (CMP) is to be provided in accordance with Standard W3 and is addressed by permit conditions.



Figure 3 Buffer Plan

DISCUSSION

This application would effectively be the first development within the Parwan Employment Precinct, more specifically the first within the Moorabool Agribusiness Industrial Hub. The subject site is the first of three planned stages which includes;

Stage 1 – The Protein Recovery Facility (3 stages within approx. 12.39ha)

Stage 2 – Westside Meats Abattoir (8.8ha)

Stage 3 – Cold storage (5ha)

The subject development would be the first of many industrial builds within the area and with an approximately 20-metre-high roof pitch, rendering plume height of 31m, floor areas in excess of 16000m² combined and hardstand areas in excess of 5.6 hectares in area, this development will appear overly bulky and large in isolation until surrounding development catches up. Saying this, this is the strategic plan for the region and this planning proposal is consistent with the objectives of Development Plan and Development Plan Overlay – schedule 1.

Servicing

A critical focus of this application and the future precinct is ensuring the appropriate provision of infrastructure to supply this and its surrounds.

Gas

The applicant has consulted AusNet as the responsible authority for the provision of gas. It is confirmed that a new CityGate is required for the proposal and a 3.5km extension from the existing main gas supply for this proposal and its surrounds and intends on applying for the infrastructure in the coming weeks. The subject gas infrastructure will support at minimum half of the PEP area. It is considered gas should be required prior to commencement of operations.

Waste Water

The waste water management proposed would be a combination of sewer for human waste and trade waste would be isolated in a separate treatment unit and managed through a trade waste agreement. An Integrated Water Management Plan (IWMP) was supplied with this proposal. The first stage of this application will divert all stormwater off site into the depression abutting the site.

Water

Potable water connection would need to be extended to the site from the nearest source points. It is acknowledged that water supply to the area is limited and may require secondary catchment solutions for future development. The applicant has stipulated that it is open to recycled water supplied through the local Western Water Treatment Plant, this would require an extension of existing infrastructure of approximately 3.7km.

Drainage

The application originally proposed a combination of vegetated swales and kerbed and channel drainage. This application will be managed through two methods stormwater is proposed to be channelled into a low lying depression abutting this site until the formal construction of the central drainage corridor occurs.

Power

Is to be supplied through the upgrade of a local sub-station on Kerrs Road. It is considered Council should be open to new renewable technologies as they arrive to support the operations of this development and the Industrial area further.

Traffic

A comprehensive traffic management plan was supplied with this application and the parent development plan. There is a shared path and a new crossover accessway proposed for access of Nerowie Road, the PRF site would be accessed off this new internal road. In addition to this Regional Roads Victoria have three new roundabouts proposed on Geelong Bacchus Marsh Road in Parwan that will improve flow and access around the greater area. The whole area's traffic management has been reviewed to comprehensively determine the upgrade requirements for this site and its surrounds. It is critical that Council ensure that roads are constructed to the highest width and pavement quality to ensure when we inherit maintenance of these future roads they are of sufficient standards and specifications to maintain industrial traffic.

Odour Mitigation

A statement of Proposed Odour Impact and Management Assessment Process was supplied with the application confirming that the proposed odour treatment unit is a hybrid unit which would capture and treat odour to the required standards of the Environmental Protection Authority. Detailed design is subject to a detailed works approval. However, based on modelling, the system proposed, referral response from EPA and the 1000m buffer requirement it is considered odour will be effectively mitigated from the use and surrounds.

Development Plan

In accordance with DPO1 the applicant was also required to submit a comprehensive development plan which addressed the subject Moorabool Agribusiness Industrial Hub (approx. 190ha) which includes the subject site. The applicant has requested to run the Development Plan process and this application concurrently on the understanding that Council must support the Development Plan prior to this application being considered and determined. As mentioned above servicing has been addressed for the site.

The other critical elements of the development plan that are crucial to the assessment and determination of the appropriateness of this application are the Environmental Assessment/Requirements, Cultural Heritage Management and compliance with the Development Plan design requirements.

Environmental Considerations

There are a number of important environmental aspects to this site, including the retention of federally protected native species, there have been a number of comprehensive assessments supplied with the application which pertain the whole 190ha site. The result of the study is 3 large vegetation conservation areas, one of which abuts this application area. The conservation areas are not to be developed on. There are a number of scattered trees on this site, however the trees to be retained are located outside of the site, trees to be removed are not considered significant. The application was referred to Department of Environment, Land, Water and Planning (DEWLP) as a section 52 referral body under the *Planning & Environment Act 1987* during the application process. The application was originally referred in June 2019, after a second referral and follow up email, DEWLP replied requesting further information regarding any possible clearing requirements for proposed utility service corridors. It is considered that this is an excessive request by the authority as majority or utility corridors are determined at more detailed development design and are likely to be subject to separate approval processes, therefore, due to the time this authority took (way in excess of 28 days) and the nature of its request being unreasonable Council Officers have determined to progress this application to Council in the absence of this additional information being supplied to DEWLP.

Cultural Heritage Management

There are two major sites located within the Development Plan area, however not subject to this site. It is considered that the development does not pose any threat to the protection of cultural heritage.

Design Requirements

As part of the Development plan Council has approved incorporated design requirements which primarily address the development appearance of structures located within the Development Plan area.

The site design includes generous landscaping across the front of the site and rear, with buildings setback central on the lot allowing for minimal carparking in the front and buildings with less visual bulk being located towards the front. The manoeuvrability of the site is fluid with truck access entering from newly created road off Nerowie, the trucks (either B-double or semi with a maximum length of 26m) navigate through the weigh bridge and screening area around the perimeter road to the offloading area, off load and then continue anti clockwise around the perimeter of the site to exit, most of these movements will eventually be screened by landscaping.

The physical design of the buildings is a concrete tilt slab with Colourbond and Zinalume feature cladding. The buildings are proposed to be articulated at points in an attempt to soften the visual bulk. The sites rear perimeter is bound by land allocated for Conservation Reserve as specified above. The application proposes to hardstand an area of 5.6 hectares which includes all building footprints, internal roads and carparking. The carparking dispensation proposed whilst inconsistent with the scheme is considered acceptable as the development cannot be repurposed for other industrial uses without building modifications and a likely changes to the use which would trigger a permit. Signage has not been proposed as part of this application

GENERAL PROVISIONS

Clause 65 – Decision Guidelines have been considered by officers in evaluating this application.

Clause 66 – stipulates all the relevant referral authorities to which the application must be referred.

REFERRALS

Authority	Response
Western Water	Consent with Conditions.
Southern Rural Water	Consent.
Melbourne Water	Consent with Conditions.
VicRoads	Consent.
AAV	Pending with an approval expected by 8 December prior to this report going to Council.
EPA	Consent with Conditions.
DEWLP	Requesting Further Information outside of referral timeframes.
CFA (for info referral)	Consent permit note advice.
Infrastructure	Consent with Conditions.
Strategic Planning	Consent subject to Development Plan endorsement.
Environmental Health	

FINANCIAL IMPLICATIONS

Nil.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The recommendation of approval of this development does not implicate any risk or OH&S issues to Council.

COMMUNICATIONS STRATEGY

Notice was except for this application in accordance with 43.04.3, however the applicant provided a detailed consultation strategy which is required of them under the Environmental Protection Act. The applicant is currently undertaking community consultation sessions and providing information in the local newspaper.

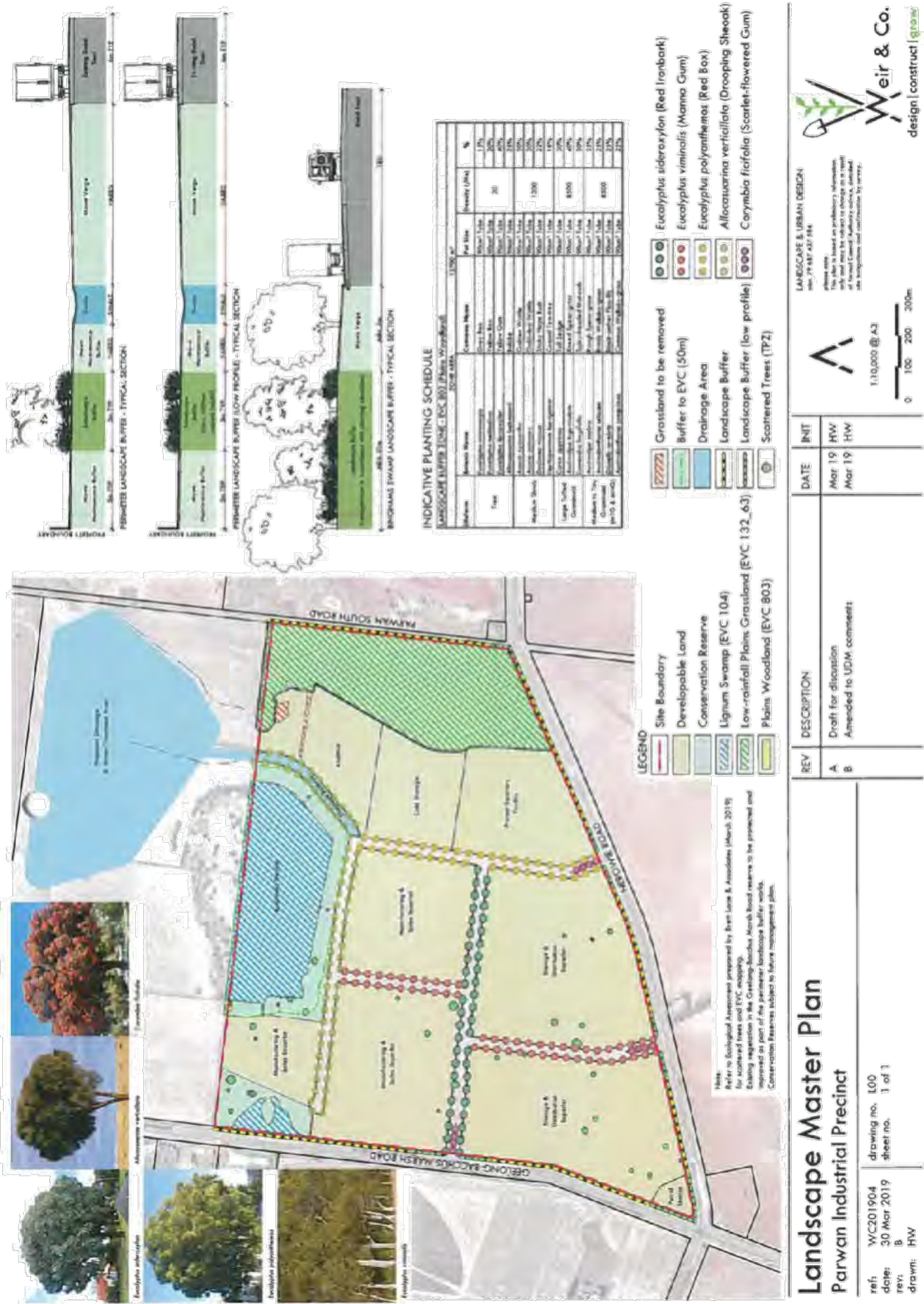
OPTIONS

Council has the following options it could consider:

- Issue a permit in accordance with the recommendation of this report.
- Issue a permit with amendments to conditions within the recommendation of this report.
- Should Council wish to consider refusal of the application, Councillors need to explore reasons based on the proposal not complying with the Moorabool Planning Scheme.

CONCLUSION

The proposed development accords with the Development Plan approved by Council on 18 December 2019. The proposal is consistent with the planning scheme provisions, zone and overlay controls that apply to the Moorabool Agribusiness Industrial Hub. The proposed development will fundamentally help shape the future Parwan Employment Precinct, based on all of the above should be supported by Council subject to a number of recommended conditions.





Note:
No planting to occur within 5m of the site perimeter to facilitate fauna movement.
Refer to Ecological Assessment prepared by Brett Lane & Associates (March 2019)
for cornered trees and PVC mapping.
Conservation Reserves subject to future management plans.
Refer to Parwan Industrial Precinct Landscape Master Plan for perimeter landscape
buffer and streetscape details.

LEGEND

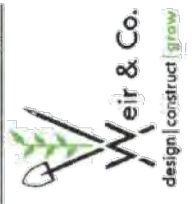
- Site Boundary
- Developable Land
- Conservation Reserve
- Structures
- Hardstand
- Pedestrian Area
- Mown grass area
- Planting Island Zone
- Low Height Planting Zone
- Perimeter Landscape Buffer
- Existing Swale

STREET TREES

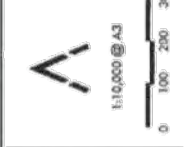
- Eucalyptus sideroxylon* (Red Ironbark)
- Corymbia ficifolia* (Scarlet-flowered Gum)

INDICATIVE PLANTING SCHEDULE
PLANTING ISLAND ZONE - PVC 001 (Palm Woodland)

Reference	Common Name	Common Name	Per Size	Quantity (Per ha)	%
Type A	<i>Leucadendron argenteum</i>	Orange Box	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Box	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
	<i>Leucadendron argenteum</i>	Yellow Gum	4.5L	250	25%
Medium Density	<i>Leucadendron argenteum</i>	Orange Box	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Box	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
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	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%
	<i>Leucadendron argenteum</i>	Yellow Gum	100mm x 100mm	1000	27%



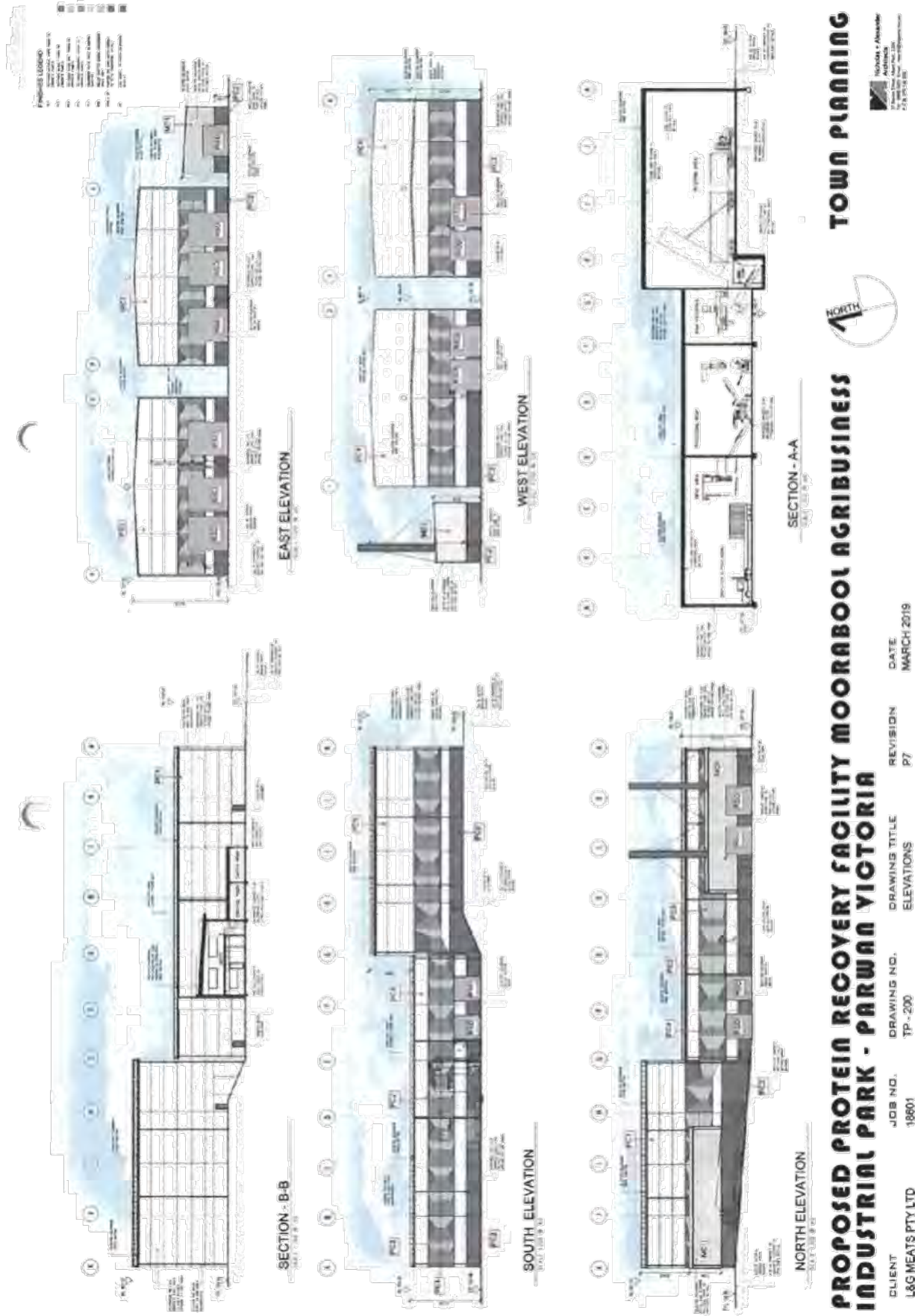
LANDSCAPE & URBAN DESIGN
021 79 487 437 (M)
This plan is issued as preliminary information only and may be subject to change as a result of Council/Authority action, accepted site conditions and variations by survey.

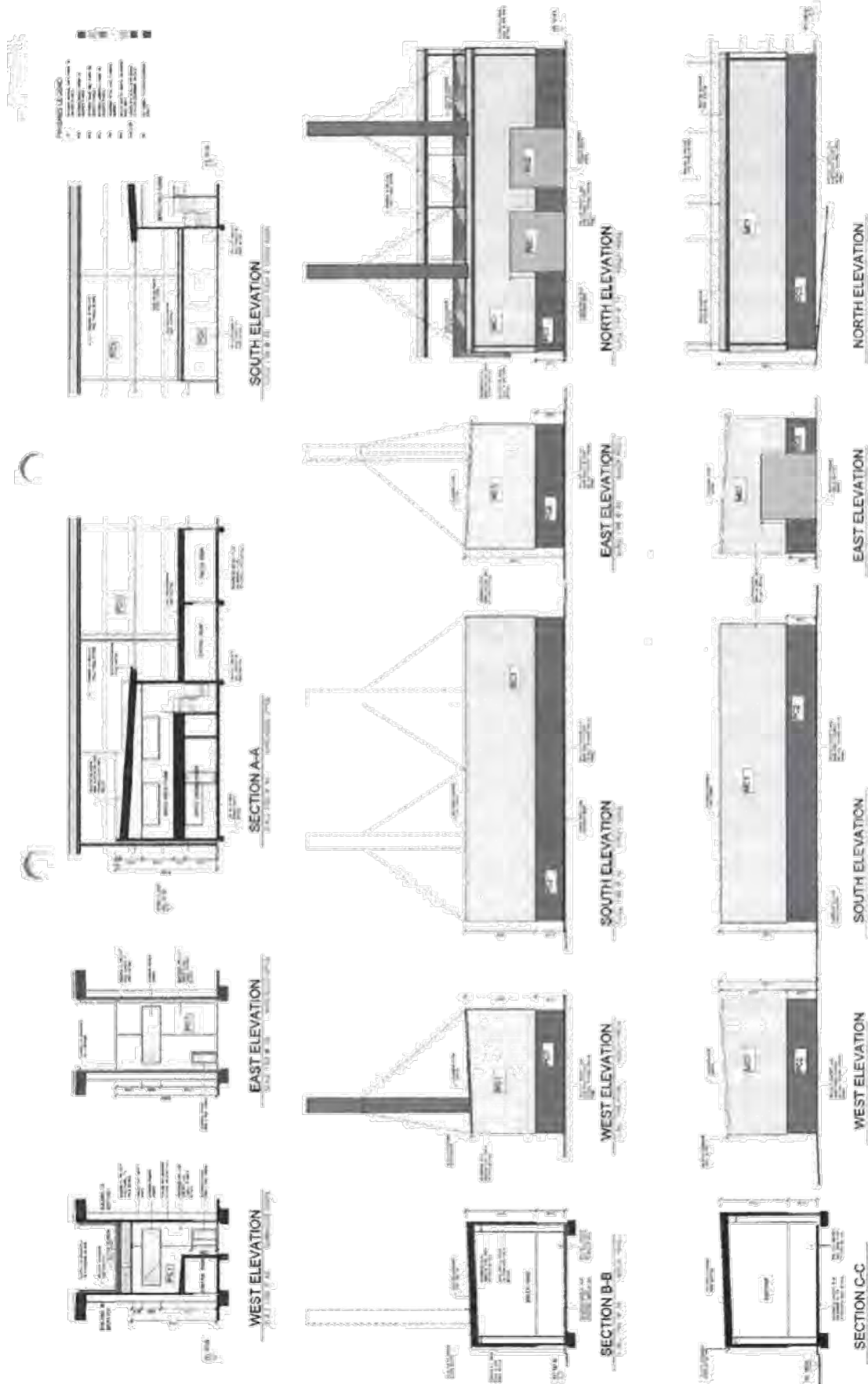


REV	DESCRIPTION	DATE	INIT
A	Draft for discussion	Mar 19	HW
B	For permit application	Apr 19	HW

Landscape Master Plan
Protein Recovery Facility - Parwan Industrial Precinct

ref: WC201904 drawing no. L00
date: 17 May 2019 sheet no. 1 of 1
rev: B
drawn: HW



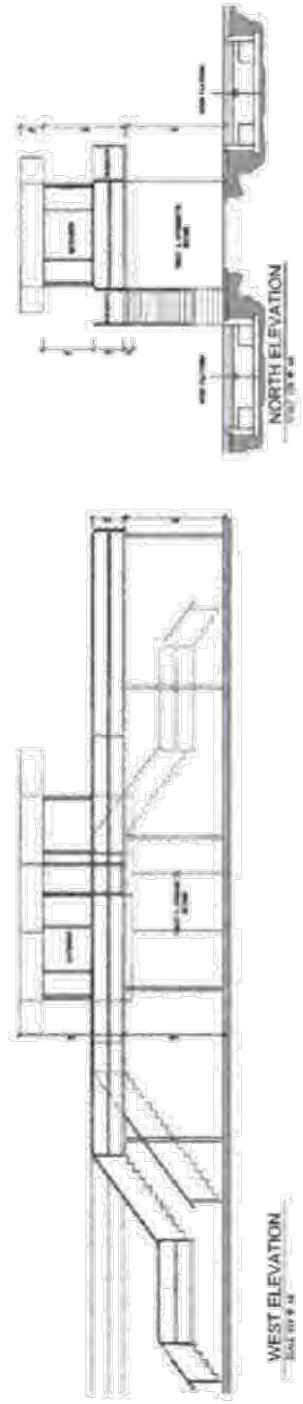
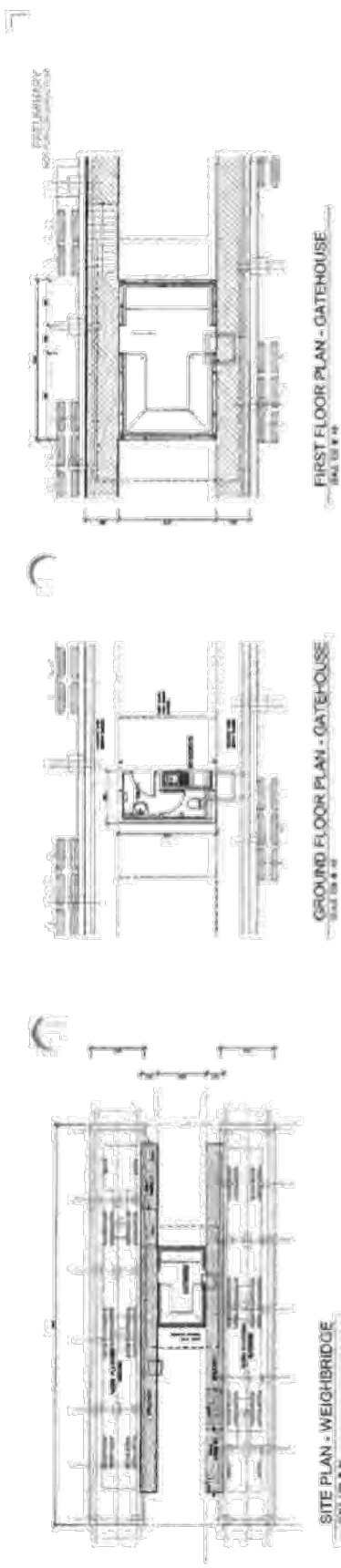


TOWN PLANNING

PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA

McLellan + Alexander
 111 Sturt Street, Melbourne, VIC 3000
 T: 03 9412 3333
 A: 03 9412 3333

CLIENT	JOB NO.	DRAWING NO.	DRAWING TITLE	REVISION	DATE
LAG MEATS PTY LTD	16601	TP - 201	ELEVATIONS P2	P1	MARCH 2019

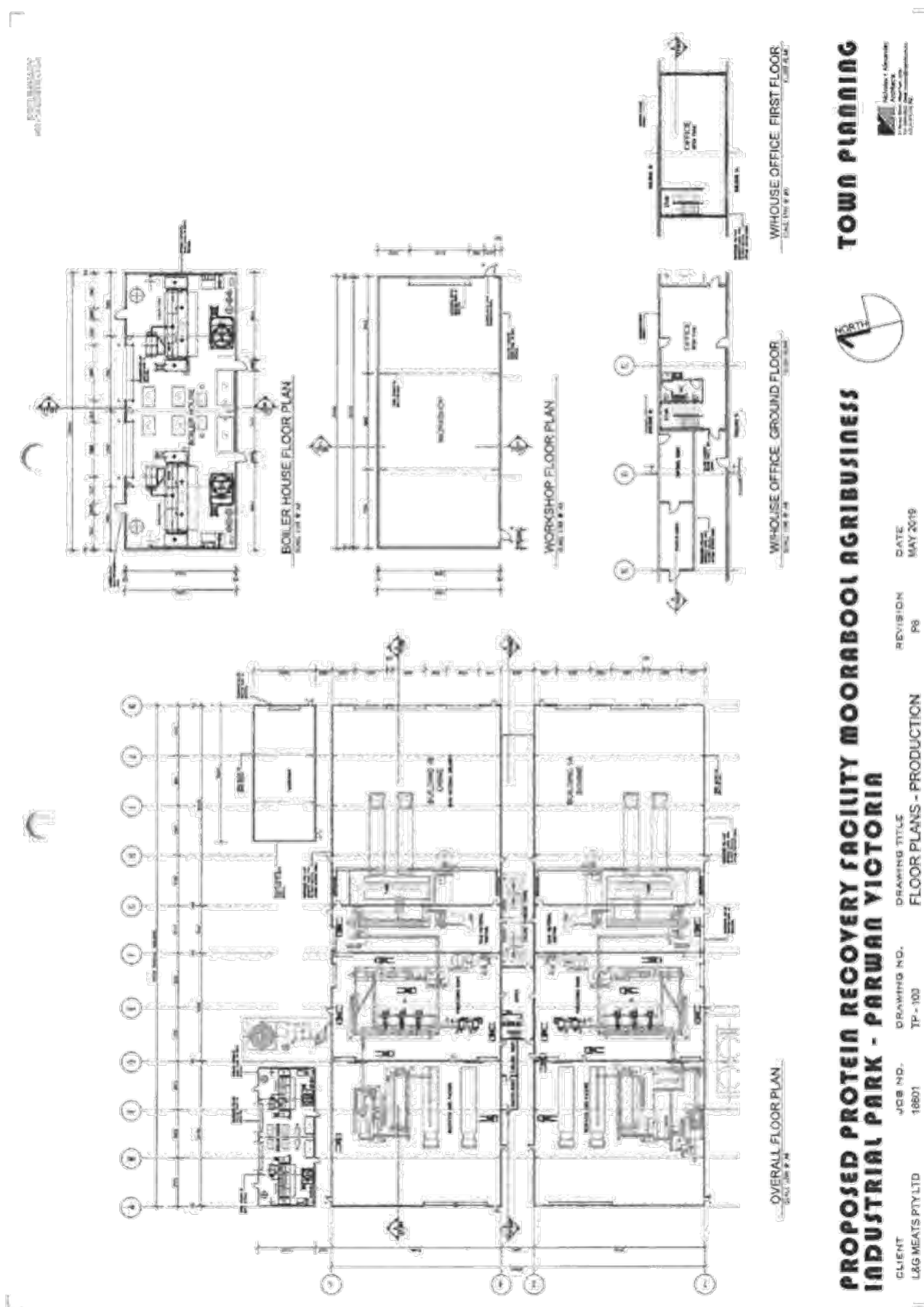


PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA

TOWN PLANNING

CLIENT: LAG MEATS PTY LTD JOB NO.: 18601 DRAWING NO.: TP-1860 DRAWING TITLE: GUARD HOUSE REVISION: P1 DATE: MAY 2019



TOWN PLANNING

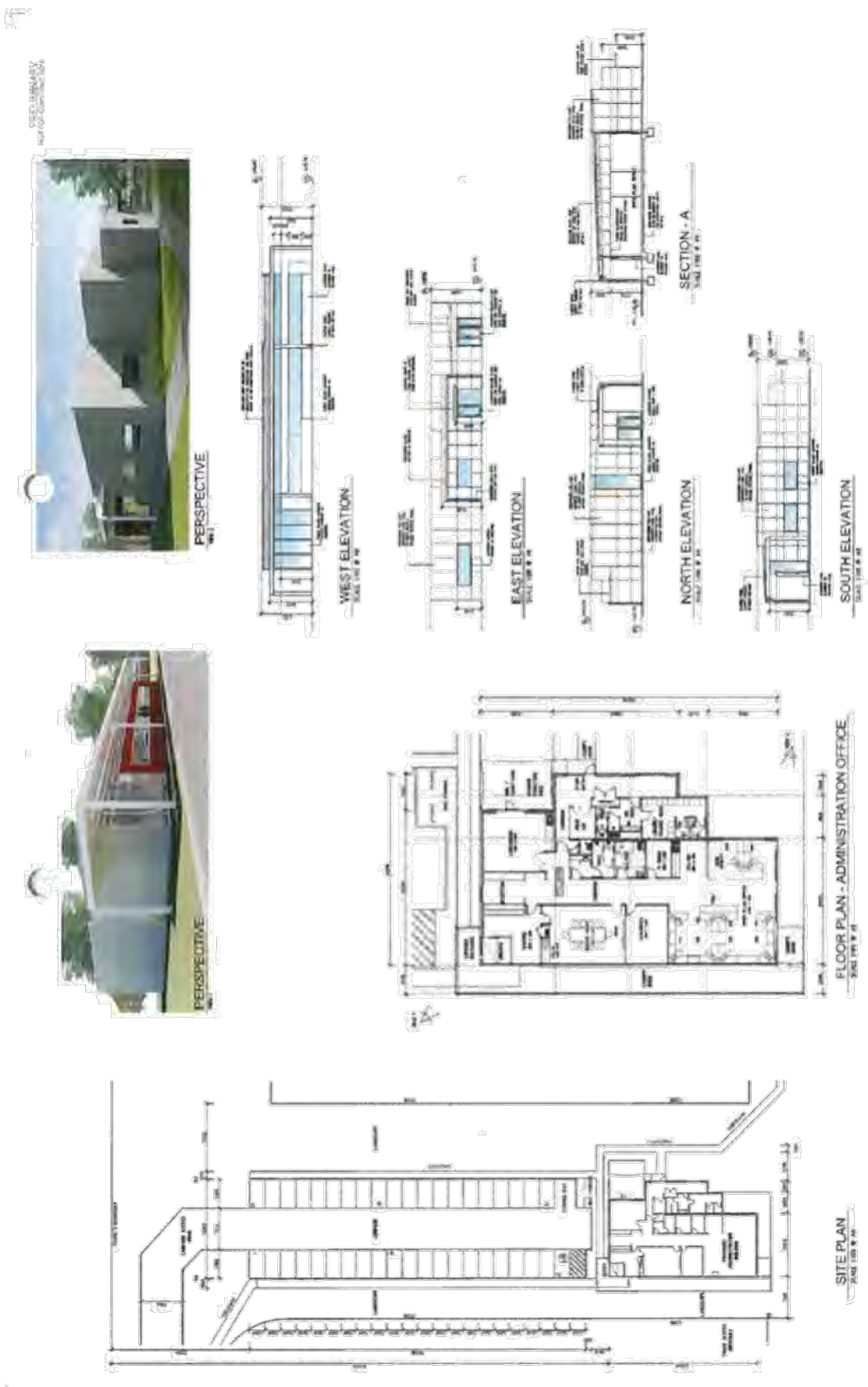
Includes: Minutes
Agenda
Attachments
Resolutions



PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA

CLIENT: L&G MEATS PTY LTD
 JOB NO.: 18801
 DRAWING NO.: TP-103
 DRAWING TITLE: FLOOR PLANS - PRODUCTION
 REVISION: P6
 DATE: MAY 2019





TOWN PLANNING



PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA



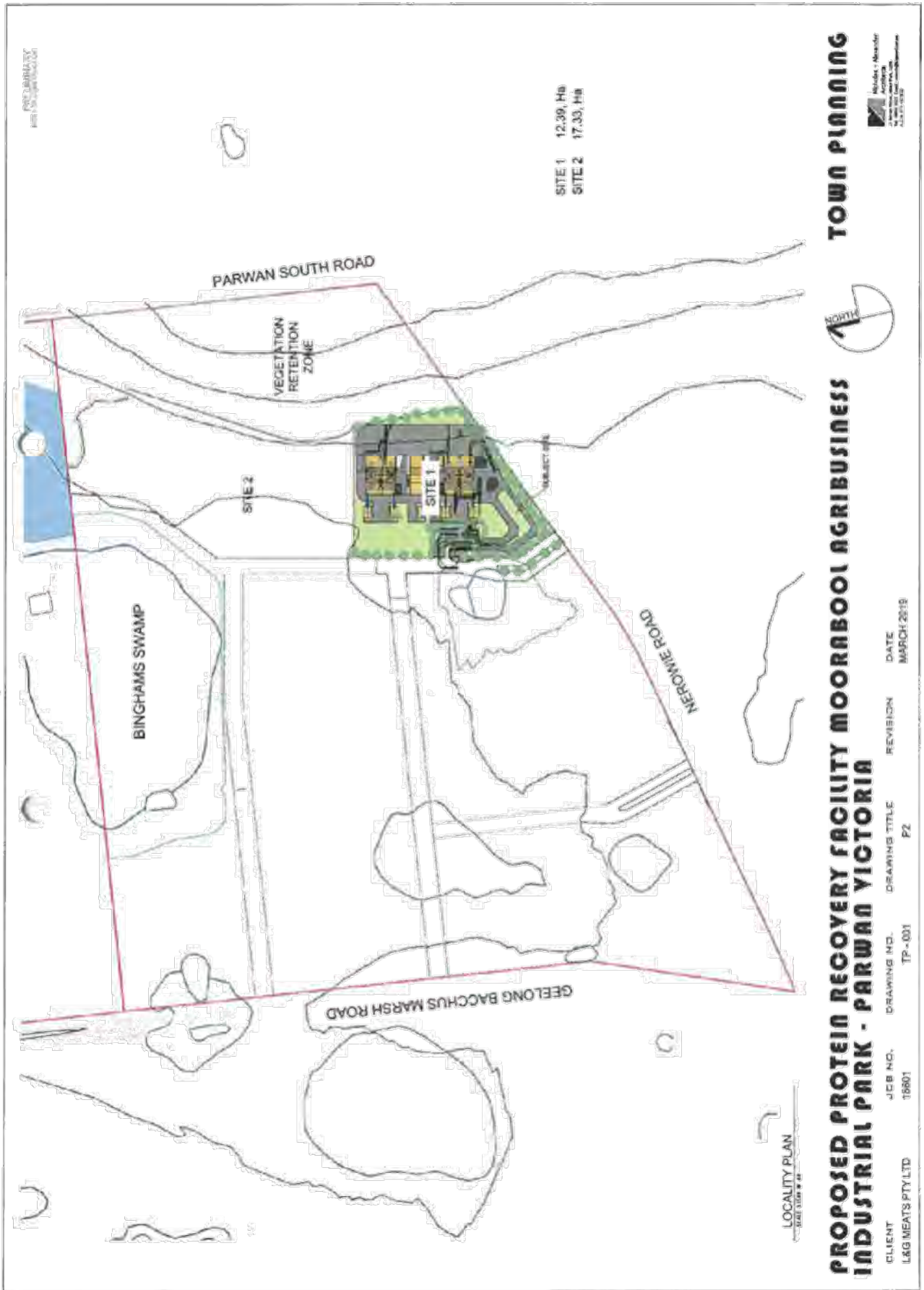
DATE: MAY 2019
REVISION: P5

DRAWING TITLE: ADMIN OFFICE

DRAWING NO.: TP-150

JOB NO.: 18607

CLIENT: L&G MEATS PTY LTD





THE ODOUR UNIT PTY LTD

AERIAL VIEW

PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA

CLIENT L&G MEATS PTY LTD	JOB NO. 18601	DRAWING NO. TP - 300	REVISION P1	DATE DECEMBER 2018	DRAWING TITLE AERIAL VIEW
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Parwan Agribusiness
 100 Moorabool Road, Moorabool, VIC 3256
 Ph: 03 532 2200

WESTSIDE MEATS, PARWAN, VIC
Odour Treatment Statement (Rev 2)

PROPOSED PROTEIN RECOVERY FACILITY MOORABOOL AGRIBUSINESS INDUSTRIAL PARK - PARWAN VICTORIA TOWN PLANNING



DRAWING REGISTER

TP-001	LOCALITY PLAN
TP-010	SITE PLAN
TP-011	STAGE 1- SITE PLAN
TP-100	OVERALL FLOOR PLANS
TP-150	OFFICE FLOOR PLANS & ELEVATIONS
TP-160	GATE HOUSE FLOOR PLANS & ELEVATIONS
TP-200	OVERALL ELEVATIONS
TP-201	OVERALL ELEVATIONS P2



CLIENT	JOB NO.	DRAWING NO.	DRAWING TITLE	REVISION	DATE
L&G MEATS PTY LTD	19601	TP - 000	COVER SHEET	P1	MARCH 2019

8 COMMUNITY STRENGTHENING REPORTS

8.1 PARKING FEES

Author: Andy Gaze, Co-ordinator Community Health & Safety

Authoriser: Sally Jones, General Manager

Attachments: 1. Attachment 1 - Road Safety (General) Regulations 2019 - Schedule 6

PURPOSE

The Road Safety (General) Regulations have been remade. This report seeks a Council resolution to fix the fee for several offences under the Road Safety (General) Regulations 2019 to 0.5 penalty units (\$83) rather than the stipulated 0.2 penalty units (\$33).

RECOMMENDATION

That Council:

Resolves to set the penalty infringement fee (Column 4) for items 1 – 11 in Schedule 6 Road Safety (General) Regulations 2019 at 0.5 Penalty Units.

BACKGROUND

The Road Safety (General) Regulations 2009 (RSGR) were remade on 24 September 2019 for commencement on 27 September 2019. The General Regulations are substantially the same with no change to Schedules 6 which deals with Parking Infringements.

As part of the remake a Council needs to pass a new resolution for any penalties where they fix a penalty for parking infringements that is greater than the 0.2 prescribed in Schedule 6 – Parking Infringements but not more than 0.5 penalty units.

The legislation states:

Section 87 Road Safety Act 1986

(4) Despite subsection (3)—

(a) a municipal Council may, by resolution; or

(b) a relevant public authority may, with the approval of the Minister—

fix a penalty for a parking infringement in contravention of a regulation under this Act, that is a regulation in respect of which regulations under this Act prescribe a penalty, if the penalty to be fixed is not more than 0.5 penalty unit and is not more than the penalty prescribed by the regulations.

Council currently does not issue any infringement notices under 0.5 penalty units. The RSGR in schedule 6 (Attachment 1) has a number of offences that have a set infringement penalty of 0.2 penalty units including parking longer than indicated.

The most frequently issued parking infringement notice by Council is for parking longer than indicated (Council issued 249 in 2018/19). Council currently issue infringement notices for 0.5 penalty units for this offence.

Councils adjoining our Shire have been contacted and they also have a 0.5 penalty infringement penalty for the parking longer than indicated.

To maintain the current compliance system, it is recommended that Council resolve to set the penalty unit offence (column 4) level for item numbers 1 to 11 of Schedule 6 Road Safety (General) Regulations 2019 at 0.5 penalty units.

PROPOSAL

That Council under its powers under Section 87 *Road Safety Act 1986* resolve to set the infringement penalty amount (column 4) of Schedule 6 Road Safety (General) Regulations 2019 at 0.5 penalty units for items 1 -11.

COUNCIL PLAN

The proposal is not specifically provided for in the Council Plan 2017-2021. Maintaining positive parking practices which encourage the movement of traffic (compliance is part of this service) ensures positive outcomes to our community including increased customer turnover for retail areas, improved accessibility to shopping precincts and improved satisfaction for those utilising parking within an area. All these factors work positively for the economic activity within the Shire and customer satisfaction levels.

FINANCIAL IMPLICATIONS

Council issued 249 infringements for parking longer than indicated in 2018/19. With the introduction of a new Community Safety Officer, where their main role is to ensure parking provisions are maintained, it is likely that, at least in the short term as drivers become aware of the stricter and more targeted enforcement of parking within the Shire, an increased number of infringement notices will be issued. A reduction in the income from each individual infringement notice will have a significant impact upon the revenue collected by Council through this parking enforcement process.

The current penalty unit amount is \$165.22. If the same amount of penalty infringements were issued for parking longer than indicated in 2019/20 compared to 2018/19 (249), the income is likely to reach \$20,570 for 0.5 penalty units and \$8,228 for 0.2 penalty units. The introduction of a new Community Safety Officer is likely to result in an increase in infringement levels due to increased patrolling in the area. If Council were to set the infringement offence level at 0.2 penalty units, the revenue derived from parking enforcement activities with regard to parking longer than indicated would be 40% of that than if the infringement level were set at 0.5 penalty units.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Community Safety Officers are at risk when they are within the public domain. This is especially true for officers undertaking parking patrols. The level of penalty unit enforced is, however, unlikely to cause any increased risk to Community Safety Officers.

COMMUNITY ENGAGEMENT STRATEGY

If Council resolves to continue with the infringement levels at 0.5 penalty units, this will be stipulated on our website to ensure that the public are aware of Council's position.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 80C of the *Local Government Act 1989* (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Sally Jones

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Andy Gaze

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

In response to the new Road Safety (General) Regulations 2019, Council are required to resolve new infringement fees if they wish to maintain the current penalty infringement regime. This will entail resolving that numerous offences under the Road Safety (General) Regulations 2019 that are set at 0.2 penalty units are endorsed by Council to be set at 0.5 penalty units.

•Attachment 1

•Road Safety (General) Regulations 2019

•Schedule 6—Parking infringements

Regulation 66

- In this Schedule, **RR** means the Road Safety Road Rules 2017

<i>Column 1</i> Item No.	<i>Column 2</i> Code	<i>Column 3</i> Parking infringement provision	<i>Column 4</i> Infringement penalty	<i>Column 5</i> Summary of parking infringement
1	0701	RR 205(1)	0.2 penalty unit	Parking for longer than indicated
2	0702	RR 207(2)	0.2 penalty unit	Parked—fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine
3	0704	RR 201	0.2 penalty unit	Stopped on a bicycle parking area
4	0705	RR 202	0.2 penalty unit	Stopped on a motor bike parking area
5	0706	RR 209(2)	0.2 penalty unit	Parked contrary to requirement of parking area
6	0707	RR 210(1)	0.2 penalty unit	Parked—fail to comply with angle parking requirement
7	0708	RR 210(1)	0.2 penalty unit	Parked—fail to comply with 90° angle parking requirement
8	0711	RR 211(2)	0.2 penalty unit	Parked not completely within a parking bay
9	0712	RR 211(3)	0.2 penalty unit	Parked—long vehicle exceeding minimum number of bays
10	0713	RR 211(3)	0.2 penalty unit	Parked—wide vehicle exceeding minimum number of bays
11	0621	RR 168(1)	0.2 penalty unit	Stopped contrary to a no

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
				parking sign
12	0715	RR 173(1)	0.6 penalty unit	Stopped on a marked foot crossing
13	0716	RR 173(1)	0.6 penalty unit	Stopped within 10 metres of a marked foot crossing
14	0717	RR 173(1)	0.6 penalty unit	Stopped within 3 metres after marked foot crossing
15	0718	RR 174(2)	0.6 penalty unit	Stopped within 10 metres before bicycle crossing lights
16	0719	RR 174(2)	0.6 penalty unit	Stopped within 3 metres after bicycle crossing lights
17	0720	RR 179(1)	1 penalty unit	Stopped in a loading zone
18	0721	RR 179(2)(a)	1 penalty unit	Stopped in a loading zone longer than 30 minutes
19	0722	RR 179(2)(b)	1 penalty unit	Stopped in a loading zone longer than indicated time
20	0723	RR 180(1)	0.6 penalty unit	Stopped in a truck zone
21	0724	RR 186(1)	0.6 penalty unit	Stopped in a mail zone
22	0725	RR 181(1)	0.6 penalty unit	Stopped in a works zone
23	0726	RR 182(1)	0.6 penalty unit	Stopped in a taxi zone
24	0727	RR 183(1)	0.6 penalty unit	Stopped in a bus zone
25	0728	RR 185(1)	0.6 penalty unit	Stopped in a permit zone
26	0729	RR 189(1)	0.6 penalty unit	Stopped—double park
27	0730	RR 194(1)	0.6 penalty unit	Stopped within 1 metre of fire hydrant
28	0731	RR 194(1)	0.6 penalty unit	Stopped within 1 metre of fire hydrant indicator
29	0732	RR 194(1)	0.6 penalty unit	Stopped within 1 metre of fire

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
				plug indicator
30	0733	RR 195(1)	0.6 penalty unit	Stopped on a bus stop
31	0734	RR 195(1)	0.6 penalty unit	Stopped within 20 metres before a sign indicating a bus stop
32	0735	RR 195(1)	0.6 penalty unit	Stopped within 10 metres after a sign indicating a bus stop
33	0736	RR 197(1)	0.6 penalty unit	Stopped on a bicycle path
34	0737	RR 197(1)	0.6 penalty unit	Stopped on a footpath
35	0738	RR 197(1)	0.6 penalty unit	Stopped on a shared path
36	0739	RR 197(1)	0.6 penalty unit	Stopped on a dividing strip
37	0740	RR 197(1)	0.6 penalty unit	Stopped on a nature strip
38	0623	RR 197(1A)	0.6 penalty unit	Stopped on a painted island
38A	2575	RR 197(1B)	0.6 penalty unit	Stopped on a traffic island
39	0741	RR 199(1)	0.6 penalty unit	Stopped within 3 metres of a public post box
40	0742	RR 170(2)	0.6 penalty unit	Stopped within 20 metres of intersection with traffic lights
41	0626	RR 198(2)	0.6 penalty unit	Stopped on or across a driveway or other way of access
42	0745	RR 208(1)	0.6 penalty unit	Parked not facing direction of travel
43	0746	RR 208(1)	0.6 penalty unit	Parked not parallel to far left side of two-way road
44	0747	RR 208(1)	0.6 penalty unit	Parked not as near as practicable to far left side of two-way road

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
45	0748	RR 208(1)	0.6 penalty unit	Parked not parallel to far left side of one-way road
46	0749	RR 208(1)	0.6 penalty unit	Parked not parallel to far right side of one-way road
47	0750	RR 208(1)	0.6 penalty unit	Parked not as near as practicable to far left side of one-way road
48	0751	RR 208(1)	0.6 penalty unit	Parked not as near as practicable to far right side of one-way road
49	0752	RR 208(1)	0.6 penalty unit	Parked less than 1 metre from other vehicle
50	0625	RR 208(1)	0.6 penalty unit	Parked less than 3 metres from continuous dividing line or dividing strip
51	0754	RR 208(1)	0.6 penalty unit	Parked—fail to leave 3 metres of road for other vehicle to pass
52	0755	RR 208(1)	0.6 penalty unit	Parked unreasonably obstructing the path of vehicles
53	0756	RR 208(1)	0.6 penalty unit	Parked unreasonably obstructing the path of pedestrians
54	0622	RR 208A(1)	0.6 penalty unit	Parked in a road related area (except in a median strip parking area) where vehicle not facing direction of adjacent traffic
55	0758	RR 169	0.6 penalty unit	Stopped next to a yellow edge line
56	0759	RR 175(1)	0.6 penalty unit	Stopped on a level crossing
57	0760	RR 175(1)	0.6 penalty unit	Stopped within 20 metres

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
				before level crossing
58	0761	RR 175(1)	0.6 penalty unit	Stopped within 20 metres after level crossing
59	0762	RR 177(1)	0.6 penalty unit	Stopped on a freeway
60	0763	RR 178	0.6 penalty unit	Stopped in an emergency stopping lane
61	0764	RR 187(1)	0.6 penalty unit	Stopped in a bus lane
62	0765	RR 187(1)	0.6 penalty unit	Stopped in a transit lane
63	0766	RR 187(1)	0.6 penalty unit	Stopped in a truck lane
64	0767	RR 187(2)	0.6 penalty unit	Stopped in a tram lane
65	0768	RR 187(2)	0.6 penalty unit	Stopped on a tram track
66	0769	RR 188	0.6 penalty unit	Stopped in a shared zone
67	0770	RR 190(1)	0.6 penalty unit	Stopped in a safety zone
68	0771	RR 190(1)	0.6 penalty unit	Stopped within 10 metres before a safety zone
69	0772	RR 190(1)	0.6 penalty unit	Stopped within 10 metres after a safety zone
70	0773	RR 191	0.6 penalty unit	Stopped near an obstruction
71	0774	RR 192(1)	0.6 penalty unit	Stopped on a bridge, causeway, ramp or similar structure with width less than approach road
72	0775	RR 192(2)	0.6 penalty unit	Stopped in a tunnel with width less than approach road
73	0776	RR 192(2)	0.6 penalty unit	Stopped in an underpass with width less than approach road
74	0777	RR 193(1)	0.6 penalty unit	Stopped on a crest not in a

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
				built-up area
75	0778	RR 193(1)	0.6 penalty unit	Stopped near a crest not in a built-up area
76	0779	RR 193(1)	0.6 penalty unit	Stopped on a curve not in a built-up area
77	0780	RR 193(1)	0.6 penalty unit	Stopped near a curve not in a built-up area
78	0781	RR 198(1)	0.6 penalty unit	Stopped—obstruct access to a footpath
79	0782	RR 198(1)	0.6 penalty unit	Stopped—obstruct access to a bicycle path
80	0783	RR 198(1)	0.6 penalty unit	Stopped—obstruct access to a passageway
81	0784	RR 198(1)	0.6 penalty unit	Stopped—obstruct access from a footpath
82	0785	RR 198(1)	0.6 penalty unit	Stopped—obstruct access from a bicycle path
83	0786	RR 198(1)	0.6 penalty unit	Stopped—obstruct access from a passageway
84	0787	RR 200(1)	0.6 penalty unit	Stopped heavy vehicle not on shoulder of road
85	0788	RR 200(1)	0.6 penalty unit	Stopped long vehicle not on shoulder of road
86	0789	RR 200(2)	0.6 penalty unit	Stopped heavy vehicle in built-up area longer than 1 hour
87	0790	RR 200(2)	0.6 penalty unit	Stopped long vehicle in built-up area longer than 1 hour
88	0791	RR 220(1)(a)	0.6 penalty unit	Stopped—clearance and side marker lights not operating effectively and visible

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
89	0792	RR 220(1)(b)	0.6 penalty unit	Stopped—parking lights not operating effectively and visible
90	0793	RR 167	1 penalty unit	Stopping contrary to a no stopping sign
91	0794	RR 171(1)	1 penalty unit	Stopping on a children's crossing
92	0795	RR 171(1)	1 penalty unit	Stopping within 20 metres before a children's crossing
93	0796	RR 171(1)	1 penalty unit	Stopping within 10 metres after a children's crossing
94	0797	RR 172(1)	1 penalty unit	Stopped on a pedestrian crossing
95	0798	RR 172(1)	1 penalty unit	Stopped within 20 metres before pedestrian crossing
96	0799	RR 172(1)	1 penalty unit	Stopped within 10 metres after pedestrian crossing
97	0800	RR 176(1)	1 penalty unit	Stopped on a clearway
98	0624	RR 196(1)	1 penalty unit	Stopped within 20 metres before a sign displaying the words "tram stop" or "tram stop request"
99	0803	RR 203(1)	1 penalty unit	Stopped in a parking area for people with disabilities either— (a) without a current parking permit for people with disabilities clearly displayed in the vehicle; or (b) not in accordance with the permit conditions
100	0620	RR 203A	1 penalty unit	Stopped in a slip lane
101	0804	RR 170(3)	1 penalty unit	Stopped within 10 metres of

<i>Column 1 Item No.</i>	<i>Column 2 Code</i>	<i>Column 3 Parking infringement provision</i>	<i>Column 4 Infringement penalty</i>	<i>Column 5 Summary of parking infringement</i>
				intersection
102	0805	RR 170(1)	1 penalty unit	Stopped in an intersection
103	0806	Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994	0.6 penalty unit	Parked or stopped on a reserve without consent
104	0807	RR 203(4)	1 penalty unit	Disobey direction to move vehicle from parking area for people with disabilities
105	0627	RR 190(1)	0.6 penalty unit	Stopped on a road within 10 metres before or after a safety zone

Note:

Section 87(3A) of the Act provides for the penalty for a parking infringement constituted by a contravention of section 90E of the Act.

Schedule 6, item 103: The Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994 were made under section 13 of the **Crown Land (Reserves) Act 1978** No. 9212/1978 and published in the Government Gazette on 12 January 1995 (pages 94–102) with subsequent amendments (as at 28 August 2019) published in the Government Gazettes of 5 March 1996 (S17 pages 2, 3), 16 April 1996 (S37 pages 1, 2), 15 January 1997 (S5 page 1), 26 November 1998 (S138 page 1), 20 December 2001 (G51 page 3264), 2 April 2002 (S56 page 1), 30 March 2006 (S98 page 1), 24 January 2008 (G4 page 177), 21 March 2012 (S92 page 1), 27 March 2012 (S104 page 1), 31 January 2013 (G5 page 207), 31 October 2013 (G44 page 2687) and 22 December 2016 (G51 pages 3223–3224).

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Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2019 is \$165.22.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

9 MEETING CLOSURE