



Agenda

All Councillors

Councillors are requested to attend a Council Meeting to be held at 12.30 PM on Monday 7 November 2022, in the Council Chamber, Pleasant Creek Historic Precinct, Stawell.

Affirmation

We recognise the traditional owners of the land.

We are inspired by the early pioneers and by those who gave their lives for our country.

We now ask God's blessing on our deliberations and on our commitment to build a better lifestyle and environment.

Business

This meeting of the Northern Grampians Shire Council will be recorded and livestreamed on council's YouTube channel in accordance with Council's *Audio-Visual Recording Policy*.

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1. Apologies

2. Confirmation of Minutes

Council Meeting held on Monday, 3 October 2022

Unscheduled Council Meeting held on Monday, 24 October 2022

3. Matters Arising from the Minutes

4. Presentations/Awards

Nil

5. Presentation of Petitions and Joint Letters

Nil

6. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she-

- (i) is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or**
- (ii) intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice-**
 - advising of the conflict of interest;**
 - explaining the nature of the conflict of interest; and**
 - detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the-**
 - name of the other person**
 - nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and**
 - nature of that other person's interest in the matter;**

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer.

The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

Members of Staff

A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.

7. Informal Meetings of Councillors

[Trenton Fithall, Acting Chief Executive Officer]

Council's Governance Rules require that if there is a meeting of Councillors that-

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, delegated committee meeting or community asset committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The records for the period since the last Council Meeting are listed below.

Date	Meeting Description	Matters Considered At The Informal Meeting:	Conflict Of Interest Disclosures		
24/10/2022	Organisational Effectiveness Briefing	7.1. St Arnaud and Stawell Tourism Plan Implementation: Brand Story 7.2. Textures Venue Hire Fee Waiver 7.3. OPAN Migration Report 7.4. Immunisation Review 7.5. Municipal Public Health and Wellbeing Plan Review 7.6. Quarterly Council Action Plan Report - Quarter 1 8.1. Council Agenda Review	Councillor/Officer	Item Number	Left Meeting:
			Nil	Nil	Nil
17/10/2022	Sustainable Infrastructure Briefing	8.1. 10am Presentation - Central Victorian Greenhouse Alliance 8.2. Planning Permit Amendment 5.2021.78.2 - 46 Abattoir Road, Stawell 8.3. Planning Permit Amendment - Stawell Landfill 8.4. Development Services Fee Refund 8.5. Planning Permit Amendment – Bowen Street 8.6. 11.30am Placeholder Applicant Planning Permit Amendment – Bowen Street 8.7. 11.45am Placeholder Objectors Planning Permit Amendment – Bowen Street 8.8. Walkers Lake Management Plan 9.1. C5 2022/23 - Plant Replacement Program 9.2. C7 2022/23 - Asphaltting Works, Queens Avenue, St Arnaud	Councillor/Officer	Item Number	Left Meeting:
			Nil	Nil	Nil
10/10/2022	Economic Growth Briefing	8.1 Child Safety and Welfare Training 8.2 Resident and Workforce Attraction Strategy Implementation 8.3 Big Hill Arboretum	Councillor/Officer	Item Number	Left Meeting:
			Nil	Nil	Nil
03/10/2022	Lifestyles and Community Briefing	7.1 10.30am Placeholder for Applicant - Planning Permit 5.2022.49.1 - 99 Torney Road and 4799 Sunraysia Highway, Carapooee West 7.2 11am Placeholder for Objectors - Planning Permit 5.2022.49.1 - 99 Torney Road and 4799 Sunraysia Highway, Carapooee West 8.1 Council Agenda Review	Councillor/Officer	Item Number	Left Meeting:
			Cr Ostarcevic	7.1	No
26/09/2022	Organisational Effectiveness Briefing	7.1. Preparation of Annual Report 2021-22 7.2. Reappointment of Audit and Risk Committee Member 7.3. Audit and Risk Committee Biannual Activity Report 7.4. Place Naming - Lord Nelson Park Community Sports Centre 7.5. Stawell Cemetery Update 7.6. Petition - Inglewood Road, St Arnaud	Councillor/Officer	Item Number	Left Meeting:
			Nil	Nil	Nil

8. Items Brought Forward

9. Consideration of Reports of Officers

9.1. Enhance Lifestyles and Community

9.1.1. Quarterly Council Action Plan Report - Quarter 1

Author/Position: Trenton Fithall, Acting Chief Executive Officer

Purpose

To report the progress for the first quarter of the Council Action Plan 2022-23.

Summary

In order to achieve the goals set out in the Council Plan 2021-25, a Council Action Plan 2022-23 was adopted by Council at its 27 June 2022 Council Meeting.

The action plan outlines the major initiatives that are to be carried out in the second year of the Council Plan. The attached report provides an update on the progress towards achieving the objectives set out in the Council Action Plan 2022-23 for the period ending 30 June 2023.

Recommendation

That Council notes the Quarterly Council Action Plan Report and approves the forecast plan.

Background/Rationale

Council is required under the *Local Government Act 2020* to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives and indicators to monitor the achievement of those objectives.

The Council Action Plan 2022-23 supports the Council Plan by providing key actions that Northern Grampians Shire Council is to deliver within the second year to accomplish the strategic objectives outlined in the Council Plan. Quarterly progress updates are provided to Council and the community to give a clear indication as to whether Council's goals and objectives are on track to meet delivery targets.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25

Options

Option 1

That Council notes the Quarterly Council Action Plan Report and approves the forecast plan. **[recommended]**

Option 2

That Council notes the Quarterly Council Action Plan Report with amendments. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

The Council Action Plan includes the expenditure agreed in the Council's adopted budget.

Community Engagement

This report is to provide Council and the community with an update of Council's current projects and initiatives and if they are on track for completion.

Innovation and Continuous Improvement

The Quarterly Council Action Plan Report aims to improve transparency and provide clear information to the community.

Collaboration

Any opportunities for collaboration with other councils or public bodies will be considered with each initiative.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Trenton Fithall, Acting Chief Executive Officer

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Council Action Plan 2022-23 QTR 1 **[9.1.1.1 - 7 pages]**

Council Action Plan 2022-23



	Off track
	Monitor
	On track
*	Projects carried forward

Enhance Lifestyles and Community				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Wellness and Welfare				
Develop the Reconciliation Action Plan	Jun-23	Jun-23		On hold until resource allow.
Develop a Library Strategy	Jun-23	Jun-23		
Redevelop Stawell Library	Mar-23	Jun-23		Work has commenced and the project is expected to be finalised by June 2023.
Fit out the St Arnaud Town Hall with Audio-visual Equipment *	Sept-22	Nov-22		The equipment is installed and currently being tested.
Renew the St Arnaud Tennis Clubrooms *	Mar-22	Oct-22		Contractor delays, expect works to be complete in October 2022.
Support communities to implement Community Plans	Sep-22	Dec-22		Stuart Mill Community Plan Scheduled for December Council meeting.
Renew Heritage Trail Signage	Jun-23	Jun-23		Materials sought in preparation for installation.
Heritage Study Review	Jun-23	Jun-23		On track.
Deliver a Sport and Active Recreation Strategy	Jun-23	Jun-23		On track.
Enhance the Lord Nelson Park Sporting Club	Jun-23	Jun-23		
Deliver the North Park Precinct Skate Park	Mar-23	Jun-23		Delay with final detailed design and expected cost escalation.
Deliver Central Park Football Changerooms	Jun-24	Jun-24		Planning and preparation underway.
Deliver the North Park Precinct Soccer Lighting	Mar-23	Mar-23		Construction underway.
Deliver a St Arnaud Market Square Performance Space *	Jun-22	Sep-22		Complete.

Install new entrance sign in Queen Mary Gardens *	Jun-22	Mar-23		Delivering on behalf of the Queen Mary Gardens Advisory Committee. Planning and preparation underway.
Deliver the Lord Nelson Park Sports Oval Lighting Upgrade	Jun-23	Jun-23		Procurement underway.
Deliver the Age-Friendly Communities Project	Jun-23	Jun-23		On track.
Community Care Service Review	Jun-23	Jun-23		On track.
Review Immunisation Service	Jun-23	Dec-22		Review to go to November Council Meeting.
Review of the Early Learning Centre	Jun-23	Jun-23		On track.
Undertake a Drainage Improvement Works Program	Jun-23	Jun-23		On track.
Undertake a Kerb and Channel Improvement Program	Jun-23	Jun-23		On track.
Investigate additional Big Hill precinct lookout upgrades *	Jun-22	Mar-23		Big Hill options report scheduled for November Council Meeting.
Support the Great Western Future Committee to deliver the Great Western Future Plan	Jun-23	Jun-23		
Adopt the Navarre Recreation Reserve Precinct Master Plan *	Jun-22	Feb-23		Navarre Recreation Reserve Facility concept design underway.
Develop a new Stuart Mill Community Plan *	Jun-22	Dec-22		Scheduled for November Council Meeting.
Advocate for Central Park Netball Changerooms	Jun-23	Jun-23		
Advocate for Central Park Netball Courts	Jun-23	Jun-23		
Supply and install a Community Notice Board in Navarre *	Jun-22	Sep-22		Complete.
Supply and install a Community Notice Board in Marnoo *	Jun-22	Sep-22		Complete.
Create and publish a new Historical Assets register *	Jun-22	Dec-22		
Deliver detailed design for Navarre Recreation Reserve Facility Upgrades	Jun-23	Jun-23		
Improving Connectivity				
Undertake the Great Western Trail Stage 1 - Trail Delivery	Dec-22	Dec-22		Environmental Impact Assessment underway.
Undertake a General Local Law Review *	Jun-22	Sep-22		Complete.
Undertake a flood study in Stawell	Jun-24	Jun-24		Multiyear project. Planning and preparation underway.
Undertake a flood study in Marnoo	Jun-23	Jun-23		Community engagement underway.
Undertake a flood study in St Arnaud *	Jun-22	Dec-22		Draft under review.
Undertake a Footpath Improvement Program	Jun-23	Jun-23		On track.
Undertake a Major Rural Roads Improvement Program	Jun-23	Jun-23		On track.
Undertake a Rural Residential Road Improvement Program	Jun-23	Jun-23		On track.

Undertake a Town Road Sealing Improvement Program	Jun-23	Jun-23		On track.
Undertake an Urban Residential Road Improvement Program	Jun-23	Jun-23		On track.
Advocate for funding and delivery of Great Western PPP Football and Netball Clubrooms	Jun-23	Jun-23		Complete.
Deliver Open Space and Active Transport Strategy and Implementation Plan	Jun-23	Jun-23		On track.
Deliver Arts and Culture Action Plan, 2022-25	Jun-23	Jun-23		Complete.
Protecting the Natural Environment				
Container Deposit Scheme Implementation	Jun-24	Jun-24		Multiyear project, reliant on State Government implementation.
Establish a Transition Plan for a Glass Recycling Collection Service	Jun-23	Jun-23		On track.
Transfer Station Upgrade - Deliver Glass Bins	Dec-22	Mar-23		Delays in finalising the funding terms.
Undertake Food & Green Organic Waste Composting Trial	Jun-23	Jun-24		Trial to conclude in 2023/24. Staff vacancies may delay the project initiation.
Deliver Public Place Recycling in high-use areas	Dec-22	Dec-22		On track.
Implement the Walkers Lake Management Plan - Access, Tracks and Signage	Jun-23	Jun-23		Management Plan scheduled for November Council meeting.
Scope an Energy Efficiency Program	Dec-22	Jun-23		Staff shortage has delayed project initiation.
Advocate for new and existing spaces for arts and culture activities	Jun-23	Jun-23		Grants applied for in accordance with Arts and Culture Action Plan.

Boost Economic Growth				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Boosting Tourism				
Deliver a Visitor Servicing and Halls Gap Hub Management	Jun-23	Jun-23	Complete	Complete. Visitor servicing underway with continuous improvement in place.
Support Visitor Information volunteers at St Arnaud and Stawell	Jun-23	Jun-23	Complete	Transition underway.
Deliver the Grampians Peaks Trail Halls Gap connection	Jun-23	Jun-23	At Risk	Parks Victoria led the project, community engagement underway.
Deliver Tourism Events Strategy	Dec-22	Dec-22	Complete	Scheduled for December Council Meeting.
Support Victoria's Goldfields to be given UNESCO World Heritage status	Jun-23	Jun-23	Complete	In progress.
Upgrade the Stawell Caravan Park *	Jun-22	Dec-22	At Risk	Delays due to labour shortage. Due for completion of construction in December.
Upgrade the St Arnaud Caravan Park *	Jun-22	Sep-22	Complete	Complete.
Oversight of the Stawell Underground Physics Laboratory (SUPL) *	Jun-22	Aug-22	Complete	Complete. SUPL opened on the 19 August.
Implement St Arnaud and Stawell Tourism Strategy Action Plans	Jun-23	Jun-23	Complete	On track.
Building more Housing				
Investigate Urban Growth opportunities and constraints to accommodate long-term housing supply	Jun-23	Jun-23	Complete	On track.
Continue to work with Passive Place on the delivery of the Sloane Street Development	Jun-23	Jun-23	At Risk	Currently monitoring resource supply and delivery issues.
Deliver Sloane St Trunk Infrastructure, Stawell	Sep-22	Mar-23	At Risk	Material delivery delay and unforeseen power upgrade will delay the serviceability of the Sewer Pump Station.
Growing Local Businesses				
Develop a St Arnaud Structure Plan	Dec-22	Feb-23	At Risk	Scope expanded to include additional technical reports and support future implementation.
Deliver 'Live the Grampians Way' campaign	Dec-22	Dec-22	Complete	On track.
Investigate retail options in Marnoo	Dec-22	Dec-22	Complete	Complete.
Review the Northern Grampians Shire Council Stawell Aerodrome Master Plan	Dec-22	Mar-23	Complete	Preparation underway.

Develop a Priority Investment Prospectus	Dec-22	Dec-22		Tourism Investment Prospectus scheduled for December Council Meeting.
Advocate for funding for the Halls Gap Laneway expansion project	Jun-23	Jun-23		Grant application submitted.
Advocate for funding the Halls Gap Heath Street Bridge	Jun-23	Jun-23		Grant application submitted.
Undertake Heath St Bridge detailed design	Jun-23	Jun-23		Grant dependant.
Advocate for an outer township gateway at the proposed London Road intersection, Stawell	Jun-23	Jun-23		Western Highway Duplication Section 3 advocacy underway.
Upgrade B-Double routes	Jun-23	Jun-23		On track.
Undertake a Bridges and Major Culvert renewal program	Jun-23	Jun-23		On track.
Deliver Renewable Energy Transition Action Plan	Mar-23	Mar-23		
Establish land use precincts along the Western Highway, Stawell	Jun-23	Jun-23		
Revitalise and reactivate retail opportunities in Stawell and St Arnaud *	Jun-22	Jun-23		Resource focus shifting to further support Shire Workforce challenges.
Advocate for funding to develop a Halls Gap Structure Plan	Jun-23	Jun-23		
Stawell Airport Redevelopment - Apron Extension, Tie Downs, Fencing and Taxiway upgrades *	Jun-22	Dec-22		Taxiway connection and final seal remaining.
Deliver Stawell Airport Runway Lighting Upgrade	Mar-23	Mar-23		Preparation and planning underway.
Advocate to State and Commonwealth Governments for the implementation of key recommendations in the Wimmera Southern Mallee Regional Digital Plan *	Jun-22	Jun-23		Supporting Telecommunications Services with multiple avenues for improved connectivity.
Deliver a feasible study for value-add opportunities to agriculture	Jun-23	Jun-23		

Provide Sustainable Infrastructure				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Being a better Council				
Develop an Asset Plan *	Jun-22	Sep-22		Complete.
Undertake a Quarry Resource Material Review	Jun-23	Jun-23		On track.
Undertake a Stawell Cemetery Improvement Program - Stage 1 Expansion	Dec-22	Jun-23		Delivery due to finish in 2023/24.
Undertake a Stawell Cemetery Improvement Program - Water supply renewal	Dec-22	Mar-23		Preparation and planning are underway. Foresee a due date extension is required.
Stawell Pound Update Works *	Jun-22	Dec-22		Works underway, nearing completion.
Undertake a Road Resealing Program	Mar-23	Mar-23		On track.
Undertake a Road Resheeting Program	Mar-23	Jun-23		Due to prolonged wet weather, extended maintenance period will impact on final program delivery.
Undertake a Structural Assessment of the St Arnaud Pool	Sep-22	Jun-23		Consultant availability has delayed the assessment and is now due at the end of the swimming season.
Bridge and Major Culvert Condition Assessment	Mar-23	Mar-23		On track.
Deliver North Park Master Plan	Dec-22	Dec-22		Scheduled for December Council Meeting.

Improve Organisational Effectiveness				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Being a better Council				
Improve water quality and capacity at Mooney Dams, Stawell	Jun-23	Jun-23		On track.
Implement a new records management system	Jun-23	Jun-23		Supplier appointed and implementation planning underway.
Review and update Enterprise Resource Planning (ERP) software	Jun-23	Jun-23		Tender is complete and the selection process is underway.
Implement elementTIME	Dec-22	Dec-22		On track.
Implement VPDSF Protective Data Security Plan	Jun-23	Jun-23		Plan for this year has been developed and is on track.
Reduce Red Tape, Website/Communication Review	Dec-22	Jun-23		Delays due to staff vacancy.
Reduce Red Tape, Pre-Application Review	Dec-22	Jun-23		Delays due to staff vacancy.
Reduce Red Tape, Referral Advice Review	Jun-23	Jun-23		On track.
Plant & Equipment Review	Dec-22	Jun-23		Preparation and planning are underway. Foresee a due date extension is required.
Review Naturestrip Management Plan	Sep-22	Mar-23		Expanded scope to include community engagement, delaying final adoption.

9.1.2. Municipal Public Health and Wellbeing Plan Review

Author/Position: Nola Tudball, Manager, Community Services

Purpose

To provide an annual update to Council about progress on implementation of the Municipal Public Health and Wellbeing Plan (MPHWP).

Summary

The *Victorian Public Health and Wellbeing Act 2008* requires all local governments in Victoria (LGAs) to prepare a Municipal Public Health and Wellbeing Plan every four years. It is a key planning document for council and develops further the priorities of the Council Plan, focussing on improving the health and wellbeing of the whole community. Council is also required to review the progress of the Plan every twelve months.

This report provides information to Council on the achievements of the implementation of the Plan over the past twelve months.

A significant achievement has been the development of a strong working relationship between Council and the range of stakeholder organisations who work with the community across all five goals of the Plan. A detailed Action Plan has been developed, bringing together work that is already underway within Council and partner organisations, as well developing new initiatives focussed on working together with the community to address the key goals of and priorities of the Plan.

Recommendation

That Council notes the progress on working towards the goals of the Municipal Public Health and Wellbeing Plan.

Background/Rationale

The Victorian *Public Health and Wellbeing Act 2008* requires all local governments in Victoria (LGAs) to prepare a MPHWP every four years and to review progress each year of the Plan. The Northern Grampians Shire Council's Municipal Public Health and Wellbeing Plan 2021-25 is a key document in Council's forward planning and is tied to a strategic set of plans informed by the Community Vision and the Council Plan. Council approved the Plan in October 2021.

Local government's role in public health is extensive and is set out in several Acts of Parliament. It is also guided by the priorities outlined in the *Victorian Public Health and Wellbeing Plan 2019-23*, four of which are specified by the Victorian Government for inclusion in the MPHWP.

The Northern Grampians Shire Council MPHWP provides the framework, direction and strategic guidance for council to work towards creating a community where people can achieve maximum health and wellbeing, participate in employment and engage in community life. It integrates strategic actions across the social, cultural, built and natural environments which span the responsibilities of all of council's work. The priorities and strategic actions of the MPHWP are targeted to the greatest areas of need.

This report for Council meets this legislative responsibility and provides important information to Council on our achievements to date.

Vision and Goals of the Plan

The goals of the Plan were developed in partnership with local service providers and were informed by the Northern Grampians Shire Community Vision and the opinions of residents. They are underpinned by the research and evidence-based practice and qualitative and quantitative data about the health and wellbeing of our community.

The vision for the Plan is:

Northern Grampians – where communities are thriving, healthy and welcoming

The five goals are:

- Goal One: Improve mental health and wellbeing
- Goal Two: Increase access to health services
- Goal Three: Reduce family violence
- Goal Four: Increase healthy eating and active living
- Goal Five: Act on climate change

Our achievements over the past twelve months include:

- A strong partnership between council and key stakeholders, and establishing a Reference Group comprised of key service providers to monitor progress.
- Developing an integrated, whole of community approach across the age spectrum, taking account of individual capabilities and requirements.
- Developing a comprehensive Action Plan that provides an over-arching "umbrella" approach, incorporating actions already underway or planned. This means that the actions are embedded into day-to-day business.
- Delivering on the outcomes of the VicHealth Local Government Partnership which is focusing on engagement with children and young people to improve healthy eating and active living.
- Commencing the process to engage with young people, older people and people living with a disability to develop specific strategic directions to build sustainable and more inclusive communities and build the leadership skills of our young people.

Importantly, we are modifying our approach as the needs of the community change and develop.

Legislation, Council Plan, Strategy and Policy Implications

Planning and Environment Act 1987

Disability Act 2006

Emergency Management Act 2013

Climate Change Act 2017

Victorian State Health and Wellbeing Plan 2019-2023

Community Engagement Policy 2021

Council Plan 2021-25 - Enhance Lifestyles and Community

Municipal Public Health and Wellbeing Plan 2021-25

Options

Option 1

That Council notes the progress on working towards the goals of the Municipal Public Health and Wellbeing Plan. **[recommended]**

There are no other options available.

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

A Gender Impact Assessment has been undertaken for the plan. In addition to this, Grampians Women's Health has reviewed the key health and wellbeing data and information for the shire, providing important insights on the impact for women and is a core member of the Reference Group.

Procurement

Not applicable

Community Engagement

The comprehensive Action Plan developed over the past twelve months has been developed in partnership with key stakeholders. Leadership of projects is shared by several community organisations as well as council.

Innovation and Continuous Improvement

The MPHWP provides the framework and summary of the evidence for the overall directions and priorities for improving the health and wellbeing of the community over the next four years. The detailed action plan includes, and links with, existing priorities of council.

The Reference Group will continue to monitor the delivery of the actions and work with other service providers to adapt to community changes. A four year partnership with VicHealth (Local Government Partnership), Ready for Life project, forms a key component of our engagement with children, young people and other relevant community stakeholders.

Collaboration

Ongoing collaboration and discussion occur with our neighbouring councils and other LGAs across the state as part of the VicHealth Local Government Partnership. This is an important platform for sharing resources and learnings.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Nola Tudball, Manager, Community Services

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

Nil

9.1.3. Immunisation Review

Author/Position: Nola Tudball, Manager Community Services

Purpose

To inform Council of the outcomes of the Immunisation Service Review and seek Council's approval to strengthen the oversight of the risk management of the service.

Summary

A review of Council's Immunisation Services has recently been completed. It builds on the work of an external review of the service, conducted in 2020, following an adverse incident.

The focus of the review was to:

- assess the effectiveness of the strategies for monitoring safety and quality of the services
- explore and assess alternative provider arrangements, including the impact for Council

The review concluded that the significant changes to the services introduced in 2020 have had a positive impact on the management oversight and administration of the service, management of the risks associated with the vaccination processes and monitoring of clinical practice. Recognising the inherent and significant risks associated with delivering these services, the review concluded that there is a need to increase independent oversight of the immunisation service through oversight by Council's Audit and Risk Committee and four yearly dependent review of the services.

The review also explored the range of alternative providers for the service, taking account of

Recommendation

- 1. That Council continues to provide the Immunisation Service.**
- 2. That Council's Audit and Risk Committee monitors the management of the risks associated with the delivery of Council's Immunisation Service.**
- 3. That a formal, independent review of the immunisation service occurs on a four yearly basis.**

Background/Rationale

A review of Council's Immunisation Service has recently been completed. It builds on the work of an external review of the service, conducted in 2020.

The focus of the review was to:

- assess the effectiveness of the strategies for monitoring safety and quality of the services
- explore and assess alternative provider arrangements, including the impact for Council

Immunisation is one of the most significant public health interventions, globally and within Australia. It keeps individuals and the community safe and healthy. Mass immunisation of the community is critical as it protects both people who are vaccinated while protecting the entire community, particularly individuals who are unable to be vaccinated.

Immunisation is a legislative responsibility of Council. Council's immunisation program is underpinned by the National Immunisation Program (NIP) which specifies which vaccinations are to be administered and at which age/stage. There are two components of the service: the infant and child program for 0–5-year-olds and the adolescent program, conducted in secondary schools for Years 7 and 10 students. The vaccines protect the community against 14 diseases.

In 2021, the Immunisation Team administered approximately 40% of all vaccinations across the infant and secondary school programs in 2021 with 633 vaccinations. This number is lower than previous years due to the impact of Covid-19 management strategies. Usually, this figure is approximately 800. Importantly, coverage for the infant and child program has consistently been greater than 95%, providing herd immunity for the community, and for the adolescent program, between 70% and 85%, depending on the vaccine. A total of 28 free public immunisation sessions are conducted each year, including two sessions in each of the secondary schools and one at the special development school.

The program is a high-risk area of service delivery for Council. The risks relate to the oversight and management of the storage of vaccinations, administration and records management, delivery of vaccines to individuals and the legislative requirements of Council. Council's direct financial investment in the program is approximately \$80,000 per year.

Significant changes to the service were implemented in 2020. These focused on improving the management oversight and administration of the service, management of the risks associated with the vaccination processes, monitoring of clinical practice, and improvements in data reporting systems and processes.

The review assessed the effectiveness of the current operations of the service and explored alternative service provider options.

Legislation, Council Plan, Strategy and Policy Implications

Public Health and Wellbeing Act 2008 - it is the function of every council **to coordinate and provide immunisation services to children living or being educated within the municipality.** (*Public Health and Wellbeing Act 2008(PHWA), Part 3, Division 3, s.24. (Annex 2)*)

Council Plan 2021-25 - Enhance Lifestyles and Community

Options

Quality service delivery

The review concluded that overall, the administration and management of the service is functioning well. Monitoring of clinical practice and adherence to risk management processes is high. The specialist immunisation staffing positions are now filled and systems in place to maintain this. To maintain this level of quality practice, there is a need to increase independent oversight of the immunisation service.

Council's Audit and Risk Committee is well positioned to undertake this role. In addition, as part of a continuous improvement process, a formal, independent review of the service should occur on a four yearly basis, providing monitoring of adherence to best practice, building on an existing review of procedures and continuous improvement processes.

Future management of the service

Council's legislative responsibilities are such that it must deliver immunisation services itself or subcontract to another authorised and licensed provider. The review considered all available options for an alternative provider for the immunisation service.

The key issues considered were:

- Processes for monitoring of the safety and quality of the services
- Outcomes of the services, focusing on coverage rates
- Satisfaction with the delivery of the service, taking account of accessibility and availability of the service to the public, reporting and accountability processes to Council and reliability of the service.

The only authorised and licensed provider willing to provide the service in the Shire is Kernow Environmental Health and Immunisation Service. However, this provider indicated that it would only consider delivering the immunisation service if Council is willing to sub-contract its environmental health services; Kernow did not provide a provision for sub-contracting of a stand-alone immunisation service.

Consequently, Council is the only provider available at this stage to deliver immunisation services. There is currently no other option as Council is the only provider available to deliver the immunisation service.

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

Not applicable

Community Engagement

Community engagement did not occur in the preparation of this report as it focussed solely on the internal management of the services.

Innovation and Continuous Improvement

Assessing service quality and continuous improvement were the key drivers for the review. The recommendations of the review specially address these.

Collaboration

Consultation occurred with the Victorian Department of Health, East Grampians Health and Grampians Health - both Stawell Hospital and the immunisation services locate in Ballarat and Kernow Environmental Health and Immunisation Services. Discussions also occurred with several LGAs. These included neighbouring councils and councils who have subcontracted to alternative providers. These discussions explored the opportunities and constraints associated with subcontracting of the services.

Officer's Declaration of Interest

In providing this advice as the author, I have no disclosable interests in this report.

Nola Tudball, Manager Community Services

Attachments

1. Immunisation Review Report Executive Summary October 2022 [9.1.3.1 - 6 pages]

Immunisation Review Report



Executive Summary

October 2022



Northern Grampians Shire Council
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Glossary of Terms

Term	Explanation
Australian Immunisation Register (AIR)	A database that holds records of vaccinations given to people of all ages who are registered with Medicare in Australia. Immunisation providers need to enter details of the vaccinations they give on the AIR.
Active immunisation	Active immunisation uses vaccines to stimulate the immune system to produce a protective immune response. This usually mimics the host's response to natural infection but avoids the disease that is the harmful consequence of infection. On average, an immune response takes around 10 to 14 days. ¹
Coverage rates	Proportion of individuals vaccinated out of the total number eligible for the vaccination
Episode	An individual injection
NIP	National Immunisation Program
Vaccine	A product made from whole, or extracts of, killed viruses or bacteria, or from live weakened strains of viruses or bacteria.

Diseases inoculated against through the National Immunisation Program (NIP)

Hepatitis A & Hepatitis B	Hepatitis A & Hepatitis B are contagious diseases, affecting the liver that is spread by body fluids from infected people.
Human papillomavirus (HPV)	HPV is a sexually-transmitted disease that causes genital warts and various cancers.
Pertussis	Whooping Cough – highly contagious and spread through coughing, can cause death in infants
Varicella	Chickenpox, an infection caused by the varicella-zoster virus, which belongs to the herpes group of viruses.
Measles, mumps, rubella	Viral infections that can cause death in young children and life-long health conditions
Rotavirus	Rotavirus is a very contagious virus that causes diarrhea.
Poliomyelitis	A viral infection causing nerve injury which leads to partial or full paralysis
Pneumococcal	Highly contagious bacterial infection
Diphtheria	Highly contagious bacterial infection
Tetanus	A bacterial infection that affects the nervous system. This causes muscle contractions in the jaw and neck. Spores are everywhere in the environment including in soil, dust and manure.
Meningococcal	Highly contagious bacterial infection

Sources: various - <https://www.health.gov.au/health-topics>; <http://ncirs.org.au/sites>; <https://www.dhhs.vic.gov.au/search/immunisation>

Executive Summary

Focus of this review

This review builds on the work of an external review of the service, conducted in 2020, following an adverse incident in the service. It is designed to provide future directions to NGSC in relation to the delivery of immunisation services. Specifically, the focus has been to:

- assess the effectiveness of the strategies for monitoring safety and quality of the services
- explore and assess alternative provider arrangements, including the impact for Council

Overview of immunisation and the Northern Grampians Shire service

Immunisation is one of the most significant public health interventions, globally and within Australia. It keeps individuals and the community safe and healthy. Mass immunisation of the community is critical as it protects both people who are vaccinated while protecting the entire community, particularly individuals who are unable to be vaccinated (herd immunity).

In Victoria, immunisation services, except for Covid vaccinations, are a function of Local Government Authorities (LGAs). These responsibilities are outlined in the *Public Health and Wellbeing Act 2008* and specify that it is the function of every council **to coordinate and provide immunisation services to children living or being educated within the municipality**. (*Public Health and Wellbeing Act 2008(PHWA), Part 3, Division 3, s.24. (Annex 2)*)

The NGSC immunisation program is underpinned by the National Immunisation Program (NIP) which specifies which vaccinations are to be administered and at which age/stage. There are two components of the service: the infant and child program for 0–5-year-olds and the adolescent program, conducted in secondary schools for Years 7 and 10 students. The vaccines protect the community against 14 diseases.

Excluding Covid and influenza vaccinations, Victorian LGAs provide over 50% of all immunisation encounters for children aged two months to ten years of age and approximately 90% of adolescent immunisations. These immunisations are free for all children and adolescents. A reduction in these levels of immunisation has occurred over the past three years, due to school closures as a result of Covid-19 management strategies. The Victorian Government is currently looking at how best to address this issue.

The NGSC immunisation program is small, reflecting the low numbers of children and young people living in the municipality (2,251 0–18-year-olds, Census 2021), the low annual birth (116 in 2021) and the fact that high numbers of secondary school students attend schools outside of the LGA.

A total of 28 free public immunisation sessions are conducted each year, including two sessions in each of the secondary schools and one at the Special Development School.

In 2021, the NGSC team administered approximately 40% of all vaccinations across the infant and secondary school programs in 2021 - 633 vaccinations. This number is lower than previous years due to the impact of Covid-19 management strategies. Usually, this figure is approximately 800. Importantly, coverage for the infant and child program has consistently been greater than 95%, providing herd immunity for the community, and for the adolescent program, between 70% and 85%, depending on the vaccine.

The service currently employs two part-time specialist nurse immunisers and reports to the Team Leader, Maternal and Child Health Services. This Team Leader provides back-up support for immunisation sessions when required and monitors adherence to clinical practice and safety guidelines.

The budget for the service is approximately \$80,000 per year.

Outcomes of the review

Management and administration of the NGSC service

Immunisation is a high-risk service delivery area for Council. These risks relate to the oversight and management of the storage of vaccinations, administration and records management, delivery of vaccines to individuals, clinical practice and the adherence to legislative requirements. The recent incident has highlighted the potential reputational risk for Council also.

Since the adverse incident in 2020, the NGSC service has made significant changes to its operations. These have focussed on improving:

- management oversight and administration of the service
- management of the risks associated with the vaccination processes
- monitoring of clinical practice
- data reporting systems and processes.

In addition to this, the specialist immunisation staffing positions are now filled and systems in place to maintain this.

However, the oversight of the risks are contained within the service. In this context, the review concluded that there is a need to increase independent oversight of the immunisation service. Council's Audit and Risk Committee is well positioned to undertake this role. In addition, as part of a continuous improvement process, a formal, independent review of the service should occur on a four-yearly basis, providing monitoring of adherence to best practice, building on existing review of procedures and continuous improvement processes.

Future management of the service

Council's legislative responsibilities are such that it must deliver immunisation services itself or subcontract to another authorised and licensed provider. The review considered all available options for an alternative provider for the immunisation service. The key issues considered were:

- Processes for monitoring of the safety and quality of the services
- Outcomes of the services, focussing on coverage rates
- Satisfaction with the delivery of the service, taking account of accessibility and availability of the service to the public, reporting and accountability processes to Council and reliability of the service.

The only authorised provider willing to provide the service in the Shire is Kernow Environmental Health and Immunisation Service. However, this provider indicated that it would only consider delivering the immunisation service if Council is willing to sub-contract its environmental health services; Kernow did not provide a provision for sub-contracting of a stand-alone immunisation service. Discussions within council indicated that there are no plans to sub-contract environmental health services at this stage.

This provider also indicated that the service costs were likely to be higher than the existing costs although no formal quotation was pursued.

Consequently, Council has no choice at this stage but to continue to deliver the immunisation service itself.

Recommendations

Three of the six recommendations of the review require consideration by Council, with the others relating to administration and management of the service.

Internal recommendations

1. That Northern Grampians Shire continue to employ two specialist, qualified and experienced nurse immunisers as the minimum staffing for the service.
2. That the Maternal and Child Health Service administrative officer take responsibility for the administration of the Immunisation Service and that the workload for this position be monitored over time, assessing whether the requirements of both the M&CH and Immunisation services are being adequately maintained.
3. That the performance monitoring reports be changed, to provide more "user-friendly" data presentation tools to improve management oversight of the service.

Recommendations requiring Council consideration

4. That Council's Audit and Risk Committee monitor the management of the risks associated with the delivery of Council's Immunisation Service
5. That a formal, independent review of the immunisation service occur on a four-yearly basis
6. Council continue to provide the Immunisation Service.

9.1.4. Walkers Lake Management Plan

Author/Position: Justine Kingan, Manager Economic and Community Futures

Purpose

Council to consider adopting a Community Working Group endorsed Walkers Lake Management Action Plan.

Summary

The creation of a new management action plan for the Walkers Lake Reserve follows the endorsement of the 2018 Walkers Lake Management Plan and the inclusion of new members in 2021 to the Walkers Lake Advisory Group representing a wider diversity of interest and experience.

Council sought professional advice from Ecology and Heritage Partners Pty Ltd to provide recommendations of the most appropriate actions to assist in the long term management of competing values at the reserve including recreation, biodiversity and cultural heritage.

This work included the review of the Walkers Lake Management Plan and a Landcare initiated report which has provided an outcome that has:

- strengthened local community engagement in the development of the action plan
- enhanced collaboration between key stakeholders to achieve agreed objectives
- provided functions of future monitoring and reporting of agreed projects

Recommendation

That Council endorses the Walkers Lake Management Action Plan.

Background/Rationale

Northern Grampians Shire Council is committed to providing safe and usable assets and services to improve the quality of life for residents. This is highlighted in the Council Plan 2021-25 with Council's aims in an uplift in our community's economic wellbeing and quality of life, protect enhance and celebrate our natural, cultural and heritage assets.

Council is also committed to the health and wellbeing of its community through the Municipal Public Health and Wellbeing Plan 2021-25 which directly aligns with specific priorities of active living and improving mental wellbeing. The Plan has been compiled with support from key organisations and community members, who are also striving to achieve the best outcome for all users, and makes recommendations as to what actions are required to see this facility become sustainable in the future.

The process of developing the action plan involved:

- a site visit with consultants in November 2021 with members of the Walkers lake Advisory Group
- consultation and identification of issues and opportunities
- finalisation of the action plan and endorsement by the advisory group July to September 2022

Whilst the land is reserved for public recreation, there is a requirement for a balance of priorities that will assist Council in supporting the future sustainability of the reserve with a focus on key values including community recreation, cultural heritage, biodiversity and natural environment and a secured water supply through the following actions:

- Strengthened partnerships with GWM Water, Dja Dja Wurrung, North Central CMA and Landcare.
- Education and awareness through on site signage, media and communications plan and website development.
- Working with Dja Dja Wurrung on the creation of a Land Use Agreement.
- Priority projects with timelines and ongoing monitoring arrangements.

The Walkers Lake Advisory Group will be responsible for monitoring and to make recommendations to council as required with projects to align with existing budget parameters.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25

Municipal Public Health and Wellbeing Plan 2021

Northern Grampians Economic Development Strategy 2021-31

Options

Option 1

That Council endorses the Walkers Lake Management Action Plan. **[recommended]**

Option 2

That Council does not endorse the Walkers Lake Management Action Plan. **[not recommended]**

Implications

This report has considered social, heritage/cultural, amenity, human rights/privacy, environmental, economic and marketing, risk management, financial and asset management implications where applicable. Any identified implications have been addressed in this report.

Community Engagement

The development of the action plan has involved consultation with the Walkers Lake Advisory Group, Dja Dja Wurrung, Avon Plains Banyena Landcare, VR Fish, St Arnaud Secondary College and advisory group community members.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Justine Kingan, Manager Economic and Community Futures

In providing this advice as the author, I have no disclosable interests in this report

Attachments

1. Walkers Lake Management Plan [9.1.4.1 - 53 pages]

Final Draft Report

Environmental and Heritage Management Advice: Walkers Lake Management Plan, Walkers Lake, Avon Plains, Victoria

Prepared for

Northern Grampians Shire Council

June 2022



Ecology and Heritage Partners Pty Ltd

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Introduction

Background

The Northern Grampians Shire Council and the Walkers Lake Advisory Group recognise the Dja Dja Wurrung People as the Traditional Owners of the lands and waters where Walkers Lake is situated, and respects the deep and continuing connection that Dja Dja Wurrung have to their Country. The ongoing role and cultural obligation to care for Country is recognised sets an important foundation for managing Country together.

Ecology and Heritage Partners Pty Ltd was commissioned by Northern Grampians Shire Council (NGSC) to provide ecological and cultural heritage management advice and action management plan recommendations for Walkers Lake, Avon Plains, Victoria, which will inform the Walkers Lake Management Plan to be prepared.

The purpose of the assessment was to review the existing NGSC Walkers Lake Management Plan and other relevant ecological and cultural heritage reports (Blue Devil 2020). It aims to confirm the accuracy of background information and provide information on the successful implementation of the Walkers Lake Management Plan to protect and enhance biodiversity and cultural heritage values whilst providing an area for visitors and recreational activities. Advice will be provided regarding the likely or potential regulatory and legislative considerations (e.g. permits, additional assessments and approvals) associated with the continued management, including any works that are outlined in the Management Plan.

Study Area

The study area is located at Walkers Lake, Avon Plains, Victoria, and is approximately 275 kilometres north-west of Melbourne's CBD (Figure 1). Walkers Lake is situated on the western edge of the lands of the Dja Dja Wurrung People (Djaara) and is a site of cultural significance. The study area covers approximately 78 hectares and is largely surrounded by undeveloped agricultural land. It is bound by Donald-Avon Plains Road to the west, Cossens Road to the south, and Walker Road to the north. Walkers Lake is managed by the Northern Grampians Shire Council for public recreation and aims to preserve and enhance natural and cultural heritage values in balance with keeping the site open to visitors.

Walkers Lake comprises approximately 32 hectares of the study area, with the remaining area consisting of open native woodland. A campground and public toilets are located on the western edge of the lake, with vehicle access tracks running from Donald-Avon Plains Road towards and around the lake. In 2014, Walkers Lake was incorporated into a network of 12 recreational lakes supplied by the Grampians Wimmera Mallee Water Pipeline and has since been permanently filled with water (after previously existing as an ephemeral waterbody that naturally filled and dried out following flood events). The lake contains a maximum water volume of approximately 900 megalitres and has a depth of 2.5-3 metres, whilst having a large natural catchment area that can store a substantial volume of water during rainfall events (GWM Water 2021). Lake Batyo Catyo is located approximately two kilometres to the north and Hollands Lake approximately 750 metres to the south.

According to the Department of Environment, Land, Water and Planning (DELWP) NatureKit Map (DELWP 2022a), the study area is located within the Wimmera bioregion, North Central Catchment Management Authority (CMA) and the Northern Grampians Shire Council municipality.

Methods

Desktop Review

An up to date review of relevant literature, online-resources, heritage databases and flora and fauna databases was undertaken, including:

- Any recent reports relevant to the study area, including;
 - Review of the NGSC Walkers Lake Management Plan with consideration that the reserve is managed for public recreation and managing visitors to balance environmental impacts;
 - Review of the Blue Devil Consulting report November 2020.
 -
- Victorian Department of Environment, Land, Water and Planning's (DELWPs) NVIM Tool for modelled extent of current and pre-1750 Ecological Vegetation Classes (EVCs) throughout the study area (DELWP 2022b);
- DELWPs Victorian Biodiversity Atlas (VBA) for previous records of significant flora and fauna documented within a 10-kilometre radius of the study area (DELWP 2021a);
- The Commonwealth Department of the Environment (DoEE) Protected Matters Search Tool (PMST) for matters of National Environmental Significance (NES) protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (DAWE 2022);
- DELWPs bioregional descriptions for EVCs with potential to occur in the study area;
- DELWPs Planning Maps Online (DELWP 2022d) and Planning Schemes Online to ascertain current zoning and environmental overlays in the study area;
- Relevant environmental legislation and policies; and
- Aerial photography of the study area.

Site Visit

A site visit was undertaken on 29 November 2021 to confirm the results of the Blue Devil Consulting flora and vegetation assessment and assess the on-ground implications of the existing Management Plan (Blue Devil 2020). An on-site consultation was also conducted the same day with a local advisory group, including representatives from the local community and community organisations, Northern Grampians Shire Council, and Ecology and Heritage Partners, to discuss any management issues and the future use of Walkers Lake (Section 3).

Consultation

An on-site consultation with residents and user groups was conducted on 29 November 2021. Representatives from the local field naturalists, Landcare, recreational user groups, Northern Grampians Shire councillors and officers attended the on-site consultation, as well as a botanist, zoologist and cultural heritage specialist from Ecology and Heritage Partners. The Dja Dja Wurrung Clans Aboriginal Corporation

were also invited to attend and indicated they would but were an apology on the day. The meeting canvassed the views of attendees regarding any current issues pertaining to Walkers Lake and recorded any suggestions to improve the management of the lake. This section provides a summary of the issues and suggestions recorded during the on-site consultation.

Issues relating to Walkers Lake raised by attendees, which were individual views and were not necessarily discussed in the group setting, included the following:

- There are often tensions between regular users of Walkers Lake, particularly in relation to recreational vs. conservation-based users;
- The number of users at the lake can be very high (up to 66 caravans / 300+ people counted on busy days) as the site is considered a regional centre for water-based recreational activities. Use of existing amenities often 'spills over', potentially impacting ecological values;
- Periodic fish kills / algal blooms are an issue, with native fish (e.g. Golden Perch) affected;
- There's a shortage of fire pits. The existing ones frequently get used and more are needed to meet demand. However, the use of fire on site is not regulated effectively, as there are often illegal fires on total fire ban days during the peak visitor season;
- While most people bring their own firewood, damage associated with firewood collection has been observed. It is difficult to discourage firewood collection and police the behaviour of visitors. There is great concern that Aboriginal scarred trees could be damaged;
- 4WDing off track is common, especially on lunettes, creating numerous informal tracks in higher traffic areas. Erosion, and vegetation and habitat loss are often the result of this behaviour;
- Rabbit warrens are an issue on the banks of the lake, also causing erosion, and vegetation and habitat loss for native species and impacts to heritage places;
- Visitors have expressed that they feel unsafe visiting the lake outside of peak season due to the aggressive behaviour of other users. Avon Plains Landcare 'Winter Walks' have been cancelled as a result;
- The current water regime at Walkers Lake has potentially contributed to a change in hydrology, possible dryland salinity, and loss of biodiversity at neighbouring lakes such as Lake Batyo; and,
- Approval had previously been granted to undertake revegetation and install bollard/wire rope fencing on the east side of Walkers Lake to prevent off-track 4WDing and other potentially environmentally destructive behaviour, however, this was not undertaken due to objections regarding safety and blocking access to fishing locations. There is concern that Aboriginal heritage places could be damaged by the off-track activity.

Suggestions to improve the management of Walkers Lake included:

- The installation of additional fire pits to meet demand and prevent fire damage in tree root zones;
- Improved wayfinding and educational signage to reduce environmentally destructive behaviour and protect culturally sensitive sites (e.g. off-track 4WDing, harvest/collection of wood on site, illegal

fires, etc.), including clearly marked tracks and potentially creating 'no-go areas' flagged with bollards or similar;

- Review the management interventions at Wooroonook Lake and other similar lakes in the region. Improved amenities and signage at some of these Lakes has helped reduce the impact of users on ecological values and encourage positive shared use of the lake; and,
- The use of capacity limits at the site may reduce the impact to ecological and heritage values.

Report Review

Ecological

The Flora and Vegetation Assessment and Management Advice (Blue Devil 2020) is a brief report detailing the type and extent of native vegetation present within the Walkers Lake reserve, also providing preliminary conservation management advice for the Walkers Lake environs.

While a Habitat Hectares (VQA) assessment was not undertaken, the cover/abundance method used is considered appropriate for the purpose of the assessment, being to document the native vegetation and flora values within the study area.

Five national and State-significant species were identified during the site assessment, the EPBC Act-listed Turnip Copperburr *Sclerolaena napiformis* (Plate 1) and Chariot Wheels *Maireana cheelii* and the State-significant Spiny Lignum *Muehlenbeckia horrida* subsp. *horrida* (Plate 2), Fine-hairy Spear-grass *Austrostipa puberula* and Scaly Mantle *Eriochlamys squamata* (adjacent to the study area, considered likely to be present within the study area). The three State-significant species were previously on *the Advisory list of rare or threatened plants in Victoria* (DEPI 2014) but were not listed under the FFG Act at the time of the Blue Devil Consulting (2020) site assessment and report finalisation. Following amendments to the FFG Act in 2021, the Advisory lists have been revoked. As a result, Spiny Lignum, Fine-hairy Spear-grass and Scaly Mantle are now listed under the FFG Act as critically endangered, endangered and endangered, respectively.

Recognising preliminary field assessment was undertaken over one-day only, the native vegetation mapping is generally accurate in extent; however, the cover/abundance method undertaken in localised quadrats is not suitable to determine the quality and condition of native vegetation within the study area, particularly Red Gum Woodland (Plate 3) and Black Box Woodland (Plate 4) where vegetation quality varies significantly adjacent to the lake in high-traffic areas due to camping and recreation activities.

The conservation management advice is appropriate for the ecological values identified.

Cultural Heritage

Relevant heritage reports

A series of heritage reports have been undertaken that are relevant to the Walker Lake environs.

The Walkers, Hancocks and Hollands Lakes Aboriginal Cultural Heritage Survey

The most recent and relevant is a 2018 report prepared for the Avon Plains Banyena Landcare Group. The is the Walkers, Hancocks and Hollands Lakes Aboriginal Cultural Heritage Survey (Smith et al 2018). The report summarised the work carried out to date and incorporated a field assessment. The report was undertaken by the local Traditional Owners represented by the RAP, being the Dja Dja Wurrung Clans Aboriginal Corporation and a heritage consultancy, Tech Duinn Pty Ltd.

The investigation recorded new stone artefact scatters and scarred trees at Walkers Lake. These were in addition to the ones already recorded. The extensive number of Aboriginal Places contribute to Walkers Lake and environs being part of an Aboriginal cultural landscape comprising:

Scarred Trees

Braided Trees

Ring Trees; and Earth Features.

In addition, the Dja Dja Wurrung Traditional Owners provided Oral history and language words in regard to their cultural heritage.

Extensive Aboriginal heritage places have been found at Walkers Lake around the margins and the dune systems. The exact locations will not be shown in this report, however the map shown in Appendix 3 gives an indication of the extent of places that are currently recorded. They are shown as green circles and are overlain by a mapped area of cultural sensitivity (also in green) that is an area 200 metres surrounding the lake.

The management recommendations were prepared to guide future planning for proposed activities. They noted that the area has Aboriginal heritage in high densities and include a range of specialised features, surrounding and extending out of the lake beds. Quartz artefact scatters dominate the places observed in all areas. It is considered likely that further Aboriginal heritage will be present at Walkers Lake, whether in undisturbed or disturbed contexts, surface or subsurface, and submerged contexts.

Consultation must take place with the Dja Dja Wurrung Traditional Owners (the RAP) for all future management of any impacts to the area and in regard to managing the landscape.

Dhelkunua Dja, Dja Dja Wurrung's Country Plan provides the background to traditional cultural understanding of the land and how places on Dja Dja Wurrung Country are known and valued. It assists in explaining the importance of Country to the Traditional Owners and the desire to Care for country. This is not just restricted to caring for heritage places that may have a physical presence and tangible link to the past. It also includes looking after the intangible values and the ecology and health of the place. Management of and any Interpretation of the environs including the ecology and heritage should be carried out in a consultative manner with the Dja Dja Wurrung.



Plate 1. Turnip Copperbur within the Donald-Avon Plains Road road reserve. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 2. Spiny Lignum within the study area. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 3. Red-gum Woodland within the study area. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 4. Black Box Woodland within the study area. Ecology and Heritage Partners Pty Ltd 29/11/2021.

Dja Dja Wurrung – Traditional Owners

Dja Dja Wurrung Clans Aboriginal Corporation. 2014 - Updated 2017. Dja Dja Wurrung Country Plan 2014-2034

Djaara (Dja Dja Wurrung People) are represented by the Dja Dja Wurrung Clans Aboriginal Corporation, trading as DJAARA. In 2013, the Dja Dja Wurrung Clans Aboriginal Corporation entered a historic Recognition and Settlement Agreement with the State of Victoria on behalf of all past, current and future Dja Dja Wurrung People. Of relevance to Walkers Lake, a range of rights secured under the agreements include:

- Recognition as the Traditional Owners of our Country and the Acknowledgement of the part government has played in dispossessing and dispersing our people;
- The right to practice and enjoy culture;
- The right to maintain spiritual, material and economic relationship with the land and its resources;

- Protocols for acknowledgments and welcomes to Country;
- Agreement by the State to develop a protocol for assisting the Corporation to engage with local government in efforts to improve the economic, cultural and social standing of Dja Dja Wurrung People;
- Advisory, negotiation and veto rights; and community benefits for certain land use activities that occur on public and within Dja Dja Wurrung Country boundaries;
- Guaranteed contracts to a specified amount for works on public lands;

The document explains the rights and responsibilities that the Traditional Owners have for Country and this is based on a 2013 native title settlement that the Dja Dja Wurrung Clans Aboriginal Corporation entered into with the State of Victoria. Under the agreements that make up that settlement the rights include the following:

Dhelkyuna Dja Country Plan 2014-34

In 2014, the Dja Dja Wurrung Clans Aboriginal Corporation released Dhelkyuna Dja, the Dja Dja Wurrung Country Plan. The Country Plan re-affirming Djaara's aspirations and describes the future Dja Dja Wurrung people as the Traditional Owners of Dja Dja Wurrung Country. It recognises the importance of cultural heritage and significant landscapes, stories and language, customs and practices and Djaara's responsibilities for looking after Country. It describes the pathway the Dja Dja Wurrung community has determined it needs to take to rebuild and prosper.

The Country Plan should be utilised as a strategic guiding document for management of land and waters on Dja Dja Wurrung Country. It is attached as Appendix 4.

Walkers Lake Management Plan Review

Water Security and Sustainable Water Levels

In 2014, Walkers Lake and its surrounding land was repurposed for ‘Public Recreation’ use after previously existing as an ephemeral wetland reserved for wildlife management and habitat preservation (NGSC 2019). Walkers Lake has since been permanently inundated and managed by GWM Water through a recreational water allocation supplied via the Wimmera Mallee Pipeline (NGSC 2019). The recreational water allocation is divided between a network of 12 recreational lakes in the area.

NGSC monitor the water levels at Walkers Lake, measuring the lake depth several times per year. An annual top-up regime of the Lake has been established, with adjustments made to the water levels by GWM Water throughout the year as necessary. Currently, Walkers Lake has a volume of approximately 900 megalitres and has an average depth of 2.27 metres (as of September 2021; NGSC 2019; GMW Water 2021).

The change in the hydrological regime of Walkers Lake from an ephemeral wetland to becoming permanently inundated has occurred within a relatively recent timeframe (i.e. within the last eight years). The extent of the ecological impacts caused by this change are still unknown, as the Walkers Lake environment remains in similar condition to its previous natural state (Blue Devil 2020). However, by continually topping-up the lake to maintain permanently full water levels, without allowing natural drying periods, the diversity of lake-bed flora is likely to decline. Plants adapted to different flooding frequencies and durations, and water depths, may not persist and is likely to lead to a decrease in species richness (Blue Devil 2020).

In addition, there is currently no natural in-flow (other than in high rain events when flooding occurs through Souths Creek) or out-flow (other than through flooding events which sends overflows to Lake Batyo) of water from Walkers Lake. Historically, the three ephemeral lakes (Walkers, Hancocks and Hollands Lakes) formed a wetland system that would naturally drain into Lake Batyo after flooding (NGSC 2019). However, after the construction of Hollands Bank in 1912 to restrict water into Avon Plains Lakes System (SKM Avon Plains Lakes Water Management Plan 2005), and the recent recreational water piping regime at Walkers Lake, Lake Bayto Cayto has dried up (NGSC 2019; on-site consultation pers. comm. 2021). This altered hydrological regime, combined with the increase in recreational visitation (e.g. damaging lake-side camping/activities), is expected to degrade the ecological condition of Walkers Lake if not actively managed (Blue Devil 2020).

It is recommended that NGSC maintain their membership with GWM Water and continue to meet every 6-12 months to discuss water supply to Walkers Lake. The impacts of the recently altered hydrological regime should also be monitored closely, where investigations into creating a formal in-flow or out-flow of water may be considered to manage the ecological values of Walkers Lake.

GWM Water Recreational Lakes and Weir Pools

The GWM Water pipelines supply 12 recreational lakes and weir pools with 10 of these supplied from the Grampians reservoir system through the Wimmera Mallee Pipeline. This is permitted through a recreation water entitlement held by GWM Water. The 12 recreational lakes and weir pools provide a recreational resource for locals and visitors as well as biodiversity sinks for native flora and fauna (GWM Water 2021).

Walkers Lake is the second most southern lake in the 12 listed pipeline supplied recreational lakes. Other pipeline supplied lakes in the immediate region are Marma Gully at Murtoa (50km from Walkers Lake), Donald Park Lake (23 km from Walkers Lake) and Lake Wooroonook (50km from Walkers Lake) (GWM Water 2021). Walkers Lake is also 88km from Lake Fyans, the region’s most visited lake. Walkers Lake has a general catchment of visitors from local communities including St Arnaud, Marnoo, Minyip and Donald and visitors

outside this region as all recreational lakes are becoming popular destinations particularly as an outcome of the Covid 19 pandemic with people traveling locally (within the state and regions).

Walkers Lake has the largest (volume) of all the 12 pipeline supplied recreational lakes and weir pools with an estimated volume of 900 ML with Wooroonook being the second largest. Annual top up of 300 ML for Walkers Lake is conducted in winter 200ML and a further 100 ML before Easter (all subject to allocations).

Fish Stocking and Sustainable Aquatic Life

VRFish and/or Victorian Fisheries Authority manage annual fish stocking in the Lake. In the past few years, Walkers Lake has been stocked with native Golden Perch and Silver Perch *Bidyanus bidyanus*, while past stocking by the Donald Angling Club and Fisheries Victoria has included populations of Murray Cod. Approximately 15,000 Silver Perch and Golden Perch were released into Walkers Lake between 2017 and 2020 (WDA 2020). A population of English Perch (Redfin) is also found in the lake (NGSC 2019). It is recommended that NGSC continue their relationship with VRFish and/or Victorian Fisheries Authority through annual meetings in managing stocking levels in Walkers Lake.

Blue Green Algae outbreaks occur nearly annually in Walkers Lake, occasionally leading to mass fish kills affecting native species (e.g. a mass Golden Perch fish kill was reported during the November 29th; on-site consultation pers. comms.). The outbreaks are generally caused by low water flow, extended durations of warm weather and the entry of nutrients into the water (e.g. from run-off of urban or agricultural land-use), and are typically resolved by lower water temperatures and increased stream flow (Clune *et al.* 2017). Walkers Lake currently has minimal natural inflow or outflow of water due to the recent hydrological regime change and permanent water levels. Blue Green Algae outbreaks may therefore become more frequent at Walkers Lake in the future with continued agricultural run-off, increasing temperatures from climate change, increased visitation to the lake, and no natural water flow or drainage.

GWM Water are the regional coordinators in monitoring and managing Blue Green Algae outbreaks in the Grampians Wimmera region (GWM 2018). A Regional Blue Green Algae Response Plan is in place and reviewed annually to ensure it reflects the most up-to-date management strategies and the latest DELWP Blue Green Algae Circular (GWM 2018).

It is recommended that NGSC continue their relationship with GWM Water as Regional Coordinators of Blue Green Algae outbreaks in the Grampians-Wimmera region. If Blue Green Algae outbreaks increase significantly in frequency or duration in the future, investigations into restoring a natural water flow system through Walkers Lake or implementation of alternative measures to assist in managing outbreaks may be required. This should be investigated with the support of North Central CMA, Victoria Fisheries Authority, GWM Water and other key authorities as required.

Improving Visitor Experience

A large management focus for Walkers Lake involves improving visitor experience and educating visitors about the park's values, both cultural and ecological. Since being deemed a public recreation area in 2014, Walkers Lake has become an increasingly popular destination for visitors for a wide range of recreational activities (e.g. camping, water skiing, boating, fishing, etc.). Up to 300+ visitors and 66 caravans have been reported to visit the lake during some of the busiest days in peak season (on-site consultation pers. comm.). As a result, the pressure and demand on existing amenities at Walkers Lake is increasing, which may lead to a poorer visitor experience due to overcrowding, congestion and deterioration of the park's environment.

To support higher rates of visitation, further infrastructure would be required (e.g. toilet facilities, campgrounds, campfire pits, picnic tables, fishing infrastructure, boat access). However, the additional infrastructure must not compromise the ecological or cultural values of the reserve (e.g. excessive

construction of facilities, or placement of infrastructure near vulnerable lakeside habitat or where harm may occur to cultural heritage places) and needs to be maintained to an appropriate or minimal level (Blue Devil 2020). Wooroonook Lakes in Buloke Shire were cited by on-site consultation attendees as an example of public investment and improvements to visitor experience, much similar to other pipeline supplied lakes in the region.

Much like Walkers Lake, Wooroonook Lake is a natural lake popular among field naturalists, as well as for recreational activities such as fishing, boating, and for Traditional Owners to visit for cultural reasons etc. The lake is situated approximately 37 kilometres north-east of Walkers Lake and 13 kilometres west of Charlton, with visitor facilities currently comprising 10 powered sites, an amenities block, BBQ, boat launching area, playground, a pontoon, and recently installed walking trails and signage delivered with assistance from the Commonwealth's Building Better Regions Fund (WDA 2020). These facilities support a total 2,628 estimated annual visitors in 2018/19, compared with 2,796 estimated annual visitors at Walkers Lake during the same period – suggesting that Walkers Lake is currently under serviced for visitor facilities (WDA 2020). The waterway manager (under the Marine Safety Act, 2010) for Lake Wooroonook is Buloke Shire Council, and foreshore management is the responsibility of the Wooroonook Committee of Management (WDA 2020).

To effectively manage increased visitation, the number of visitors to the reserve may also need to be regulated, capped, or overflow parking area provided during busy periods to ensure the park does not become overcrowded. This may be achieved by creating designated campgrounds (e.g., denoted with a number or rope fence, campfire pit or picnic table) and introducing limits to the number of campgrounds available (Blue Devil 2020). Additionally, an online booking system may be introduced to allow visitors to reserve a space during peak periods and encourage visitors to be mindful of capacity limits, if it can be effectively monitored on site. This would also present the opportunity to request a small camping fee from visitors to assist with the upkeep and maintenance of the park grounds and associated infrastructure, however it is recommended that NGSC seek further technical advice in securing financial support for the reserve (Blue Devil 2020).

Many visitors are also reportedly unaware of the ecological and cultural values of the reserve, such as the significant flora and fauna or Ecological Vegetation Classes along with the extensive number of Aboriginal heritage places and the values the Traditional Owners hold for the area within the reserve. Educating visitors about these values may engage their interest and lead visitors to become more appreciative and respectful of the environment they use, whilst creating a more enjoyable visitor experience. Educational signs should be placed around the lake at key points (e.g., near campgrounds, or locations where a visitor may hear a Growling Grass Frog) that could inform visitors of any interesting flora and fauna inhabiting the area. Consultation must take place with the RAP to ensure the information regarding cultural places is appropriate showing the exact location of places may not be appropriate due to threats of vandalism. Further consideration should be given to installing fencing or barriers around key areas of biodiversity or heritage if appropriate at Walker's Lake, so visitors are aware of their value. Areas for protection may include existing (and created) Growling Grass Frog habitat, vegetation along steep banks, some large old trees.

A program of 'Winter Walks' had been previously trialled by Avon Plains Banyena Landcare, in which a volunteer/ranger led a guided walk to highlight the ecological values of the reserve to visitors. This program was trialled however was later stalled due to Covid. A form of ranger patrol can be an option to establish an active presence at the reserve and monitor or report any visitors acting in an anti-social manner (e.g., to the police) to ensure they do not endanger or negatively impact other visitors' experiences. Additionally, guided activities around the lake could be re-trialled, in which a park ranger or representative of the RAP may organise a walk around the reserve to identify values of interest (Blue Devil 2020). This may be more

successful or popular during peak visitation season but could also encourage visitors to Walkers Lake during the off-peak season.

Recreational fishing is popular at Walkers Lake, with the lake stocked with Golden Perch, Redfin and Murray Cod. Infrastructure for fishing (e.g., piers/jetties, fish cleaning stations, bins, signage) could be made available to meet demand and to promote a positive visitor experience. The placement of fishing infrastructure should be located away from vulnerable lakeside vegetation or habitat (e.g., outside of Growling Grass Frog habitat) to discourage fishers from entering those areas.

Regulating Campfires and Firewood Collection

Campfires are a common aspect of camping and used to provide warmth and cooking food. With the absence of powered site, the need for campfires is greater. Campfires at Walkers Lake are largely managed appropriately however there have been reportedly fireplaces built by some visitors to Walkers Lake in inappropriate locations (e.g. near trees or on tree roots) or under unsafe conditions (e.g. total fire ban days or leaving fires unattended). This is generally due to a lack of knowledge, awareness or understanding of the impacts and this increases the risk of grassfires or wildfires, which is especially problematic on total fire-ban days and could significantly impact native vegetation. The few campfire pits at Walkers Lake are used frequently, particularly during peak visitor times when demand is high. The increase in hazardous campfires is likely a direct result of a shortage of designated campfire pits and a lack of education of visitors to safe campfire practices.

It is recommended that more designated campfire pits are built at Walkers Lake to meet the increased visitor demand, which will encourage visitors to build fires in more appropriate and safe locations away from trees or flammable material and reduce the risk of uncontrolled escaped fires. Designated firepits will also minimise the extent of parkland habitat and heritage being impacted around Walkers Lake, with fires contained to a smaller controlled area of the reserve. In addition, it is suggested that NGSC consult with local CFA to discuss safe campfire practices, in order to provide educational signs or brochures to visitors about campfire safety and regulations. The signage should also include the phone number for DELWP 136 186 for visitors to report unsafe campfires (e.g. on total fire ban days) and to encourage self-policing at the reserve. Additionally, it may be necessary to consider the fencing of various areas such as parts of the eastern lunette side of the lake with the addition of signage to further educate the community on the importance of sustaining biodiversity in a shared recreational space.

Visitors to Walkers Lake are also required to provide their own firewood, however a small minority of visitors reportedly harvest or collect wood from the nearby environment. Additionally, the use of large fallen logs for firewood is generally tolerated with minimal regulation by other campers. The collection of firewood poses an issue to habitat removal or destruction, particularly if large fallen logs are removed or large dead trees and branches are cut down. Impacts to Aboriginal heritage trees could also take place. Consistent removal causes a net loss of available woody vegetation for habitat for both flora and fauna, with woody habitat decreasing at a faster rate than it can be formed (e.g. hollow-bearing trees or logs) (DAWE 2005). Dead wood provides important resources for habitat, nest-building, and foraging opportunities for many mammals, reptiles, invertebrates and birds (including EPBC and FFG-listed species), as well as being important in regulating ecological nutrient cycles in leaf litter and soils (DAWE 2005).

The system of visitors providing their own firewood is generally self-managed, however it is difficult to enforce and relies on the visitors being aware of the rules ahead of their visit and self-policing. Installing signage around the reserve to highlight the restrictions on firewood collection is recommended to discourage visitors from removing branches, sticks or logs from the reserve environment. The signage may also include a brief description of the importance of the wood remaining in the environment as habitat for

native flora and fauna, and clearly state that large fallen logs should not be burnt as firewood. The phone number for DELWP 136 186 can also be included for visitors to report illegal firewood collection to encourage self-policing at the reserve.

Managing Long-term Camping and Vehicle Use

Off-road 4WD or vehicle use is an issue at Walkers Lake, creating numerous informal tracks in higher traffic areas. Damage from off-track 4WD use is especially evident on the lunettes to the west of the lake, causing increased erosion and loss of vegetation and habitat and has a detrimental effect on Aboriginal stone scatters.

Off-road vehicle use in parks can lead to a range of ecological implications, including direct damage to vegetation, soil erosion and compaction, disturbance to wildlife (including soil-dwelling animals/invertebrates), introduction and spread of weeds and pathogens, increased air and water pollution, increased fire frequency, and slope-wash or similar impacts from off-road vehicle use (Cater *et al.* 2008). An invasive weed species, Espartillo *Amelichloa caudata*, was recently detected within Walkers Lake reserve outside its known invaded range, suggesting it was transported into the reserve on vehicle tyres via caravan tourism (Blue Devil 2020). Aside from the risk of importing weed species, off-road vehicle use in areas with high visitation has also been found to aid in the spread of the plant dieback fungus *Phytophthora cinnamomi* (Cater *et al.* 2008).

Actions to reduce the ecological impact and destruction of culturally sensitive sites due to off-road vehicle use include the formation of designated vehicle access tracks around the lake. This will discourage off-track driving, particularly in areas with Aboriginal heritage places, vulnerable habitat or soils, reducing the instances of erosion, vegetation loss and likelihood of spreading weeds or pathogens. Further measures may be taken in areas of high traffic or in vulnerable environments, including the placement of bollards or wire fencing to establish strict 'no-go' zones.

Walkers Lake does not have designated camping areas, with visitors selecting to camp anywhere within the reserve boundaries, often in close proximity to the Lake edge. Without regulation or containment of camping to select areas, degradation to heritage places, habitat and vegetation loss can occur across the whole reserve. Additionally, no limits to the camping timeframes within Walkers Lake exist, permitting long-term camping by some visitors.

It is recommended that designated spaces with adequate room for camping are created (e.g. by marking camping spaces with numbers or rope fences, installing firepits or picnic tables, etc.), particularly in the more highly vulnerable areas of the reserve. This would encourage visitors to remain within the designated camping areas, containing the pressures of tents, caravans, vehicles, and pedestrians, to avoid damaging impacts to vulnerable lakeside vegetation and soils (Blue Devil 2020). Introducing designated camping spaces would also allow a capacity limit at Walkers Lake, where the increasing park visitor numbers could be regulated and capped via an online campsite booking system.

In addition, establishing timeframes or maximum-stay limits (to be approved by the Council) to camping is recommended to discourage long-term camping (e.g., a maximum stay of four weeks; NGSC 2019). Signage to inform visitors of the camping restrictions may be required to provide clarity on stay limits. Council appointed park rangers or increased visits by Council officers should be considered to routinely monitor the campground, particularly during peak visitation periods, and manage any long-term campers or visitors camping outside of designated campgrounds.

Pest Animal and Weed Management

Weed management should be implemented on the banks of Walkers Lake for herbaceous/grassy weeds along with the staged removal of woody weeds such as African Boxthorn within the reserve. In relation to fauna pest species, European Rabbits *Oryctolagus cuniculus* were observed to have caused widespread and intensive soil disturbance along the bank, with several individuals sighted during the site visit. A pest survey of the Site and of the adjacent conservation reserves (up to 100 meters from the Site) may be carried out by Ecologists, to:

- Identify and map pest flora and fauna species and habitat; and
- Outline priority areas, methods and schedules for pest plant and animal control.

The aforementioned will then be used to guide the Environmental Manager and pest plant and animal control contractors, in order to manage pest species within the Site.

Licensed pest control contractors with demonstrated experience working in ecologically and culturally sensitive environments will be engaged to undertake pest control. The contractors should also have demonstrated knowledge of the risks, and methods to avoid impacts, of chemical use in and around aquatic systems, including alternatives to chemical use in these systems, and methods to avoid, non-target poisoning and secondary poisoning (particularly relating to native mammals), as well as the relevant requirements and limitations associated with working near human habitation.

A 2 and 5-year pest flora and fauna survey may be undertaken by Ecologists, to report upon the species and abundance of pest species present, the effectiveness of the pest management and make any additional recommendations.

Actions to limit the spread of diseases and pest plant species should follow best-practice protocols developed elsewhere, specifically the Department of Environment and Climate Change (NSW) (2008) 'Hygiene protocol for the control of disease in frogs', and the Tasmanian 'Keeping it Clean' manual (NRM South 2010) and Chytrid Management Plan (Philips *et al.* 2011). Between them, these protocols address the potential spread of weeds and a range of plant and animal diseases including chytridiomycosis *Batrachochytrium dendrobatidis* and phytophthora *Phytophthora cinnamomi*.

Weeds

Weeds are present throughout much of the study area, as well as adjacent remnant vegetation. Weeds present include noxious weeds, Weeds of National Significance (WONS), environmental weeds and a variety of common introduced species.

The highest priority for weed control should be WONS and noxious weeds (Section 6.1.2). Landowners are responsible for the control of any infestation of noxious weeds to minimise their spread and impact on ecological values under the *Catchment and Land Protection Act 1994* (CaLP Act), which contains provisions relating to catchment planning, land management, noxious weeds and pest animals.

Where possible, infestations of WONS and noxious weeds should be treated to prevent further incursion to native vegetation. The following provisional advice for controlling WONS and noxious weeds should be refined following a detailed pest survey of the site, with pest species mapped and a management schedule proposed. Weeds should be removed by a licenced contractor with the appropriate experience and equipment.

Spear Thistle *Cirsium vulgare* should be manually removed where possible. Large infestations should be treated with a broadleaf selective herbicide at the appropriate rates. African Boxthorn *Lycium ferocissimum*

should be manually removed where possible. Mechanical removal of boxthorn may be required and consultation with the appropriate parties occur prior to any control works undertaken. Chemical control should be applied when a tree has a healthy cover of foliage. Do not spray during hot summer periods or when the plant is under stress. Apply these methods routinely to ensure the species is unable to recolonise.

Further spread of Horehound *Marrubium vulgare* can be prevented through the control of rabbits, as the species is more likely to colonise disturbed areas such as those containing rabbit warrens, while the fruit or burr commonly attach to rabbit fur aiding dispersal. Eradication strategies for Stemless Thistle *Onopordum acaulon* include manually removing isolated plants, spraying larger infestations once or twice per year, and establishing competitive plants.

Pest Animals

Erosion within the study site is predominantly centred around the banks of the lake and largely caused by European Rabbit soil disturbance. Erosion may already be causing greater sedimentation in the lake, with the potential to negatively impact aquatic flora and fauna. Pest management and revegetation are recommended to improve soil composition, nutrient retention, and stability, thereby controlling erosion. Engineering structures or physical barriers installed may be initially be required to provide a base for revegetation to establish.

Management of European Rabbit at Walkers Lake should be informed by detailed pest surveys of the area. In 2020 Avon Plains Banyena Landcare Group initiated “Rabbit Buster” program in collaboration with the Department of Agriculture. A pest inspection was previously undertaken and rabbit warrens mapped by the Department of Jobs, Precincts and Regions on 28 February 2022 (Plates 5 and 6). As a general principle the control of rabbits should occur in late summer and early autumn (outside the breeding season) and include an integrated approach of ripping (destroying warrens) with care to avoid harm to native fauna that may be present, and fumigation. Fumigation should be used in instances where significant values (ecology, heritage or otherwise) are present and where ripping is not possible. Baiting with 1080 Sodium fluoroacetate is considered unsuitable due to the regular presence of domestic pets on site (Agriculture Victoria 2022) however Kahleesi virus may be considered as an alternative.



Plate 5. European rabbit warrens mapped on the north-eastern extent of Walkers Lake. Department of Jobs, Precincts and Regions, 2022.



Plate 6. Overview of mapped European rabbit warrens in Walkers Lake Reserve. Department of Jobs, Precincts and Regions, 2022.

Managing Native Flora and Fauna

Walker’s Lake Reserve contains several nationally and state listed flora and fauna species (Section 6), and supports a range of common species, habitat types and ecological communities (Section 4). Much of the flora and fauna depend on the large Red Gum and Black Box trees present on site, as well as the lake’s water cycle. During the site visit, evidence of phytophthora dieback in several large old trees was observed, in line with observations from previous ecological surveys (Blue Devil 2020). This is likely to be attributed to several human-induced factors, including illegal harvesting of firewood and changes to the lake’s hydrological regime (Section 5.2). These key ecological components underlying the lake’s biodiversity should be prioritised for protection and restoration.

The removal and harvesting of trees and woody debris for campfires and other recreational activities has a direct effect on native fauna present on site. A range of fauna observed at Walker’s Lake during the site visit depend on the availability of hollow-bearing trees for nesting and reproduction, including Laughing Kookaburra *Dacelo novaeguineae*, Red-rumped Parrot *Psephotus haematonotus*, Little Corella *Cacatua sanguinea*, and Galah *Eolophus roseicapilla*. Other bird species rely on the presence of fallen branches and leaves to construct nests, while reptiles – such as common skinks observed during the site visit – occupy fallen logs for protective habitat and shelter. Amphibians, including the EPBC Act-listed Growling Grass Frog *Litoria raniformis* observed during the site visit, use this organic material to bask during periods of sun.

Visitor foot and vehicle traffic is likely to be the primary cause of erosion and compaction of soil and ground-cover species observed on the lake’s banks during the site visit, also described in previous ecological surveys (Blue Devil 2020). Potential management actions to prevent further human-induced impacts to flora and fauna and restore existing biodiversity include:

- Prohibiting firewood removal: the installation of relevant signage and investigation into potential on-site provision of firewood for visitors during peak visitor periods;
- Monitoring individual tree health via photo points and restricting access to significant and/or unhealthy large trees;

- Encouraging camping and camping recreational activities to occur in designated areas, away from significant flora and fauna, through signage and the provision of additional fire pits;
- Staged projects and repair (GUR) locations to have ongoing regeneration works that include educational signage and in some cases barriers installed;
- Regeneration of flora consistent with mapped EVCs, including the restoration of Growling Grass Frog habitat. This could be achieved through a combination of planting, aboriginal cultural burns and bio-mass reduction burn restoration methods to utilise native seed bank; and,
- Investigate the impacts to biodiversity of the recent change in hydrological regime at Walker's Lake to permanent rather than ephemeral.

Growling Grass Frogs

Conservation Status and Distribution

Although formerly widely distributed across south eastern Australia, including Tasmania (Littlejohn 1963, 1982; Hero *et al.* 1991), the species has declined markedly across most of its former range. The decline has been most evident over the past two decades and in many areas, particularly in south and central Victoria, populations have experienced apparent declines and local extinctions (Mahoney 1999; DELWP 2021a).

Description



Plate
7.

Growling Grass Frog (Source: Ecology and Heritage Partners Pty Ltd)

Growling Grass Frog is one of the largest frog species in Australia. It reaches up to 104 mm in length, with females usually larger (60-104 mm) than males (55-65mm) (Barker *et al.* 1995). The species varies in colour and pattern but in general are olive to bright emerald green, with irregular gold, brown, black or bronze spotting. Their backs are warty and usually have a pale green mid-dorsal stripe. The eardrum is pronounced (DAWE 2020).

Growling Grass Frog generally breed between November and March, following local flooding and a marked rise in water levels (from rain or other sources) which triggers calling in breeding males. The species feeds mainly on terrestrial invertebrates such as beetles, termites, cockroaches, moths, butterflies and various insect larvae. They sometimes prey on other frogs, including younger frogs of their own species and may also feed on vertebrates such as lizards, snakes and small fish (DAWE 2020).

Habitat Requirements

Growling Grass Frog is largely associated with permanent or semi-permanent still or slow flowing waterbodies (i.e. streams, lagoons, farm dams and old quarry sites) (Hero *et al.* 1991; Barker *et al.* 1995;

Cogger 1996; Ashworth 1998). Frogs also use temporarily inundated waterbodies for breeding purposes, provided they contain water over the breeding season.

There is a strong correlation between the presence of the species and key habitat attributes at a given waterbody. For example, the species is typically associated with waterbodies supporting extensive cover of emergent, submerged and floating vegetation (Robertson *et al.* 2002). Emergent vegetation provides basking sites for frogs and protection from predators, whilst floating vegetation provides suitable calling stages for adult males, and breeding and oviposition (egg deposition) sites. Terrestrial vegetation (grasses, sedges), rocks and other ground debris around wetland perimeters also provide foraging, dispersal and over-wintering sites for frogs.

Waterbodies supporting the above-mentioned habitat characteristics and those that are located within at least 500 metres of each other, are more likely to support a population of Growling Grass Frog compared with isolated sites lacking important habitat features. Indeed, studies have revealed that the spatial orientation of waterbodies across the landscape is one of the most important habitat determinants influencing the presence of the species at a given site (Robertson *et al.* 2002; Heard *et al.* 2004a, 2004b).

For example, studies have shown there is a positive correlation between the presence of the species and the distance of freestanding waterbodies to another occupied site. This is comparable to the spatial dynamics of many amphibian populations, including the closely related Green and Golden Bell Frog *Litoria aurea* (Hamer *et al.* 2002).

Site Assessment

Growling Grass Frog habitat was identified within the study area during the site assessment on 29 November 2021 (Plates 8-10). A resident population was observed during the site visit with up to five individuals heard calling from the western bank of the lake. One other frog species (Eastern Banjo Frog *Limnodynastes dumerilii*) was recorded during the site visit.

Some minimal fringing vegetation (predominantly exotic grasses) currently provide low-quality habitat for Growling Grass Frog recorded on site. Management of Growling Grass Frog habitat may be required to support the resident population.



Plate 8. Growling Grass Frog habitat with minimal fringing or emergent vegetation. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 9. Growling Grass Frog habitat. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 10. Growling Grass Frog habitat. Ecology and Heritage Partners Pty Ltd 29/11/2021.



Plate 11. Recreational activity potentially impacting Growling Grass Frog habitat. NGSC 2022.

Management of Growling Grass Frog

Management response actions will depend on the type of process that is causing any reduction in overall habitat quality for Growling Grass Frog. Potential processes leading to habitat degradation and possible responses are detailed in the following sections.

The degradation of Growling Grass Frog habitats can occur through a wide range of active and passive processes. Typical processes contributing to habitat degradation include:

- Lack of adequate maintenance;
- Ongoing erosion and sedimentation; and,
- Vegetation trampling, removal and/or dieback
- Water quality impacts from high nutrients, turbidity and disease.

Ongoing erosion and sedimentation

Erosion is occurring along sections of Walkers Lake's bank. Impacts of erosion and sedimentation on Growling Grass Frog habitat may be minimised by considering:

- Installation and routine maintenance of sediment and erosion controls in key areas;
- Installation of rock banks, boulders and logs or soils/clay to stabilise soils in affected areas; and,
- Increase maintenance and monitoring operations in affected areas until problem areas are improved.

Vegetation dieback

Historical dieback may have been a contributing factor to the minimal fringing and emergent aquatic vegetation currently in Walkers Lake, including in known Growling Grass Frog habitat. Impacts to aquatic vegetation may be mitigated by:

- Increasing maintenance and monitoring operations in affected areas; and,
- Replacing dead aquatic and semi-aquatic vegetation as required.

Existing Growling Grass Frog habitat on site does not have a high-level of rocky debris, and fringing and emergent vegetation. Overall, Growling Grass Frog habitat at Walker's Lake can be improved through planting vegetation and distributing rocky debris. Growling Grass Frog tadpoles and metamorphs are provided greater protection from predators by floating vegetation, while adults often utilise this vegetation during nocturnal activities.

Rocky debris and fringing / emergent vegetation (such as reeds and rushes) provide several functions for Growling Grass Frog, including habitat connectivity to enable frog dispersal, basking opportunities, and protection from predators. The Growling Grass Frog Habitat Design Standards should be consulted during habitat improvement planning and implementation (DELWP 2017b).

Managing Cultural Heritage

Walkers Lake has a significant number of Aboriginal heritage places present, much of it and recorded but there is likely to be more unrecorded heritage present. The entire place is of high significance to the RAP, who represent the Dja Dja Wurrung Traditional Owners.

The key values that need to be managed are protection of the Aboriginal cultural significance of the area, including the known and unknown places and the entire area being a significant cultural landscape. This includes ensuring that protection of the environment and ecology is also managed and that the RAP are consulted as part of a partnership to assist in these activities where appropriate.

The physical impacts may be managed by through the mechanism of a Cultural Heritage Management Plan (CHMP) or an Indigenous Land Use Agreement (ILUA). These could include all planned activities such as working together to reducing impacts such as having portable toilets on site during busy periods and focusing fire pits to ensure multiple areas are not used that could disturb stone artefact scatter sites as well as restricting 4 WD and other vehicles from driving through sensitive areas that could cause erosion and harm to heritage places. The Dja Dja Wurrung will be involved in visitor interpretation and consulted on management in relation to erosion control and habitat management.

All aspects of the management of Walkers Lake align with the cultural values of the place, and the Dja Dja Wurrung Traditional Owners should be invited to be involved in decision making, ensuring the acknowledgment of the Dja Dja Wurrung in documents, and signage, and that the cultural values of the place area protected.

Biodiversity and Heritage Legislation and Policy Context

Commonwealth

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES).

The EPBC Act established the National Heritage List (NHL), the Commonwealth Heritage List (CHL) and the World Heritage List (WHL) for statutory protection of heritage Places of national or international significance. Where Matters of National Environmental Significance (NES), including National Heritage Places, will or may be impacted by a development, then a referral to the Minister will be required to determine whether an approval under the EPBC Act is required.

The DAWE also administers the Register of the National Estate (RNE). The RNE is no longer a statutory register and listed sites are no longer protected (unless registered on another statutory register).

Three matters of NES are present at Walkers Lake, including listed flora Turnip Copperburr *Sclerolaena napiformis* (Endangered) and Chariot Wheels *Maireana cheelii* (Vulnerable), as well as Growling Grass Frog *Litoria raniformis* (Vulnerable).

Any future works within Walkers Lake must be assessed against the *Significant Impact Guidelines 1.1* under the EPBC Act to ascertain whether a significant impact on Matters of Environmental Significance would occur. This must include the cumulated impact of several works or actions within the precincts. For example, the removal of minimal fringing vegetation on the lake may not result in a significant change to Growling Grass Frog habitat, however, further impacts such as damage to vegetation from frequent road and vehicle use may lead to cumulative impacts to the species' habitat.

Flora

The VBA contains records of two nationally significant flora species previously recorded within 10 kilometres of the study area (DELWP 2021a) (Figure 3). The PMST nominated an additional seven nationally significant species which have not been previously recorded but have the potential to occur in the locality (DAWE 2022) (Figure 3; Appendix 1.1).

Of these species, there is suitable habitat within the study area for Turnip Copperburr *Sclerolaena napiformis* and Chariot Wheels *Maireana cheelii*, with both species recorded during the site visit (Section 4). No other nationally significant flora species are considered likely to occupy the study area.

Fauna

The VBA contains records of six nationally significant fauna species previously recorded within 10 kilometres of the study area (DELWP 2021a) (Figure 4). The PMST nominated an additional 12 nationally significant species which have not been previously recorded but have the potential to occur in the locality (DAWE 2022) (Figure 4; Appendix 2.1).

Of these species, there is suitable habitat within the study area for Growling Grass Frog, with several individuals recorded during the site visit (Section 5.8). There is potential habitat for Striped Legless Lizard *Delma impar* and Golden Sun Moth *Synemon plana* in the study area, with several isolated patches of native grassland recorded on site.

Ecological Communities

Six nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DAWE 2021):

- Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions;
- Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia;
- Mallee Bird Community of the Murray Darling Depression Bioregion;
- Natural Grasslands of the Murray Valley Plains;
- Plains Mallee Box Woodlands of the Murray Darling Depression, Riverina and Naracoorte Coastal Plain Bioregions; and
- White Box-Yellow Box-Blakeley's Red Gum Grassy Woodland and Derived Native Grassland.

The cover/abundance method undertaken in localised quadrats during the site visit is not suitable to determine quality and condition of native vegetation within the study area, and therefore the presence or otherwise of Ecological Communities.

State

Aboriginal Heritage Act 2006

The *Aboriginal Heritage Act 2006* (the Act) protects Aboriginal heritage in Victoria. The Act specifies that a Cultural Heritage Management Plan (CHMP) is required for certain development activities, and construction cannot proceed until the activity area has been assessed by a qualified Heritage Advisor and members of the local Aboriginal community via a RAP. A CHMP is used to assess the Aboriginal heritage and manage any impacts to the heritage. In some circumstances, a CHMP may not be required but consultation should always take place with the Traditional Owners via the RAP. Harm to all cultural heritage places must be avoided. A permit is required to harm or impact any cultural heritage place if a CHMP is not required. There are significant penalties if harm to Aboriginal heritage takes place without permission.

The Act also protects Intangible Heritage. Intangible heritage can only be determined by the Traditional Owners.

1.1.1 Aboriginal Cultural Heritage Places in the Area

Aboriginal cultural heritage Places (sites) take many forms. The most commonly found archaeological sites include stone artefact scatters, culturally scarred trees and shell middens. In certain circumstances Aboriginal burials may also be present. Any works must take into account the highly sensitive cultural sites that surround the lake. Consultation must take place with the local RAP.

Flora and Fauna Guarantee Act 1988 (FFG Act)

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. Proponents are required to apply for an FFG Act Permit to 'take' listed and/or protected flora species, listed vegetation communities and listed fish species in areas of public land (i.e. Walkers Lake).

The VBA contains records of nine state significant flora species and 13 State significant fauna species previously recorded within 10 kilometres of the study area (DELWP 2021a) (Figure 4). Of these flora species, Spiny Lignum *Muehlenbeckia horrida* subsp. *horrida* was recorded in the study area during the site visit.

Fine-hairy Spear-grass *Austrostipa puberula* has not previously been recorded within 10 kilometres of the study area according to the VBA and was recorded during the site visit. Scaly Mantle *Eriochlamys squamata* – also not previously recorded within 10 kilometres of the study area according to the VBA – was recorded adjacent to the study area and is considered likely to be present within the study area. No other state significant flora species are considered likely to occupy the study area. Of the state significant fauna species previously recorded within 10 kilometres of the study area, Hardhead *Aythya australis* is considered to have a moderate likelihood of occupying the study area, with the species likely to visit the study area regularly given the study area contains some characteristics of the species’ preferred habitat.

An FFG Act permit will be required for removal of listed species recorded at Walkers Lake, including Spiny Lignum *Muehlenbeckia horrida* subsp. *horrida*, Fine-hairy Spear-grass *Austrostipa puberula* and Scaly Mantle *Eriochlamys squamata*.

Catchment and Land Management Act 1994 (CaLP Act)

The *Catchment and Land Protection Act 1994* (CaLP Act) contains provisions relating to catchment planning, land management, noxious weeds and pest animals. Landowners are responsible for the control of any infestation of noxious weeds and pest fauna species to minimise their spread and impact on ecological features.

Flora recorded at Walkers Lake that are noxious weeds listed under the CaLP Act include Stemless Thistle *Onopordum acaulon*, Horehound *Marrubium vulgare*, Spear Thistle *Cirsium vulgare*, while one Weed of National Significance (WONS) was recorded: African Box-thorn *Lycium ferocissimum* (Blue Devil 2020).

Similarly, there is evidence that Walkers Lake is currently occupied by pest fauna species listed under the CaLP Act such as European rabbit *Oryctolagus cuniculus*. Landholders are required to take reasonable measures under the CaLP Act to remove and manage pest species as far as possible. The State and Local authorities are also responsible for removing State prohibited weeds for land in Victoria.

Guidelines for the Removal, Destruction or Lopping of Native Vegetation

Under the *Planning and Environment Act 1987*, Clause 52.17 of the Planning Schemes requires a planning permit from the relevant local Council to remove, destroy or lop native vegetation. The assessment process for the clearing of vegetation follows the ‘Guidelines for the removal, destruction or lopping of native vegetation’ (the Guidelines) (DELWP 2017a).

The Guidelines manage the impacts on biodiversity from native vegetation removal using a risk-based approach. Two factors – extent risk and location risk – are used to determine the risk associated with an application for a permit to remove native vegetation. The location risk (1, 2 or 3) has been determined for all areas in Victoria and is available on DELWP’s Native Vegetation Information Management (NVIM) Tool (DELWP 2021a). Determination of risk-based pathway is summarised in Table .

Table 1. Risk-based pathways for applications to remove native vegetation (DELWP 2021a)

	Extent	Location		
		1	2	3
Native Vegetation	< 0.5 hectares	Low	Low	High
	≥ 0.5 hectares and more than one large old tree	Low	Moderate	High
	≥ 1 hectare	Moderate	High	High

Notes: For the purpose of determining the risk-based pathway of an application to remove native vegetation the extent includes any other native vegetation that was permitted to be removed on the same contiguous parcel of land with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before an application to remove native vegetation is lodged.

Any application to remove, destroy or lop native vegetation within Walkers Lake reserve is assessed under this decision pathway by the Responsible Authority. Applications under higher assessment pathways are required to show increased effort to minimise impacts.

Heritage Act 2017

The *Heritage Act 2017* ('the Act') and Heritage Regulations 2017 ('the Regulations'), enacted on 1 November 2017, provide for the protection and management of all historical archaeological sites in Victoria. The Act and the Regulations specify the requirements for reporting archaeological surveys and the discovery of sites

The Act defines an archaeological site as: a place (other than a shipwreck) which —

- a. contains an artefact, deposit or feature which is 75 or more years old; and
- b. provides information of past activity in the State; and requires archaeological methods to reveal
- c. information about the settlement, development or use of the place; and
- d. is not associated only with Aboriginal occupation of the place

Victoria Heritage Register

This Act protects all heritage Places deemed to be of State significance by registration on the VHR. Proposed impacts to any site registered on the VHR will require Permit from Heritage Victoria. If an archaeological site is of State significance it is listed on the VHR and a Permit from HV is required to damage it.

Victoria Heritage Inventory

The Heritage Inventory is a listing of all known sites that have more than a low level of archaeological significance. If an archaeological site is not of State significance and has archaeological value it is usually listed on the VHI and a Consent from HV would be required to damage it.

There are no known recorded historical places recorded in the area. In accordance with the *Heritage Act 2017* s.127 if a historical archaeological Place is discovered during an investigation of the land for a relevant survey purpose, the person undertaking the investigation or survey must provide a site card to Heritage Victoria within 30 days after the discovery. A relevant survey purpose is defined in s. 3 (a) finding an archaeological site and (b) of the *Heritage Act 2017* as preparing a cultural heritage management plan (CHMP).

It is recommended a Heritage Consultant is engaged if a Heritage Place on the VHI or VHR is located within the Site.

Wildlife Act 1975

The *Wildlife Act 1975* (and associated Wildlife Regulations 2013) is the primary legislation in Victoria providing for protection and management of wildlife. Authorisation for habitat removal may be obtained under the *Wildlife Act 1975* through a licence granted under the *Forests Act 1958*, or under any other Act such as the *Planning and Environment Act 1987*. Any persons engaged to remove, salvage, hold or relocate native fauna during construction must hold a current Management Authorisation under the *Wildlife Act 1975*, issued by DELWP.

Water Act 1989

The purposes of the *Water Act 1989* are manifold but (in part) relate to the orderly, equitable, efficient and sustainable use of water resources within Victoria. This includes the provision of a formal means of protecting and enhancing environmental qualities of waterways and their in-stream uses as well as catchment conditions that may affect water quality and the ecological environments within them.

A 'works on waterways' permit from the North Central CMA is likely to be required where any action impacts on Walkers Lake. Additionally, where structures are installed within or across waterways that potentially interfere with the passage of fish or the quality of aquatic habitat, these activities should be referred to DELWP with the North Central CMA included for comment.

Planning and Environment Act 1987

The *Planning and Environment Act 1987* outlines the legislative framework for planning in Victoria and for the development and administration of planning schemes. All planning schemes contain Heritage Overlays to protect heritage places deemed to be of local significance as well as native vegetation provisions at Clause 52.17 that deal with the protection of remnant vegetation.

Planning Zones and Overlays

One planning zone is present within the Walkers Lake reserve – Farm Zone (FZ), while no planning overlays are present.

Several Overlays are provided by the Victoria Planning Provisions for the protection and consideration of environmental planning matters, including Environmental Significance Overlay (ESO), Significant Landscape Overlay (SLO), and Vegetation Protection Overlay (VPO), in addition to land management overlays, including Erosion Management Overlay (EMO). Several of which may be suitable for potential use at Walkers Lake.

Overlays are incorporated into municipal Planning Schemes by each local government and in combination with land zoning establish land usage and development controls. The use of overlays to facilitate an additional level of guidance and policy regarding local environmental matters is becoming increasingly important and widespread across municipalities.

Walkers Lake Action Plan

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
1. Ensuring high water security for supply to the lake	See 5.1 Water Security and Sustainable Water Levels' sub-heading for more detail.	1. Maintain membership with GWM Water with meetings every 6-12 months.	Ongoing	Council
2. Long term sustainability of water supply and infrastructure	See 5.1 Water Security and Sustainable Water Levels' sub-heading for more detail.	1. Maintain membership with GWM Water with meetings every 6-12 months. 2. Continue to seek assistance from government and non-government in sourcing funding and grants for managing Walkers Lake.	Ongoing	Council
3. Maintaining levels for recreation and biodiversity management	Due to significant changes in the hydrological regime (i.e. converting it from an ephemeral lake to permanently full), the ecological condition of the lake and surrounding vegetation is likely to severely degrade in the future if management actions are not taken. See 5.1 Water Security and Sustainable Water Levels' sub-heading for more detail.	1. Maintain membership with GWM Water with meetings every 6-12 months. 2. Monitor ecological impacts of the recently altered hydrological regime and investigate options for creating a formal in-flow or out-flow of water if necessary, to conserve the ecological values of Walkers Lake. 3. Review and renew partnership opportunities with the North Central CMA where appropriate. 4. Involve Dja Dja Wurrung in management considerations.	Ongoing	Council with the assistance of GWM Water, North Central CMA
4. Continued fish stocking and suitable sustainable environment for aquatic life/fish	VRFish manage annual fish stocking in the lake. Blue Green Algae outbreaks occur nearly annually, leading to low water quality and mass fish kills. GWMWater manage the outbreaks in the region. See 5.2 Fish Stocking and Sustainable Aquatic Life' sub-heading for more detail.	1. Maintain relationship with VRFish to manage fish stocking annually between January and March. 2. Maintain membership with Regional Blue Green Algae Coordinator (GWM Water) to ensure outbreaks are managed and regulations are up to date. 3. Potential investigations into a more natural water flow system at Walkers Lake if Blue Green Algae outbreaks increase in frequency or duration in the future. 4. Engagement with Dja Dja Wurrung on cultural significant species to be considered for stocking.	Ongoing	Council and Advisory Group and the RAP with the assistance of VRFish and/or Victorian Fisheries Authority, GWM Water

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
5. Poor recreational visitor experience	See 5.3 Improving Visitor Experience and Education' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Offer educational biodiversity /guided nature walks and Aboriginal cultural heritage walks during off peak periods initially to ensure conflict is mitigated. 2. The RAP must run the cultural heritage walks if they choose to undertake them and/or consult with Dumawul (a Dja Dja Wurrung enterprise) for cultural tourism opportunities. 3. Install educational signage highlighting biodiversity and cultural heritage values, wildlife in the area, etc. to engage visitors with their environment with consultation with Dja Dja Wurrung. 4. Provide signage depicting the history of the lake and its environs including recreational, cultural and ecological history. 5. Provide signage relating to recreational opportunities and overview of the rules and regulations at Walkers Lake, as well as advice on how to minimise your impact on the natural environment at the reserve. 6. Provide signage that assists in managing recreation such as safe boating, fishing, skiing, camping and general recreational activities 	2022 / 2023	Council and Advisory Group with the assistance of Landcare and the RAP
6. Fire management - unattended, near trees, on tree roots, rubbish	<p>Campfires are currently built outside of designated campfire pits under unsafe conditions (e.g. near trees or on tree roots, on total fire ban days, or left unattended). This increases the risk of grassfires spreading and damaging native vegetation, while the unrestricted building of fires increases the extent of habitat impacted by fire.</p> <p>See 5.4 Regulating Campfires and Firewood Collection' sub-heading for more detail.</p>	<ol style="list-style-type: none"> 1. Create more designated fire pits to meet demand – visitors would be less likely to start fires in inappropriate locations if campfire pits are available. 2. Review the inclusion of permitting portable fire pits for use by campers. Portable is defined as steel construction, foldaway and is not to be left on site for use by other campers. 3. Add/increase signage to remind visitors of campfire safety and restrictions – e.g. no fires on total fire ban days, not to leave fires unattended, to only build fires in designated fire pits, etc. 	2022 / 2023	Council and Advisory Group and the RAP
7. Improving visitors experience, camping options and maintaining relative	See 5.3 Improving Visitor Experience and Education' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Provide more educational resources, fire pits, designated campgrounds, walking tracks, etc. – but keeping in mind to limit visitor capacity to not create an unsustainable use of the reserve. 	2022 / 2023	Council and Advisory Group and the RAP

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
infrastructure for users		2. Investigate infrastructure that would add to the experience and management of the reserve including waste (dump point), shelter, signage, furniture and facilities. 3. Dja Dja Wurrung to be consulted during all stages of concepts and development of infrastructure.		
8. Effectively managing increased visitors	Increased visitors will increase impacts to the environment. More amenities (e.g. toilets, campsites, other facilities) may be required to cope with the demand, however, should be restricted to maintain a sustainable use of the reserve. See 5.3 Improving Visitor Experience and Education' sub-heading for more detail.	1. Restrictions on numbers of available campsites, etc. Could implement an online booking system with a small cost to maintain a limited number of available campsites. 2. Engage with Dja Dja Wurrung on revenue opportunities to support ongoing maintenance.	Ongoing	Council and Advisory Group
9. Damage caused by camping and vehicle access	Damage to the environment from camping (e.g. impacts to habitat and vegetation loss) is currently spread throughout the park, due to having no designated campsites or restrictions. Unregulated 4WD or off-road vehicle use can create informal tracks (particularly in high traffic areas), increase erosion and damage vegetation/habitat. See 5.5 Managing Long-term Camping and Vehicle Use' sub-heading for more detail.	1. Create designated spaces for camping (e.g. marking camping spaces with numbers/rope fences, firepits, picnic tables, etc.). 2. Establish formal vehicle access tracks to discourage off-road driving. 3. Introduce further measures to discourage off-road vehicle use and camping where needed. Placement of bollards/wire fencing in areas with high instances of off-track 4wd or vehicle use or to protect vulnerable habitat and heritage places.	2022 / 2023	Council and Advisory Group with the assistance of Landcare and the RAP
10. Managing long term camping	See 5.5 Managing Long-term Camping and Vehicle Use' sub-heading for more detail.	1. Develop and create enforceable rules around timeframes for maximum lengths of stay for camping. 2. Investigate an appropriate management structure for Council to routinely monitor the site for long-term campers.	Ongoing	Council and Advisory Group
11. Illegal and unauthorised removal and use of wood for fires and other uses	Collecting branches, sticks and large fallen logs for firewood removes valuable habitat for a wide range of flora and fauna. See 5.4 Regulating Campfires and Firewood Collection' sub-heading for more detail.	1. Install signs to inform visitors of illegal collection of firewood and impacts to wildlife/habitat loss. 2. Add DELWP phone number to sign for reporting illegal collection. 3. Encourage visitors to bring their own firewood. 4. Monitor for illegal or unauthorised firewood collection.	Ongoing	Council and Advisory Group with the assistance of DELWP

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
		5. Consider how we best plan for protection of scar trees and other important cultural heritage sites.		
12. Providing environment for the maximum health and wellbeing of the visitors	See 5.3 Improving Visitor Experience and Education' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Investigate the introduction of an online and phone booking system for reservation of camp sites. 2. Provide signage highlighting important biodiversity (e.g., Growling Grass Frog) and wayfinding (e.g. campsite numbers, no-go zones). 3. Trial 'Biodiversity Walks' and other guided activities at the lake and ensure sufficient policing of anti-social behaviour (e.g., ranger supervision) 4. Create designated spaces for camping (e.g., marking camping spaces with numbers/rope fences, firepits, picnic tables, regeneration works etc.). 5. Establish formal vehicle access tracks to discourage off-road driving. 6. Consult with Dja Dja Wurrung on opportunities in coordinating, partnering activities and advice. 	Ongoing	Council and Advisory Group with the assistance of Landcare
13. Providing adequate infrastructure for recreational fishing	<p>Would encourage fishing within a specific area rather than being spread around the whole lake, potentially impacting GGF habitat, etc.</p> <p>See 5.3 Improving Visitor Experience and Education' sub-heading for more detail.</p>	<ol style="list-style-type: none"> 1. Possible construction of a pier/s for fishing. Include signage to remind recreational fishers of VR Fishing guidelines. 2. Investigate the protection of local ecology and cultural heritage sites, to encourage recreation fishers to bring their own legal bait rather than foraging in the reserve. 	2022 / 2023	Council and Advisory Group with the assistance of VRFish and/or Victorian Fisheries Authority
14. Managing vermin, pest and weeds	See 5.6 Pest Animal and Weed Management' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Conduct detailed pest and weed survey of the study area. 2. Manage and treat WONS and noxious weeds on-site where possible. 	2022	Council, Advisory Group and Landcare with the assistance of licenced weed removers

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
15. Managing native flora and fauna	See 5.7, 5.8 Managing Native Flora and Fauna' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Prohibiting firewood cutting: the installation of relevant signage and investigation into potential on-site provision of firewood for visitors during peak visitor periods. 2. Monitoring individual tree health and restricting access to significant and/or unhealthy large trees. 3. Encouraging camping and camping recreational activities to occur in designated areas, away from significant flora and fauna and heritage places, through signage and the provision of additional fire pits. 4. Regeneration of flora consistent with mapped EVCs, including the restoration of Growling Grass Frog habitat. This could be achieved through a combination of planting and bio-mass reduction burn restoration methods to utilise native seed bank. 5. Investigate the impacts to biodiversity of the recent change in hydrological regime at Walker's Lake to permanent rather than ephemeral 6. The RAP to advise on the presence of cultural places including trees to ensure harm does not take place. 7. Investigate the protection of local ecology and cultural heritage sites, to encourage recreation fishers to bring their own legal bait rather than foraging in the reserve. 	2022 / 2023	Council, Advisory Group and Landcare with the assistance of a qualified arborist and ecologist and the RAP
16. Managing Aboriginal cultural heritage places and values	<p>There are numerous recorded Aboriginal heritage places and the area around the lake is considered to be a cultural landscape with high significance for the Traditional Owners who are represented by the RAP.</p> <p>Ensure water levels do not cause harm to cultural heritage.</p>	<ol style="list-style-type: none"> 1. Ensuring the RAP are consulted about any potential works such as (but not limited to) fuel reduction activities, native vegetation clearance, fire pit locations, ramps, tracks in and out of the area, toilet blocks and signage. 2. Ensuring that consultation with the RAP takes place consistently throughout the management of the area to ensure protection of the heritage places and values. 3. Ensuring the RAP are consulted about culturally appropriate content being included in visitor signage. 4. Ongoing monitoring with Dja Dja Wurrung. 	2022/2023	Council, Advisory Group and Landcare and the RAP

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
		5. Working with Dja Dja Wurrung to establish a suitable Aboriginal Land Management Agreement (LUAA)		
17. Undergrowth destroyed and foreshore erosion	See 5.7 Managing Native Flora and Fauna' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Establish formal vehicle access tracks to discourage off-road driving. 2. Introduce further measures to discourage off-road vehicle use and camping where needed. Placement of bollards/wire fencing in areas with high instances of off-track 4wd or vehicle use or to protect vulnerable habitat. 	2022 / 2023	Council, Advisory Group and Landcare and the RAP
18. Inability for council to sustain financial support and resourcing for management of the reserve	See 5.7 Managing Native Flora and Fauna' sub-heading for more detail.	<ol style="list-style-type: none"> 1. Continue to seek assistance from government and non-government in sourcing funding and grants for managing Walkers Lake. 2. Continue to support the existing volunteer group – Friends of the Avon Plains Lakes. Avon Plains Banyena Landcare. 3. Promote further community involvement in the volunteer group – e.g. social media, flyers at the reserve, etc. 4. Possibly introduce small fee for camping or accept donations for maintenance of reserve. 5. Explore joint management arrangements with traditional owners. 	Ongoing	Council
19. Visitors not aware of the ecological values of the reserve	<p>Need to educate and improve visitor understanding of the reserve's ecological values – e.g. local flora and fauna/GGF. May allow visitors to use the space more respectfully and in a more environmentally conscious manner.</p> <p>See 5.3 Improving Visitor Experience and Education' sub-heading below for more detail.</p>	<ol style="list-style-type: none"> 1. Install information signs to highlight ecological values of reserve. 2. Have a park ranger visit the reserve on occasion to establish a presence to visitors, provide further educational information to visitors. 	2022 / 2023	Council and Advisory Group and the RAP
20. Visitors not aware of the cultural values of the reserve	Need to educate and improve visitor understanding of the reserve's cultural values. May allow visitors to use the space more respectfully and in a more environmentally conscious manner.	<ol style="list-style-type: none"> 1. Install information signs to highlight cultural values of reserve. 2. Have the RAP and a Park Ranger visit the reserve on occasion to establish a presence to visitors, provide further educational information to visitors. 	2022 / 2023	Council and Advisory Group and the RAP

Issue	Ecological and Cultural Heritage Context/Implications	Actions	Timeline	Responsibility
21. Management of Growling Grass Frog habitat and resident population	GGF habitat needs to be protected for resident population – risk of vegetation loss/damage along lake banks due to recreational activities, erosion, etc. Blue-green algae outbreaks pose a risk to water quality and need to be managed to protect GGF. See 5.8 Growling Grass Frogs' sub-heading below for more detail.	<ol style="list-style-type: none"> 1. Control/monitor recreational usage of lake edges near important areas of fringing vegetation/GGF habitat. 2. Install educational signs to inform the public about GGF and their habitat. 3. Support the annual water inflows to maintain a healthy resident population. 	2022 / 2023	Council and Advisory Group and the RAP

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Figures

Figure 1: Modelled EVC – Precinct 1

Figure 2: Sig flora – Precinct 1

Figure 3 Sig Fauna – Precinct 1

Appendix 1 - Flora

Appendix 1.1 - Significant Flora Species

Significant flora within 10 kilometres of the study area is provided in the Table A1.1.3 at the end of this section, with Tables A1.1.1 and A1.1.2 below providing the background context for the values in Table 1.1.3.

Table A1.4.1 Conservation status of each species for each Act. The values in this table correspond to Columns 5 and 6 in Table A1.1.3.

EPBC (<i>Environment Protection and Biodiversity Conservation Act 1999</i>):		FFG (<i>Flora and Fauna Guarantee Act 1988</i>):	
EX	Extinct	EX	Extinct
CR	Critically endangered	CR	Critically endangered
EN	Endangered	EN	Endangered
VU	Vulnerable	VU	Vulnerable
#	Listed on the Protected Matters Search Tool		

Table A1.4.2 Likelihood of occurrence rankings: Habitat characteristics assessment of significant flora species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area to determine their likelihood of occurrence. The values in this table correspond to Column 7 in Table A1.1.3.

1	Known Occurrence	<ul style="list-style-type: none"> Recorded within the study area recently (i.e. within ten years).
2	High Likelihood	<ul style="list-style-type: none"> Previous records of the species in the local vicinity; and/or, The study area contains areas of high-quality habitat.
3	Moderate Likelihood	<ul style="list-style-type: none"> Limited previous records of the species in the local vicinity; and/or The study area contains poor or limited habitat.
4	Low Likelihood	<ul style="list-style-type: none"> Poor or limited habitat for the species, however other evidence (such as lack of records or environmental factors) indicates there is a very low likelihood of presence.
5	Unlikely	<ul style="list-style-type: none"> No suitable habitat and/or outside the species range.

Table A1.1.3. Significant flora recorded within 10 kilometres of the study area.

Scientific name	Common name	Last documented record	Total # of documented records	EPBC	FFG	Likely occurrence in study area
NATIONAL SIGNIFICANCE						
<i>Amphibromus fluitans</i> #	River Swamp Wallaby-grass	-	-	VU	-	4
<i>Caladenia tensa</i> #	Greencomb Spider-orchid	-	-	EN	-	5
<i>Lepidium monoplocoides</i> #	Winged Peppercross	-	-	EN	en	4
<i>Lepidium pseudopapillosum</i> #	Erect Peppercross	-	-	VU	cr	5
<i>Pimelea spinescens</i> subsp. <i>pubiflora</i> #	Wimmera Rice-flower	-	-	CR	cr	5
<i>Pimelea spinescens</i> subsp. <i>spinescens</i> #	Spiny Rice-flower	-	-	CR	cr	4
<i>Senecio macrocarpus</i> #	Large-headed Fireweed	-	-	VU	cr	5
<i>Maireana cheelii</i>	Chariot Wheels	1991	1	VU	en	1
<i>Sclerolaena napiformis</i>	Turnip Copperburr	2018	20	EN	cr	1
STATE SIGNIFICANCE						
<i>Allocasuarina luehmannii</i>	Buloke	2014	12	-	vu	3
<i>Amyema linophylla</i> subsp. <i>orientalis</i>	Buloke Mistletoe	2002	5	-	cr	4
<i>Calotis anthemoides</i>	Cut-leaf Burr-daisy	1990	1	-	cr	3
<i>Cycnogeton dubium</i>	Slender Water-ribbons	1996	1	-	en	3
<i>Duma horrida</i> subsp. <i>horrida</i>	Spiny Lignum	2012	4	-	cr	1
<i>Nymphoides spinulosperma</i>	Marbled Marshwort	1996	10	-	en	3
<i>Ptilotus erubescens</i>	Hairy Tails	2000	3	-	cr	3
<i>Ranunculus undosus</i>	Swamp Buttercup	1990	2	-	en	4
<i>Swainsona swainsonioides</i>	Downy Swainson-pea	1875	1	-	en	5

Appendix 2 - Fauna

Appendix 2.1 - Significant Fauna Species

Significant fauna within 10 kilometres of the study area is provided in the Table A2.1.3 at the end of this section, with Tables A2.1.1 and A2.1.2 below providing the background context for the values in Table 2.1.3.

Table A2.1.1 Conservation status of each species for each Act/Plan. The values in this table correspond to Columns 5 to 7 in Table A2.1.3.

EPBC (<i>Environment Protection and Biodiversity Conservation Act 1999</i>):		FFG (<i>Flora and Fauna Guarantee Act 1988</i>):	
EX	Extinct	EX	Extinct
CR	Critically endangered	CR	Critically endangered
EN	Endangered	EN	Endangered
VU	Vulnerable	VU	Vulnerable
CD	Conservation dependent	CD	Conservation dependent
#	Listed on the Protected Matters Search Tool		

Table A2.1.2 Likelihood of occurrence rankings: Habitat characteristics assessment of significant fauna species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area to determine their likelihood of occurrence. The values in this table correspond to Column 7 in Table A2.1.3.

1	High Likelihood	<ul style="list-style-type: none"> Known resident in the study area based on site observations, database records, or expert advice; and/or, Recent records (i.e. within five years) of the species in the local area (DELWP 2018); and/or, The study area contains the species' preferred habitat.
2	Moderate Likelihood	<ul style="list-style-type: none"> The species is likely to visit the study area regularly (i.e. at least seasonally); and/or, Previous records of the species in the local area (DELWP 2021); and/or, The study area contains some characteristics of the species' preferred habitat.
3	Low Likelihood	<ul style="list-style-type: none"> The species is likely to visit the study area occasionally or opportunistically whilst en route to more suitable sites; and/or, There are only limited or historical records of the species in the local area (i.e. more than 20 years old); and/or, The study area contains few or no characteristics of the species' preferred habitat.
4	Unlikely	<ul style="list-style-type: none"> No previous records of the species in the local area; and/or, The species may fly over the study area when moving between areas of more suitable habitat; and/or, Out of the species' range; and/or, No suitable habitat present.

Table A2.1.3 Significant fauna recorded within 10 kilometres of the study area.

Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area
NATIONAL SIGNIFICANCE						
<i>Calidris ferruginea</i> #	Curlew Sandpiper	-	-	CR	cr	4
<i>Delma impar</i> #	Striped Legless Lizard	-	-	VU	en	3
<i>Falco hypoleucos</i> #	Grey Falcon	-	-	VU	vu	4
<i>Grantiella picta</i> #	Painted Honeyeater	-	-	VU	vu	4
<i>Hirundapus caudacutus</i> #	White-throated Needletail	-	-	VU	vu	4
<i>Leipoa ocellate</i> #	Malleefowl	-	-	VU	vu	4
<i>Nyctophilus corbeni</i> #	South-eastern Long-eared Bat	-	-	VU	en	4
<i>Pedionomous torquatus</i> #	Plains-wanderer	-	-	CR	cr	4
<i>Polytelis anthopeplus monarchoides</i> #	Regent Parrot	-	-	VU	vu	4
<i>Pteropus poliocephalus</i> #	Grey-headed Flying-fox	-	-	VU	vu	4
<i>Rostratula australis</i> #	Australian Painted-snipe	-	-	EN	cr	4
<i>Synemon plana</i> #	Golden Sun Moth	-	-	CR	vu	3
<i>Botaurus poiciloptilus</i>	Australasian Bittern	1992	1	EN	cr	4
<i>Lathamus discolor</i>	Swift Parrot	1994	1	CR	cr	3
<i>Limosa lapponica</i>	Bar-tailed Godwit	1986	1	VU	vu	4
<i>Litoria raniformis</i>	Growling Grass Frog	2008	8	VU	vu	1
<i>Maccullochella peelii</i>	Murray Cod	1998	1	VU	en	4
<i>Numenius madagascariensis</i>	Eastern Curlew	1960	1	CR	cr	4
STATE SIGNIFICANCE						
<i>Actitis hypoleucos</i>	Common Sandpiper	2017	1	-	vu	3

Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area
<i>Antigone rubicunda</i>	Brolga	2004	47	-	en	3
<i>Ardea intermedia plumifera</i>	Plumed Egret	1999	1	-	cr	3
<i>Aythya australis</i>	Hardhead	1999	19	-	vu	2
<i>Biziura lobata</i>	Musk Duck	1999	44	-	vu	3
<i>Egretta garzetta</i>	Little Egret	1993	1	-	en	3
<i>Falco subniger</i>	Black Falcon	1978	1	-	cr	4
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	1999	1	-	en	4
<i>Ninox connivens</i>	Barking Owl	1994	1	-	cr	4
<i>Oxyura australis</i>	Blue-billed Duck	1998	13	-	vu	4
<i>Spatula rhynchotis</i>	Australasian Shoveler	2017	23	-	vu	3
<i>Stictonetta naevosa</i>	Freckled Duck	1991	1	-	en	4
<i>Tringa stagnatilis</i>	Marsh Sandpiper	1986	1	-	en	4

Data source: Victorian Biodiversity Atlas (DELWP 2021a); Protected Matters Search Tool (DAWE 2021).

Appendix 2.2. - Fauna Results

Legend:

* = Non-native species;

S = Seen;

H = Heard;

Table A1.1. Fauna observed within the study area.

Common name	Scientific name	Observation type
BIRDS		
Australasian Grebe	<i>Tachybaptus novaehollandiae</i>	S
Australian Magpie	<i>Gymnorhina tibicen</i>	S
Australasian Shelduck	<i>Tadorna tadornoides</i>	S
Australian Raven	<i>Corvus coronoides</i>	S
Black-fronted Dotterel	<i>Euseyornis melanops</i>	S
Black-winged Stilt	<i>Himantopus himantopus</i>	S
Common Starling*	<i>Sturnus vulgaris</i>	S
Galah	<i>Eolophus roseicapilla</i>	S
Grey Shrike Thrush	<i>Colluricincla harmonica</i>	S
Grey Teal	<i>Anas gracilis</i>	S
Laughing Kookaburra	<i>Dacelo novaeguineae</i>	S
Little Corella	<i>Cacatua sanguinea</i>	S
Masked Lapwing	<i>Vanellus miles</i>	S
Nankeen Kestrel	<i>Falco cenchroides</i>	S
Noisy Miner	<i>Manorina melanocephala</i>	S
Pacific Black Duck	<i>Anas superciliosa</i>	S
Sacred Kingfisher	<i>Todiramphus sanctus</i>	S
Red-rumped Parrot	<i>Psephotus haematonotus</i>	S
Superb Fairywren	<i>Malurus cyaneus</i>	S
White-faced Heron	<i>Egretta novaehollandiae</i>	S
Whiskered Tern	<i>Chlidonias hybrida</i>	S
AMPHIBIANS		
Growling Grass Frog	<i>Litoria raniformis</i>	H
Eastern Banjo Frog	<i>Limnodynastes dumerilii</i>	H

Appendix 3 – Cultural Heritage SensITIVITY Map

Appendix 4 – DHelkunya Dja Country Plan 2014-2034

9.2. Boost Economic Growth

9.2.1. 96A Amendment - Sloane Street, Stawell

Author/Position: David Hwang, Coordinator Community Futures

Purpose

Council has been requested to authorise Council officers to apply for a 96A Planning Scheme amendment for 37 Ararat Road, Stawell.

Summary

The subject site is currently a combination of General Residential Zone (GRZ) and Rural Living Zone (RLZ). A Planning Scheme amendment is proposed, to apply a Neighbourhood Residential Zone (NRZ) across the site. The amendment would create a consolidated and consistent zone and enable a planning permit to be considered for residential subdivision on the proposed NRZ, which is currently prohibited under RLZ. This will create time efficiencies and the potential for housing needs to be met by the private housing market.

Recommendation

That Council accepts a request under Section 96A of the *Planning and Environment Act 1987* for two lots located at the corner of Sloane Street and Ararat Road (11\TP898109 and 5\TP898109) from the proponent, Sherridon Homes Pty Ltd, and:

- a) pursuant to Section 8A of the Act, requests the Minister for Planning to authorise Council to prepare and exhibit a Planning Scheme Amendment to amend Planning Scheme maps and apply Clause 32.09 of the Victorian Planning Provisions, Neighbourhood Residential Zone to the subject site (see attached maps)
- b) upon receipt of authorisation, pursuant to Sections 12, 17, 18 and 19 of the *Planning and Environment Act 1987*, prepare and formally exhibit the Amendment.

Background/Rationale

Pursuant to 96A of the *Planning and Environment Act 1987*, the planning authority may agree to consider an application for a permit concurrently with the preparation of the proposed amendment for a permit for any purpose for which the planning scheme, as amended by the proposed amendment, would require a permit to be obtained.

An application may be made for a permit under this section even if it could not be granted under the existing planning scheme. A planning application is included in the attached Explanatory Report.

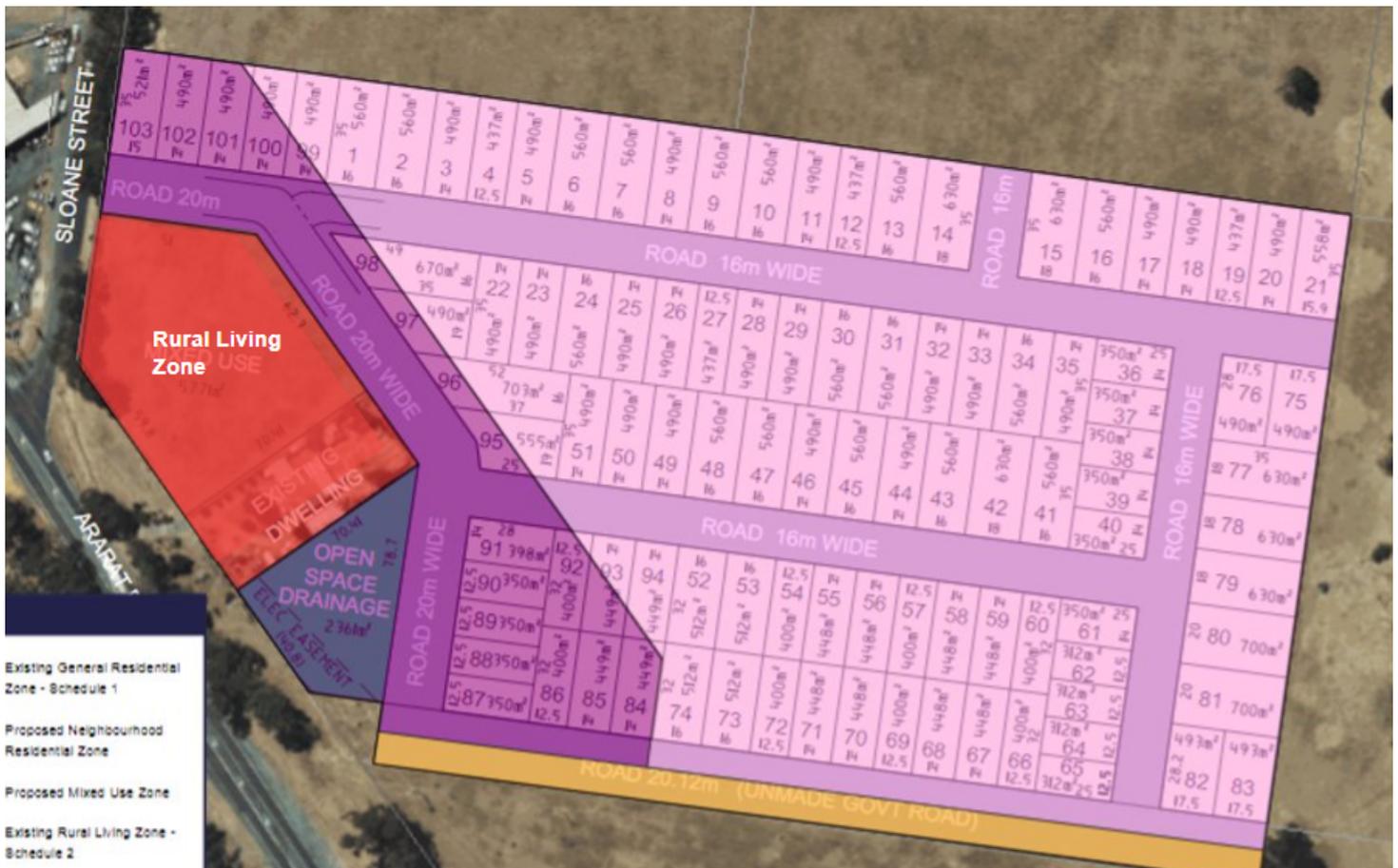
The subject site is currently a combination of General Residential Zone (GRZ) and Rural Living Zone (RLZ). A Planning Scheme Amendment is proposed, to apply a Neighbourhood Residential Zone (NRZ) across the site. The amendment would create a consolidated and consistent zone and enable a planning permit to be considered for residential subdivision on the proposed NRZ, which is currently prohibited under RLZ. This will create time efficiencies and the potential for housing needs to be met by the private housing market.

The proposed changes to zoning apply the study area shown in the site plan below.

Proposed rezoning:

- the darker purple shade and the blue area to be changed from Rural Living Zone to Neighbourhood Residential Zone
- the lighter pink shade from General Residential Zone to Neighbourhood Residential Zone

No changes are proposed over the red area and that is to remain as Rural Living Zone as it is now.



Legislation, Council Plan, Strategy and Policy Implications

Planning and Environment Act 1987
 Council Plan 2021-24 – Boost Economic Growth
 Stawell Structure Plan 2021

Options

Option 1

That Council accepts a request under Section 96A of the *Planning and Environment Act 1987* for two lots located at 37 Ararat Road (11\TP898109 and 11\TP898109) from the proponent, Sherridon Homes Pty Ltd, and:

- a) pursuant to Section 8A of the Act, requests the Minister for Planning to authorise Council to prepare and exhibit a Planning scheme amendment to amend maps within the Planning Scheme to apply Clause 32.09 of the Victorian Planning Provisions, Neighbourhood Residential Zone to the study area (see attached maps)
- b) upon receipt of authorisation, pursuant to Sections 12, 17, 18 and 19 of the *Planning and Environment Act 1987*, prepares and formally exhibits the amendment. **[recommended]**

Option 2

That Council does not accept a request under Section 96A of the *Planning and Environment Act 1987* to amend the Planning Scheme and does not consider a planning application for subdivision. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

All relevant information has been included in the Explanatory Report attached.

Procurement

No procurement is being proposed through this item.

Community Engagement

Preliminary engagement with neighbouring landowners has begun by both Council officers and the proponent. Engagement during the amendment process will be delivered in line with Council's Engagement Policy, in addition to requirements set out in the *Planning and Environment Act 1987*, allowing neighbouring landowners the opportunity to submit, discuss and resolve any relevant concerns.

Collaboration

The Department of Environment, Land, Water and Planning have been engaged and provided feedback and advice to which Council is responding to.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

David Hwang, Coordinator Community Futures

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Draft Planning Permit **[9.2.1.1 - 11 pages]**
2. Subdivision Concept Plan **[9.2.1.2 - 1 page]**
3. Draft Notice of Preparation for Amendment and Permit **[9.2.1.3 - 2 pages]**
4. Draft Explanatory Report **[9.2.1.4 - 8 pages]**
5. Zoning Plan - Option 7 **[9.2.1.5 - 1 page]**
6. Draft Instruction Sheet **[9.2.1.6 - 1 page]**
7. Environmental Audits and Preliminary Risk Screen Assessments **[9.2.1.7 - 11 pages]**
8. Preliminary Risk Screen Assessment **[9.2.1.8 - 37 pages]**

PLANNING PERMIT

GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

Permit No.: 5.2022.7.1XXXXXX

Planning scheme: Northern Grampians Planning
Scheme

Responsible authority: Northern Grampians Shire
Council

ADDRESS OF THE LAND: ARARAT ROAD, STAWELL (LOT 11 ON TITLE PLAN 898109C)

THE PERMIT ALLOWS: MULTI-LOT SUBDIVISION AND CREATION OF EASEMENTS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Endorsed Plans

1. The layout and the size of the lots for the subdivision and works hereby permitted must be generally in accordance with the plans endorsed under the permit.

Layout not to be altered - Subdivision

2. The layout of the subdivision and the size of the lots as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Landscape Plans

3. Prior to the commencement of any works or certification of the plan of subdivision, a detailed landscape plan must be prepared for the site and be approved by the Responsible Authority. When approved, the plan will form part of the permit.

The landscape plan must include relevant details for:

- (a) All proposed landscape works within the drainage reserve including: plantings, vegetation offset areas, garden beds and lawn areas, paths, fencing, park furniture, boardwalks, bridges, etc...
- (b) All proposed drainage infrastructure within public reserves including: earthworks retention basins, underground pipes, stormwater outlets and water sensitive urban design treatments

Date issued: XX/XX/XXXX

Date permit comes into
operation: XX/XX/XXXX

Signature for the responsible
authority:

Commented [JE1]: There doesn't appear to be any condition addressing the landscaping or treatment of the drainage reserve – here is a draft condition you could use – feel free to edit.

Commented [SS2R2]: Accepted

- (c) Street tree plantings and landscaping in road reserves including naturestrips
- (d) Planting schedules of all proposed plantings within the public reserves and road reserves including details of botanical names, common names, supply sizes, and plant numbers.

All landscaping works must be carried out in accordance with the approved landscape plan and must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

Public Open Space Contribution for Subdivision

3.4. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner/permit holder must pay a Public Open Space Contribution of 5% of the site value of all land to the Responsible Authority, unless otherwise already satisfied for the land.

Powercor Conditions

4.5. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

5.6. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Notes:

Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

6.7. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes:

Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Commented [JE3]: I assume these powercor conditions are based on discussions with Powercor – if not, I would recommend Strategic Planning liaise with powercor to ascertain that these conditions are appropriate.

Commented [SS4R4]: Authority conditions replicated from adjoining subdivision permit as a placeholder.

Agreed, referral will be required to replace these conditions.

Date issued: XX/XX/XXXX	Date permit comes into operation: XX/XX/XXXX	Signature for the responsible authority:
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7.8. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes:

Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- ⌚ RESERVES established by the applicant in favour of the Distributor.
- ⌚ SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

GWM Water Conditions

8.9. The owner/applicant must install water mains and associated works to serve each lot of the subdivision, at the owner's cost, and in accordance with GWMWater's specification and requirements.

9.10. The owner/applicant must provide plans and estimates of all proposed water supply works prior to commencement, for GWMWater's approval.

10.11. The owner/applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GWMWater's specifications and requirements.

11.12. The owner/applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GWMWater's approval.

12.13. The owner/applicant must pay to GWMWater a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWM Water's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.

13.14. The owner/applicant must provide three metre wide easements in favour of GWMWater over all existing and proposed sewers located within private land.

Commented [JE5]: I assume these GWM Water conditions are based on discussions with GWM Water – if not, I would recommend Strategic Planning liaise with GWMWater to ascertain that these conditions are appropriate.

Commented [SS6R6]: As above.

Date issued: **XX/XX/XXXX**

Date permit comes into operation: **XX/XX/XXXX**

Signature for the responsible authority:

14.15. _____ The owner/applicant must provide written notification of commencement of the works to enable GMMWater to organise inspections and coordinate with its staff.

15.16. _____ The owner/ applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GMMWater standards. This includes water quality, compaction, air and hydrostatic pressure testing as directed by GMMWater.

16.17. _____ The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GMMWater's asset register for all water and sewerage works upon completion.

17.18. _____ The plan of subdivision submitted for certification must be referred to GMMWater in accordance with Section 8 of the Subdivision Act.

Department of Transport (for Head, Transport Victoria) Condition

18.19. _____ All access to the subdivision shall be from Sloane Street, with no access from Ararat Road.

Mandatory conditions for subdivision permits

19.20. The owner of the land must enter into an agreement with:

- ⌚ a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- ⌚ a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

20.21. _____ Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- ⌚ a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

Date issued: **XX/XX/XXXX** Date permit comes into operation: **XX/XX/XXXX** Signature for the responsible authority:

Commented [JE7]: As above, need to confirm with DoT that this condition is acceptable. I also note that the plans appear to show access to a government road (Holloway Road) in the Transport Zone, which appears to connect to Ararat Rd directly – this appears to contradict DoT condition



Commented [SS8R8]: As above. However no access to Ararat Road is proposed from the Government Road. The road will connect north into the w0m wide access road.

- ⌚ a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Council's Infrastructure Conditions

Internal Road Infrastructure:

21-22. Before the issue of a Statement of Compliance for any lot under this permit, the permit holder or owner must construct road works, drainage and other civil works, in accordance with plans and specifications approved by the Responsible Authority under planning permit no. 5.2021.74.1.

Entry Works:

22-23. Access to the estate must be provided from Sloane Street as identified on the plans approved under planning permit no. 5.2021.74.1, with dimensions adequate to accommodate emergency vehicles and expected service vehicles to the satisfaction of the Responsible Authority.

23-24. No tree(s) or significant vegetation shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed from the Road Reserve, without the written consent of the Responsible Authority.

24-25. Before the subdivision is completed vehicular crossings to each lot must be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must comply with the following:

- a. standard vehicular crossings must be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);
- b. any proposed vehicular crossing must have satisfactory clearance to any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
- c. constructed in reinforced concrete; and
- d. be the responsibility of the owner to maintain.

Date issued: XX/XX/XXXX	Date permit comes into operation: XX/XX/XXXX	Signature for the responsible authority:
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Commented [JE9]: Would it be better to copy these conditions directly from the previous permit rather than this condition? What if they want to deliver these lots before all of the other stages from 5.2021.74.1 have been delivered. I would recommend more specific conditions about the road construction, including details of what is to happen to the abutting government road (Holloway Rd).

Commented [JE10R10]:

Commented [VM11R10]: Amended plans required for the existing permit.

Commented [SS12R10]: The roads and works are actually approved under the existing permit. The subdivision forming part of the 96A application only relate to the residential allotments with all the surrounding road and services approved under the existing permit.

Line Marking and Signage:

~~25-26.~~ Any existing road line marking, parking, regulatory or advisory signs that are required to be shifted, renewed or altered, plus any new signs or line marking as a result of the development must be at the owner's cost to the satisfaction of the Responsible Authority.

General Conditions:

~~26-27.~~ Pedestrian safe walk zones must be clearly delineated on the road and parking pavement areas at all times to the satisfaction of the Responsible Authority.

~~27-28.~~ All vehicular access roads, loading and unloading areas, car parking bays and entry and exit areas to and from the site must be illuminated to the satisfaction of the Responsible Authority.

Stormwater Drainage:

~~28-29.~~ Before any construction works commence onsite, a properly prepared drainage plan with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. This plan must show the stages of construction as per the staged subdivision plan. 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 contain the 3D design levels.

The information and plan must include:

- a. details of how the works on the land are to be drained;
- b. computations for the proposed drainage as directed by Responsible Authority;
- c. underground pipe drains and pits conveying stormwater through the site;
- d. any necessary drainage easements;
- e. stormwater retention systems; and
- f. the legal point of discharge for each dwelling/unit .

~~29-30.~~ Before the issue of a Statement of Compliance for any lot approved under this permit, all works constructed or carried out must be in accordance with those plans approved by the Responsible Authority to the satisfaction of the Responsible Authority.

Date issued: XX/XX/XXXX	Date permit comes into operation: XX/XX/XXXX	Signature for the responsible authority:
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Councils Existing Assets:

30-31. Before the development starts or subdivision works commence, the owner or developer or permit holder must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure to the satisfaction of the Responsible Authority.

Listed in the report must be the condition of footpaths, road seal, street lights, signs, nature strips and other public infrastructure fronting the property and abutting at least one property either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer or permit holder of the subject land must pay for any damage caused to the Council's assets/Public infrastructure caused as a result of the development for the subdivision permitted by this permit.

Emissions and Discharges during Construction:

32. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications for sediment pollution control and Environmental Guidelines for major construction sites to the satisfaction of the Responsible Authority.

CFA Conditions

33. Hydrants

- a) Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
- b) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- c) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

34. Roads

- a) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- b) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- c) Curves must have a minimum inner radius of 10 metres.

Commented [JE13]: CFA conditions appear to have been omitted. I have copied their conditions from 5.2021.74.1 but would recommend you discuss with CFA directly.

Commented [SS14R14]: Agreed, this was overlooked in the original draft.

Date issued: **XX/XX/XXXX** Date permit comes into operation: **XX/XX/XXXX** Signature for the responsible authority:

- d) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- e) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Expiry of Permit Subdivision

35. The plan of subdivision must be certified within two (2) years of the date of issue of this Permit unless the Responsible Authority grants an extension of the Permit upon application in writing by the permit holder within six (6) months of the prescribed expiry date. Once the plan of subdivision is certified, the Permit will expire five years from the date of certification of the plan of subdivision.

~~31-36.~~

End of Conditions

Expiry of Permit

In accordance with Section 68 of the Planning and Environment Act 1987, this permit will expire if:

- a. a plan in accordance with this permit is not certified under the Subdivision Act 1988 within two (2) years of the issue of the permit; or
- b. the subdivision or any stage is not completed within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.
- c. The development is not started within two (2) years of the date of this permit.
- d. The development is not completed within four (4) years of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the period for certification if a request is made in writing.

Commented [JE15]: This should be a condition, not a note.

Commented [SS16R16]: Agreed

Permit Notes:

DELWP

- 1. Please note before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee (FFG) Act 1988 may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program

Date issued: XX/XX/XXXX	Date permit comes into operation: XX/XX/XXXX	Signature for the responsible authority:
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officer at the Grampians regional office of the Department of Environment, Land, Water and Planning on grampians.environment@delwp.vic.gov.au.

2. Before any works on public land start, the applicant must comply with applicable commonwealth, State and local legislation, regulations and permits.
3. For any further queries, please do not hesitate to contact me on 0436 633 487 or contact us by email to grampians.planning@delwp.vic.gov.au.

CFA

If you wish to discuss this matter, please do not hesitate to contact Anthony Kacunic, Fire Safety Officer, on 0429 105 701.

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Powercor

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

Queries about this subdivision may be directed to the Customer Requests Team on 1800 771 434 or crr@powercor.com.au

GWM Water

Should you have any queries, please contact our Development Services Officer, Cameron Bald (Ref. 04/040/1362).

Department of Transport (for Head, Transport Victoria)

Should you have any enquiries regarding this matter, please contact western.mail@roads.vic.gov.au

Date issued: XX/XX/XXXX	Date permit comes into operation: XX/XX/XXXX	Signature for the responsible authority:
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Wimmera CMA

The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.

Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2021-00221 in your correspondence with us.

Date issued: XX/XX/XXXX

Date permit comes into operation: XX/XX/XXXX

Signature for the responsible authority:

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. **C61ngra** to the Northern Grampians Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - ⌚ the development or any stage of it does not start within the time specified in the permit; or
 - ⌚ the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - ⌚ the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - ⌚ the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - ⌚ the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - ⌚ the development or any stage of it does not start within the time specified in the permit; or
 - ⌚ the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - ⌚ the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - ⌚ the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - ⌚ the use or development of any stage is to be taken to have started when the plan is certified; and
 - ⌚ the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- ⌚ In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.



Subdivision Layout Plan



Project: 21-0073
Version: 4
Date: 21/10/2022

Ararat Road,
Stawell
Lot 11 on Title Plan 898109

SPOT
PLANNING

Planning and Environment Act 1987

NORTHERN GRAMPIANS PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for a Planning Permit Given Under Section 96C of the *Planning and Environment Act 1987*

Amendment C61ngra

Planning Permit Application **XXXXXX**

The land affected by the Amendment is known as Ararat Road, Stawell and 37 Ararat Road, Stawell consisting of the following parcels (refer to map):

- ① [Lot 5, TP898109](#)
- ① Lot 11, TP898109
- ① Lot 1, TP226587Q



The land affected by the [planning permit](#) application is part of the land affected by the Amendment. Specifically, the subdivision proposal applies to Ararat Road, Stawell formally known as Lot 11 on Title Plan 898109. [The planning permit application seeks approval to subdivide the land for residential purposes and create a superlot for consideration of future development following the preparation of a Structure Plan for the wider growth corridor.](#)

[The land affected by the Planning Scheme Amendment is Ararat Road, Stawell formally known as Lot 5 and 11 on Title Plan 898109 and 37 Ararat Road, Stawell formally known as Lot 1 on Title Plan 226587Q.](#)

[The Amendment proposed to apply the Neighbourhood Residential Zone to the land to allow for residential development within a designated growth area as identified within the Stawell Structure Plan. The superlot will remain as Rural Living Zone until further strategic investigations are completed through the Structure Planning process.](#)

[The Amendment proposes to apply the Mixed Use Zone to a superlot and the land at 37 Ararat Road, Stawell for a designated future Activity Node within the Stawell Structure Plan.](#)

[The application is for a permit to subdivide the land surrounding the Activity Node for residential purposes and create the superlot for the Activity Node.](#)

The applicant for the permit is Lot 5 and 11 Ararat Road, Stawell Pty Ltd.~~Stawell Projects Pty Ltd~~.

You may inspect the Amendment, the Explanatory Report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at:

- the Northern Grampians Shire Council website at <https://www.ngshire.vic.gov.au/Home>; and/or
- during office hours, at the office of the planning authority, Northern Grampians Shire Council, 59-69 Main Street, Stawell.
- at the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection.

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority about the amendment and the application. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

The closing date for submissions is **XXX**. A submission must be sent to the Northern Grampians Shire Council:
Mailing Address: PO Box 580, Stawell, VIC, 3380.
Email Address: ngshire@ngshire.vic.gov.au

The planning authority must make a copy of every submission available at its office and/or its website for any person to inspect free of charge until the end of the of two months after the amendment comes into operation or lapses.

[Insert Planning Authority signature block]

NORTHERN GRAMPIANS PLANNING SCHEME

AMENDMENT C61ngra PLANNING PERMIT APPLICATION **XXXXXX**

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Northern Grampians Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of Lot 5 and 11 Ararat Road, Stawell Pty Ltd.

Land affected by the amendment

The amendment applies to 7.66ha of land located at Ararat Road, Stawell and 37 Ararat Road, Stawell consisting of the following parcels (refer to map):

- ⓪ Lot 5, TP898109
- ⓪ Lot 11, TP898109
- ⓪ Lot 1, TP226587Q



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

The amendment is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987*.

The planning permit application applies to a single property affected by the Planning Scheme Amendment. The street address is Ararat Road, Stawell formally known as Lot 11 on Title Plan 898109.

What the amendment does

The amendment seeks to rezone the land to allow for conventional residential development, consistent with the approved planning permit applying to the land to the east and allows for the creation of a superlot to preserve the land for future development following the preparation of a Structure Plan for the wider growth area.

The amendment makes the following changes to the Northern Grampians Shire Planning Scheme:

- ⌚ Rezones part of the land from the Rural Living Zone – Schedule 2 (RLZ2) to the Neighbourhood Residential Zone (NRZ); and
- ⌚ Rezones part of the land from General Residential Zone – Schedule 1 (GRZ1) to the Neighbourhood Residential Zone (NRZ)

⌚

The planning permit application seeks approval for:

- ⌚ Multi-lot subdivision of land and creation of easements.

A copy of the draft planning permit is attached to this Explanatory Report.

Strategic assessment of the amendment

Why is the amendment required?

The amendment will allow for urban growth and residential land development consistent with the strategic direction as set out in the Stawell Structure Plan and the Stawell Western Highway Urban Design Framework).

The Stawell Structure Plan specifically identifies the subject site as a residential growth area within the designated urban growth area south of the township. Furthermore, a proposed Neighbourhood Activity Node is identified in the north-west corner of the site. It is located within the area described within the Structure Plan as Council's highest priority for accommodating residential growth. Part of the land is also located within the area described as the most logical expansion for greenfield development.

The combined rezoning and subdivision of land will bring additional housing stock to the market to accommodate the short term demand and provide a diversity of dwelling typologies to contribute to the changing population

A concurrent rezoning and subdivision permit application is sought for the following reasons:

- ⌚ The proposal represents an opportunity to ensure a well coordinated planning outcome can be achieved;
- ⌚ The land to the east is currently controlled by the proponent and is approved for residential development under the existing planning controls;
- ⌚ The concurrent subdivision approval would allow for the development of the land to be realised as a consolidated project;
- ⌚ A concurrent permit will ensure the site is developed generally in accordance with the Stawell Structure Plan;
- ⌚ The concurrent permit will provide Council with development certainty;
- ⌚ The subdivision will bring additional allotments to market to meet short term housing demand; and
- ⌚ The *Section 96A* combined amendment and permit application will ensure an efficient planning process.

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

The proposal implements the following objectives of planning in Victoria, set out in Section 4(1) of the *Planning and Environment Act 1987*:

- (a) provide for the fair, orderly, economic and sustainable use, and development of land;

(c) secure a pleasant, efficient and safe, work, living and recreational environment for all Victorians and visitors to Victoria;

(e) protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;

(f) facilitate development in accordance with the objectives set on (a), (c) and (e); and

(g) balance the present and future needs of Victorians.

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

Environmental

A Preliminary Risk Screen Assessment has been undertaken by Golders in support of the proposed residential development in accordance with the Potentially Contaminated Land Planning Practice Note (July 2021). The PRSA has been completed by an Environmental Auditor appointed pursuant to the *Environment Protection Act 2017*. The findings demonstrate that the land is suitable for the proposed sensitive land use and that an Environmental Audit is not required.

Social

The rezoning of land supports housing growth through greenfield development in strategic locations identified for urban growth in the Stawell Structure Plan. The greenfield development will seek to deliver a lot-mix that allows for a diversity in dwelling typologies to attract a variety of future residents.

Economic

The amendment facilitates economic development by creating the superlot for future development. This will assist in preserving the ability for the land to be developed for commercial purposes should further strategic investigations determine this suitable. The superlot will allow the short term establishment of complementary non-residential land uses (subject to approval under the Rural Living Zone) that will create small scale employment opportunities and provide for local needs of the community.

Does the amendment address relevant bushfire risk?

The land is not affected by the Bushfire Management Overlay however it is within a designated Bushfire Prone Area. A Bushfire Management Plan has been prepared by Okologie Consulting in support of the proposal and to address the requirements of Clause 13.02 (Bushfire Planning).

The Bushfire Management Plan includes a bushfire hazard and landscape hazard assessment and recommends bushfire protection measures to address identified risk.

The bushfire hazard assessment considers the immediate bushfire threats within 100m of the subject site. The assessment identified grassland to the north, south and east of the subject site, and low threat vegetation to the west. The highest threat from the immediate surrounds is from Grassland vegetation to the north (immediately adjacent) with a flat upslope terrain. The land to the north is subject to a separate residential subdivision application and the threat is likely to be removed as part of the future development of this land. Regardless of the above, the bushfire hazard assessment notes that development can achieve BAL-12 construction standards in accordance with AS3959-2018 (Australian Standards 2018).

In conclusion, the bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level, as the subdivision can manage the bushfire risk and required defendable space within the property boundary whilst maintaining a building construction standard of BAL-12 in accordance with AS3959-2018 (Australian Standards 2018).

The Bushfire Management Plan will be implemented as part of the development and will assist in reducing the risk to adjacent residential land.

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

The amendment is generally consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act and Ministerial Direction No.11 – Strategic Assessment of Amendments under Section 12(2)(a) of the Act.

The amendment is consistent with Direction No. 1 Potentially Contaminated Land. This direction requires:

In preparing an amendment which would have the effect of allowing (whether or not subject to the grant of a permit) potentially contaminated land to be used for a sensitive use, agriculture or public open space, a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.

The land is not known to be potentially contaminated or previously used for a land use which may have contaminated land. 37 Ararat Road, Stawell has historically been used as a dwelling, whilst the surrounding land known as Ararat Road, Stawell has historically been used for agricultural purposes.

A Preliminary Risk Screen Assessment has been undertaken by Golders in accordance with the Potentially Contaminated Land Planning Practice Note (July 2021) and consistent with the expectations outlined by the Environment Protection Authority. The findings demonstrate that the land is suitable for the proposed sensitive land use and that an Environmental Audit is not required.

The amendment is consistent with Direction No. 9 Metropolitan Planning Strategy. This direction requires:

In preparing a planning scheme amendment a planning authority must have regard to the Metropolitan Planning Strategy and include in the explanatory report discussion of how the amendment addresses key matters of relevancy to the Strategy, consistency with directions and policies of the Strategy and assistance and support of the Strategy's implementation.

Plan Melbourne 2017-2050 is the current Metropolitan Planning Strategy. Plan Melbourne is underpinned by nine principles upon which a series of outcomes, directions and policies are based upon. This amendment will support these principles by:

① Principle 3 - A city of centres linked to regional Victoria

The development will assist in the growth of Stawell, consistent with the designation as a 'growth area' within the Stawell Structure Plan. This reinforces the township as a regional centre within Victoria.

① Principle 5 - Living locally—20-minute neighbourhoods

The subdivision provides for a superlot to accommodate short term complementary non-residential land uses (subject to approval under the Rural Living Zone) and preserves the ability for the development of future retail/commercial uses following further strategic investigations for the Stawell Growth Area.

① Principle 7 - Strong and healthy communities

The subdivision has been designed in order to promote active transport and encourage walking to destinations rather than car dependency. Pedestrian paths are provided within all local road cross sections and within the future drainage reserve.

① Principle 8 - Infrastructure investment that supports balanced city growth

The development will provide for all internal infrastructure to service the residential allotments.

Furthermore, the proposal implements the Outcome 7 – 'Regional Victoria is productive, sustainable and supports jobs and economic growth' in the following ways:

- ① Invest in regional Victoria to support housing and economic growth (Direction 7.1);
 - o Support planning for growing towns in peri-urban areas (Policy 7.1.2).

The combined rezoning and subdivision of land in the designated urban growth area will assist in meeting the short term demand for residential housing growth within the township.

The amendment is consistent with Minister's Direction No.11 – Strategic Assessment of amendment

The Ministerial Direction requires planning scheme amendments to adequately address relevant planning policy. The amendment is consistent with the relevant policy as described in examples throughout this report.

The amendment has been prepared in accordance with Direction No 15 – the planning scheme amendment process.

Acknowledging the formal process in which the proposal is required to be considered, the documentation has been prepared to justify the combined rezoning and subdivision request in order for Council to seek authorisation from the Planning Minister to prepare a Planning Scheme Amendment.

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

The amendment supports and seeks to implement the Planning Policy Framework, particularly having regard to:

- ① Clause 11.02-1S 'Supply of Urban Land' by ensuring a sufficient supply of land is available for residential growth within Stawell.
- ① Clause 11.02-2S 'Structure Planning' by addressing and being generally in accordance with the Stawell Structure Plan.
- ① Clause 11.02-3S 'Sequencing of Development' by seeking a site specific amendment to land noted for prioritisation in the Stawell Structure Plan.
- ①
- ① Clause 11.03-2S 'Growth Areas' by rezoning land identified in the Stawell Structure Plan as a nominated urban growth area.
- ① Clause 13.02-1S 'Bushfire Planning' by reducing bushfire risk and implementing the requirements of the Bushfire Management Plan as part of future development.
- ① Clause 13.04-1S 'Contaminated and Potentially Contaminated Land' by providing a Preliminary Risk Screen Assessment to demonstrate the suitability of the land for residential purposes.
- ① Clause 15.01-3S 'Subdivision design' by providing a logical and permeable subdivision layout that will benefit from the surrounding amenity including the drainage/open space reserve.
- ① Clause 16.01-1S 'Housing Supply' by bringing additional housing stock to market to meet the short term demand.
- ① Clause 16.01-2S 'Housing Affordability' by providing a lot-mix to accommodate a range of housing typologies, including smaller more affordable allotments.

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

The Amendment does not seek to alter the intent of the Local Planning Policy Framework or Municipal Strategic Statement and is consistent with all of the relevant planning policies contained within the Northern Grampians Planning Scheme.

The Amendment seeks to support and implement the Local Planning Policy Framework and Municipal Strategic Statement through complying with the general strategies outlined within Clause 11.01-1L 'Settlement – Northern Grampians' including:

- ① Discourage the expansion of township boundaries.
- ① Concentrate retail and professional service uses in existing commercial centres.
- ① Direct low-density development to planned estates to protect farming land.

Specifically, the Stawell settlement strategies include:

- ① Encourage residential development to be located in the south east of the town, and north of the Western Highway.
- ① Encourage infill development with smaller lot subdivisions close to the commercial area.
- ① Encourage industrial and intensive commercial development in areas to the north east of the town, including in the vicinity of the gold mine, and to the west of the town.
- ① Encourage retail and tourism development that capitalises on Stawell's proximity to the Grampians National Park.
- ① Ensure development in the central commercial area does not negatively impact on the safety and operation of the adjacent highway.
- ① Ensure land supply meets demand for bulky goods retail.
- ① Support retail and tourism development in Stawell that enhances its aesthetic appearance and heritage assets.

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

The amendment is consistent with, and makes proper use of, the Victoria Planning Provisions by applying the Neighbourhood Residential Zone across the land which has been designated at the strategic level for residential growth.

The purpose of the Neighbourhood Residential Zone is as follows:

- ① To implement the Municipal Planning Strategy and the Planning Policy Framework.
- ① To recognise areas of predominantly single and double storey residential development.
- ① To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- ① To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
- ① This purpose is consistent with the envisaged outcomes and nomination of 'residential growth area' within the Stawell Structure Plan.

In addition, the combined rezoning and amendment seeks to create a superlot I for the primary purpose preserving the land for potential retail/commercial land uses following further strategic investigations and completion of a Structure Plan for the Stawell Growth Area.

- ① How does the amendment address the views of any relevant agency?

The views of relevant agencies will be considered as part of the public exhibition process and as part of the subsequent Planning Panel process.

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

The amendment contributes to the transport network through the development of vacant land in a greenfield setting connecting to the surrounding established road hierarchy.

Resource and administrative costs

The amendment will not have a significant administrative impact on Council as the amendment is proponent lead and combines the rezoning and subdivision of land as part of a Section 96A application.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Northern Grampians Shire Council website at <https://www.ngshire.vic.gov.au/Home>

And/or

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

🕒 Northern Grampians Shire Council, 59-69 Main Street, Stawell.

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

Submissions

Any person who may be affected by the amendment and/or planning permit may make a submission to the planning authority. Submissions about the amendment and/or planning permit must be received by **X X 202X**.

A submission must be sent to: ngshire@ngshire.vic.gov.au or posted to PO Box 580, Stawell, VIC, 3380.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

🕒 directions hearing: **X X 202X**.

🕒 panel hearing: **X X 202X**.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Stawell	Ararat Road, Stawell (Lot 5, TP898109)	Northern Grampians CXXXngra Map 29 ZN
Stawell	Ararat Road, Stawell (Lot 11, TP898109)	Northern Grampians CXXXngra Map 29 ZN
Stawell	37 Ararat Road, Stawell (Lot 1, TP226587Q)	Northern Grampians CXXXngra Map 29 ZN



Legend

- Proposed Neighbourhood Residential Zone
- Existing Rural Living Zone - Schedule 2

Proposed Rezoning Plan



Project: 21-0073
 Version: 7
 Date: 21/10/2022

**Ararat Road and 37 Ararat Road,
 Stawell**
 Lot 5 and 11 on Title Plan 898109 and Lot 1 on Title Plan 226587



Planning and Environment Act 1987

NORTHERN GRAMPIANS PLANNING SCHEME

AMENDMENT C61ngra

INSTRUCTION SHEET

The planning authority for this amendment is the Northern Grampians Shire Council

The Northern Grampians Planning Scheme is amended as follows:

Planning Scheme Maps

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

Zoning Maps

1. Amend Planning Scheme Map No. 29 in the manner shown on the 1 attached map marked "Northern Grampians Planning Scheme, Amendment C61ngra".

Information sheet for environmental audits and preliminary risk screen assessments (PRSAs)



Publication 2009 June 2021

Victoria's audit system

An environmental audit system has operated in Victoria since 1989. The *Environment Protection Act 2017* (the Act) provides for the appointment of environmental auditors. It also provides for Environment Protection Authority (EPA or the Authority) to have a system of preliminary risk screen assessments (PRSAs) and environmental audits. These are used in the planning, approval, regulation and management of activities, and in protection of human health and the environment.

Under the Act, the functions of an environmental auditor include to:

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- prepare and issue PRSA statements and reports, and environmental audit statements and reports.

The purpose of a PRSA is to:

- assess the likelihood of the presence of contaminated land
- determine if an environmental audit is required
- recommend a scope for the environmental audit if an environmental audit is required.

The purpose of an environmental audit is to:

- assess the nature and extent of the risk of harm to human health or the environment from contaminated land, waste, pollution, or any activity
- recommend measures to manage the risk of harm to human health or the environment from contaminated land, waste, pollution, or any activity
- make recommendations to manage any contaminated land, waste, pollution or activity.

Upon completion, all PRSAs and environmental audits require preparation of either a PRSA statement, accompanied by a PRSA report, or an environmental audit statement, accompanied by an environmental audit report.

A person may engage an environmental auditor to conduct a PRSA or an environmental audit.

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Information sheet for environmental audits and preliminary risk screen assessments (PRSAs)

File structures

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- Part A, the PRSA or environmental audit report
- Part B, report appendices
- Part C, the PRSA statement and executive summary or environmental audit statement and executive summary.

Report executive summaries, findings and recommendations should be read and relied upon only in the context of the whole document, including any appendices and the PRSA statement or environmental audit statement.

Currency of PRSAs and environmental audits

PRSAs and environmental audits are based on the conditions encountered and information reviewed at the time of preparation. They don't represent any changes that may have occurred since the completion date. As it's not possible for the PRSA or audit report to present all data that could be of interest to all readers, consideration should be made to any appendices or referenced documentation for further information.

When information about the site changes from what was available at the time the PRSA or environmental audit was completed, or where an administrative error is identified, an environmental auditor may amend or withdraw PRSA or environmental audit statements and/or reports. Users are advised to check EPA's website to ensure documents' currency.

PDF searchability and printing

EPA can only provide PRSAs and environmental audit statements, reports and appendices that the environmental auditor provided to EPA via the EPA portal on the EPA website.

All statements and reports should be in a Portable Document Format (PDF) and searchable; however at times some appendices may be provided as image-only PDFs, which can affect searchability.

The PDF is compatible with Adobe Acrobat Reader, which is downloadable free from Adobe's Website (www.adobe.com).

Further information

For more information on Victoria's environmental audit system, visit EPA's website or contact EPA's Environmental Audit Unit.

Web: www.epa.vic.gov.au

Email: environmental.audit@epa.vic.gov.au



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Executive Summary

Alex Blount of Golder Associates Pty Ltd (WSP Golder), an Environmental Auditor appointed pursuant to the *Environment Protection Act 2017* was requested to undertake a Preliminary Risk Screening Assessment (PRSA) of the land located at Lot 5 and 11 Ararat Road, Stawell, Victoria. This PRSA report and the enclosed PRSA Statement were prepared in accordance with Sections 204, 205, 206 and 207 of the *Environment Protection Act 2017*.

A summary of the subject site details and outcomes of the PRSA are provided in the following tables.

Summary of PRSA Information	
Auditor	Alex Blount
Auditor account number	EXT00XXXXXXXX
Name of person requesting PRSA	Ryan Pridham
Relationship of person requesting PRSA to site	Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd
Name of site owner	Site owner representative
Date of auditor engagement	Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd
Date of auditor engagement	17 / 08 / 2022
Completion date of the PRSA	24 / 10 / 2022
Reason for PRSA	Planning system, to support rezoning
Elements of the environment assessed	Land; Water (surface water); Water (groundwater)
Planning permit number or requirement detail if applicable	Not applicable
EPA Region	North West Region
Municipality	Northern Grampians Shire Council
Dominant — Lot on plan	Lot 5 TP898109
Additional — Lot on plan(s)	Lot 11 TP898109
Site/premises name	Lot 5 & 11 Ararat Road, Stawell, Victoria
Building/complex sub-unit No.	--
Street/Lot — Lower No.	5
Street/Lot — Upper No.	11
Street Name	Ararat
Street Type (for example road, court)	Road
Street suffix (for example North, South)	--
Suburb	Stawell
Postcode	3380

Summary of PRSA Information	
Site area (square metres)	74,540
Plan of site/premises/location showing the PRSA boundary attached	Yes Attached Figure 1
Members and categories of support team utilised	None
Further work or requirements	None
Nature and extent of continuing risk of harm	None
Outcome of the PRSA report	Likelihood of the presence of contaminated land is low. Environmental audit is not required.

Physical Site Information	
Historical land use	Rural, broadacre crop farming
Current land use	Vacant, rural broadacre crop farming
Proposed land use	Sensitive use – other (lower density), residential development
Current land use zoning	General Residential Zone (GRZ) Rural Living Zone (RLZ)
Proposed land use zoning	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
Surrounding land use – north	Vacant agricultural land Residential and bushland reserve located further to the north-east
Surrounding land use – south	Commercial and light industrial Agricultural land located further to the south and south-east
Surrounding land use – east	Agricultural land.
Surrounding land use – west	Residential (lower density) within the site boundary at the southwestern boundary. Commercial property to the west and southwest including car dealership, service stations and retail food outlets
Has EPA been notified about the site under Section 40 of the <i>Environment Protection Act 2017</i> ?	No
Nearest surface water receptor - name	Unnamed creek adjacent to site boundary Pleasant Creek is nearest permanent water receptor
Nearest surface water receptor - direction	5 m to unnamed creek, located adjacent to east and south boundary 750 m to Pleasant Creek, located south west of site
Site aquifer formation	Quaternary alluvial stream and flood plain deposits. Local offsite adjacent areas of igneous extrusive (Magdala Volcanics) and intrusive (Stawell Granite) lithology.
Groundwater segment	Segments C and D

Preliminary risk screen assessment statement

Under Part 8.3 of the *Environment Protection Act 2017*

Publication F1031.1 published February 2022



The purpose of a preliminary risk screen assessment is:

- (a) to assess the likelihood of the presence of contaminated land; and
- (b) to determine if an environmental audit is required; and
- (c) if an environmental audit is required, to recommend a scope for the environmental audit.

It is important to note that a PRSA statement is not an environmental audit statement or an environmental audit report. It should not be construed as an environmental audit conducted to assess the suitability of land use.

This statement is a summary of the findings of a preliminary risk screen assessment conducted under Part 8.3 of the *Environment Protection Act 2017* for:

Lot 5 and 11 Ararat Road, Stawell, Victoria

Lot 5 TP898109 and Lot 11 TP898109; Volume 12360 Folio 792

Further details are provided in the preliminary risk screen assessment report that accompanies this statement.

Section 1: Preliminary risk screen assessment overview

Environmental auditor details

Name:	Alex Blount
Company:	Golder Associates Pty Ltd
Address:	Building 7, Botanicca Corporate Park, 570-588 Swan Street, Richmond, VIC 3121
Phone:	(03) 8862 3500
Email:	ablount@golder.com.au

Site owner/occupant

Name:	Ryan Pridham (site owner representative)
Company:	Lot 5 & 11 Ararat Road Stawell Pty Ltd

Environmental auditor engaged by

Name:	Ryan Pridham
Company:	Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd
Relationship to site owner:	Employee

Reason for preliminary risk screen assessment

Planning scheme:	N/A
Permit details (if applicable):	N/A

Preliminary risk screen assessment statement

Other:	To support rezoning
<input type="checkbox"/> Permit is attached (if applicable):	N/A

Section 2: Assessment scope

Site details

Address:	Lot 5 and 11 Ararat Road, Stawell, Victoria
Title details:	Lot 5 TP898109 and Lot 11 TP898109; Volume 12360 Folio 792
Area (m ²):	74,540

- a plan of the site is attached

Use or proposed use assessed

The below section details which land uses (current and proposed) the PRSA has assessed. Note, this is not a suitability of land use audit, rather an assessment to determine if an environmental audit is required for the land uses that apply to the specific PRSA.

Sensitive land use categories

Note that sensitive land uses in the *Environment Reference Standard 2021* (ERS 2021) are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the *Ministerial Direction No. 1* (MD No.1) considers secondary schools and children's playgrounds to be sensitive land uses.

- High density
- Residential land use
- Child care centre
- Other (lower density)
- Pre-school
- Primary school
- Secondary school
- Children's playground (indoor)
- Children's playground (outdoor)

Other land use categories

- Recreation/open space
- Parks and reserves
- Agricultural
- Commercial
- Industrial
- Other land uses not captured by the above as described here:

Environmental elements assessed

- Land
- all environmental values that apply to the land use category were considered **OR**
- all environmental values that apply to the land use category, other than the following, were considered:
-
- Water
- Surface water
- all environmental values that apply to the applicable segment were considered **OR**

Preliminary risk screen assessment statement

all environmental values that apply to the applicable segment, other than the following, were considered:

Groundwater

all environmental values that apply to the applicable segment were considered **OR**

all environmental values that apply to the applicable segment, other than the following, were considered:

Standards considered

Environment Reference Standard 2021

National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 2013

Assumptions made during the assessment or any limitations

None

Exclusions from the assessment and the rationale for these

None

This statement is accompanied by the following preliminary risk screen assessment report

Title: Preliminary Risk Screen Assessment, Lot 5 and 11 Ararat Road, Stawell, Victoria
(Golder Associates Pty Ltd)

Report no: PS133687-CLM-PRSA-001-Rev0

Date: 24 October 2022

Preliminary risk screen assessment statement

Section 3: Assessment outcome

Based on my assessment, I am of the opinion that an environmental audit is **not required** for the following land uses, **including** the use or proposed use for which the site has been assessed:

Sensitive land use categories

Note that sensitive land uses in the ERS 2021 are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the MD No.1 considers secondary schools and children's playgrounds to be sensitive land uses.

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Other land use categories

- Recreation/open space
- Parks and reserves
- Agricultural
- Commercial
- Industrial
- Other land uses not captured by the above as described here:

Other information

None

Preliminary risk screen assessment statement

Note: An assessment that an environmental audit is not required does not include any comment on as to whether responsibilities under section 39 of the *Environment Protection Act 2017* (duty to manage contaminated land) exist for the person in management or control of the land. Please refer to EPA publication 1977, *Assessing and controlling contaminated land risks: A guide to meeting the duty to manage for those in management or control of land* (<https://www.epa.vic.gov.au/about-epa/publications/1977>).

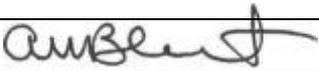
DRAFT FOR DISCUSSION

Preliminary risk screen assessment statement

Section 4: Environmental auditor's declaration

I state that:

- I am appointed as an environmental auditor by the Environment Protection Authority Victoria under the *Environment Protection Act 2017*.
- The findings contained in this statement represents a true and accurate summary of the findings of the preliminary risk screen assessment that I have completed.

Date:	24 October 2022
Signed:	
Name:	Alex Blount
	Environmental Auditor

DRAFT FOR DISCUSSION



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LEGEND
 Site Boundary



NOTE(S)
 1. Projection: GDA 1994 MGA Zone 54

REFERENCE(S)
 1. AERIAL IMAGERY SOURCED FROM NEARMAP.COM DATE OF CAPTURE 01 NOV 2021.
 2. KEY MAP SOURCED FROM ESRI ONLINE BASEMAPS.
 3. STATE DATA SOURCED FROM DATA.VIC.GOV.AU.

CLIENT
 SHERRIDON HOMES

PROJECT
 ARARAT RD STAWELL PRSA

TITLE
 SITE LOCATION FOR LOT 5 AND 11 ARARAT ROAD,
 STAWELL, VICTORIA

CONSULTANT	YYYY-MM-DD	2022-10-24
DESIGNED	LG	
PREPARED	LG	
REVIEWED	MI	
APPROVED	MI	



PROJECT NO.	CONTROL	REV.	FIGURE
PS133687	001-R	0	1

FILE: F:\000\00022\PS133687\MapPS133687_001_SiteMap.dwg (DATE PRINTED ON: 2022-10-24 AT 13:51:54)

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Information sheet for environmental audits and preliminary risk screen assessments (PRSAs)



Publication 2009 June 2021

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REPORT

Preliminary Risk Screen Assessment

Lot 5 and 11 Ararat Road, Stawell, Victoria

Submitted to:

Sherridon Homes (Lot 5 & 11 Ararat Road Stawell Pty Ltd)

C/- Spot Planning
384 Keilor Road
Niddrie VIC 3042

Submitted by:

Golder Associates Pty Ltd

Building 7, Botanicca Corporate Park, 570 – 588 Swan Street, Richmond, Victoria 3121,
Australia

+61 3 8862 3500

PS133687-CLM-PRSA-001-Rev0

24 October 2022



Distribution List

PDF copy – Sherridon Homes (Lot 5 & 11 Ararat Road Stawell Pty Ltd)

PDF copy – Golder Associates Pty Ltd

PDF copy – Manager Environmental Audit, EPA Victoria

PDF copy – Northern Grampians Shire Council

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Auditor account number	EXT00XXXXXXXX
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Relationship of person requesting PRSA to site	Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd
Name of site owner	Site owner representative
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Date of auditor engagement	17 / 08 / 2022
Completion date of the PRSA	24 / 10 / 2022
Reason for PRSA	Planning system, to support rezoning
Elements of the environment assessed	Land; Water (surface water); Water (groundwater)
Planning permit number or requirement detail if applicable	Not applicable
EPA Region	North West Region
Municipality	Northern Grampians Shire Council
Dominant — Lot on plan	Lot 5 TP898109
Additional — Lot on plan(s)	Lot 11 TP898109
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Building/complex sub-unit No.	--
Street/Lot — Lower No.	5
Street/Lot — Upper No.	11
Street Name	Ararat
Street Type (for example road, court)	Road
Street suffix (for example North, South)	--
Suburb	Stawell
Postcode	3380

Summary of PRSA Information	
Site area (square metres)	74,540
Plan of site/premises/location showing the PRSA boundary attached	Yes Attached Figure 1
Members and categories of support team utilised	None
Further work or requirements	None
Nature and extent of continuing risk of harm	None
Outcome of the PRSA report	Likelihood of the presence of contaminated land is low. Environmental audit is not required.

Physical Site Information	
Historical land use	Rural, broadacre crop farming
Current land use	Vacant, rural broadacre crop farming
Proposed land use	Sensitive use – other (lower density), residential development
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Surrounding land use – south	Commercial and light industrial Agricultural land located further to the south and south-east
Surrounding land use – east	Agricultural land.
Surrounding land use – west	Residential (lower density) within the site boundary at the southwestern boundary. Commercial property to the west and southwest including car dealership, service stations and retail food outlets
Has EPA been notified about the site under Section 40 of the <i>Environment Protection Act 2017</i> ?	No
Nearest surface water receptor - name	Unnamed creek adjacent to site boundary Pleasant Creek is nearest permanent water receptor
Nearest surface water receptor - direction	5 m to unnamed creek, located adjacent to east and south boundary 750 m to Pleasant Creek, located south west of site
Site aquifer formation	Quaternary alluvial stream and flood plain deposits. Local offsite adjacent areas of igneous extrusive (Magdala Volcanics) and intrusive (Stawell Granite) lithology.
Groundwater segment	Segments C and D

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APPENDIX D
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1.0 INTRODUCTION

1.1 Engagement

Alex Blount of Golder Associates Pty Ltd (WSP Golder), an Environmental Auditor appointed pursuant to the *Environment Protection Act 2017* was requested by Spot Planning on behalf of Ryan Pridham of Sherridon Homes Pty Ltd (Lot 5 & 11 Ararat Road Stawell Pty Ltd) to undertake a Preliminary Risk Screening Assessment (PRSA) of the land located at Lot 5 and 11 Ararat Road, Stawell, Victoria (the site).

The approximate location and boundary of the site is show in Figure A (below) and attached Figure 1.

1.2 Reason for PRSA

The PRSA was requested and undertaken to support a rezoning and (future) planning permit application to rezone the site as follows:

Land Parcel	Current Zone	Proposed Zone
Lot 5 / TP898109	General Residential Zone (GRZ)	General Residential Zone (GRZ) or Neighbourhood Residential Zone (NRZ)
Lot 11 / TP898109	General Residential Zone (GRZ) - Part and Rural Living Zone (RLZ) - Part	General Residential Zone (GRZ) or Neighbourhood Residential Zone (NRZ)

1.3 Objectives

The objectives of the PRSA are as follows:

- Complete and assessment of the condition of the site including:
 - The likelihood of contaminated land based on a Preliminary Site Investigation (PSI) level of assessment
 - Assessment of possible impacts on environmental values associated with the use or proposed use of the site
- Determination of whether an Environmental Audit is required.

1.4 PRSA Scope and Methodology

The *Environment Protection Act 2017* (Section 206(1)(a)) specifies the requirements of the scope of a PRSA. The scope items are presented in Table 1.

Table 1: PRSA Scope

Scope Item	Details
The site in respect of which the assessment was conducted	Lot 5 and 11 Ararat Road, Stawell, Victoria 3380 Parcel identifiers: Lot 5 TP898109 Lot 11 TP898109 Volume 12360 Folio 792

Scope Item	Details
The use or proposed use for which the site is being assessed	Sensitive use – other (lower density) – Residential land use
The elements of the environment assessed	Land – All environmental values that apply to the land use category were considered Water (Surface water) – All environmental values that apply to the land use category were considered Water (Groundwater) – All environmental values that apply to the land use category were considered
The standards considered in the assessment	Environment Reference Standard 2021 National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 2013
Any assumptions made by the environmental auditor during the assessment or any limitations in the assessment	None
Any exclusions from the assessment and the rationale for these exclusions	The ambient air and ambient noise elements of the environment were not considered in the assessment. The objective of the assessment was to consider the likelihood of contaminated land and potential impact on the existing or proposed use of the land. The ambient air and ambient noise elements were not relevant to the assessment of likelihood of contaminated land.

1.5 Documentation Reviewed

No prior environmental, contamination or engineering assessments had been completed for the site. The Auditor therefore relied upon publicly available historical records and other sources of environmental, geological and contamination data to form their opinions for the PRSA.

A site inspection was completed by the Auditor and assistant environmental scientist.

1.6 Auditor Support Team

The Auditor did not utilise any of their expert support team in the completion of this PRSA.

1.7 Completion of the PRSA

The PRSA Statement and Report were completed on 24 October 2022.



Figure A. Site Location, the site is represented by the red border in the image (Nearmap, 1 Nov 2021).

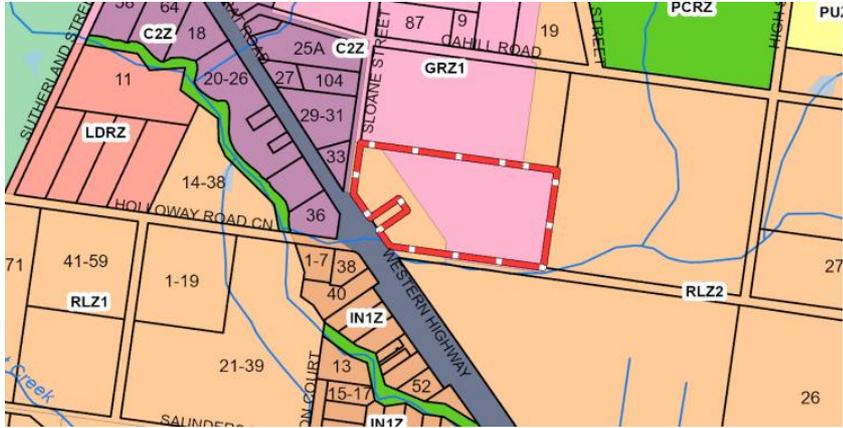
2.0 SITE DESCRIPTION AND ENVIRONMENTAL SETTING

2.1 Site Details

Key details are summarized below in Table 2.

Table 2: Site Location and Setting

Item	Description
Address	Lot 5 and 11 Ararat Road, Stawell, Victoria, 3380
Legal Description	Lot 5 TP898109 Lot 11 TP898109 Title: Volume 12360 Folio 792
Approximate Site Area	74,540 m ²
Council	Northern Grampians Shire Council
Current Zoning	General Residential Zone (GRZ) – Lot 5 and Part Lot 11 Rural Living Zone (RLZ) - Part Lot 11

Item	Description
	
<p>Planning Overlays</p>	<p>None</p>
<p>Current Site Use</p>	<p>Historical records indicated the site had been used for agricultural purposes. Recent aerial photography (November 2021), confirmed by a site inspection (September 2022), indicated the site was vacant open agricultural land.</p> <p>Evidence of some previous broadacre cropping was noted as plant stubble in rows. No current stock or other agricultural activity was noted at the site at the time of the inspection.</p>
<p>Buildings or Structures on the Site</p>	<p>No buildings or structures on the site.</p> <p>A separate parcel of land was present extending within the site (bounded on three sides by the site) consisting of residential land use with a low-density, single storey brick residence and associated sheds and outbuildings.</p> <p>The remnants (residual stone walls) of a former residential building were observed offsite to the east of the site, consistent with the location of a previous building noted in historical aerial photographs.</p>
<p>Surrounding Land Use</p>	<p>North: vacant / agricultural land, inferred broadacre cropping. Residential and rural property beyond to the north. Wildcat Hill Bushland Reserve is located further north-east of the property. A school building and grounds (Glenvale School, independent primary and secondary) to the north on Cahill Road.</p> <p>South: Commercial properties on the southern side of Ararat Road including flooring, Polymaster (plastic tank supplier), West Cranes & Access Hire. Agricultural land to the south and south-east.</p> <p>West: There is a residential property located off-site, inset within the southwest boundary of the site and bordered by the site on three sides. Sloane Street to the west and beyond are commercial properties including a car dealership (Isuzu), motel, service station and convenience store and vacant agricultural land.</p> <p>Southwest: Ararat Road, beyond which are residential and commercial properties including retail food (Hungry Jacks) and a service station.</p> <p>East: Agricultural land, vacant at the time of the site inspection, inferred broadacre cropping.</p>

Item	Description
Proposed Future Land Use	Proposed to be rezoned to Neighbourhood Residential Zone or General Residential Zone in preparation for (lower density) residential redevelopment.

2.2 Environmental Setting

Key background environmental information is summarized below in Table 3.

Table 3: Environmental Setting

Item	Description
Topography	The elevation of the site is around 230 mAHD. The area in the vicinity of the site is relatively flat, increasing in elevation towards the bushland reserve to the northeast and broadly trending downwards towards the south and southwest.
Nearest Surface Water Bodies	<p>Pleasant Creek is located approximately 750 m to the south-west of the site and is the major water feature of the local area flowing to the northwest and inferred to eventually discharge at Lake Lonsdale 11.5 km to the northwest from the site.</p> <p>An unnamed tributary of Pleasant Creek is located offsite to the south and west of the site, approximately 150 m to 250 m distance from the site boundary.</p> <p>An unnamed tributary of Pleasant Creek is located offsite immediately adjacent to the southern boundary of the site and extends upstream (sources) from property to the northeast (Wildcat Hill Bushland Reserve) and east (rural property and Mossman Park Bushland Reserve). One upstream branch of the creek was inferred to flow past the former landfill on Hill Street to the northeast of the site. This alignment of this branch was noted to pass through six dams before reaching the area adjacent to the site. The tributary eventually discharges to the larger tributary to the west of the site.</p> <p>An inferred drainage channel was present offsite along the eastern boundary of the site and flowed south discharging to the unnamed tributary at the southeast corner of the site.</p>
Regional Geology	<p>The site is located on the Geological Survey of Victoria (GSV) 1:50 000 scale 'Stawell' mapsheet. The sheet indicates the site is predominantly underlain by alluvial flood plain, point bar and channel deposits: active stream systems with minor terraces, polymictic gravel, sand, clay. A high potassium radiometric response is noted on this unit.</p> <p>Magdala Volcanics: tholeiitic to andesitic basalt is present near the northern site boundary and noted to be a zone of hornfels metamorphism.</p> <p>Extensive historical and current mining activity is noted in the Stawell area although predominantly confined to a mineralised zone to the north and</p>

Item	Description
	east of the township. No mining or mineral-related activity was noted in the vicinity of the site.
Potential Acid Sulfate Soils	A review of the National Acid Sulfate Soils (ASS) Atlas (CSIRO, 2022) indicates that the site lies within an area of low probability/very low confidence (B4) of acid sulfate soils.
Regional Hydrogeology	Based on Visualising Victoria's Groundwater (VVG), groundwater beneath the site is expected to be encountered at a depth of less than 5 m below ground level (m bgl) across the site, with depth to groundwater increasing to 5 to 10 m bgl to the north of the site.
Regional Groundwater Use	VVG lists 12 registered bores within 500 m of the site. The bore use is not listed. The bores are located approximately 300 m to the northeast and were installed in 1968 (most recent) to depths between 0.5 and 1.8 m.
Expected Groundwater Segment	Groundwater quality in the region is expected to be in a range between 3,500 – 7,000 mg/L total dissolved solids (TDS) (VVG). The Environment Reference Standard (ERS) (2021) classifies this TDS concentration range as between Segment C and Segment D. The TDS increases to 7,000 – 13,000 mg/L further north of the site and decreases to 1,000 – 3,500 further south of the site.

2.3 Environmental Values

Environmental values are the uses, attributes and functions of the environment that are to be protected and maintained in Victoria. The Environment Reference Standard (ERS) 2021 identifies the relevant environmental values of the ambient air, ambient sound, land and water environment and the objectives to support those values. For the purposes of the PRSA, environmental values applicable to the site are summarised in the following sections.

2.3.1 Land

For the proposed future use of the land as sensitive use – other (lower density), the environmental values applicable to the site are:

- Land dependent ecosystems and species – modified ecosystems and highly modified ecosystems
- Human health
- Buildings and structures
- Aesthetics
- Production of food, flora and fibre

2.3.2 Water – Groundwater

The applicable segment of the groundwater environment is defined by the (natural) salinity of groundwater as represented by its total dissolved solids (TDS). No site groundwater data was available and no groundwater data for offsite property was available. Review of regional groundwater quality through the Visualising Victoria's Groundwater online spatial information systems, indicated groundwater at the site was a TDS range

of 3,500 to 7,000 mg/L. For the indicated segments of C and D, the environmental values applicable to the site:

- Water dependent ecosystems and species
- Potable mineral water supply (in applicable areas where the resource is present)
- Agriculture and irrigation – stock watering
- Industrial and commercial use
- Water-based recreation – primary contact recreation
- Traditional Owner cultural values
- Buildings and structures
- Geothermal properties (in applicable areas where the resource is present)

2.3.3 Water – Surface Water

The site is located within the Murray and Western Plains segment (geographic region) of the surface water environment, being within the Wimmera Avon basin. No surface water features were present on the site. However, surface water features were present immediately adjacent to the site and could potentially be impacted in the event the site was contaminated land. The environmental values applicable to the site are:

- Water dependent ecosystems and species – slightly to moderately modified
- Human consumption after appropriate treatment
- Agriculture and irrigation
- Human consumption of aquatic foods
- Aquaculture – if the environmental quality is suitable and an aquaculture licence has been approved
- Industrial and commercial
- Water-based recreation – primary contact recreation; secondary contact recreation; and aesthetic enjoyment
- Traditional Owner cultural values

3.0 PREVIOUS ENVIRONMENTAL ASSESSMENTS

No prior environmental or contamination assessment had been completed at the site.

4.0 SITE HISTORY REVIEW

4.1 Sources of Information

The following sources of information were included in the site history review.

Historical Aerial Photographs and Historical Maps

Historical maps (Parish Plans) were sourced from 1864 through to 1979. Historical aerial photographs from 1947 through to 1987 were reviewed. Aerial imagery from 2021 was sourced from Nearmap. Aerial

photographs and maps provided an overview of property development over time, including the type of buildings, site coverage and adjacent land use and development. Reviewed images are provided in Appendix B and a summary is provided in Table 4.

Historical Certificates of Title

As part of the review searches were conducted through the Landata online database for historical and current certificates of title for the property. Certificates of title may provide an indication of who has previously purchased the property, for what purpose and for what duration. A summary of reviewed certificates of title is provided in Table 5.

Cathodic Protection Records

Energy Safe Victoria is responsible for the protection of underground and underwater structures from the corrosive effects of stray electrical currents – electrolysis. Cathodic protection systems and monitoring protection and electrolysis mitigation systems, which can include underground storage tanks (UST), are registered allowing identification of current or former underground storage systems.

Resource Licences Near Me

Victoria State Government has an interactive map to assist in understanding Resource Licences in a desired location, accessible at <https://mapshare.vic.gov.au/victoriaunearthed/>

Data obtained through the site history review has been collated, evaluated, and presented in this report.

4.2 Historical Aerial Photographs & Historical Parish Plans.

A review of historical aerial photographs was undertaken for the period from 1947 to 2022. A summary of the observations made during the aerial photograph review is presented in Table 4 and copies of the images are presented in Appendix B.

A review of historical Parish Plans indicated the site has been used as farmland since 1864 with no significant changes to boundaries, consolidation or subdivision documented and no inferred potentially contaminating land uses indicated at immediately adjacent property. Discussion regarding potential property owners derived from Parish Plans is provided in Section 4.3.

Table 4: Summary of Aerial Photographs

Year	Onsite	Surrounding area
1947	The site is largely cleared for agricultural use. No buildings or structures are visible.	<p>The current day (2022) residential property, extending into the southwestern margin of the site is not present. The adjacent properties are all undeveloped bushland or cleared agricultural land.</p> <p>The adjacent properties to the east include small dams located along drainage lines, inferring the presence of stock use.</p> <p>An apparent farm residence is present immediately to the east with yard area and inferred small orchard trees area between the house and the site boundary.</p>

Year	Onsite	Surrounding area
1969	No change onsite.	<p>The current day (2022) residential property extending into the southwestern margin of the site is under construction.</p> <p>Property to the west of the site beyond Ararat Road and Sloane Street have been cleared and developed consistent with the position of later residential buildings.</p> <p>The residence offsite to the east appears to have been removed.</p> <p>Clearing and earthmoving appears to have occurred at the (to become a landfill) site at Hill Street to the northeast of the site.</p> <p>The Stawell Rifle Range is present approximately 1.5 km to the east of the site.</p>
1972	No change onsite	<p>Further development has occurred offsite to the west. The service station beyond Sloane Street is present. Some potential industrial/commercial property is present to the west of the site on Ararat Road.</p> <p>Further earthmoving activity has occurred at the Hill Street (landfill) site to the northeast.</p>
1987	No change onsite	<p>The area to the west and northwest of the site appears predominantly residential and some vacant/rural land use. Some larger shedding/commercial/industrial development is present to the south of the site on Ararat Road.</p> <p>Further earthmoving activity has occurred at the Hill Street (landfill) site to the northeast.</p> <p>Extensive mining and mine-related activities have occurred approximately 2.1 km to the east of the site.</p>
2021	No change onsite	<p>There have been residential houses established to the north of the property along Cahill Road.</p> <p>Property to the south of the site on Ararat Road and to the west on Ararat Road and Sloane Street are predominantly commercial and industrial consistent with the land uses observed during the site inspection in September 2022.</p>

Year	Onsite	Surrounding area
		The Hill Street (landfill) site appears to be covered and grassed with no earthmoving activity or infrastructure visible.

4.3 Certificates of Title

As part of the historical review, a search of current and previous certificates of title was undertaken. Information on the previous certificates of title was obtained back to 1899. A summary of the findings from this search is presented below in Table 5.

Table 5: Summary of Certificate of Title Information

Certificate of Title (Volume/Folio)	Date	Details
12360/792	25/03/2022	Lot 5 & 11 Ararat Road Stawell Pty Ltd of 56 Barclay Road Derrimut VIC 3026
	28/02/2022	Stawell Projects Pty Ltd or 21 Hume Drive Lysterfield VIC 3156
8872/614	03/07/2014	Hugh David Williams of 25 Alfred Street Stawell VIC 3380
	15/03/1971	John David Williams of Stawell, Farmer
7808/084	21/11/1952	Ann Frances Frencham of Grange Farm Stawell, Widow
2717/314	23/03/1952	Ann Frances Frencham of Grange Farm Stawell, Widow
	16/06/1932	Douglas Littledale Frencham of Stawell, Farmer
	23/04/1924	James Michael McGrath of Stawell, Farmer
	13/12/illegible	Harry Johnston of Grange Farm, Farmer
	14/03/1899	Harry Albright Johnston of Grange Farm Stawell, Dairyman
	14/03/1899	Louis Schmidt of Richmond, Postal Employee
Parish Plans	1880	Stawell Parish plan presents site boundaries unchanged. Annotated: Lot 11 as "Hewitt" and Lot 5 as "F Smith".
	11/11/1864	Stawell Parish plan presents site boundary consistent with 1899 title and current (2022) plans. Annotated: Lot 11 (then Lot 8) as "J Hewitt" and Lot 5 (then Lot 7) as "no offer".

4.4 Historical Street Maps and Directories

A review of the Sands and McDougall business directories from 1896 to 1974 was undertaken using the Victoria Unearthed website on 6 September 2022. There were no businesses noted at the site or immediate vicinity.

Review of current town maps (Google Maps and online searches) identified the following businesses in the immediate area, either upgradient or cross-gradient from the site:

- 2 car dealerships are currently in operation at the same location at 33 Ararat Road, Stawell immediately beyond Sloane Street to the west of the site:
 - Horsham City Isuzu UTE
 - Norton Ford Dealership

Review of a selection of historical street directories and guides did not identify businesses or properties in the vicinity of the site. It is noted the township of Stawell has limited coverage in Victorian road directories and those directories typically cover the central township areas.

4.5 Melbourne Metropolitan Board of Works Plans

Stawell is outside the MMBW area and is not covered by historical plans. The Northern Grampians Shire Council does not hold a publicly accessible database of historical works plans.

4.6 Cathodic Protection Records

A search for cathodic protection systems located in Stawell on Ararat Road or Sloane Street was undertaken on the Energy Safe Victoria website on 5 September 2022. The search did not find any results relating to the site or property immediately adjacent to the site.

4.7 Resource Licences

A search of the Victorian Department of Jobs, Precincts and Regions Resource Licence (<https://earthresources.vic.gov.au/licensing-approvals/location-of-licences/licences-near-me>) website indicates that an application for Exploration Licence EL007325 applies to the site area. The licence holder is Stawell Gold Mines Pty Ltd and can explore for minerals in the licence area. From Section 43 of the Mineral Resources (Sustainable Development) Act 1990 and previously confirmed by WSP Golder via a call to Department of Primary Industries, a licence holder cannot undertake exploration on another party's property without their consent.

4.8 Nearby Landfills

A search for nearby landfills was undertaken using the Victoria Unearthed website which contains information about the Victorian Landfill Register. A closed landfill is located approximately 550 m to the northeast and identified as being on Hill Street. The landfill accepted solid inert waste and putrescible waste. Another closed landfill is located approximately 2 km to the east and accepted putrescible waste, sludges and asbestos.

5.0 REGULATORY INFORMATION REVIEW

5.1 Sources of Information

The following sources of information were included in the desktop assessment:

Environment Protection Authority (EPA) Priority Sites Register

Priority Sites are sites which the Environment Protection Authority (EPA) Victoria has a remedial notice relevant to land and/or groundwater including the following:

- Clean-Up Notice pursuant to section 62A of the *Environment Protection Act 1970* (now superseded)
- Pollution Abatement Notice pursuant to section 31A or 31B of the *Environment Protection Act 1970* (now superseded)
- Environment Action Notice pursuant to Section 274 of the *Environment Protection Act 2017*
- Site Management Order pursuant to Section 275 of the *Environment Protection Act 2017*
- Improvement Notice pursuant to Section 271 of the *Environment Protection Act 2017*
- Prohibition Notices pursuant to Section 272 of the *Environment Protection Act 2017*

Typically, these are sites where pollution of land and/or groundwater presents a potential for risk to human health or the environment where active management is required or where EPA believes it is in the community interest to be notified of a potential contaminated site.

EPA Victoria maintains the Priority Sites Register as a listing of all priority sites and the register is available to the public. It is important to note that the Priority Sites Register is not a listing of all contaminated sites in Victoria, nor is it a list of all contaminated sites of which EPA Victoria has knowledge.

The register can provide an indication of whether the site or surrounding sites have been identified as contaminated.

EPA PRSA and Environmental Audit Statements and Certificates Register

EPA provides an online interactive portal for sites that are or have been under environmental audit. A review of Environmental Audit reports for premises in the vicinity of the site can provide information on area and site history, regional and local geology and hydrogeology, and potential for the site or surrounding sites to be contaminated or pose a risk of contamination.

The Environmental Audit System was established in Victoria by EPA Victoria as a means by which planning authorities, site owners, purchasers and others are provided with assurance regarding the condition of the property and its suitability for use, frequently in the context of site redevelopment.

An Environmental Audit completed under Section 53X of the (former) *Environment Protection Act 1970* will have a Certificate or Statement attached. A Preliminary Risk Screen Assessment (PRSA) completed under Section 204 of the *Environment Protection Act 2017* or an Environmental Audit completed under Section 208 of the *Environment Protection Act 2017* will have a Statement attached. A public register is maintained for completed audits, PRSA and their respective Certificates and Statements.

It is important to note that the list of audits and PRSA is not a register of contaminated or clean sites but rather is a list of properties that have been assessed (in some cases subject to certain conditions) as to suitability for a proposed land use or assessed for potential risk of contaminated land.

5.2 EPA Victoria Priority Sites Register

A search of the most recent EPA Priority Sites using the Victoria Unearthed website on 5 September 2022 indicated that the site is not listed on the Priority Sites Register.

The closest priority site in the vicinity of the site is listed as "TSF2, CA1 Sec5, CA4 Sec5, CA5 Sec5, CA6 Sec5, CA18V Sec2, CA18W Sec2", located approximately 2,600 m east of the site. The property is listed as a

current industrial site that requires ongoing management and represents the tailings dam facility associated with the Stawell Gold Mine operations.

5.3 EPA Victoria List of Completed Environmental Audit Reports

Completed Environmental Audits were identified for two properties located within a 1,500 m distance from the site at 18-24 Leslie Street and at 41A Sloan Street, Stawell. Details on the audit findings are outlined below in Table 6.

A historical landfill was identified approximately 540 m to the northeast of the site boundary which was used for solid inert and putrescible waste.

Table 6: Surrounding Area Environmental Audits

Address, Date, EPA CARMS No.	Distance from site (approx.)	Key findings
Former Council Depot Lots 7-12 & 18-24 Leslie Street, Stawell, Vic 6 Sep 2010 CARMS: 59557-1	1,300 m northwest	Summary site: Former Council Depot of 31 Griffiths Street and 18-24 Leslie Street, Stawell. Geology was noted to consist of approximately 0.55 m fill, underlain by clay and siltstone. Groundwater at the site contained elevated concentrations of heavy metals, including chromium, cadmium, copper, manganese, lead, nickel and zinc. Elevated concentrations of sulphate and nitrate were also reported. Depth to groundwater was 22 to 26 m. Groundwater was reported to flow in a north-westerly direction. A Certificate of Environmental Audit was issued.
Lady Brooks Kindergarten 41A Sloan Street, Stawell, Vic November 1997 CARMS: 30687-1	1,300 m north	The area was used as a childcare/kindergarten centre before being relocated. It was previously inferred to have been reclaimed land from a former tailing dam associated with mining activities. Geology was noted to consist of silty sands and silty clay matrix. There were elevated concentrations of mercury and arsenic found. Groundwater was not assessed or reviewed at the site. A Statement of Environmental Audit was issued.

6.0 SITE INSPECTION

A site inspection/walkover was conducted by the Auditor and an assistant environmental scientist on 22 September 2022. Photographs taken during the site walkover are presented in Appendix D.

The following observations were noted:

Onsite Observations:

- A small disused concrete water trough, inferred to be for stock animals, was located towards the south-east boundary. The trough was not connected to any water supply and the property had no boundary

fencing to the north, east and portions of the west inferring that stock had not been present in recent times.

- There was no significant vegetation on the property other than weeds and non-pasture grass. Evidence of past broadacre cropping was apparent as stubble in linear pattern.
- The property was wet with areas of standing water and saturated ground present over the majority of the site. The wet conditions were inferred to be due to significant rainfall in prior days. A creek located offsite along the southern boundary and an inferred drainage channel offsite along the eastern boundary contained standing water.
- An inferred water (mains) connection point was noted at the north-eastern corner of the property, defined painted white wooden posts (see Figure C). The water point was inferred to be connected along the northern boundary of the site extending towards Sloane Street although not further infrastructure was visible.



Figure B: The north-eastern corner of the site, view to south indicating the drainage channel to the east of the property.

Figure C: Inferred mains water connection towards north-eastern corner of the site.



Offsite Observations:

- The remains of a historic residential building to east of the site, consistent with the position of a building present in aerial photographs from 1947. The building (remnant stone walls) was made from granite blocks and no indications of potential hazardous building material (asbestos or otherwise) were noted.
- Two remaining fruit trees were noted near the house remain, consistent with the inferred locations of a small orchard present in historical imagery from 1947. The inferred orchard was located offsite, separated from the site by the drainage channel with surface gradient towards the south, limiting the potential for runoff from the orchard to enter to the site.
- Two large established trees were present offsite on the vacant property to the north and appeared in healthy condition. No other significant vegetation was observed in upgradient areas of adjacent property.
- A car dealership was located to the west of the site, beyond Sloane Street. The dealership was noted to include a service centre although no evidence of fuel or chemical storage was observed in the form of fuel pumps, underground tank fill points of tank vent/breather lines. A small washdown facility comprising a concrete pad with low bunding was noted at the rear of the property and was located approximately 30 metres for the PRSA site boundary.

7.0 INITIAL CONCEPTUAL SITE MODEL

A conceptual site model (CSM) presents the respective sources of contamination, pathways for movement or exposure of contaminants, and receptors which may be impacted by the contamination. The CSM can then assess the linkages between these three elements and consider whether the exposure pathways are likely to occur.

For the PRSA an initial CSM was prepared. As no site contamination has been identified either quantitatively such as through sampling and analysis, or qualitatively such as through visual observations, the CSM is based the results of the site history review and site inspection.

7.1 Potential Sources

No confirmed contamination or sources of contamination were identified from the available information. The following are potential activities and sources that may be present or historically present at the site and offsite vicinity of the site:

- Placement of imported fill or intentional waste disposal onsite – where site areas have been historically levelled or where waste disposal/burial has occurred.

- May include organic and inorganic contaminants, asbestos, inert or putrescible waste and chemically reactive material such as acidic or alkaline soils
- No evidence of such practices was indicated from the site inspection or historical air photographs.
- Agricultural land use onsite or adjacent sites
 - Broadacre cropping including application of pesticides and fertilisers, may include range of herbicides, pesticides and nutrients. Inferred long history of farming activity onsite. No indication of intensive crop activity and no indication of residual contamination or plant stress during site inspection.
 - Stock dipping and residual contamination from dip sites and yards. Contaminants including pesticides and metals (arsenic). No indication of dipping sites or stock control infrastructure onsite or adjacent sites in available air photographs or during site inspection.
 - Small orchard at adjacent property to the east, potential use of pesticides. Relatively small orchard area (approximately 40 to 50 trees) located offsite with drainage trench/creek separating from site, inferred to be vacated 50+ years ago (1960s or earlier).
- Former landfill located upgradient to the northeast.
 - Approximately 540 m from the site boundary indicated to have received inert and putrescible waste. No details regarding construction, closure or ongoing monitoring were identified and does not appear on the Priority Sites Register.
 - Potential for surface runoff into adjacent creek or leaching of contaminants to groundwater and migration. Contaminants including nutrients, metals and organic chemicals where inappropriate material was disposed to the landfill. Potential for landfill gas generation and migration to adjacent property.
 - Noted creek systems do not enter the site and presence of several farm dams between the landfill and the site likely to reduce potential for creeks to present a migration pathway. Inferred moderate groundwater gradient between landfill and the site. Considered low potential for groundwater to migrate sufficiently to reach the site (500+ m distance). Considered low potential for site to be impacted by landfill gas based on distance from landfill site and absence of preferential flow pathways between the two sites.
- Underground storage tanks (UST) and wastewater disposal at service stations and car dealership.
 - Leakage from USTs and pipeline infrastructure at petroleum service station sites may lead to petroleum fuels in soil and groundwater. Identified petroleum sites were located either down gradient or cross gradient from the site to the west or northwest and were considered a low potential to have resulted in contamination impacts affecting the site.
 - Release of wastewater from a washdown bay at the adjacent car dealership on Sloan Street. Contaminants may include degreasing chemicals, petroleum solvents and petroleum oils from items and vehicles cleaned. Fate of wastewater entering drain was not known. The wash bay area was located approximately 30 m from the site boundary and inferred to be cross gradient and was considered to present a low potential to have resulted in contamination at the site.
- Historical mining activities in areas upgradient from the site.

- Potential for mining related waste (tailings, processing waste or exposed natural materials) to be present in upgradient areas in the upper reaches of local creeks. Transport of contaminants in creek systems and overland flood events resulting in contamination of the site. Potential contaminants include metals. Upper reaches of creeks indicated to be 500 m to 1,100 m from the site boundary along the creek alignments and contain a number of farm dams along the flow paths. The site and upstream areas are not subject to flood-related overlays whilst some down-gradient property to the west and south (beyond Ararat Road) are subject to Floodway and Land Subject to Inundation Overlays.

7.2 Potential Receptors

The proposed future land use is “sensitive use – other (lower density)”. The potential future human receptors at the site include:

- Residential occupants of the site including visitors – adults and children
- Commercial occupants of the site in the event of ancillary (e.g., retail) developments – adults
- Maintenance personnel including utility and construction workers – adults

The potential environmental (non-human) receptors at or in the immediate offsite vicinity of the site include:

- Natural flora and fauna including soil organisms, terrestrial animals, domestic pets and stock species (e.g., chickens), garden plants, natural, landscaping and agricultural plant species.
- Surface water ecosystems of offsite adjacent creeks including plant and animal species.
- Groundwater dependent ecosystems.

7.3 Potential Exposure Pathways

For a risk to occur from contamination, the exposure pathway to the receptor must be complete. Exposure pathways with the potential to be complete under the existing and proposed land use include:

- Ingestion, dermal contact and inhalation of contaminated soil – site occupants and visitors
- Ingestion of produce or stock animal products from areas of contaminated soil – site occupants and visitors
- Inhalation of vapour from volatile organic contamination in soil or groundwater – site occupants and visitors
- Natural flora and fauna, domestic and stock animals direct contact and ingestion of contaminated soil or surface water.
- Secondary consumption by fauna (predator species and plant consumers) of other species that have adsorbed contaminants through prior exposure, e.g., birds consuming earthworms in contaminated soil.

7.4 Summary of Conceptual Site Model

A number potential sources of contamination or contaminating activities were identified at the site, at adjacent offsite areas and at more distant offsite, upgradient areas. Potential complete exposure pathways to existing and future receptors were identified in the event that contamination had occurred at the site.

In consideration of the available current and historical site information, the identified sources of contamination were inferred to present a low risk of having caused contamination at the site that would present a concern for the proposed land use.

8.0 OUTCOME – ASSESSMENT OF CONDITION OF THE SITE

8.1 Likelihood of the Presence of Contaminated Land

Based on the history of land use and other information reviewed in this PRSA, the Auditor is of the opinion the likelihood of onsite activities having resulted in the site being contaminated land is low.

Based on the history of land use and other information reviewed in this PRSA, the Auditor is of the opinion the likelihood of offsite activities having resulted in the site being contaminated land is low to medium.

A number of offsite activities and land uses were identified that would be considered medium or high potential for contamination either at that (offsite) property or at an adjacent property, e.g., landfill, service station and underground storage tanks consistent with *Planning Practice Note 30* (DELWP, 2021).

However, the offsite activities were located at a distance from the site and the Auditor is of the opinion the distance and location (typically down gradient or cross gradient) from the site would reduce the likelihood of the site being contaminated land to low.

8.2 Impact Upon Environmental Values from Use of the Site

Based on the conclusion that the likelihood of the site being contaminated land is low, the site would also be unlikely to present an impact to the applicable environmental values as listed in Section 2.3 under the proposed sensitive use – other (lower density) residential land use.

8.3 Determination of Environmental Audit Requirement

Based on the history of land use and other information reviewed in this PRSA, and the conclusion that the likelihood of the site being contaminated land is low, the Auditor is of the opinion that an environmental audit is not required.

8.4 PRSA Statement

The Auditor has prepared a PRSA Statement which is included in Appendix A.

9.0 IMPORTANT INFORMATION AND LIMITATIONS

This report represents a review of certain information relating to the site at Lot 5 and Lot 11 Ararat Road, Stawell, Victoria that was obtained from the sources noted by methods described in this report. The PRSA report and PRSA Statement have been prepared in accordance with Part 8.3, Division 2 of the *Environment Protection Act 2017*. The PRSA Statement and PRSA Report represent the Auditor's opinion of the environmental condition of the site and the likelihood of the presence of contaminated land applicable to the existing and/or proposed land use at the date the PRSA Statement is signed.

It is acknowledged that the PRSA report has been prepared at the request of and for the use of Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd, and for the use of Environment Protection Authority and Northern Grampians Shire Council and by the relevant planning authorities in reaching conclusions about the site. The scope of work performed in connection with the PRSA may not be appropriate to satisfy the needs of any other person. Any other person's use of, or reliance on, the PRSA Statement and Report, or the findings, conclusions, recommendations or any other material presented to them, is at that person's sole risk.

In forming an opinion, the Auditor has relied on information presented in publicly accessible databases and records. The Auditor has taken this information to represent a fair and reasonable characterisation of the sites and environment, within the limitations of the investigations or information stated herein. No investigation, in practice, can be thorough enough to preclude the presence of materials on the subject property that presently

or in the future, may be considered hazardous. The actual characteristics of sub-surface and surface materials may vary significantly between adjacent test points and sample intervals and at locations other than where direct observation, measurement or exploration have been made. Due to often-changing regulatory evaluation criteria, concentrations of contaminants present and considered to be acceptable may, in the future, become subject to different regulatory standards.

Opinions and judgements expressed herein, which are based on the Auditors understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

In the event that changes in conditions on or near the site either exist or occur after the date of signing of a PRSA Statement, the Auditor disclaims responsibility for the occurrence of ownership or effects of such conditions or materials, whether they are hazardous or otherwise.

Furthermore, the reader's attention is drawn to Section 214 of the *Environment Protection Act 2017* which states:

- 1) If a preliminary risk screen assessment statement or an environmental audit statement has been issued in respect of a site, the person in management or control of the site must provide a copy of the preliminary risk screen assessment statement or the environmental audit statement (as the case requires) to any person who proposes to become the person in management or control of the site.
- 2) If a person who previously had management or control of a site fails to comply with subsection (1), the person who currently has management or control of the site may, within 12 months of becoming the person in management or control, recover in a Court from the person who previously had management or control, any reasonable costs incurred in complying with the preliminary risk screen assessment statement or the environmental audit statement.

10.0 REFERENCES

Victoria Government (2017). Environment Protection Act 2017.

Victoria Government (2021). Environment Protection Regulations 2021.

Victorian Government Gazette (2021). Environment Reference Standard, S245. 26 May 2021

Department of Environment, Land, Water and Planning (DELWP) (2021). Potentially Contaminated Land, Planning Practice Note 30, July 2021.

Ministerial Direction No. 1 – Potentially Contaminated Land 2021.

EPA Victoria (2021). Guidance for the Cleanup and Management of Contaminated Groundwater. EPA Publication 2001.1 July 2021.

EPA Victoria (2021). Environmental Auditor Guidelines – Provision of statements and reports for environmental audits and preliminary risk screen assessments. EPA Publication 2022, August 2021.

EPA Victoria (2022). Guidelines for conducting environmental audits. EPA Publication 2041, February 2022.

EPA Victoria (2022). Guidelines for conducting preliminary risk screen assessments. EPA Publication 2021. February 2022.

EPA Victoria (2022). Environmental Auditor Guidelines for Appointment and Conduct. EPA Publication 865.13. March 2022

National Environment Protection Council (NEPC) (2013). National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 2013. April 2013

Signature Page

Golder Associates Pty Ltd

Alex Blount

Environmental Auditor (appointed pursuant to the Environment Protection Act 2017)

MI/LM,AB/--

A.B.N. 64 006 107 857

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APPENDIX A

PRSA Statement

Preliminary risk screen assessment statement

Under Part 8.3 of the *Environment Protection Act 2017*

Publication F1031.1 published February 2022



The purpose of a preliminary risk screen assessment is:

- (a) to assess the likelihood of the presence of contaminated land; and
- (b) to determine if an environmental audit is required; and
- (c) if an environmental audit is required, to recommend a scope for the environmental audit.

It is important to note that a PRSA statement is not an environmental audit statement or an environmental audit report. It should not be construed as an environmental audit conducted to assess the suitability of land use.

This statement is a summary of the findings of a preliminary risk screen assessment conducted under Part 8.3 of the *Environment Protection Act 2017* for:

Lot 5 and 11 Ararat Road, Stawell, Victoria

Lot 5 TP898109 and Lot 11 TP898109; Volume 12360 Folio 792

Further details are provided in the preliminary risk screen assessment report that accompanies this statement.

Section 1: Preliminary risk screen assessment overview

Environmental auditor details

Name:	Alex Blount
Company:	Golder Associates Pty Ltd
Address:	Building 7, Botanicca Corporate Park, 570-588 Swan Street, Richmond, VIC 3121
Phone:	(03) 8862 3500
Email:	ablount@golder.com.au

Site owner/occupant

Name:	Ryan Pridham (site owner representative)
Company:	Lot 5 & 11 Ararat Road Stawell Pty Ltd

Environmental auditor engaged by

Name:	Ryan Pridham
Company:	Sherridon Homes Pty Ltd / Lot 5 & 11 Ararat Road Stawell Pty Ltd
Relationship to site owner:	Employee

Reason for preliminary risk screen assessment

Planning scheme:	N/A
Permit details (if applicable):	N/A

Preliminary risk screen assessment statement

Other:	To support rezoning
<input type="checkbox"/> Permit is attached (if applicable):	N/A

Section 2: Assessment scope

Site details

Address:	Lot 5 and 11 Ararat Road, Stawell, Victoria
Title details:	Lot 5 TP898109 and Lot 11 TP898109; Volume 12360 Folio 792
Area (m ²):	74,540

- a plan of the site is attached

Use or proposed use assessed

The below section details which land uses (current and proposed) the PRSA has assessed. Note, this is not a suitability of land use audit, rather an assessment to determine if an environmental audit is required for the land uses that apply to the specific PRSA.

Sensitive land use categories

Note that sensitive land uses in the *Environment Reference Standard 2021* (ERS 2021) are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the *Ministerial Direction No. 1* (MD No.1) considers secondary schools and children's playgrounds to be sensitive land uses.

- High density
- Residential land use
- Child care centre
- Other (lower density)
- Pre-school
- Primary school
- Secondary school
- Children's playground (indoor)
- Children's playground (outdoor)

Other land use categories

- Recreation/open space
- Parks and reserves
- Agricultural
- Commercial
- Industrial
- Other land uses not captured by the above as described here:

Environmental elements assessed

- Land
- all environmental values that apply to the land use category were considered **OR**
- all environmental values that apply to the land use category, other than the following, were considered:
-
- Water
- Surface water
- all environmental values that apply to the applicable segment were considered **OR**

Preliminary risk screen assessment statement

all environmental values that apply to the applicable segment, other than the following, were considered:

Groundwater

all environmental values that apply to the applicable segment were considered **OR**

all environmental values that apply to the applicable segment, other than the following, were considered:

Standards considered

Environment Reference Standard 2021

National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 2013

Assumptions made during the assessment or any limitations

None

Exclusions from the assessment and the rationale for these

None

This statement is accompanied by the following preliminary risk screen assessment report

Title: Preliminary Risk Screen Assessment, Lot 5 and 11 Ararat Road, Stawell, Victoria
(Golder Associates Pty Ltd)

Report no: PS133687-CLM-PRSA-001-Rev0

Date: 24 October 2022

Preliminary risk screen assessment statement

Section 3: Assessment outcome

Based on my assessment, I am of the opinion that an environmental audit is **not required** for the following land uses, **including** the use or proposed use for which the site has been assessed:

Sensitive land use categories

Note that sensitive land uses in the ERS 2021 are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the MD No.1 considers secondary schools and children's playgrounds to be sensitive land uses.

- High density
- Residential land use
- Child care centre
- Other (lower density)
- Pre-school
- Primary school
- Secondary school
- Children's playground (indoor)
- Children's playground (outdoor)

Other land use categories

- Recreation/open space
- Parks and reserves
- Agricultural
- Commercial
- Industrial
- Other land uses not captured by the above as described here:

Other information

None

Preliminary risk screen assessment statement

Note: An assessment that an environmental audit is not required does not include any comment on as to whether responsibilities under section 39 of the *Environment Protection Act 2017* (duty to manage contaminated land) exist for the person in management or control of the land. Please refer to EPA publication 1977, *Assessing and controlling contaminated land risks: A guide to meeting the duty to manage for those in management or control of land* (<https://www.epa.vic.gov.au/about-epa/publications/1977>).

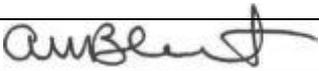
DRAFT FOR DISCUSSION

Preliminary risk screen assessment statement

Section 4: Environmental auditor's declaration

I state that:

- I am appointed as an environmental auditor by the Environment Protection Authority Victoria under the *Environment Protection Act 2017*.
- The findings contained in this statement represents a true and accurate summary of the findings of the preliminary risk screen assessment that I have completed.

Date:	24 October 2022
Signed:	
Name:	Alex Blount
	Environmental Auditor

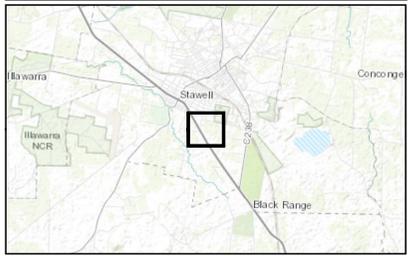
DRAFT FOR DISCUSSION



For languages other than English, please call **131 450**.

Visit epa.vic.gov.au/language-help for next steps.

If you need assistance because of a hearing or speech impairment, please visit relayservice.gov.au



LEGEND
 Site Boundary



NOTE(S)
 1. Projection: GDA 1994 MGA Zone 54

REFERENCE(S)
 1. AERIAL IMAGERY SOURCED FROM NEARMAP.COM DATE OF CAPTURE 01 NOV 2021.
 2. KEY MAP SOURCED FROM ESRI ONLINE BASEMAPS.
 3. STATE DATA SOURCED FROM DATA.VIC.GOV.AU.

CLIENT
 SHERRIDON HOMES

PROJECT
 ARARAT RD STAWELL PRSA

TITLE
 SITE LOCATION FOR LOT 5 AND 11 ARARAT ROAD,
 STAWELL, VICTORIA

CONSULTANT	YYYY-MM-DD	2022-10-24
DESIGNED	LG	
PREPARED	LG	
REVIEWED	MI	
APPROVED	MI	



PROJECT NO.	CONTROL	REV.	FIGURE
PS133687	001-R	0	1

FILE: F:\000\00022\PS133687\MapPS133687_001_SiteMap.dwg (DATE PRINTED ON: 2022-10-24 AT 13:51:54)

9.2.2. Planning Permit Amendment - Stawell Landfill

Author/Position: Virginia McLeod, Coordinator Sustainable Development

Purpose

To determine amended planning permit application 5.2019.42.3 for 492 and 494 Pomonal Road, Stawell.

Summary

The application seeks to amend condition 15 of the above planning permit to increase the hours of operation on a public holiday from 2 hours to 3.5 hours, between 10 am and 1.30 pm. The hours of operation are only applicable to the landfill and associated activities, not the quarrying that occurs on site.

The application was sought to allow the landfill operator sufficient time to undertake kerbside collection, deposit and compact rubbish on public holidays before closing.

The application was advertised to surrounding and nearby landowners. Eight objections were received.

The application was referred externally in accordance with the requirements of the Northern Grampians Planning Scheme and to internal departments. The Environment Protection Authority (EPA) recommended against the amended planning permit being granted at this time.

Statutory Planning has assessed the application against the requirements of the Northern Grampians Planning Scheme and considered the objections and responses received. It is recommended that the application be approved.

Recommendation

That Council approves the amended planning permit application for 5.2019.42.3 and determines to issue a Notice of Decision to issue an amended planning permit in accordance with *Attachment 1 - Assessment Report*.

Background/Rationale

Planning permit 5.2019.42.1 was issued in 2020 for the 'Use and Development being Buildings and works for new cells and leachate pond for the existing Refuse Disposal (Landfill) and associated signs and removal of native vegetation'. The permit was amended twice in 2021.

Condition 15 reads:

Unless otherwise approved by the Responsible Authority in writing, the use and development hereby permitted must only operate between the hours of:

- a) 7:30am and 5:30pm Monday to Friday.
- b) 9.30am to 2.30pm Saturday.
- c) 10.00am to 2.00pm on Sunday and Public Holidays for two (2) hours only.

This condition allows Council to provide ad hoc approval for extension to hours on public holidays. Council has previously granted this approval due to the operational requirements of the operator. Seeking an amended permit allows for the views of the community and referral authorities to be sought and considered for the long-term operations of the landfill.

The grounds for eight objections included:

- Adverse amenity impacts from noise, odours, vibration, dust, rubbish and vermin.
- Blasting and rock crushing activities and should not be allowed to occur on site and if allowed should not be allowed to occur on weekends and Public Holidays.
- Non-compliance with existing planning permit due to increase in vermin (mice and foxes), non-communication with the community including not being notified of blasting and crushing activities and the existing cells above road level not in keeping with the environment.
- Inadequate truck washing facilities and rock and mud regularly left on the road.
- Impact of increased transport for commercial activities on weekends and public holidays on Pomonal Road.
- Increase in rubbish and concern about type of rubbish going into the Landfill.
- The application not being in accordance with the permit, and that the landfill current has adequate hours.

The response from the EPA is detailed in Attachment 1 – Assessment report. The EPA's view is that the application is premature as the EPA is working with the applicant to resolve compliance issues. Statutory Planning is cognisant of the EPA's concerns, noting that the EPA did not seek to object to the application and that the EPA does not consider the agency to be a determining referral authority for this application. The applicant has undertaken monitoring that demonstrates compliance with relevant noise levels. In response to objections, it is noted that the increase in hours will assist the operator to manage amenity impacts by proper management of rubbish accepted to the site, and the additional 1.5 hours of operation is considered minimal and unlikely to result in significant amenity impacts outside of the existing hours of operations. Existing conditions on the planning permit regarding amenity will be maintained should the application be approved.

Legislation, Council Plan, Strategy and Policy Implications

Planning and Environment Act 1987

Planning and Environment Regulations 2015

Northern Grampians Planning Scheme

Options

Option 1

That Council approves the amended planning permit application for 5.2019.42.3 and determines to issue a Notice of Decision to issue an amended planning permit in accordance with *Attachment 1 - Assessment Report*. **[recommended]**

Option 2

That Council refuses the amended planning permit application for 5.2019.42.3 and determines to issue a Refusal to Issue an amended planning permit. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

The subject of this report does not raise any procurement requirements

Community Engagement

Public Notice of the Application was given via direct letters to surrounding properties, a sign being placed on the land and notice given in the local paper.

Innovation and Continuous Improvement

The subject matter of the report does not raise any implications regarding innovation or improvements.

Collaboration

Internal and external referrals were made including to:

- Environment Protection Authority
- Department of Jobs, Precincts and Regions (administrators of the *Mineral Resources (Sustainable Development) Act 2020*.)
- Council's Infrastructure, Environmental Health, and Economic Development Teams.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Virginia McLeod, Coordinator Sustainable Development

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Planning Permit 5.2019.42.3 [9.2.2.1 - 26 pages]

PLANNING PERMIT APPLICATION NO. 5.2019.42.3

Assessment Report: Bernadine Pringle/Virginia McLeod

ASSESSMENT REPORT:	
Officer Direct or Indirect Conflict of Interest	No Council officers involved in the preparation or review of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (C) of the Local Government Act.

APPLICATION DETAILS:	
Applicant:	Cleanaway Pty Ltd
Application Received:	23/02/2022, Fee paid 2/03/2022 Amended 27/07/2022
Proposal for "The Permit Allows":	Amendment to Use and Development being Buildings and works for new cells and leachate pond for the existing Refuse Disposal (Landfill) and associated signs and removal of native vegetation (Amended Condition 15 to increase the hours of operation from 2.0 hours only to 3.5 hours on Public Holidays).
Property Address:	492 and 494 Pomonal Road Stawell 3380
Legal Description:	Lot 4 LP218370R, Parish of Mokepilly Lot 1 TP247850J, Parish of Mokepilly
Land Area:	63 hectares approx.
Existing Use:	Refuse Disposal and Extractive Industry - 20.25 hectares approx.
Zone:	Farming Zone (FZ)
Adjoining Zones:	Farming Zone (FZ)
Overlays:	Design and Development Overlay Schedule 4-2 (DDO4-2) – front eastern section of 492 Pomonal Road and all of 494 Pomonal Road Land Subject to Inundation Overlay Schedule 1 (LSIO1) – small part at western end of 492 Pomonal Road Bushfire Management Overlay (BMO)
Particular Provisions:	Clause 52.17 Native Vegetation
Permit Triggers:	Clause 35.07-1 – Use (Amendment to hours approved for the use) - FZ
Easements:	No easements on titles
Covenants or Restrictions:	No covenants or Section 173 Agreement registered on titles
CHMP required:	No

Is the site located in a Special Water Supply Catchment?	Yes – No referral required to amend condition.
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PROPOSAL

The proposal is for the Amendment to the Planning Permit 5.2019.42.2 to amend Condition 15 to increase the hours of operation from 2.0 hours only to 3.5 hours only between 10:00am to 1:30pm on Public Holidays.

The proposed amendment to increase the hours of operation from 2 hours only to 3.5 hours is only for landfilling activity on public holidays and is not for any quarry activities. The applicant has noted that the site is closed on Sundays, although Condition 15 allows the use to occur on Sundays for 2.0 hours only between 10.00am to 2.00pm.

Cleanaway has also advised Council of the following reasons for the amendment:

'Cleanaway would like to operate the site between 10:00 am to 1:30 pm on Public Holidays, to allow waste trucks coming from NGS and other nearby shires to dispose of the waste from the kerbside collection. The kerbside collection requires a certain amount of time to complete the service and Cleanaway requires 1.5 hours to compaction and to cover the waste according to our EPA licence. If we are not allocated this timeframe we will have to shorten the time available for waste trucks to dispose of the waste from the kerbside collection as the compaction and waste cover process cannot be reduced. If the proposed extension of hours is approved, Cleanaway will continually monitor noise, litter, odour, dust etc. during the extended hours in accordance with the relevant conditions on the Planning Permit.'

The applicant submitted an amended written response on 27 July 2022 including a response to the Environment Protection Authority's (EPA) Section 52 referral response and a Noise Monitoring Report by SLR dated July 2022 for the WA614, which includes the area for the Landfill.

SITE AND SURROUNDING AREA

The subject site is comprised of two separate land parcels 492-494 Pomonal Road Stawell 3380, being Lot 4 LP218370R with an area of 52.31 hectares and Lot 1 TP247850J with an area of approximately 6.07 hectares. The two parcels of the subject land have a total area of approximately 58.38 hectares.

The site contains the existing Landfill operating under EPA Operating Licence 70183 and two existing Quarries operating under Work Authority No's 614 and

The licenced area of the Landfill is situated on the front eastern part of the subject land, which includes the whole of Lot 1 TP247850J and part of Lot 4 LP218370R. The Landfill is approximately 8 hectares in area. The area of the site where the native vegetation has recently been removed and the fence is proposed is within Lot 4 LP218370R.

The site is located on the western side of Pomonal Road, approximately 5km south from the township of Stawell. The site contains the Landfill area with associated buildings, the Quarry area, existing native vegetation, an existing dwelling to the immediate north of the Quarry and associated outbuildings and a dam.

Figure 1 - Aerial Photo below (POZI):



PERMIT HISTORY

The site has an extensive history and has been used as a Landfill and for Extractive Industry (Quarry) on the two parts of the site under Work Authority No's WA614 and WA1450.

The most relevant planning permit history of the Landfill on the site includes:

- Planning Permit 5.2019.42.1 issued on 20 July 2020 for 'Use and Development being Buildings and works for new cells and leachate pond for the existing Refuse Disposal (Landfill) and associated signs and removal of native vegetation'.
- Amended Planning Permit 5.2019.42.2 issued on 10 June 2021 for 'Use and Development being Buildings and works for new cells and leachate pond for the existing Refuse Disposal (Landfill) and associated signs and removal of native vegetation' for additional Conditions 64-66 for third party native vegetation offsets required by Council for the additional native vegetation removed and amended plans approved for the new entry track and new internal fence.

- A corrected Amended Planning Permit 5.2019.42.2 was issued on 26 July 2021 to correct the date issued on the permit.

FURTHER INFORMATION

Further information was requested from the applicant in relation to clarifying the range of the increased 3.5 hours of operation on Public Holidays and written justification for the proposed increase in the operating hours.

A written response was received from the applicant clarifying that the increased 3.5 hours will be between 10.00am and 1.30pm on public holidays and justifying the amendment.

REFERRALS

The following external referrals were undertaken:

Authority	Advice/ Response/Conditions	Report Response
Section 55 Referrals:		
Nil		

Authority	Advice/ Response/Conditions	Report Response
Section 52 Referrals:		
DJPR - Earth Resources Regulation	No response received.	Noted.
EPA	<p>Exerts of comments provided:</p> <p>EPA is not a statutory referral Authority under Section 55 of the Planning and Environment Act 1987, since this proposal:</p> <p>a) does not require an operating licence or development licence or amendment to a licence; b) is not proposed to be used for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or for which the threshold distance cannot be met; and c) is not a proposed extractive industry intended to be used at a later date for landfill.</p> <p>We have been made aware of community noise concerns that are alleged to be associated with the current site operations. In addition to noise, we have been advised that there are several other current non-compliance matters which are linked to this duty holder at this site. EPA are working with the duty holder to ensure that these issues are addressed, and licence compliance is achieved.</p> <p>In consideration of this permit application and taking into account current activity with respect to licence compliance, we are of the view that any variation to the permit, as proposed in this application, is premature. The extension to the proposed operating hours may have the impact of further exacerbating noise concerns</p>	Noted.

	<p>to nearby sensitive receptors. In terms of noise, it is the view of EPA field officers that the current management of the site (in accordance with the General Environment Duty (GED) under the <i>Environment Protection Act 2017</i>) needs to be addressed before any consideration is given to expanding operating hours.</p> <p>Under the General Environmental Duty (GED), which came into effect on 1 July 2021, the proponent (Cleanaway) is required to minimise the risk of harm to human health and the environment as far as reasonably practicable, including noise (refer to section below). Based on the proposal and the current operations (acknowledging current community complaints alleging this site) it does not appear that the amendment is appropriate at this time. Further the application does not speak to any mitigation measures being implemented which address current issues. EPA draws Council's attention to EPA Publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues. The protocol provides a methodology for determining noise limits for new and existing commercial, industrial and trade premises and entertainment venues as defined by the Environment Protection Regulations (2021). It also sets the methodology for assessing the effective noise level to determine unreasonable noise...</p> <p>Until such time that EPA are satisfied that compliance issues (predominantly associated with noise) at the site have been addressed, EPA (Planning) are of the opinion that it is premature to consider this permit amendment application.</p> <p>However, EPA note that the justification for the extended operating hours seems reasonable in terms of site management. On this basis, EPA would be willing to re-consider the application when compliance issues at the site have been addressed. While these comments specifically relate to noise compliance, it is critical that the general management of the site, in terms of other environmental risks, are also addressed, to ensure that any offsite impacts are minimised so far as reasonably practicable.</p>	
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Comments:

The applicant/owner, Cleanaway, has provided a written response on 27 July 2022 to the EPA concerns and has advised Council of the following:

Noise limit

The EPA letter alleges that the Application is premature in light of community noise concerns that are alleged to be associated with the current site operations, and makes reference to

EPA Publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.

I am pleased to advise Council and the EPA that Cleanaway has recently engaged a consultant to undertake noise assessments at the Stawell Landfill, which assessments found that all of Cleanaway's operations at the site are within the noise limit prescribed under the Environment Protection Act 2017. Copies of those noise assessment reports are enclosed.

General environmental duty

In addition, the EPA letter makes reference to the general environmental duty under the Environment Protection Act 2017. The general environmental duty requires a person who is engaging in an activity that may give rise to risks of harm to human health or the environment from pollution or waste to minimise those risks, so far as reasonably practicable.

To that end I note that Cleanaway also engaged a noise consultant in 2020 who provided advice on reasonably practicable measures that could be taken at the site to reduce noise pollution. Those measures have all been implemented, including improving noise bunds around the site, moving the crushing activity to lower terrain levels on the site to obstruct direct line of sight between the source and receiver, installing broadband reverse beepers and replacement of old yellow gear equipment on the site.

Cleanaway has therefore satisfied its general environmental duty to minimise risks of harm so far as reasonably practicable at the Stawell Landfill.

Other compliance issues

The EPA letter also alleges that there are 'several other current non-compliance matters' linked to Cleanaway and the Stawell Landfill.

It is difficult to comment on these alleged non-compliance matters given they are not set out in any detail. I am not aware of any substantive non-compliance matters, but I do note that Cleanaway is currently complying with the terms of an Improvement Notice issued by the EPA with respect to landfill gas extraction.

Cleanaway is also currently undertaking a leachate red rill project, however this project is not being undertaken pursuant to any remedial or other notice issued by the EPA.

In relation to Cleanaway's engagement with the community, Cleanaway holds a community reference group meeting every 6 months at which regulators and community members can discuss operations at the site, including any concerns held regarding noise, odour and litter. Furthermore, Cleanaway's site based Technical Manager notifies the closest neighbour of any change in activity in the clay pit on site.

Consideration

The EPA letter notes that the EPA would be willing to reconsider the Application when compliance issues at the site have been addressed. I trust that the above, particularly the enclosed reports, will allow the EPA to reconsider the Application.

Regardless of any reconsideration by the EPA, I note that EPA is not a statutory referral authority under section 55 of the Planning and Environment Act 1987 with respect to the Application.

Internal Referrals

The application was referred internally, and comments were received as below:

Internal Council Referrals	Advice/ Response/Conditions	Report Response
Infrastructure	This permit alteration does not affect the Infrastructure conditions that were issued for the previous permit so no further conditions required.	Noted.
Environmental Health	No comments from Health.	Noted.
Environment	Comments about whether a set time period is proposed and query about responsibility for management of complaints.	Noted.
Economic Development	Noted.	Noted.

PUBLIC NOTIFICATION

The amended application was required to be advertised pursuant to Section 52 of the *Planning and Environment Act 1987*.

The following forms of advertising were undertaken:

- Notices sent to owners and occupiers of adjoining land (includes opposite).
- Notice placed on the land.
- Notice placed in the Newspaper (Stawell Times).

As a result of the advertising, a total of eight (8) objections were received including two submissions from one (1) objector.

OBJECTIONS

The key issues raised in the objections can be summarised as follows:

- The amended application for extended hours to facilitate long term commercial operations is not in accordance with the purpose of the permit for the development of new cells and a leachate pond.
- Existing operations have adverse amenity impacts on the neighbours in terms of noise, vibration, dust, rubbish entering adjoining properties and vermin.
- Blasting and rock crushing activities and should not be allowed to occur on site and if allowed should not be allowed to occur on weekends and Public Holidays.
- Non-compliance with existing planning permit due to increase in vermin (mice and foxes), non-communication with the community including not being notified of blasting and crushing activities and the existing cells above road level not in keeping with the environment.
- Inadequate truck washing facilities and rock and mud regularly left on the road.
- Increase in noise and odours.
- Impact of increased transport for commercial activities on weekends and public holidays on Pomonal Road.
- Increase in rubbish and concern about type of rubbish going into the Landfill.
- The existing hours including on weekends and public holidays are generous and there is no reason to extend the hours.

The applicant provided a written response to the objections on 17 June 2022 including comments as follows:

'The Planning Permit Amendment 5.2019.42.3 relates to amending condition 15 to increase the hours of operation from 2 hours only to 3.5 hours only on public holidays for the Cleanaway landfill located at 492-494 Pomonal Road, Stawell, VIC, 3380 (the site).

Cleanaway would like to advise that the proposed amendment to increase hours of operation from 2 hours to 3.5 hours is only for landfilling activity on public holidays and not for quarry activity. The site is closed on Sundays.

Cleanaway would like to operate the site between 10:00 am to 1:30 pm on Public Holidays, to allow waste trucks coming from NGS and other nearby shires to dispose of the waste from the kerbside collection. The kerbside collection requires a certain amount of time to complete the service and Cleanaway require 1.5 hours to compaction and to cover the waste according to our EPA licence. If we are not allocated this timeframe we will have to shorten the time available for waste trucks to dispose of the waste from the kerbside collection as the compaction and waste cover process cannot be reduced.

The previous owners and Cleanaway have received approvals from NGS to operate for 3 hours on Public Holidays for past 4 years. Cleanaway has not received any community complaints for landfilling activity on public holidays for 4 years. We will not be operating on a Sunday.

If the proposed extension of hours is approved, Cleanaway will continually monitor noise, litter, odour, dust etc. during the extended hours in accordance with the relevant conditions on the Planning Permit.'

The amended application to include the written response to the EPA and a copy of the Noise Monitoring Report received by Council on 27 July 2022 was not required to be advertised pursuant to Section 57C of the *Planning and Environment Act 1987*. The written response from the applicant and the noise report were submitted in response to the concerns raised by the EPA to assist Council in assessing the application and will not cause any material detriment.

MEDIATION

No formal mediation was undertaken.

PLANNING CONTROLS

Municipal Planning Strategy

The following clauses of the Municipal Planning Strategy are relevant to this amended application:

Clause 02 Municipal Planning Strategy
Clause 02.01 Context
Clause 02.02 Vision
Clause 02.03 Strategic Directions
Clause 02.03-3 Environmental risks and amenity
Clause 02.07-7 Economic development

Planning Policy Framework (PPF):

The following Planning Policies are relevant to this application:

Clause 11.01-S Settlement
Clause 11.01-1R Settlement –Wimmera Southern Mallee
Clause 11.03-6S Regional and local places
Clause 13.04-1S Contaminated and potentially contaminated land
Clause 13.05-1S Noise abatement
Clause 13.06-1S Air quality management
Clause 13.07-1S Land use compatibility
Clause 14.02-1S Catchment planning and management
Clause 14.02-2S Water quality
Clause 17.01-1S Diversified economy
Clause 17.01-1R Diversified economy - Wimmera Southern Mallee
Clause 17.02-1S Business
Clause 17.03-2S Sustainable industry
Clause 19.03-5S Waste and resource recovery

Zone

The land is within the Farming Zone.

The use of the land for Refuse Disposal (Landfill) is a Section 2 use requiring a planning permit under Clause 35.07-1 of the Farming Zone.

Therefore, any changes to the use including the increased hours of operation require an amended planning permit application pursuant to Section 72 of the *Planning and Environment Act 1987*.

There is no new development proposed and there are no planning permit triggers for buildings and works under Clause 35.07-4 of the Farming Zone.

Overlays

The land is partly within the Design and Development Overlay Schedule 4-2 and partly within the Land Subject to Inundation Overlay Schedule 1.

The amendment only proposes to amend Condition 15 on the permit. There are no relevant planning permit triggers under the Overlays.

Clause 53.10 Uses and Activities with Potential Adverse Impacts

Purpose

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

53.10-1 Threshold Distance

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

Waste, recycling and resource recovery – Landfill – None specified (no threshold distance)

Comments:

The land is within the Farming Zone There is no threshold distance specified for a Landfill.

The EPA has advised Council that they are not a Section 55 Referral Authority (mandatory) and are rather a Section 52 Referral Authority (discretionary) for the reasons discussed in the Section 52 Referral response from the EPA in the Referral section above.

General Provisions

Clause 65 Decision guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider this clause.

ASSESSMENT

An assessment of this amended proposal against the relevant provisions of the Northern Grampians Planning Scheme has been undertaken. The proposal involves the application of the principles of integrated decision making, which requires balancing objectives to protect human health, the environment and the amenity of the area with principles of net community benefit, economic development and sustainable use and development of land.

Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)

The application is supported by the relevant policies seeking to encourage economic activity and economic growth within Stawell particularly as it is the Northern Grampians Shire's largest town with the most population. The proposed increased hours in operation on public holidays will enable the Landfill to operate a more efficient and productive service and facility for the compaction and covering of waste to accommodate the demand from the Shire and neighbouring Shires.

However, there are inherent environmental risks from the amended proposal that include amenity impacts to local environmental values and the adjoining and adjacent more sensitive rural residential uses. In assessing the amended application, it must be determined if the environmental risks and potential amenity impacts relating to the amendment can be appropriately mitigated and managed through reasonable actions of the applicant (owner/operator) to comply with the amenity related conditions on the Planning Permit, to a level that allows consistency with the objectives of the relevant planning policies relating to noise, air quality, amenity, human health and safety and whether the amendment to the hours of operation by an increase of 1.5 hours only on public holidays would represent a net community benefit.

Farming Zone

The amended application for the existing use of a Landfill will allow the applicant/operator to extend the hours of operation by 1.5 hours on public holidays only. The Landfill is a long-established industrial use of the land within a rural area to the south-west of Stawell.

Planning Permit 5.2019.42.1 was issued for the subject land to replace the previous Planning Permit STA99000055 issued on 27 April 1999 by the Minister for Planning and Local Government to a specific operator being the former Grampians Regional Waste Management Group, which no longer exists. This permit was later amended in July 2000, September 2000, and January 2012. The new Planning Permit 5.2019.42.1 was issued for

the subject land and to allow the development of new cells and the leachate pond for the Landfill.

The application is not inconsistent with the purposes of the Farming Zone. The amended proposal will not result in the loss of any agricultural land as the site has not been used for agricultural purposes for a long time, if ever used for that purpose, and the site has been used as a Landfill by the previous owners/operators and the current owners/operators for over 22 years. The amended proposal will not adversely impact on any productive agricultural land which does not adjoin the site and is located further north and west of the site.

Noise and other amenity issues

The nature of the use of the land as a Landfill has the propensity to create potential amenity land use conflicts between the land and the surrounding land uses. Although the land is within a rural area designated within the Farming Zone, there are a number of smaller rural residential land holdings on the adjoining land that contain dwellings and more sensitive land uses. There are a number of conditions on the existing Planning Permit 5.2019.42.2 that are there to ensure the owner/operator undertakes their statutory obligations to manage the use of the land to minimise off site amenity impacts to surrounding land uses.

The EPA has received a number of complaints about noise and vibration, as well as dust, odour, and rubbish, however, it appears that Council has not received any formal complaints about these issues.

Council was also not aware of the complaints that the EPA had received in recent years and months until the written referral comments were sent by the EPA to Council in the letter dated 24 May 2022. Furthermore, Council's Planning Officers are not aware of any complaints register having been submitted to Council by the owner/operator since the new Planning Permit 5.2019.42.1 was first issued on 20 July 2020 to comply with the requirements of Condition 31 on the permit.

Noise monitoring assessments were undertaken by a qualified noise assessor in May 2022 on two of the adjoining and adjacent rural residential properties and at the top of the quarry pit 5 on the site at the request of the applicant to address a noise monitoring requirement from Earth Resources Regulation (ERR). The Noise Monitoring Report by SLR dated July 2022 makes the following concluding statements:

- *'All works undertaken at the Cleanaway Site fall into the EPA's classification of daytime.*
- *No work at the Stawell Site is undertaken during the designated evening or night-time periods.*
- *An analysis of the noise emissions from the site has been undertaken by SLR, based solely on the measured noise levels and site observations. The analysis concludes:*
- *Adverse weather rendered some of the measured data unsuitable for use.*
- *Noise from the Cleanaway Site is (at least at times) clearly audible at both monitoring locations.*
- *High ambient noise prevented the analysis to be based on a direct comparison of the measured levels against the nominated criteria. [bird noise and other background noise] Rather an analysis of the audio recordings was required to identify discrete specific site operations.*
- *The noise from the Cleanaway Site is considered to comply with the noise limits in rural areas for earth resources, as described in chapter 2.7 of EPA Publication 1826:4.'*

The EPA has also undertaken their own noise monitoring on at least one adjoining rural residential property and on the site in response to complaints the EPA received about noise and vibration. Council has not been provided with a copy of these noise monitoring reports.

However, during discussions with the EPA following receipt of the Section 52 referral comments, it became apparent that the noise monitoring results that appear to be of concern to the EPA were undertaken during the construction of the new cells and leachate pond in early to mid 2022. This construction period required extensive blasting and crushing associated with the construction of the Landfill under the existing quarry Planning Permit 514 and Work Authority - WA614. These particular noise levels are not likely to be replicated on the site in the future as the new cells and leachate pond approved under Planning Permit 5.2019.42.1 and amended Planning Permit 5.2019.42.2 have been constructed on the site and appear to be ready to be used as part of the current Landfill operation.

The noise issues and other amenity concerns raised by the adjoining owners/occupiers as objectors to the amended application process are acknowledged and accepted. However, Council Planning Officers have determined that the amenity issues should continue to be appropriately managed through the conditions on the permit and the obligation to implement the requirements of the conditions is the responsibility of the owner/operator of the Landfill. This includes the complaints register required under Condition 31 of the permit to be submitted to Council every three months if complaints are received and actions are taken.

RESPONSE TO OBJECTIONS

In response to the issues raised in objections, the following comments are made:

- *The amended application for extended hours to facilitate long term commercial operations is not in accordance with the purpose of the permit for the development of new cells and a leachate pond.*

The amended application must be assessed on merit against the purpose and extent of the amendment and against the relevant requirements of the Northern Grampians Planning Scheme.

The amended application only relates to the proposed increase in the hours of operation on public holidays from 2 hours to 3.5 hours to improve the efficiency of the long term operation of the Landfill on the site. The amended application does not technically relate to the development of new cells and leachate pond as this development part of the permit has been acted on and the new cells and leachate pond have been constructed and are ready for use as part of the Landfill use related activities on the land.

The existing conditions on the current Planning Permit for the Landfill have been reviewed and considered in regard to any impacts on this amended application to ensure that the operation of the Landfill and conditions of the planning permit minimise opportunities for non-compliance, while making sure there are reasonable requirements placed on the applicant/owner/operator.

- *Existing operations have adverse amenity impacts on the neighbours in terms of noise, vibration, dust, rubbish entering adjoining properties and vermin.*

The amended application has to assess the amenity impacts that may occur as a result of the increased hours of operation of the Landfill use on public holidays. The proposed increase in hours is relatively small compared to the breadth of existing hours of operation allowed by the existing Planning Permit 5.2019.42.2. The hours of operation of a use of this nature needs to be competitive and allow for efficient management of the full extent of waste disposal to include the delivery, compaction and covering of the waste on the same day, which will work towards minimising potential amenity impacts such as odour, dust, and vibration. The existing operations can continue to be managed under the relevant amenity conditions on the permit.

- *Blasting and rock crushing activities and should not be allowed to occur on site and if allowed should not be allowed to occur on weekends and Public Holidays.*

The blasting and rock crushing on this part of the site is a permitted extractive industry activity which was approved under Planning Permit 514 in 2001 and operates under Work Authority 614. The blasting and crushing activities were considered an ancillary component of constructing the new cells for the Landfill, which was approved by Planning Permit 5.2019.42.1 and amended Planning Permit 5.2019.42.2. It is noted that the blasting and crushing activities that occurred for the creation of the new cells for the Landfill use have largely been completed. The noise generated from the eastern end of the site where the Landfill is situated would be limited to the delivery, compaction and covering of waste and not blasting or crushing in the future.

- *Non-compliance with existing planning permit due to increase in vermin (mice and foxes), non-communication with the community including not being notified of blasting and crushing activities and the existing cells above road level not in keeping with the environment.*

There are amenity conditions on the permit to ensure the applicant/operator minimises the presence of vermin and takes the appropriate steps to manage these types of amenity concerns. Condition 31 on the permit requires the applicant/operator to keep a complaints register and to submit the register to Council every three months including details of actions to show that actions have been taken to address the complaints.

Council Officers are not aware of any recent complaints to Council that would necessitate the submission of the register under this condition. The EPA has received complaints from the adjoining land owners about noise and vibration and this resulted in noise monitoring has been undertaken by the EPA. The applicant has also undertaken their own noise monitoring to comply with a noise issue raised by ERR. The noise monitoring by the applicant/operator indicates that

- *Inadequate truck washing facilities and rock and mud regularly left on the road.*

There is a new designated truck washing facility on site that is located on the exit driveway and was required under Condition 3 of the Planning Permit 5.2019.42.1. Council Officers have inspected the existing truck washing facility and it appears to be in full working order. Trucks are required to slow down across the truck wash area to enable the undercarriage and sides of trucks to be washed down within the facility before exiting the site. There has been a noticeable reduction in the extent of mud and dust on the exit lane on Pomonal Road since the truck wash facility was constructed on the site.

- *Increase in noise and odours.*

Given the increase in hours will only be 1.5 hours on public holidays compared to the current approval of 52 hours from Monday to Sunday and 2 hours on public holidays, there is unlikely to be a noticeable increase in noise or odours on the site. The longer hours on public holidays will more truck deliveries of waste but will also provide adequate time for the covering of waste delivered to the site to prevent rubbish from being strewn across the site to adjoining properties.

- *Impact of increased transport for commercial activities on weekends and public holidays on Pomonal Road.*

There is unlikely to be a significant increase in traffic movements from trucks entering and exiting the site as a result of the increased by 1.5 hours on public holidays. Although there will be an increase, this is acceptable and can be reasonably accommodated onto Pomonal Road

adjoining the land, which is a Transport Zone 2 (main road) and higher traffic volumes are to be anticipated on the main road hierarchy. The existing road surface has existing turning lanes in both directions on Pomonal Road and are an adequate width to accommodate the trucks attending the site during the week, on Saturdays and on public holidays.

- *Increase in rubbish and concern about type of rubbish going into the Landfill.*

There is unlikely to be an increase to any increase in rubbish due to the amendment as the intention of increasing the hours is to provide additional time to deliver, compact and cover the waste at the end of each day. Council Officers inspected the site and did not view rubbish being strewn into any adjoining properties. The type of rubbish going into the Landfill is managed by the EPA Licence 70183 and is not a relevant planning consideration for this amendment.

- *The existing hours including on weekends and public holidays are generous and there is no reason to extend the hours.*

The existing hours on weekends and public holidays are reasonable given the nature of the use of the land for a Landfill and a further 1.5 hours on public holidays only is not regarded as unreasonable given the conditions on the permit to ensure the amenity of the area should be protected.

CONCLUSION

The amended application to amend Condition 15 to increase the hours of operation will, on balance, represent an appropriate planning outcome, will have a net community benefit, and will enable the orderly planning of the area, having been assessed against the relevant provisions of the Northern Grampians Planning Scheme, for the following reasons and subject to relevant conditions:

- The amended hours of operation will be limited from 10.00am to 1.30pm for 3.5 hours only on public holidays, which will result in a net increase of the use of the Landfill by 1.5 hours on public holidays only and not on Sundays.
- The amendment will also restrict the Landfill to not be operating between 1.30pm and 2.00pm on public holidays as is currently allowed in Condition 15 and is subject to not exceeding two (2) hours between the four hours from 10.00am and 2.00pm on public holidays.
- The existing approved hours of operation on Sundays from 10.00am to 2.00pm for two (2) hours only will not be altered. The applicant has also noted the Landfill is not currently operating on Sundays.
- The amendment will allow the owner/operator to have adequate time on public holidays for compaction of the waste and covering of the waste to ensure full compliance with the current EPA Licence 70183 and to protect the environment and amenity of the area.
- The concerns raised by the objectors, in part, relate to matters considered to be outside the scope of the amendment to the existing Planning Permit and relate to the existence of the Landfill on the site and in principle concerns about the amenity impacts given the interface to on rural residential land uses.
- The concerns raised by the objectors about noise complaints from blasting and crushing activities on the site appear to predominantly relate to the excavation works carried out on the site earlier this year in February and March 2002 and increased noise on site

during this time as a result of blasting and crushing to create the new cells that were approved by the original Planning Permit 5.2019.42.1.

- The owner/operator engaged consultants to undertake noise assessments following advice from the EPA about noise complaints the EPA had received. The noise assessments resulted in the operator/owner modifying the way the blasting and crushing activities occurred on site for the creation of the new cells for the Landfill, which included the following:
 - Improving noise bunds around the site.
 - Moving the crushing activity to lower terrain levels on the site to obstruct direct line of sight between the source and receiver.
 - Installing broadband reverse beepers; and
 - Replacement of old yellow machinery/ equipment on the site.
- The blasting and crushing activities for the expansion of the cells for the Landfill were only temporary in nature and these activities that were associated with the Landfill use have been completed in accordance with Planning Permit 5.2019.42.1 and the amended Planning Permit 5.2019.42.2.
- Extensive conditions are also included on the Planning Permit 5.2019.42.2 that will be all be transferred to the amended Planning Permit 5.2019.42.3 if an amended permit is to be issued, that will provide adequate measures required to be implemented by the owner/operator to protect the surrounding residents from unreasonable adverse amenity impacts having regard to the location of the Landfill on the site adjoining rural residential uses on farming zoned land.
- Council will be responsible for managing ongoing compliance with the conditions on the permit. The EPA would continue to be responsible for managing compliance with the EPA Licence 70183 applying the Landfill area of the land.
- It is noted that Condition 1 of the permit requiring amended plans has already been satisfied when amended plans were endorsed to the Planning Permit 5.2019.42.1 and then amended plans were also endorsed to the amended Planning Permit 5.2019.42.2.

RECOMMENDATION

It is recommended that an Amended Planning Permit be granted by Council for the Use and Development being Buildings and works for new cells and leachate pond for the existing Refuse Disposal (Landfill) and associated signs and removal of native vegetation to Amended Condition 15 to increase the hours of operation from 2.0 hours only to 3.5 hours on Public Holidays only for the land identified as 492 and 494 Pomonal Road Stawell 3380, subject to the following conditions:

Conditions:

Amended plans

1. Within two (2) months of the date of issue of this permit and before the commencement of the use and development including the removal of native vegetation, amended plans to the satisfaction of the Responsible Authority, must be submitted for approval 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 (3) copies must be provided. The plans must be generally in accordance with the plans

submitted with the application, except where modified to include the following requirements:

- a) An amended site plan to show the following:
 - i) The location of the future cells to be marked as Cells 5, 6 and 7.
 - ii) The provision of an earth bund around the working area to be at least 1.0m higher than noise sources for Cells 3, 4 and future Cells 5, 6 and 7.
 - iii) The location of a truck washing bay in accordance with Conditions 3 and 59.
 - iv) Existing and proposed landscaping areas on the rehabilitated cells and around the perimeter of the existing cells in accordance with Conditions 12 and 13.

Landscape Plan

2. Within two (2) months of the date of issue of this permit, a detailed landscape plan must be prepared and submitted to the Responsible Authority and must include:
 - a) The location and height of all bunds and wire mesh fence within and along the boundaries of the subject land.
 - b) Details of the methods of construction of all bunds, including elevations.
 - c) A schedule of plant species and their location.
 - d) Locations and dimensions of fire buffer areas.

The landscape plan must be to the satisfaction of the Responsible Authority and approved of the Responsible Authority to form part of the permit.

Truck Washing

3. Within two (2) months of the date of issue of this permit, truck washing facilities must be provided within a designated wash bay on site within a sealed section of the internal access road to prevent dirt or mud from the site being carried over to Pomonal Road to the satisfaction of the Responsible Authority.

Layout not to be altered

4. The permitted use and development including the removal of native vegetation must not be altered without the written consent of the Responsible Authority.

Use and Development

5. The use and development must comply with Environment Protection Authority Victoria's Licence 70183 and Work Authority No. WA614 and any other works approval issued for the land, and the State Environment Protection Policy (SEPP) for Waste Management, Noise, Air Quality or any relevant alternative, to the satisfaction of the Responsible Authority.

Management Plans

6. The permitted use and development must be carried out in accordance with the approved Management Plans or alternative as approved with the written consent of the Responsible Authority.

Environmental Monitoring Plan

7. The use and development must operate in accordance with the approved Environmental Monitoring Plan or alternative as otherwise approved, to the satisfaction of the Responsible Authority.

Emergency Management Plan – Fire Safety

8. The use and development must operate in accordance with the approved Emergency Management Plan -Fire Safety or alternative as otherwise approved, to the satisfaction of the Responsible Authority.

Traffic Management Plan

9. The use and development must operate in accordance with the approved Traffic Management Plan or alternative as otherwise approved, to the satisfaction of the Responsible Authority.

Site Rehabilitation Plan

10. The use and development must operate in accordance with the approved Site Rehabilitation Plan or alternative as otherwise approved, to the satisfaction of the Responsible Authority.

Native Vegetation Assessment Plan and Third Party Offset Native Vegetation Report

11. The native vegetation removal and third party offset must be in accordance with the approved Native Vegetation Assessment Plan and Third Party Offset Native Vegetation Credit Report or alternative as otherwise approved, to the satisfaction of the Responsible Authority.

Landscaping Plan

Landscaping

12. Landscaping and works in accordance with the approved landscape plan must be planted as soon as practical and not exceeding a period of twelve (12) months from the date of issue of this permit and thereafter maintained as approved by the Responsible Authority. The landscaping must be completed for each cell of landfill being deposited on site except for solid inert fill in accordance with the conditions of the Works Approvals.
13. The landscape bunds required must generally prevent views into the site from the adjoining property to the north and from Pomonal Road to the satisfaction of the Responsible Authority.
14. The approved landscaping must be maintained and must ensure a 75% survival rate five years after completion to the satisfaction of the Responsible Authority.

Hours of Operation

15. Unless otherwise approved by the Responsible Authority in writing, the use and development hereby permitted must only operate between the hours of:
 - a) 7:30am and 5:30pm Monday to Friday.
 - b) 9.30am to 2.30pm Saturday.
 - c) 10.00am to 2.00pm on Sunday for two (2) hours only.

- d) 10.00am to 1.30pm on Public Holidays for 3.5 hours only.

Amenity

- 16. The use and development hereby permitted must be managed so that the amenity of the area is not detrimentally affected, 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, wastewater, waste products, grit or oil; and
 - d) presence of vermin.to the satisfaction of the Responsible Authority.

Noise

- 17. Noise emissions from the site must not exceed the standards set out in State Environment Protection Policies to the satisfaction of the Responsible Authority.

Dust Suppression

- 18. Despite the hours of operation below, the permit holder must maintain emergency dust suppression measures within the site at all times in the event of raised dust due to adverse weather conditions to the satisfaction of the Responsible Authority. All such activities must be reported to the Responsible Authority immediately.

Maintenance

- 19. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Environment

- 20. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into any existing drains or watercourses.
- 21. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.
- 22. The operator under this permit must control vermin and pests to the satisfaction of the Responsible Authority.

External lighting

- 23. All external lighting of the site must be located, directed and shielded, and of such limited intensity so that no nuisance is caused to nearby residents and motorists to the satisfaction of the Responsible Authority.

Loading and Unloading

- 24. The loading and unloading of goods must only be carried out on the land to the satisfaction of the Responsible Authority.

Car Parking

25. All car parking for staff and visitors for the approved use must be provided on the land to the satisfaction of the Responsible Authority.

Vehicles in Forward Direction

26. All vehicles must be driven in a forward direction when entering and/or leaving the subject land to the satisfaction of the Responsible Authority.

Fire Buffers

27. Fire Buffer areas must be maintained to the satisfaction of the Responsible Authority.

Material from Vehicles

28. The operator/permit holder must ensure that all contractors' vehicles using the site are appropriately covered to prevent waste falling from vehicles or being blown away to the satisfaction of the Responsible Authority.

Signs

29. The size, colour, wording, location and materials of the existing signs as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
30. No further advertising signs may be erected or displayed without the further permission of the Responsible Authority.

Complaints Register

31. The applicant must maintain a complaints register, a copy of which is to be forwarded to the Responsible Authority quarterly by the first day of the third month in each period for the life of the permit. The register is to include details of action as a result of the complaint to the satisfaction of the Responsible Authority.

Mandatory Condition – Bushfire Management

(pursuant to Clause 44.06-5 Bushfire Management Overlay)

32. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Country Fire Authority Conditions

(pursuant to Section 55 of the Planning and Environment Act 1987)

33. The site is to fully comply with the following guidance “Management and storage of combustible recyclable and waste materials guideline – Publication 1667.2 October 2018.”
34. Prior to a permit being issued, a revised draft EMP is to be submitted to the Operations Manager at CFA District 16, ARARAT & once acceptable is to be endorsed by the Responsible Authority (Council).

35. The EMP (Emergency Management Plan) is to be endorsed as an ongoing condition on the permit.

Department of Land Water Environment and Planning (DELWP) Conditions
(pursuant to Section 55 of the Planning and Environment Act 1987)

Native vegetation permitted to be removed, destroyed or lopped

36. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.656 hectares of native vegetation, which is comprised of:
- a) 0.528 hectares of native vegetation including 2 large trees, with a strategic biodiversity value of 0.89875.
 - b) 8 scattered small trees (0.128 ha).

Native vegetation offsets

37. To offset the removal of 0.656 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017).
A general offset of 0.449 general habitat units must meet the following criteria:
- i) located within the Wimmera Catchment Management boundary or Northern Grampians Shire municipal area
 - ii) with a minimum strategic biodiversity value of at least 0.719
 - iii) The offset(s) secured must also protect 2 large trees.

Offset evidence

38. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence can either be:
- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
39. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to grampians.planning@delwp.vic.gov.au.

Notification of permit conditions

40. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Protection of retained vegetation

41. Before works start, a plan to the satisfaction of the responsible authority identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be endorsed and

will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

42. Except with the written consent of the DELWP, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
 - a) vehicular or pedestrian access
 - b) trenching or soil excavation
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - d) entry and exit pits for the provision of underground services
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Monitoring & reporting on onsite offset implementation

43. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Powercor Conditions

(pursuant to Section 55 of the Planning and Environment Act 1987)

Conditions Required By the Distributor

44. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
45. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
46. Apply for a site visit and permit to work assessment. This can be done via the Powercor website.
47. Keep the easement land clear of any buildings or structures whatsoever.
48. The property owner/builder should contact Dial before you Dig, before any excavation works are undertaken on the property.

GWMWater Conditions

(pursuant to Section 55 of the Planning and Environment Act 1987)

49. The applicant is to ensure that any surface water or leachate collected on site is not allowed to leave the site, or allowed to adversely impact surrounding surface water or groundwater users.
50. The construction of works designed to capture and hold surface water will not require a licence from GWMWater, providing it is captured and held on site.
51. Any works to access or use the groundwater beneath the site will require a licence from GWMWater.

Council's Infrastructure Department Conditions

Entry Works:

52. The existing access to the land at 492 Pomonal Road, Stawell must not be altered without prior written consent from the Responsible Authority.
53. Without the prior written consent of the Responsible Authority, all vehicle access to the site must be via the existing access crossover to the land at 492 Pomonal Road.
54. If any works are required in the Road Reserve, prior to commencing any works the permit holder must obtain written consent from the Responsible Authority.
55. No tree(s) or significant vegetation shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the written consent of the Responsible Authority.

Internal Roads

56. Before the use begins all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority
57. The access roads within the site are to be maintained so they do not cause a dust nuisance to the satisfaction of the Responsible Authority.

Mud and Dirt on Pomonal Road

58. Vehicles exiting the land must not deposit any mud, dirt or rocks on Pomonal Road.
59. To prevent any mud, dirt or rocks from being transferred to Pomonal Road an effective vehicle wash must be maintained on the land and used by vehicles exiting the site to the satisfaction of the Responsible Authority.

Stormwater Drainage:

60. Stormwater from the property must be drained to the satisfaction of the Responsible Authority.
61. All drainage discharge from the buildings and impervious surfaces of the development must be collected on site and dissipated to pre-development levels prior to discharging to streams or adjoining land to the satisfaction of the Responsible Authority.
Note: This condition can be satisfied by directing the drainage discharge and overflow from tanks via a drain to a dam or drainage system or by fitting a spreader at ground level to dissipate the discharge.
62. No effluent or polluted water of any type will be allowed to enter the stormwater drainage system to the satisfaction of the Responsible Authority.

Emissions and Discharges during Construction:

63. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications for sediment pollution control and Environmental Guidelines for major construction sites to the satisfaction of the Responsible Authority.

Additional Native Vegetation Removal of Offset Conditions

Additional native vegetation permitted to be removed, destroyed or lopped

64. The additional native vegetation permitted to be removed, destroyed or lopped under this permit is 0.120 hectares of native vegetation, which is comprised of:
- a) 0.120 hectares of native vegetation including 1 large tree.

Native vegetation offsets

65. To offset the removal of 0.120 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017).
A general offset of 0.057 general habitat units must meet the following criteria:

- i) located within the Wimmera Catchment Management boundary or Northern Grampians Shire municipal area.
- ii) with a minimum strategic biodiversity value of at least 0.463
- iii) The offset(s) secured must also protect 1 large tree.

Offset evidence

66. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:
- a) A credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

End of Conditions.

Permit Notes:

Expiry of Permit

In accordance with Section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:-

- a) The development is not completed within two (2) years of the date of this permit.
- b) The use does not start within two (2) years after completion of the development.
- c) The use is discontinued for a period of two (2) years.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing.

CFA

The submitted EMP (Emergency Management Plan) is to be revised as follows;

- Remove reference to 1800 number for Stawell F.B. (000 is the only number to be referenced for an emergency event)
- No mention of an internal bare earth buffer around the site boundary (to prevent either an internal fire escaping from the site or an external fire entering the site).
- No identified actions of an internal site vegetation fire. (What equipment is available on site to fight a fire & what training & instructions are staff given).
- No actions for persons at the site if there is a fire in the landscape (external to the site). Protecting lives and property cfa.vic.gov.au If you wish to discuss this matter in more detail, please do not hesitate to contact the Fire Safety Team on 922 8578.

This permit is amended as follows:

Date	Description	Responsible Authority
30/04/2021	Amended permit to include additional Conditions 64-66 for third party native vegetation offsets required by Council for the additional native vegetation removed and amended plans approved for the new entry track and new internal fence	Northern Grampians Shire Council
07/11/2022	Amend Condition 15 on the permit by including a new part d) to allow the use to operate for 3.5 hours only between 10.00am to 1.30pm on public holidays and rewording part c) to retain the use for 2 hours only between 10.00am to 2.00pm on Sundays as per the permit issued on 20 July 2000 and amended on 10 June 2021 and 26 July 2021.	Northern Grampians Shire Council

9.2.3. OPAN Migration Report

Author/Position: Justine Kingan, Manager Economic and Community Futures

Purpose

To seek Council endorsement of recommendations made in the *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report.

Summary

Population challenges, along with growing social and economic disadvantage are causing workforce and skills shortages that are restraining Northern Grampians' economy. Work delivered by a collaboration known as Opportunities Pyrenees, Ararat and Northern Grampians (OPAN), confirmed that employers in the region have an acute shortfall of several hundred jobs that they cannot fill. These are mainly low and semi-skilled roles in manufacturing, agriculture and hospitality and investment in programs and activities to attract and settle overseas and regional migration will underpin the local economy.

In 2022 OPAN delivered the *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report. The OPAN Migration report identifies several areas that council could act in, to better attract and support migrant workers. Northern Grampians Municipal Public Health and Wellbeing Plan 2021-25 reinforces the importance of recommendations made in the Migration report.

Recommendation

That Council endorses recommendations made in *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report.

Background/Rationale

Northern Grampians Shire Council, Pyrenees Shire Council and Ararat Rural City Council worked with the Victorian State Government to map the key challenges impacting workforce availability and how these problems could be addressed. The collaboration became known as Opportunities Pyrenees, Ararat and Northern Grampians (OPAN), investigating challenges and potential action associated with Workforce Planning, Housing, Transport, and Migration.

Population challenges, along with growing social and economic disadvantage, are causing workforce and skills shortages that are restraining Northern Grampians' economy. Work delivered by OPAN confirmed that employers in the region have an acute shortfall of several hundred jobs that they cannot fill. These are mainly low and semi-skilled roles in manufacturing, agriculture and hospitality and that investment in programs and activities to attract and settle overseas and regional migration will underpin the local economy. OPAN investigations also highlighted that Australia's immigration policies are largely focused on high-skilled migration, while low and semi-skilled immigration are limited under existing visa options and largely unregulated. Despite there being growing demand for low and semi-skilled workers, these categories of workers are largely provided through temporary visas.

In 2022 OPAN delivered the *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire* report. The report found that local government has a crucial, but often under recognised role in settlement and migrant integration. Quite simply, while immigration is international/national, settlement and integration are local, the report provides a descriptive profile of migrant cohorts in the region, case studies of migrants and migrant workforce-dependent employers, and scoping of available community resources. Using this data, this report concludes with a set of recommendations to inform any future migration-related programs or activities.

The Municipal Public Health and Wellbeing Plan 2021-25 reinforces the importance of recommendations made in the Migration report, from the perspective of increasing social connectedness for residence and creating safe environments that are inclusive of the growing diversity of the municipality.

The OPAN Migration Report identifies several areas that council could act in to better attract and support migrant workers, including:

- Supporting Employees
- Supporting Migrants to settle
- Strengthening Partnerships with Service Providers
- Strengthening Communities to diversity and inclusion

Legislation, Council Plan, Strategy and Policy Implications

Council Plan, 21-2024 - Boost Economic Growth

Northern Grampians Economic Development Strategy 2021-31

- Strategic Direction 1.a The rural region of choice

Municipal Health and Wellbeing Plan, 2021-25

- Goal 1: Improve Mental Health and Wellbeing, Strategy 1: Increase Social Connectedness for residence, Strategy 2: Create safe environments that are inclusive of the growing diversity of the municipality

Options

Option 1

That Council endorses recommendations made in *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report. **[recommended]**

Option 2

That Council does not endorse recommendations made in *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

Not applicable

Community Engagement

Recommendations made in *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report were informed by an extensive process of engagement with:

- local employers
- migrant groups
- migrant service organisations
- community groups in the region

Innovation and Continuous Improvement

The report raises opportunities for improvements in Council's activities to address workforce shortages through overseas and regional migration.

Collaboration

Northern Grampians Shire Council collaborated with the Victorian State Government, Pyrenees Shire Council and Ararat Rural City Council on the delivery of the *Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire 2022* report.

Officer's Declaration of Interest

Justine Kingan, Manager Economic and Community Futures.

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Migrants in the OPAN region FINAL April 2022 (2) [9.2.3.1 - 30 pages]

Migration in Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire

Prepared for Opportunities Pyrenees, Ararat and
Northern Grampians (OPAN)

April 2022



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Version	Date	Author	Rationale
0.1	28 April 2021	Dominic Diocera, OPAN Regional Migration Officer	For OPAN PCG

1 THE OPAN PROJECT

Located in Victoria's central-west region, the OPAN region is composed of three Local Government Areas (LGAs) – Pyrenees Shire, Ararat Rural City, and Northern Grampians Shire. The region covers a combined area of more than 13,000 square kilometres.

Between 2016 and 2018, a series of engagement and strategic planning sessions were conducted by the three councils to identify priorities to develop collaborative solutions to local problems. The councils identified that a number of employers in the OPAN region were planning major expansion projects supporting a large number of new jobs. However, many employers were already experiencing chronic workforce shortages.

The three Local Government Areas (LGAs) worked with the Victorian State Government to map the key problems that were impacting directly on the availability of a local workforce and how these problems could be addressed. These became the key elements of the Opportunities Pyrenees, Ararat and Northern Grampians (OPAN) project – Workforce Planning, Housing, Transport and Migration. All four elements of the project are interrelated. Actions that focus on all four together form a comprehensive approach to impacting on, and improving, access to employment opportunities for potential employees. The OPAN project commenced in 2019 with funding from Regional Development Victoria (RDV) and in-kind support from all three LGAs.

2 PURPOSE

This document provides a descriptive profile of migrant cohorts in the OPAN region, case studies of migrants and migrant workforce-dependent employers, and scoping of available community resources. Using these data, this report concludes with a set of recommendations to inform any future migration-related programs or activities.

3 MIGRATION POLICY CONTEXT

Australia's permanent immigration program is composed of three broad streams – humanitarian, family, and skilled migration. The size and composition of this program is set on an annual basis, and is determined through immigration planning levels (Table 1).

TABLE 1: MIGRATION PROGRAM PLANNING LEVELS AS ANNOUNCED AS PART OF THE 2021-22 AND 2022-23 FEDERAL BUDGETS

Visa Stream	Visa Category	2021-22	2022-23
Skill	Employer Sponsored	22,000	30,000
	Skilled Independent	6,500	16,652
	Regional	11,200	25,000
	State/Territory Nominated	11,200	20,000
	Business Innovation & Investment	13,500	9,500
	Global Talent (Independent)	15,000	8,448
	Distinguished Talent	200	300
Skill Total		79,600	109,900
Family	Partner	72,300	40,500
	Parent	4,500	6,000
	Child	3,000	3,000
	Other Family	500	500
Family Total		77,300*	50,000
Special Eligibility		100	100
Total Migration Program		160,000	160,000

In addition to the permanent immigration program, Australia provides pathways for temporary migrants and visitors to enter Australia for various purposes. These include tourists, business visitors, international students, and temporary migrant workers. The humanitarian component of the program provides places for humanitarian migrants and asylum seekers. This component had a ceiling of 13,750 places in 2020-21.

3.1 Driving regional migration

There are specific pathways (or visa subclasses) established to drive migration and settlement in regional and rural Australia and manage the concentration of new migrants in capital cities. These include:

Skilled Employer Sponsored Regional (Provisional) Subclass 494

- For people sponsored by an employer in regional Australia

Skilled Work Regional (Provisional) Subclass 491

- For people nominated by a State or Territory government or sponsored by an eligible family member to work and live in regional Australia

These visas incentivise migrants to settle in designated regional areas. The current regional definition is comprised of Category 2 (Cities and Major Regional Centres) and Category 3 (Regional Centres and Other Regional Areas). The OPAN region LGAs all fall under Category 3, as do other nearby municipalities such as the city of Ballarat and Horsham rural city. Category 3 regional areas have access to dedicated 11,200 regional places, priority processing, and the Regional Occupations List.

Policy relevance

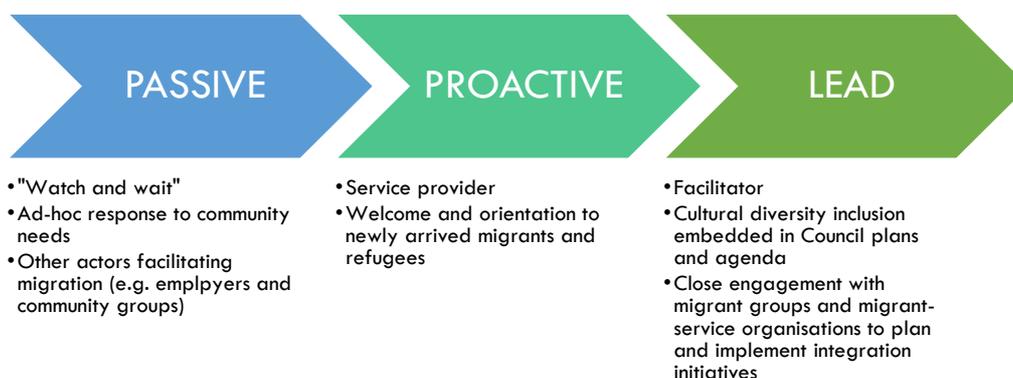
This has significant policy relevance as there may be tensions between local industry needs and government priorities when it comes to immigration. In Victoria, to be eligible for state nomination under the Skilled Work Regional (Provisional) Subclass 491 visa, prospective migrants must be using [STEMM skills in target sectors](#) such as health, medical research, advanced manufacturing, and agri-food. This priority adds to the highly competitive nature of seeking state visa nomination, and may exclude workers in low- and semi-skilled occupations in accessing regional visa places.

3.2 The role of local government

Local government has a crucial, but often under-recognised role in settlement and migrant integration. Quite simply, while immigration is international/national, settlement and integration are local.

There is no nationally consistent approach on local councils' role in migrant settlement and integration. Essentially, however, this can be categorised into three – passive, proactive, and lead agency¹ - based on its level of involvement in migrant and refugee settlement and integration (Figure 1). As *passive* actors, local councils leave it to the community-based actors and stakeholders to "...take the initiative in attracting and looking after newly arrived migrants and refugees". To be *proactive*, local councils take on a major service role and become the front desk service provider. And lastly, as *lead agency*, local governments embed cultural diversity support in their agenda and implement specific programs to facilitate the integration of newly arrived migrants and refugees in Council services.

FIGURE 1: ROLE OF LOCAL GOVERNMENT IN MIGRANT SETTLEMENT AND INTEGRATION



¹ Boese, M. and Phillips, M. 2017. The role of local government in migrant and refugee settlement in regional and rural Australia, *Aust J Soc Issues* 52:388–404.

4 MIGRANT PROFILE OF THE OPAN REGION

4.1 MIGRANTS RESIDING IN THE OPAN REGION BASED ON SETTLEMENT DATA

Using data² from the Department of Home Affairs' Settlement Program, the following section describes the characteristics of migrants currently residing in the OPAN region across the three migration streams – humanitarian, family, and skilled migration – who have arrived in Australia between 2011 and 2021. One of the strengths of settlement data statistics is it can provide more current information outside of census years. It is crucial to point out that this database does not provide information on migrants (including those previously on humanitarian, temporary or permanent residency visas) who have become Australian citizens since their arrival in Australia.

Skilled migrants comprise a slim majority of all migrants currently residing in the OPAN region (Figure 2 & Table 2). However, nearly half of the migrant composition came through family migration pathways, mainly as partners. Compared nationally where pre-pandemic immigration levels favoured skilled migration over family migration (Figure 3), the composition of migrants in the OPAN region illustrate a reliance on family reunification as a strong driver for growth in the migrant population.

FIGURE 2: MIGRANTS CURRENTLY RESIDING IN THE OPAN REGION BY MIGRATION STREAM AND BY LGA

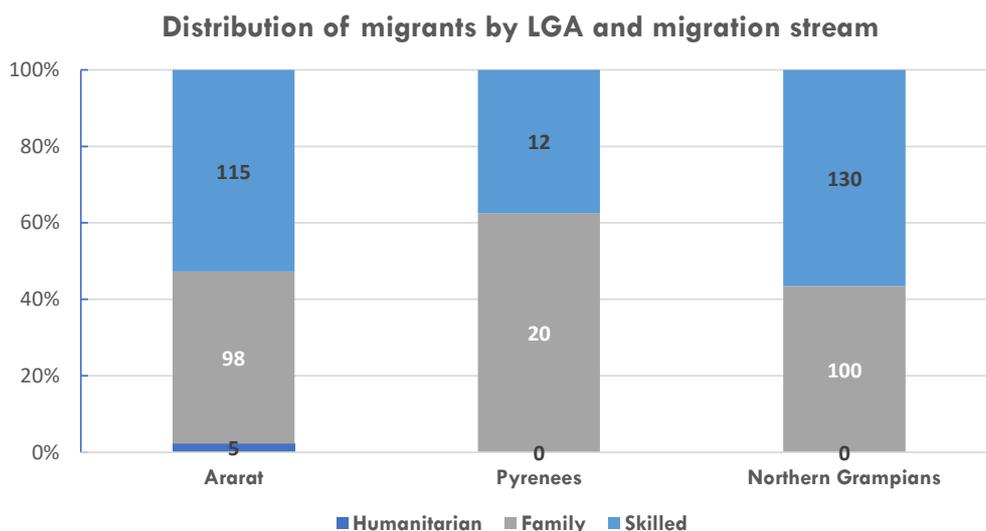


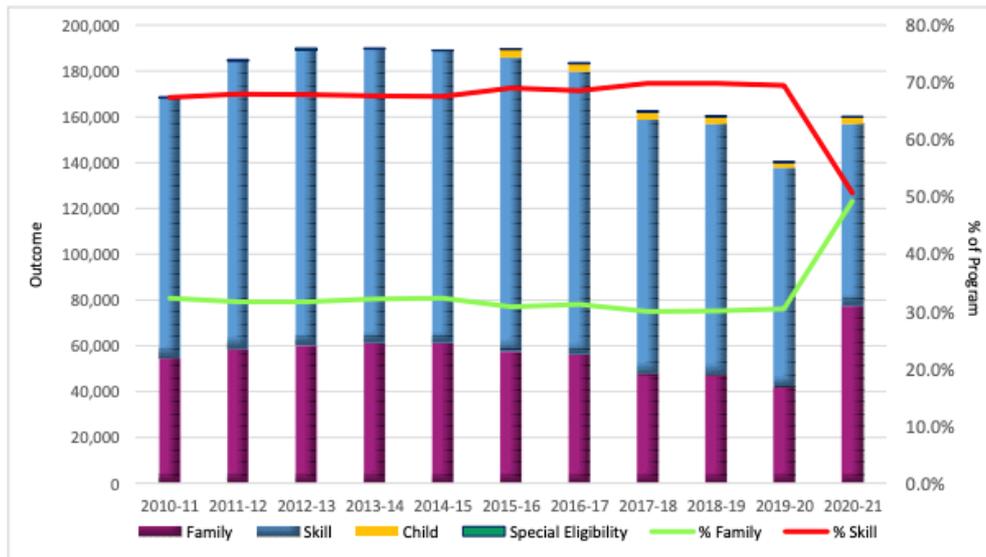
TABLE 2: MIGRANTS BY STREAM AND BY LOCAL GOVERNMENT AREA

Local Government Area	Migration Stream			Total
	Humanitarian	Family	Skilled	
Ararat Rural City	5	98	115	218
Pyrenees Shire	0	20	12	32

² Caveats in using the DHA's settlement statistics can be found in Appendix X. Data perturbation have been undertaken to protect privacy. These resulted in slight data inconsistencies.

Northern Grampians Shire	0	100	130	230
Total	5	218	257	480

FIGURE 3: MIGRATION PROGRAM OUTCOME BY STREAM, 2010 – 2021



While settlement data only show a few Humanitarian migrants residing in the OPAN region, extensive engagement with service providers and community groups in the region indicated that people from refugee backgrounds who have since become Australian citizens have recently resettled in the region. For example, a community of South Sudanese families have relocated to the OPAN region from Melbourne within the last two years. Volunteer groups such as Welcome 2 Stawell and the Rural Australians for Refugees have provided support to these families, including assistance in finding suitable accommodation, referral to services, and ongoing welfare support.

Top countries of birth

The Philippines and India are the two main source countries of migrants residing within the OPAN region (Table 3), with those from India predominantly coming through the Skilled migration pathway. Nine out of the eleven top countries of birth are from non-English speaking backgrounds.

TABLE 3: TOP COUNTRIES OF BIRTH BY MIGRATION STREAM

Country of Birth	Migration Stream				%
	Humanitarian	Family	Skilled	Total	
Philippines	0	48	45	93	19.4
India	0	13	74	87	18.1
Pakistan	0	5	18	23	4.8
Taiwan	0	12	5	17	3.5
Sri Lanka	0	5	11	16	3.3
UK	0	10	5	15	3.1
Indonesia	0	14	0	14	2.9
Vietnam	0	18	5	13	2.7
USA	0	8	0	8	1.7
Nigeria	0	0	7	7	1.5
South Africa	0	0	7	7	1.5
Others	5	85	80	170	34.4
Total	5	218	257	480	100.0

Top visa subclasses

In terms of visa subclasses, a large proportion of current migrants (40%) are Partner visa holders (both permanent and provisional). This cohort of migrants are eligible for post-arrival settlement services (for up to five years after arrival in Australia) including English-language education and training to access employment among others.

TABLE 4: TOP VISA SUBCLASSES BY MIGRATION STREAM

Visa Subclass	Migration Stream			
	Humanitarian	Family	Skilled	Total
801 (Partner – Onshore)	0	96	0	96
100 (Partner – Offshore)	0	79	0	79
485 (Regional Sponsored Migration Scheme)	0	0	61	61
485 (Temporary Graduate)	0	0	35	35
186 (Employer Nomination Scheme)	0	0	31	31
189 (Skilled – Independent)	0	0	27	27
190 (Skilled – Nominated)	0	0	27	27
491 (Skilled Work Regional)	0	0	16	16
820 (Partner – Provisional)	0	13	0	13
489 (Skilled Regional – Provisional)	0	0	8	8
Others	5	30	52	87
Total	5	218	257	480

Among Skilled migrants, the most commonly used visa pathways are those reliant on employer or state government nomination – these include the Regional Sponsored Migration Scheme (Subclass 187), Employer Nomination Scheme (Subclass 186), Skilled Nominated (Subclass 190), and Skilled Regional (Subclass 489). This emphasises the role of employers and state government in driving regional settlement.

Temporary Graduate (Subclass 485) may not technically be regional migration focused, but there is an incentive for holders of this visa if they graduated from a regional institution and reside in regional areas. From 2021, these visa holders are eligible for a two-year visa extension in addition to their current visa entitlements.

Languages and English language proficiency

While data on this variable are considerably less robust than others, they do provide some information that can inform service planning (Tables 5 & 6). Given the top source countries of migrants in the region are from India, the Philippines and Pakistan, the most common non-English languages as recorded are Punjabi, Filipino, and Urdu.

In terms of language proficiency, this refers to the recorded level of spoken English using various sources such as self-assessments or English tests. While a large proportion of migrants were recorded as having 'very good' English proficiency, almost 30% were found to have 'poor' or 'nil' levels of English.

TABLE 5: TOP NON-ENGLISH LANGUAGES BY MIGRATION STREAM

Language	Migration Stream			
	Humanitarian	Family	Skilled	TOTAL
Punjabi	0	0	20	20
Filipino	0	5	15	20
Urdu	0	5	12	17
Thai	0	5	10	0
Malayalam	0	5	9	9
Telugu	0	0	7	7
Mandarin	0	6	5	6
Nepali	0	0	5	5
Arabic	5	0	0	0

TABLE 6: ENGLISH LANGUAGE PROFICIENCY BY MIGRATION STREAM

English Proficiency	Migration Stream			
	Humanitarian	Family	Skilled	TOTAL
Very Good	0	45	103	148
Good	0	10	0	10
Poor	0	26	29	55
Nil	5	10	0	10
Not Recorded	5	185	132	322

Gender

Lastly, the majority of current migrants in the OPAN region are female (58.8%); if disaggregated by migration stream female migrants represent 70% of Family migrants and just over 51% of Skilled migrants.

TABLE 6: GENDER DISTRIBUTION BY MIGRATION STREAM

Gender	Migration Stream			
	Humanitarian	Family	Skilled	TOTAL
Female	0	140	126	266
Male	5	57	119	181
Not Stated	0	5	0	5

4.2 TEMPORARY MIGRANTS IN THE OPAN REGION

Given the limitations on publicly available data for temporary migrant workers disaggregated by LGA, this section presents data collected through engagement with employers and migrants in the OPAN region.

Previous work undertaken for the OPAN project highlights that "...Australia's immigration policies are largely focussed on high-skilled migration, while low and semi-skilled immigration are limited under existing visa options and largely unregulated. Despite there being growing demand for low and semi-skilled workers, these categories of workers are largely provided through temporary visas" (Remplan 2021).

Data collected from employers and migrants confirm this and show the extent of employer reliance on temporary migrant workers.

4.2.1 Temporary migrant workers

Major employers in the OPAN region heavily rely on temporary migrant workers through the following programs: Working Holiday, Seasonal Work, and Pacific Labour Scheme workers. To illustrate this, approximately 64 per cent of the total workforce of two meat processing companies based in the OPAN region are temporary migrant workers (Table 3).

TABLE 3: DISTRIBUTION OF TEMPORARY MIGRANT WORKERS IN MEAT-PROCESSING EMPLOYERS

Employer	Workforce (Total)	Temporary Migrant Workforce Visa Subclass			Temporary Migrant Workforce (Total)
		Pacific Labour Scheme	Working Holiday Visa	Temporary Skills Shortage	
Frew Foods International	400	100	70	30	200
Ararat Meat Exports	265	68	23	8	99
Total	665	168	93	38	299

In addition to these, employers in manufacturing and winemaking also employ temporary migrant workers both on short- and long-term arrangements. For vineyards and wineries, seasonal workers and more experienced cellar hands are employed at various times throughout the year (Table 4).

TABLE 4: SEASONAL WORKFORCE NEEDS IN GRAPEGROWERS AND WINERIES

Season	Workforce
Pruning (June to August)	6-8 per company
Handpicking (January to April)	30-50 per company

The Pacific Labour Scheme (PLS) and the Seasonal Worker Program (SWP) provided much needed workers to businesses in the OPAN region in the last two years. Given that the two programs involve recruiting workers from countries exempted from the international border closures, these programs allowed temporary migrant workers from Pacific Island countries and Timor Leste to enter and work in Australia.

This reliance on temporary migrant workers to augment ongoing workforce shortages is forecast to continue. For example, given their future expansion, Frew Foods International plans to undertake in-country visits and recruitment in the Philippines, while also incentivising current employees to refer and attract new workers from overseas. They have also become an approved employer for the PLS and SWP programs and plan to directly recruit workers through these schemes.

Support for PLS and SWP

Workers through the PLS and SWP are recruited through approved employers, which could either be labour-hire companies or direct employers. As approved employers, there is expectation that worker welfare is embedded into business policies and practices, including providing on-arrival briefing and orientation on topics such as personal finance, healthcare, workplace rights and entitlements, education and training opportunities.

Community connections

The Department of Foreign Affairs and Trade has funded a project called 'Community Connections', with the primary aim of establishing local networks of community support wherever there are groups of seasonal workers. It has contracted the Salvation Army, the Uniting Church Synod of Vic-Tas, and the Pacific Island Councils of Qld and SA, jointly to carry out this national project from July this year until the end of 2022.

Recent policy changes

The new PALM scheme - In April 2022, it was announced that the PLS and SWP programs will both come under a [new single program called Pacific Australia Labour Mobility \(PALM\) scheme](#). In this new scheme, PALM workers are eligible to stay and work in Australia for up to four years and to return multiple times. Other changes include the removal of recruitment caps (for employers with good track record), expansion of eligible sectors (including a pilot for aged care workers), and increased presence in regional Australia with the rollout of additional PALM scheme personnel.

Permanent residency pathways for TSS workers - Beginning July 2022, changes will be implemented that enable current Temporary Skills Shortage (Subclass 482) workers to access pathways to permanent residency.

4.2.2 International students

International students, including those on Temporary Graduate visa (Subclass 485) constitute another reliable source of workforce primarily for the manufacturing and engineering industries.

Subclass 485 Visa – Temporary Graduate

This visa is for international students who have recently graduated with a degree from an Australian institution. It allows former international students to live, work and study in Australia between 18 months to two years after completing their Australian qualification.

Data from the DHA show that a considerable proportion (7.2%, n=35) of Subclass 485 visa holders currently reside in the OPAN region. Consultations with this migrant group raised a number of issues specifically on accessing pathways to permanent residency. When applying for permanent residency, they apply through regional-focused pathways such as the Subclass 491 (Skilled Work Regional). However, this is highly competitive and state government prioritises target sectors and occupations using STEM skills (usually in Research and Development).

Due to disruptions caused by Covid-19, Subclass 485 visa holders may be eligible to extend their visas to September 2022. However, they are attracted to opportunities to gain permanent residency even if it involved onward migration and resettlement in another municipality or interstate.

4.2.3 Services and support for temporary migrants

Temporary migrant workers are not eligible for SETS services, however dependents of some temporary skilled migrants³ who have poor English language proficiency and are residing in rural and regional areas may be eligible for support.

³ See Appendix B for full list of visa subclasses eligible for SETS services.

For most temporary migrant workers (including PALM scheme workers), ongoing welfare support is the employers' responsibility. These responsibilities include providing adequate information on worker entitlements, orientation to the community and available community services (healthcare, transport, housing, banking, translation services). Some funding for skills development may be provided by government as in the case of the PALM scheme, however the responsibility to apply for this funding lies with the employers as well.

Temporary migrant workers, including former international students, rely heavily on their employers and the local communities (e.g. volunteer groups or established migrant communities) for initial and ongoing welfare support. However, engagement through OPAN showed that employers across the region have varying levels of awareness and ownership of this responsibility. Moreover, while they may understand their role, they may not be aware of available resources in the community that can support them as they facilitate the integration of their temporary migrant workers.

5 Future migration opportunities

Previous work undertaken for the OPAN project highlights that "...Australia's immigration policies are largely focussed on high-skilled migration, while low and semi-skilled immigration are limited under existing visa options and largely unregulated. Despite there being growing demand for low and semi-skilled workers, these categories of workers are largely provided through temporary visas."

Outside of standard temporary or permanent skilled migration visas, one of the only avenues to recruit low and semi-skilled workers are formal labour agreements. However, despite these limitations, there are opportunities to attract and retain new migrants in the region as informed by the work undertaken through the OPAN project.

5.1 Supporting employers

Based on the settlement data, a large proportion of migrants in the OPAN region hold employer-sponsored visas. Engagement through the OPAN region showed employers have varying levels of awareness, capacity and willingness to sponsor migrant workers. For large businesses with previous experience in employer sponsorship, they can be supported by ensuring they are aware of policy changes, in the context of a dynamic migration policy environment. For employers with no prior experience in sponsorship, linkages to appropriate networks such as the Business Industry Regional Outreach (BIRO) officers or migration professionals can still be facilitated.

There is an opportunity to support employers in sponsoring temporary migrant workers on visas with pathways to permanent residency (e.g. Subclass 485 Temporary Graduate visa and Subclass 482 Temporary Skills Shortage), given recent policy changes for these visas. This can enable employers to retain current temporary migrant workers.

Opportunities also exist to align existing initiatives such as *Live the Grampians Way* with future migration programs. Although the current version of the platform captures information on jobseekers' location (whether in Australia or overseas) and working rights, there is an opportunity to also collect information on employer awareness and willingness to sponsor workers who may have limited work rights in Australia.

Migrant-reliant industries in the OPAN region can be supported through advocacy by participating in policy consultations on immigration and regional development. One example of this is through the Department of Home Affairs' annual consultation on future immigration planning levels. By providing local experiences and information, arguments to increase support and resourcing in the regions can be made more compelling.

Recommendations:

- Provide ongoing capacity-building to employers on migration options by facilitating linkages with BIRO officers and migration professionals
- Explore ways to capture awareness and willingness to sponsor migrant workers through existing platforms such as *Live the Grampians Way*
- Provide feedback and contribute to the Department of Home Affairs' annual immigration planning levels, using local industry needs and reliance on migrant workers

5.2 Supporting migrants

Consultations with migrant groups within the region showed that there is a need for ongoing referral to available community resources and services. This can be addressed by appropriate referral to Council services as well as programs targeted to provide settlement support to newly-arrived migrants and refugees in Australia.

Since 2019, the federally funded [Settlement Engagement and Transition Support \(SETS\)](#) program aims to provide newly arrived migrants and refugees with settlement-related information, advice, advocacy, and assistance to access mainstream and other relevant services such as education training, employment readiness and English language acquisition. Newly arrived migrants and refugees eligible for SETS support may be referred to the SETS providers covering the OPAN region – [Wimmera Development Association](#) and [Ballarat Community Health](#). As shown in the settlement data analysis, almost 40% of current migrants in the OPAN region are Partner visa holders – a cohort of migrants eligible for SETS services.

There are identified challenges in reaching migrant groups across the OPAN region, and these were exacerbated by limited engagement during the Covid-19 pandemic. One way of reaching new migrants is to collaborate with established migrant groups such as the Filipino-Australia Community of Ararat, Inc. and the Ararat Islamic Welfare Association. However, scoping done through the OPAN work found that there are migrant groups and communities that may be less organised, but growing in presence. The PLS and SWP workers for example who mainly come from Samoa, Vanuatu, and the Solomon Islands represent a large proportion of migrant workers in the OPAN region. As they are coming through employment channels, they may be best reached through their employers. There is an opportunity to collaborate with employers in ensuring new migrant workers in the region are adequately informed of Council and community services. These could involve providing Council informational materials to employers to include in their staff orientation packs, Council presentation on community services in staff orientation, and identifying a Council contact to act as a worker and community liaison.

Recommendations:

- Identify opportunities for migrant community leaders and representatives to engage in service planning and design
- Collaborate with employers to ensure information on Council and community services are provided to new migrant workers
- Facilitate links between migrants – both permanent and temporary – and community groups and organisations such as Neighbourhood Houses, faith institutions, and sporting clubs

5.3 Strengthening partnerships with service providers

There is a strong rationale to continue and further strengthen partnerships with key settlement service providers in the region considering the presence of diverse migrant groups currently residing in the three LGAs. Given that these service providers are based in Horsham (Wimmera Development Association) and Ballarat (Ballarat Regional Multicultural Council and Ballarat Community Health), stronger local presence and support can be facilitated through liaison and referral to settlement support when required. Given the number of migrants recorded as having 'poor' or 'nil' proficiency in English, there is a need to identify and refer those eligible for SETS to service providers.

In addition to long-term programs such as SETS, newly funded initiatives such as the Community Employment Connectors should be utilised to maximise uptake and participation of eligible residents in the OPAN region. It also has the potential to address local workforce shortages and issues related to social disadvantage.

Community Employment Connectors (CEC) provide culturally responsive and individualised support to help disadvantaged jobseekers navigate and connect with employment and training services.

The program aims to specifically support:

- young people aged 16-25 from culturally and linguistically diverse (CALD) backgrounds who face barriers to employment and training pathways
- adults from CALD backgrounds who face barriers to securing sustainable employment.

CECs work proactively within local communities and service systems to help disadvantaged CALD and young jobseekers prepare for and secure employment through information, referral and connection supports.

CECs in the OPAN region

Wimmera
Ayuen Kur
a.kur@brmc.org.au

Central Highlands
Rebekah Robertson
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Recommendations:

- Ongoing engagement with key service providers through representation in regional settlement committee (i.e. Wimmera Settlement Regional Planning Committee)
- Establish an organised referral system for SETS-eligible migrants to service providers
- Promote available community programs and services within multicultural communities to encourage uptake and participation

5.4 Strengthening commitments to diversity and inclusion

Given the ongoing reliance of various businesses in the region on migrant workforce, there is benefit to explore ways through which Councils can strengthen their commitment to cultural diversity and inclusion. For example, while all OPAN LGAs have committed as Refugee Welcome Zones – Pyrenees Shire (2019), Ararat Rural City (2017), and Northern Grampians Shire Council (2016) – specific actions to promote the region as resettlement destination could be further investigated. These can include coordinating and planning cultural diversity and faith events (e.g. Refugee Week) in partnership with local migrant groups and community organisations.

There are other ways to strengthen Council's commitments to cultural diversity and inclusion. These include:

- Ongoing advocacy for greater support to be provided by state and federal governments for local integration services for migrants and refugees in the context of growing multicultural communities;
- Supporting the formation of migrant community groups (e.g. PALM workers) and supporting community-based projects that aide the integration and settlement of migrants and refugees;
- Recognising the growing diversity of migrants and their contribution to the community by raising community and Council awareness;
- Embedding cultural diversity and inclusion and specific actions targeting multicultural communities in relevant Council policies (e.g. Municipal Public Health and Wellbeing plan);
- Encourage Council staff capacity-building through allocating resources for cultural competency training and membership in wider networks including the Municipal Association of Victoria's

6 APPENDIX A: SETTLEMENT STATISTICS BY LGA

6.1 ARARAT RURAL CITY

1. Country of birth

Country of Birth	Migration Stream		
	Humanitarian	Family	Skilled
INDIA	0	7	42
PHILIPPINES	0	13	12
PAKISTAN	0	<5	18
UNITED KINGDOM	0	10	<5
INDONESIA	0	9	0
VIETNAM	0	8	<5
UNITED STATES OF AMERICA	0	8	0
TAIWAN	0	7	<5
AUSTRALIA	0	0	7
THAILAND	0	<5	<5
SRI LANKA	0	0	5
ENGLAND	0	<5	<5
NEPAL	0	<5	<5
IRELAND, REPUBLIC OF	0	<5	<5
MEXICO	0	<5	0
HKSAR OF THE PRC	0	<5	<5
CHINA, PEOPLES REPUBLIC OF	0	<5	<5
EGYPT	<5	<5	0
ETHIOPIA	<5	0	0
BANGLADESH	0	0	<5
ITALY	0	<5	0
SUDAN	0	<5	0
KOREA, SOUTH	0	<5	0
NEW ZEALAND	0	0	<5
NIGERIA	0	<5	0
UKRAINE	0	<5	0
CANADA	0	0	<5
SAUDI ARABIA	0	0	<5
IRAN	0	0	<5
FRANCE	0	<5	0
SOUTH AFRICA	0	0	<5
PERU	0	<5	0
REPUBLIC OF SOUTH SUDAN	0	<5	0
KOREA, NORTH	0	0	<5
SCOTLAND	0	<5	0
MOLDOVA	0	<5	0

Grand Total	<5	98	115
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2. Visa subclass

Visa Subclass	Migration Stream		
	Humanitarian	Family	Skilled
100	0	40	0
101	0	<5	0
103	0	<5	0
115	0	<5	0
119	0	0	<5
143	0	<5	0
175	0	0	5
176	0	0	<5
186	0	0	17
187	0	0	30
189	0	0	11
190	0	0	12
202	<5	0	0
309	0	<5	0
476	0	0	<5
485	0	0	18
489	0	0	<5
491	0	0	6
801	0	40	0
820	0	8	0
857	0	0	<5
864	0	<5	0
866	<5	0	0
887	0	0	5
Grand Total	<5	98	115

3. Languages

Language	Migration Stream		
	Humanitarian	Family	Skilled
Not stated	0	51	29
English	0	22	16
Punjabi	0	0	13
Urdu	0	<5	12
Mandarin	0	6	<5
Telugu	0	0	7
Arabic	<5	0	<5
Filipino	0	<5	5
Thai	0	<5	<5
Sinhalese	0	0	<5
Hindi	0	<5	<5
Gujarati	0	0	<5
Bengali	0	0	<5
Cantonese	0	<5	<5
Vietnamese	0	<5	<5
Nepali	0	0	<5
Tamil	0	0	<5
Indonesian	0	<5	0
Dinka	0	<5	0
Marathi	0	0	<5
African Languages, nec	0	<5	0
Pampangan	0	0	<5
Tagalog	0	<5	0
Acehnese	0	<5	0
Korean	0	0	<5
Farsi (Persian)	0	0	<5
Spanish	0	<5	0
Russian	0	<5	0
Javanese	0	<5	0
Not Recorded	0	0	<5
Grand Total	<5	98	115

4. Financial year of arrival

Financial Year Arrival	Migration Stream		
	Humanitarian	Family	Skilled
2011/12	<5	8	<20
2012/13	0	13	11
2013/14	0	10	14
2014/15	0	8	10
2015/16	0	12	13
2016/17	0	10	20
2017/18	0	<15	12
2018/19	0	12	8
2019/20	<5	8	9
2020/21	0	<5	<5
Grand Total	<5	98	115

5. Gender

Gender	Migration Stream		
	Humanitarian	Family	Skilled
Female	0	67	62
Male	<5	30	53
Not Stated	0	<5	0
Grand Total	<5	98	115

6. Marital status

Marital Status	Migration Stream		
	Humanitarian	Family	Skilled
Defacto	0	<10	5
Divorced	0	<5	<5
Engaged	0	<5	<5
Married	<5	71	51
Never Married	<5	14	48
Separated	0	<5	0
Widowed	0	<5	0
Not Stated	0	<5	5
Grand Total	<5	98	115

7. English language proficiency

	Migration Stream		
English Proficiency	Humanitarian	Family	Skilled
Very Good	0	22	45
Good	0	<5	0
Poor	0	11	12
Nil	<5	<5	0
Not Recorded	<5	60	58
Grand Total	<5	98	115

6.2 NORTHERN GRAMPIANS SHIRE

1. Country of birth

Country of Birth	Migration Stream	
	Family	Skilled
PHILIPPINES	30	33
INDIA	6	32
SOUTH AFRICA	<5	7
UNITED KINGDOM	<5	5
SRI LANKA	<5	6
AUSTRALIA	<5	6
NIGERIA	0	7
THAILAND	<5	<5
UNITED STATES OF AMERICA	<5	<5
NEPAL	0	6
TAIWAN	5	0
GERMANY	<5	<5
INDONESIA	5	0
CANADA	<5	<5
NETHERLANDS, KINGDOM OF THE	<5	<5
CHINA, PEOPLES REPUBLIC OF	<5	<5
NAURU	<5	0
KOREA, SOUTH	<5	0
UGANDA	0	<5
VIETNAM	<5	0
BANGLADESH	0	<5
KENYA	<5	0
SWEDEN	<5	0
BULGARIA	<5	0
ENGLAND	<5	0
JAPAN	0	<5
PERU	<5	0
ZIMBABWE	0	<5
REPUBLIC OF SOUTH SUDAN	<5	0
BELGIUM	0	<5
UNITED ARAB EMIRATES	0	<5
VENEZUELA	<5	0
ETHIOPIA	<5	0
SPAIN	<5	0
SOMALIA	<5	0
GERMANY, FED REPUBLIC OF	0	<5
AFGHANISTAN	<5	0
LEBANON	<5	0
UNKNOWN	0	<5

HUNGARY	<5	0
AUSTRIA	0	<5
BRAZIL	<5	0
LATVIA	<5	0
NORWAY	<5	0
Grand Total	100	130

2. Visa subclass

Visa Subclass	Migration Stream	
	Family	Skilled
100	33	0
101	6	0
117	<5	0
119	0	<5
143	<5	0
176	0	<5
186	0	14
187	0	31
188	0	<5
189	0	16
190	0	15
300	<5	0
309	<5	0
485	0	17
489	0	8
491	0	10
801	45	0
802	<5	0
820	5	0
837	5	0
855	0	5
858	0	<5
887	0	<5
Grand Total	100	130

3. Languages

Language	Migration Stream	
	Family	Skilled
Not stated	64	39
English	14	16
Filipino	0	10
Malayalam	<5	9
Not Recorded	<5	7
Punjabi	<5	7
Mandarin	<5	<5
Thai	<5	<5
Nepali	0	5
Sinhalese	<5	<5
Tamil	0	<5
Dutch	0	<5
Afrikaans	0	<5
Tagalog	<5	<5
Dinka	<5	0
Spanish	<5	0
Telugu	0	<5
Vietnamese	<5	0
Hindi	0	<5
German	0	<5
Bisaya/Visaya	0	<5
Bengali	0	<5
Korean	<5	0
Somali	<5	0
Acholi	0	<5
Yoruba	0	<5
Chinese, nfd	0	<5
Bulgarian	<5	0
Igbo	0	<5
Indian	0	<5
Madi	0	<5
Grand Total	100	130

4. Financial year of arrival

Financial Year Arrival	Migration Stream	
	Family	Skilled
2011/12	10	6
2012/13	9	18
2013/14	19	6
2014/15	13	<10
2015/16	10	14
2016/17	18	15
2017/18	7	19
2018/19	9	27
2019/20	<5	13
2020/21	<5	<5
Grand Total	100	130

5. Gender

Gender	Migration Stream		
	Family	Skilled	TOTAL
Female	73	64	137
Male	27	66	93
Grand Total	100	130	230

6. Marital status

Marital Status	Migration Stream	
	Family	Skilled
Defacto	22	10
Divorced	0	<5
Engaged	<5	0
Married	52	62
Never Married	22	49
Separated	<5	<5
Not Stated	<5	6
Grand Total	100	130

7. English language proficiency

English Proficiency	Migration Stream	
	Family	Skilled
Very Good	13	49
Good	<5	0
Poor	10	12
Nil	<5	0
Not Recorded	74	69
Grand Total	100	130

6.3 PYRENEES SHIRE

1. Country of birth

Country of Birth	Migration Stream	
	Family	Skilled
PHILIPPINES	5	0
UNITED KINGDOM	0	<5
UNITED STATES OF AMERICA	<5	<5
INDIA	0	<5
VIETNAM	<5	0
FRANCE	<5	<5
CHINA, PEOPLES REPUBLIC OF	<5	0
IRELAND, REPUBLIC OF	0	<5
THAILAND	<5	0
KENYA	<5	0
ZIMBABWE	<5	0
ENGLAND	<5	0
SCOTLAND	<5	0
JAPAN	<5	0
SOUTH AFRICA	<5	0
SRI LANKA	0	<5
CANADA	0	<5
Grand Total	20	12

2. Visa subclass

Visa Subclass	Migration Stream	
	Family	Skilled
100	6	0
101	<5	0
186	0	<5
187	0	<5
189	0	<5
485	0	<5
491	0	<5
801	11	0
820	<5	0
Grand Total	20	12

3. Languages

Language	Migration Stream	
	Family	Skilled
English	6	7
Not stated	10	0
Telugu	0	<5
Vietnamese	<5	0
Japanese	<5	0
Sinhalese	0	<5
French	0	<5
Cantonese	<5	0
Punjabi	0	<5
Grand Total	20	12

4. Financial year of arrival

Financial Year Arrival	Migration Stream	
	Family	Skilled
2011/12	<5	<5
2012/13	<5	0
2013/14	<5	<5
2014/15	0	<5
2015/16	6	<5
2016/17	<5	<5
2018/19	<5	<5
2019/20	<5	<5
2020/21	<5	0
Grand Total	20	12

5. Gender

Gender	Migration Stream		
	Family	Skilled	TOTAL
Female	<20	<5	<25
Male	<5	<10	<15
Grand Total	20	12	32

6. Marital status

Marital Status	Migration Stream		
	Family	Skilled	TOTAL
Defacto	<10	<5	<15
Married	12	<5	<17
Never Married	<5	<12	<17
Grand Total	20	12	32

7. English language proficiency

English Proficiency	Migration Stream		
	Family	Skilled	TOTAL
Very Good	<10	9	<19
Poor	<5	<5	<10
Not Recorded	13	<5	<18
Grand Total	28	19	32

7 APPENDIX B: ELIGIBLE VISAS FOR SETTLEMENT ENGAGEMENT AND TRANSITION SUPPORT (SETS)

Permanent visas

Refugee and humanitarian visas

Refugee visa (subclass 200)
In-country Special Humanitarian visa (subclass 201)
Global Special Humanitarian visa (subclass 202)
Emergency Rescue visa (subclass 203)
Woman at Risk visa (subclass 204)
Territorial Asylum visa (subclass 800)
Protection visa (subclass 866)

Family and partner visas (low English proficiency)

Partner (Migrant) visa (subclass 100)
Child visa (subclass 101)
Adoption visa (subclass 102)
Parent visa (subclass 103)
Aged Dependent Relative (subclass 114)
Remaining Relative (subclass 115)
Carer (subclass 116)
Orphan Relative (subclass 117)
Contributory Parent (subclass 143)
Partner visa (Permanent) (subclass 801)
Child visa (subclass 802)
Aged Parent visa (subclass 804)
Remaining Relative (subclass 835)
Carer (subclass 836)
Orphan Relative (subclass 837)
Aged Dependent Relative (subclass 838)
Contributory Aged Parent (subclass 864)

Working and skilled visas (dependants only in rural and regional areas with low English proficiency)

Distinguished Talent visa (subclass 124)
Business Talent visa (Permanent) (subclass 132)
Employer Nomination Scheme visa (subclass 186)
Regional Sponsored Migration Scheme visa (subclass 187)
Skilled - Independent visa (subclass 189)
Skilled - Nominated visa (subclass 190)
Permanent Residence visa (Skilled Regional) (subclass 191)
Distinguished Talent visa (subclass 858)
Skilled – Regional visa (subclass 887)
Business Innovation and Investment visa (Permanent) (subclass 888)
Business Owner visa (subclass 890)
Investor visa (subclass 891)
State/Territory Sponsored Business Owner visa (subclass 892)
State/Territory Sponsored Investor visa (subclass 893)

Temporary visa subclasses

Refugee and humanitarian visas

Humanitarian Stay (Temporary) visa (subclass 449)

Temporary (Humanitarian Concern) visa (subclass 786)

Family and partner visas (low English proficiency)

Contributory Parent (Temporary) visa (subclass 173)
Contributory Aged Parent (Temporary) visa (subclass 884)
Prospective Marriage visa (subclass 300)
Partner (Provisional) visa (subclass 309)
Dependent Child visa (subclass 445)
Partner visa (Temporary) (subclass 820)

Working and skilled visas (dependants only in rural and regional areas with low English proficiency)

The Business Owner (Provisional) visa (subclass 160)*
The Senior Executive (Provisional) visa (subclass 161)*
The Investor (Provisional) visa (subclass 162)*
The State/Territory Sponsored Business Owner (Provisional) visa (subclass 163)*
The State/Territory Sponsored Senior Executive (Provisional) visa (subclass 164)*
The State/Territory Sponsored Investor visa (subclass 165)*
Business Innovation and Investment (Provisional) visa (subclass 188)
Temporary Work (Short Stay Specialist) visa (subclass 400)
Temporary Work (International Relations) visa (subclass 403)
Skilled – Regional Sponsored visa (subclass 475)*
Skilled – Recognised Graduate visa (subclass 476)
Temporary Skill Shortage visa (subclass 482)
Temporary Graduate visa (subclass 485)
Skilled – Regional Sponsored visa (subclass 487)*
Skilled – Regional (Provisional) visa (subclass 489)
Skilled – Work Regional (Provisional) visa (subclass 491)
Skilled – Employer Sponsored Regional (Provisional) visa (subclass 494)

9.2.4. Textures Venue Hire Fee Waiver

Author/Position: Justine Kingan, Manager Economic and Community Futures

Purpose

To seek Council's approval to grant GrampiansArts a retrospective fee waiver for the hire of the Halls Gap HUB from 10-15 September 2022.

Summary

A request has been made by GrampiansArts to waive venue hire fees of \$2,345 for use of the Halls Gap HUB from 10-15 September 2022. The 'Grampians Brushes' festival was delivered on these dates in Halls Gap by Horsham based organisation, GrampiansArts. Whilst a not-for-profit organisation that delivered programs in Halls Gap for over a decade, GrampiansArts are not locally based and therefore are not exempt from paying fees under the *Facility Hire Policy*. Prior to Council management of the Halls Gap HUB, Grampians Tourism provided in-kind support through a waiver of the venue hire fee.

Events delivered by GrampiansArts are estimated to increase Northern Grampians Gross Regional Product (GRP) by \$668,000 annually.

Recommendation

That Council grants GrampiansArts a retrospective fee waiver for the hire of the Halls Gap HUB from 10-15 September 2022.

Background/Rationale

Grampians Texture and Grampians Brushes have been delivered in Halls Gap, by a not-for-profit organisation GrampianArts for the past 15 years. Grampians Texture and Grampians Brushes are workshop programs for artists, with leading Australian and international tutors offering 2, 4 and 6-day workshops to participants.

Events delivered by GrampiansArts are estimated to increase Northern Grampians GRP by \$668,000 annually. Grampians Brushes and Texture each has approximately 480 students enrolled in their workshops, from not only across Victoria, but Australia. The events attract participants who bring family and friends, which increases overnight visitation to the region. Event evaluations show participants are staying an average of 7.6 nights, against the average tourist stay in the Grampians being less than 2.5. This is a direct injection of 7,296 bed nights into the Halls Gap area annually. In addition to these numbers the additional activities such as exhibitions are attracting additional day visitors.

Prior to council's management of the Halls Gap HUB, Grampians Tourism had provided in-kind support through a waiver of the venue hire fee. A request has been made by GrampiansArts for a waiver of the Hall Hire fees \$2,345 for the Grampians Brushes event, delivered in Halls Gap between 10-15 September 2022.

Whilst a not-for-profit, GrampiansArts are not a locally based community organisation and are therefore not exempt from paying fees under the *Facility Hire Policy*.

It is recommended that the request be granted as a show of support for the event and effort to ensure it remains in Halls Gap, based on the proven economic impact of the event and potential to expand the program.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-24 - Boost Economic Growth

Economic Development Strategy 2021-31 - Strategic Direction 2.a Iconic Destinations

Fee Hire Policy

Options

Option 1

That Council grants GrampiansArts a retrospective fee waiver for the hire of the Halls Gap HUB from 10-15 September 2022. **[recommended]**

Option 2

That Council refuses to grant GrampiansArts a retrospective fee waiver for the hire of the Halls Gap HUB from 10-15 September 2022. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

Not applicable

Community Engagement

Engagement was undertaken with Grampians Tourism and GrampiansArts. Grampians Tourism supports the recommendation, based on the existing and further potential benefits to the visitor economy.

Going forward event organisers may wish to apply for council's support via the NGSC Sponsorship Program or Tourism Event Funding Stream.

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Justine Kingan, Manager Economic and Community Futures.

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Grampians Art Brushes HUB Fee Waiver request 141022 [9.2.4.1 - 1 page]

GrampianArts

13 October, 2022

Dear Northern Grampians Shire Council,

GrampiansArts would like to ask for a waiver of the Halls Gap HUB Hire fee for our Grampians Brushes program, 10-15 September 2022.

In the previous managements of the Halls Gap HUB, over the past 15 years we have not been charged for the venue use by Grampians Tourism and NGSC.

GrampianArts holds two annual art programs in Halls Gap each March and September. We have been running Grampians Texture since 2008 and Grampians Brushes since 2011 annually. Our programs bring many new and returning participants, family and friends to the Halls Gap area where they stay for an average of 7 nights during our programs. This year we had 338 participants working with 19 tutors in March and 315 participants working with 17 tutors in September.

Supporting the workshop program are exhibitions in local cafes, restaurants, wineries and galleries, walks in the Grampians, dinners, twilight market, tutor talks and a special dinner, all giving visitors/participants the opportunity to explore and to understand what the Grampians and Halls Gap has to offer.

Our programs require full use of the Halls Gap HUB as we activate it all spaces for the six days with workshops, traders, artist in residence and art markets. We have a lot of day visitors popping in to buy direct from the traders and the artists. We have previously had an artist in residence working in the meeting. The meeting room referred to is currently being occupied by the hiking shop. This space is an important part of our artist in residence program. This is where the schools and local community interact with the artist during the six days (the artist in residence is a separate program to the workshop program). Without the use of the meeting room, large foyer and hall our program cannot run. In the past the Visitors Information Centre has relocated from the large foyer to the original foyer in the town hall.

GrampianArts is a not-for-profit organisation and run under a fully sustainable funding model, (i.e. workshop fees paid by participants cover the costs of the program) having only receiving financial support for the initial programs until recently requiring funding from NGSC and State Government due to covid cancellations.

GrampianArts would like to seek sponsorship from NGSC in support for the use of the Halls Gap HUB for our two annual events. We do require the HUB space in full to continue our future planning of our successful program in Halls Gap.

We look forward to hearing from you soon.

Regards,



Adelle Rohrsheim
GrampianArts
Production co-ordinator

9.3. Providing Sustainable Infrastructure

9.3.1. Planning Permit Amendment 5.2022.39.12 – Bowen Street, St Arnaud

Author/Position: Patrick Kennedy, Statutory Planning Officer

Purpose

To make a decision on Planning Permit application 5.2022.38.1 for 15-17 Bowen Street, St Arnaud.

Summary

The application seeks a planning permit for the development of (4) Dwellings and associated works.

The dwellings will be each two-bedroom units with individual access from Bowen Street. The plans are in Attachment 2 – Proposed Development Plans.

The application was advertised in accordance with the *Planning and Environment Act 1987*. Twelve objections were received raising the following issues:

- socio-economic status of future occupants and possibility of anti-social behaviour
- neighbourhood character and design response (appearance of buildings looking like 'tin huts')
- impact on property values
- noise, safety and resident behaviour
- crossovers and traffic concerns, including car parking
- overdevelopment of the site
- heritage value of next-door property
- loss of privacy

Two objectors also provided a petition signed by 45 persons who object to the proposal.

The application was provided to GWMWater and Department of Environment, Land, Water and Planning (DELWP) for comment. No objection was received from any referral authority.

The application has been assessed against the provisions of the Northern Grampians Planning Scheme.

It is recommended that the application is approved subject to conditions.

Recommendation

That Council supports the officer's recommendation and determines to issue a Notice of Decision to Issue a Planning Permit to allow for the development of (4) Dwellings and associated works subject to the conditions contained in Attachment 1 – Planning Assessment Report.

Background/Rationale

A detailed Planning Assessment Report is provided in Attachment 1, assessing the application against all relevant requirements of the Northern Grampians Planning Scheme.

The subject site is located in a residential zone and there are no planning overlays affecting the land. The site is surrounded by dwellings of varied designs, setbacks, and materials on lots which consist of a mixture of sizes.

The objections raised a number of issues, the predominate concern being that the design of the dwellings (which have been colloquially referred to as 'tin huts') is not responsive to the surrounding neighbourhood character and that the expected resident behaviour is feared to be anti-social and disruptive to the neighbourhood. The objectors are citing an example of 'tin huts' at Wills Street in St Arnaud and are basing their concerns off this previously approved development. Other issues raised relate to car parking safety, overdevelopment of the site, devaluation of surrounding properties, and further amenity impacts from future residents.

The assessment of the application against the provisions of the Northern Grampians Planning Scheme determined that the application is consistent with the policies and requirements contained within. There are no specific neighborhood character requirements which render the proposal unacceptable and the concern for impacts from the socio-economic status of future residents is not a relevant planning consideration. The application was referred to Council's Infrastructure and Building Teams which did not raise any concerns about the design or safety of the dwellings and the proposed driveways. Furthermore, GWMWater did not object to the proposal.

The recommended planning permit conditions contained in Attachment 1 include a proposed condition requiring a landscape plan as well as amended plans showing improved front façade treatment so as to mitigate objector's concerns relating to the dwellings' design response.

Legislation, Council Plan, Strategy and Policy Implications

Planning and Environment Act 1987

Planning and Environment Regulations 2015

Northern Grampians Planning Scheme

Options

Option 1

That Council supports the officer's recommendation and determines to issue a Notice of Decision to Issue a Planning Permit for planning permit application number 5.2022.38.1 to allow for the development of (4) Dwellings and associated works subject to the conditions contained in the attached Planning Assessment Report. **[recommended]**

Option 2

That Council determines to issue a Refusal to Issue a Planning Permit for planning permit number 5.2022.38.1 for the development of (4) Dwellings and associated works. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

No procurement requirements apply to this report.

Community Engagement

Public Notice of the application was given via direct letters to surrounding properties and a sign being placed on the land.

Innovation and Continuous Improvement

The subject matter of the report does not raise any implications regarding innovation or improvements.

Collaboration

Internal and external referrals were sent to the following agencies:

- GMMWater
- DELWP
- Infrastructure (Council)
- Building (Council)

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Patrick Kennedy, Statutory Planning Officer

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. 5.2022.38.1 Proposed Development Plans [9.3.1.1 - 8 pages]

15 & 17 BOWEN STREET, ST ARNAUD

PROPOSED RESIDENTIAL DEVELOPMENT

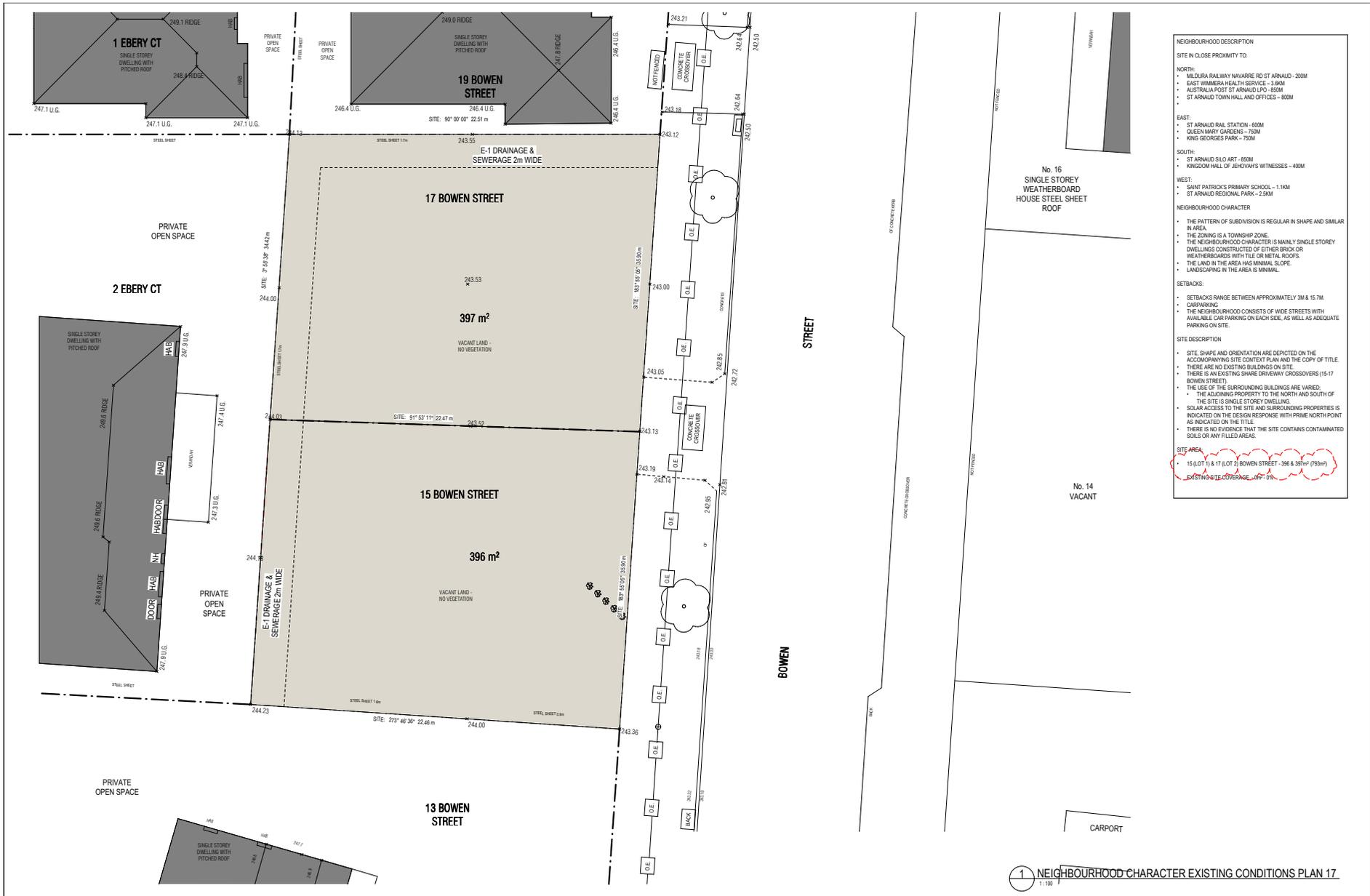


TP SHEET LIST		
Sheet Name	Sheet Number	Current Revision
NEIGHBOURHOOD DESCRIPTION	TP-01	2
DESIGN RESPONSE	TP-02	2
FLOOR PLAN	TP-03	2
ELEVATIONS	TP-04	2
SHADOW DIAGRAM	TP-05	2
SHADOW DIAGRAM	TP-06	2
SHADOW DIAGRAM	TP-07	2
COVER PAGE	TP-00	2



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PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT JOB NO.: 5150
ADDRESS: 15 & 17 BOWEN STREET, ST ARNAUD
CLIENT: KELVIN WIGHTMAN
SHEET TITLE: COVER PAGE
DRAWN: KC SCALE: (1) A1 PAPER SIZE DWG NO: TP-00
DATE: JUN 2022 REV: 2
30/01/2023 16:18:45



NEIGHBOURHOOD DESCRIPTION

SITE IN CLOSE PROXIMITY TO:

- NORTH:**
- MILDURA RAILWAY NAVARRIE RD ST ARNAUD - 200M
 - EAST WAMBERA HEALTH SERVICE - 3.0KM
 - AUSTRALIA POST ST ARNAUD LPO - 800M
 - ST ARNAUD TOWN HALL AND OFFICES - 800M
- EAST:**
- ST ARNAUD RAIL STATION - 600M
 - QUEEN MARY GARDENS - 750M
 - KING GEORGES PARK - 750M
- SOUTH:**
- ST ARNAUD GLO ART - 850M
 - KINGSDOM HALL OF JEHOVAH'S WITNESSES - 400M
- WEST:**
- SAINT PATRICK'S PRIMARY SCHOOL - 1.1KM
 - ST ARNAUD REGIONAL PARK - 2.9KM

NEIGHBOURHOOD CHARACTER

- THE PATTERN OF SUBDIVISION IS REGULAR IN SHAPE AND SIMILAR IN AREA
- THE ZONING IS A TOWNSHIP ZONE
- THE NEIGHBOURHOOD CHARACTER IS MAINLY SINGLE STOREY DWELLINGS CONSTRUCTED OF EITHER BRICK OR WEATHERBOARDS WITH TILE OR METAL ROOFS
- THE LAND IN THE AREA HAS MINIMAL SLOPE
- LANDSCAPING IN THE AREA IS MINIMAL

SETBACKS:

- SETBACKS RANGE BETWEEN APPROXIMATELY 3M & 15.7M
- CARPARKING
- THE NEIGHBOURHOOD CONSISTS OF WIDE STREETS WITH AVAILABLE CAR PARKING ON EACH SIDE, AS WELL AS ADEQUATE PARKING ON SITE.

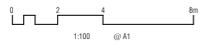
SITE DESCRIPTION

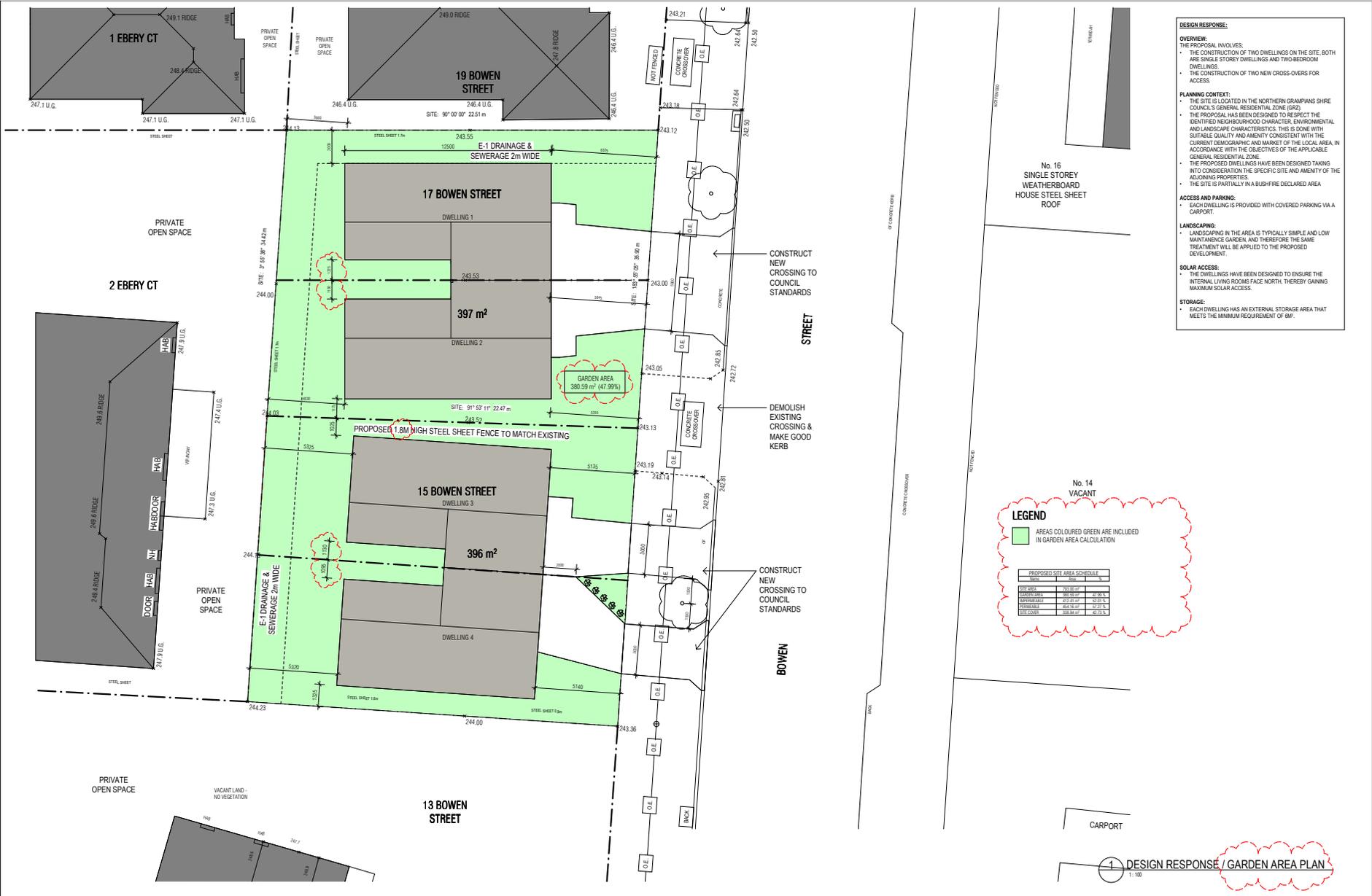
- SITE SHAPE AND ORIENTATION ARE DEPICTED ON THE ACCOMPANYING SITE CONTEXT PLAN AND THE COPY OF TITLE.
- THERE ARE NO EXISTING BUILDINGS ON SITE
- THERE IS AN EXISTING SHARE DRIVEWAY CROSSOVERS (15-17 BOWEN STREET)
- THE USE OF THE SURROUNDING BUILDINGS ARE VARIED:
 - THE ADDJOINING PROPERTY TO THE NORTH AND SOUTH OF THE SITE IS SINGLE STOREY DWELLINGS
- SOLAR ACCESS TO THE SITE AND SURROUNDING PROPERTIES IS INDICATED ON THE DESIGN RESPONSE WITH PRIME NORTH POINT AS INDICATED ON THE TITLE
- THERE IS NO EVIDENCE THAT THE SITE CONTAINS CONTAMINATED SOILS OR ANY FILLED AREAS

SITE AREA:

- 15 (LOT 1) & 17 (LOT 2) BOWEN STREET - 396 & 397m² (793m²) EXISTING SITE COVERAGE - 100% (0%)

1 NEIGHBOURHOOD CHARACTER EXISTING CONDITIONS PLAN 17
1:100





DESIGN RESPONSE:

OVERVIEW:
 THE PROPOSAL INVOLVES:
 • THE CONSTRUCTION OF TWO DWELLINGS ON THE SITE. BOTH ARE SINGLE STOREY DWELLINGS AND TWO-BEDROOM DWELLINGS.
 • THE CONSTRUCTION OF TWO NEW CROSS-OVERS FOR ACCESS.

PLANNING CONTEXT:
 • THE SITE IS LOCATED IN THE NORTHERN GRAMPIONS SHIRE COUNCIL'S GENERAL RESIDENTIAL ZONE (GRZ).
 • THE PROPOSAL HAS BEEN DESIGNED TO RESPECT THE IDENTIFIED NEIGHBOURHOOD CHARACTER, ENVIRONMENTAL AND LANDSCAPE CHARACTERISTICS. THIS IS DONE WITH SUITABLE QUALITY AND AMENITY CONSISTENT WITH THE CURRENT DEMOGRAPHIC AND MARKET OF THE LOCAL AREA, IN ACCORDANCE WITH THE OBJECTIVES OF THE APPLICABLE GENERAL RESIDENTIAL ZONE.
 • THE PROPOSED DWELLINGS HAVE BEEN DESIGNED TAKING INTO CONSIDERATION THE SPECIFIC SITE AND AMENITY OF THE ADJOINING PROPERTIES.
 • THE SITE IS PARTIALLY IN A BUSHFIRE DECLARED AREA.

ACCESS AND PARKING:
 • EACH DWELLING IS PROVIDED WITH COVERED PARKING VIA A CARPORT.

LANDSCAPING:
 • LANDSCAPING IN THE AREA IS TYPICALLY SIMPLE AND LOW MAINTENANCE GARDEN, AND THEREFORE THE SAME TREATMENT WILL BE APPLIED TO THE PROPOSED DEVELOPMENT.

SOLAR ACCESS:
 • THE DWELLINGS HAVE BEEN DESIGNED TO ENSURE THE INTERNAL LIVING ROOMS FACE NORTH, THEREBY GAINING MAXIMUM SOLAR ACCESS.

STORAGE:
 • EACH DWELLING HAS AN EXTERNAL STORAGE AREA THAT MEETS THE MINIMUM REQUIREMENT OF 6M².

No. 14 VACANT

LEGEND

AREAS COLOURED GREEN ARE INCLUDED IN GARDEN AREA CALCULATION

PROPOSED SITE AREA SCHEDULE			
USE	AREA	%	%
TOTAL	735.00	100.00	100.00
GARDEN AREA	380.59	51.92	41.98
IMPERVIOUS	272.11	37.01	36.52
PERVIOUS	82.30	11.11	11.50
TOTAL COVER	354.41	48.21	47.95

CARPORT

1 DESIGN RESPONSE / GARDEN AREA PLAN

1:100



PROPOSED DWELLING AREA SCHEDULE 4	
Room	Area
DWELLING 1	61.80 m ²
DWELLING 1 CARPORT	11.08 m ²
DWELLING 1 PORCH	7.92 m ²
DWELLING 1 TOTAL	80.81 m ²
DWELLING 2	61.80 m ²
DWELLING 2 CARPORT	11.08 m ²
DWELLING 2 PORCH	7.92 m ²
DWELLING 2 TOTAL	80.81 m ²

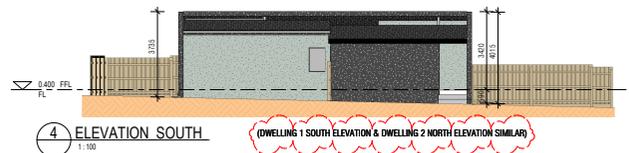
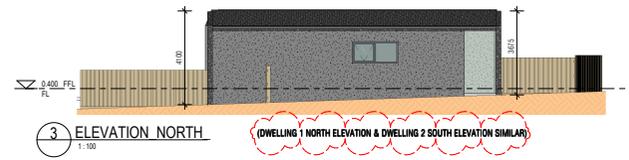
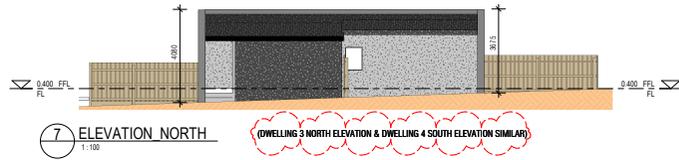
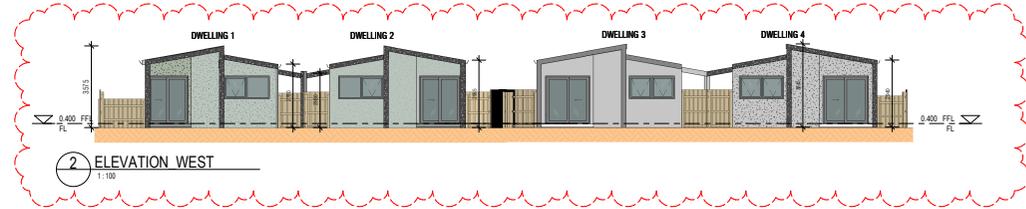
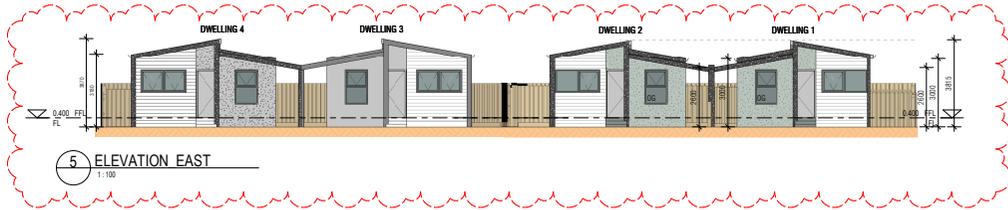
PROPOSED DWELLING AREA SCHEDULE 4	
Room	Area
DWELLING 3	61.80 m ²
DWELLING 3 CARPORT	11.08 m ²
DWELLING 3 PORCH	7.92 m ²
DWELLING 3 TOTAL	80.81 m ²
DWELLING 4	61.80 m ²
DWELLING 4 CARPORT	11.08 m ²
DWELLING 4 PORCH	7.92 m ²
DWELLING 4 TOTAL	80.81 m ²

PROPOSED SITE AREA SCHEDULE	
Room	Area
Site Area	322.80 m ²
Concrete Area	266.28 m ²
Compacted Area	47.14 m ²
Driveway	84.48 m ²
Site Total	359.84 m ²

- LEGEND
- CONCRETE DRIVEWAY
 - COMPACTED TOPPING PATH
 - FOLDING WASHING LINE
 - 900M MAIL BOX WITH HOUSE NUMBER
 - NOTIONAL LANDSCAPING TO FUTURE LANDSCAPE PLAN

1 PROPOSED FLOOR / SITE PLAN
1:100





MATERIAL LEGEND

	DARK GREY RENDER
	LIGHT GREY RENDER
	GREY TIMBER-LIKE SLATS



1 SHADOW DIAGRAM SEPT 22 10AM
1:100



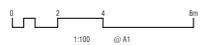


NOTE SHADOW SHOWN INCLUDE SHADOWS FROM EXISTING (AND PROPOSED) BOUNDARY FENCES

1 SHADOW DIAGRAM SEPT 22, 12PM
1:100



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www.dcaesign.com.au



PROJECT	PROPOSED RESIDENTIAL DEVELOPMENT	JOB NO.	5150
ADDRESS	15 & 17 BOWEN STREET, ST ARNAUD		
CLIENT	KELVIN WIGHTMAN		
SHEET TITLE	SHADOW DIAGRAM		
DRAWN	KC	SCALE	1:100
DATE	JUN 2022	REV	2



1 SHADOW DIAGRAM SEPT 22. 3PM
1:100

9.3.2. Planning Permit Amendment 5.2021.78.2 - 46 Abattoir Road, Stawell

Author/Position: Jade Erwin, Senior Planner

Purpose

To make a decision on Planning Permit application 5.2021.78.2 to amend a permit for 46 Abattoir Road, Stawell.

Summary

The subject site is located at 46 Abattoir Road, Stawell, which is currently used and developed as the Stawell Abattoir. An existing planning permit (5.2021.78.1) issued on 20 October 2021 allowed a new chiller and cutting room floor to be developed on the site. This application seeks to amend this permit to allow significant additional development to improve the versatility of the site, ensuring the facility is improved to respond to current operational requirements.

Specifically, the proposal includes:

- Development of a large new building which will have a total floor area of approximately 3,945sqm and an overall height of 16.89m to the ridge. Building materials include precast concrete walls and colorbond, with the roofing to be galvanized iron.
- A dispensation of 114 car parking spaces is requested. 308 car parking spaces are recommended to be provided on the site under a Traffic Impact Assessment which has been prepared for the site.
- A dispensation of 4 bicycle parking spaces is requested. 10 bicycle parking spaces will be retained on the site.

The application was referred to internal and external authorities, all of whom have consented to the development. The application was exempt from public notice.

Statutory planning recommends the application is approved subject to amended permit conditions as outlined in the attached planning report.

Recommendation

That Council supports the officer's recommendation and determines to issue an Amended Planning Permit to allow the additional buildings/works and associated car parking and bicycle parking dispensation subject to revised permit conditions as outlined in the attached planning report.

Background/Rationale

A detailed Planning Assessment Report is provided at Attachment 1, assessing the application against all relevant requirements of the Northern Grampians Planning Scheme.

The subject site is located in an Industrial Zone within an established industrial area, and all abutting land is zoned Industrial 1 Zone. The site is also partially affected by a Bushfire Management Overlay. The site has been used as an abattoir for many years and is an important industry within the municipality.

An existing planning permit (5.2021.78.1) issued on 20 October 2021 allowed a new chiller and cutting room floor to be developed on the site. This application seeks to amend this permit to allow significant additional development, in order to improve the versatility of the site, ensuring the facility is improved to respond to current operational requirements.

Specifically, the proposal includes:

- Development of a large new building which will have a total floor area of approximately 3,945sqm and an overall height of 16.89m to the ridge. Building materials include precast concrete walls and colorbond, with the roofing to be galvanized iron.
- A dispensation of 114 car parking spaces is requested. 308 car parking spaces are recommended to be provided on the site under a Traffic Impact Assessment which has been prepared for the site.
- A dispensation of 4 bicycle parking spaces is requested. 10 bicycle parking spaces will be retained on the site.

The development has been accompanied by numerous reports including a Stormwater Management Plan, an Environmentally Sustainable Design (ESD) Assessment, a Traffic Impact Assessment and a Bushfire Management Plan, addressing the relevant requirements of the planning scheme.

The application was exempt from the public notice requirements of section 52 of the *Planning and Environment Act 1987*.

As part of the assessment of the application, the application was referred externally to the CFA, EPA and GWMWater, and internally to Council's Infrastructure and Environmental Health Teams.

The CFA have reviewed the Bushfire Management Plan and have consented to the proposal subject to conditions. The application is consistent with the purpose of the Bushfire Management Overlay and the construction standard of BAL 12.5, along with the management of vegetation on the site will ensure that the risk to property and life can be reduced to an appropriate level.

The EPA and Council's Environmental Health Officer have reviewed the proposal to consider whether it would result in any significant new amenity impacts (such as noise/odours etc) to surrounding properties. Neither have raised any objections to the proposal, and appropriate permit conditions can ensure the development complies with all regulatory requirements regarding noise, dust and odour emissions.

The applicant has submitted a Traffic Impact Assessment analysing the car parking demand associated with the abattoir extension, and has found that the dispensation of 114 car parking spaces is acceptable given that the predicted demand would be 308 car parking spaces. Permit conditions will require 308 car parking spaces to be provided which can readily be accommodated within the existing car parking areas located on the site.

The proposed dispensation of 4 bicycle parking spaces is considered acceptable, given there is ample room on-site for informal bicycle parking, and the dispensation sought (4 spaces) is very modest.

Statutory planning recommends the application is approved subject to amended permit conditions as outlined in the attached planning report.

Legislation, Council Plan, Strategy and Policy Implications

Planning and Environment Act 1987

Planning and Environment Regulations 2015

Northern Grampians Planning Scheme

Options

Option 1

That Council supports the officer's recommendation and determines to issue an Amended Planning Permit to allow the additional buildings/works and associated car parking and bicycle parking dispensation subject to revised permit conditions as outlined in the attached planning report. **[recommended]**

Option 2

That Council determine to issue a Refusal to Issue the Amended Permit. **[not recommended]**

Implications

The subject matter has not raised any issues relating to heritage/cultural, human rights/gender equality, privacy, risk management, budgetary and asset management implications. Environmental issues (such as sustainability of built form and stormwater management), Economic Implications and potential Amenity impacts have been considered and are addressed in the attached planning report.

Procurement

No procurement requirements apply to this report.

Community Engagement

The application is exempt from public notice under the provisions of the Northern Grampians Planning Scheme as the site is located more than 30m from a residential zone, hospital or education centre.

Innovation and Continuous Improvement

The subject matter of the report does not raise any implications regarding innovation or improvements.

Collaboration

Internal and external referrals were sent to the following agencies:

- GMMWater
- CFA
- EPA
- Council's Infrastructure Team
- Council's Environmental Health Team

Officer's Declaration of Interest

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Planning Assessment Report **[9.3.2.1 - 20 pages]**



PLANNING PERMIT AMENDMENT NO. 5.2021.78.2

103097

1036238

Planning Permit Application Fee. **\$4,885-10**

Receipt No. **708757,708758,708756**

ASSESSMENT REPORT:	
No. of stat days at time of report:	Over 60 days at time of Council Meeting
Officer Direct or Indirect Conflict of Interest	No Council officers involved in the preparation or review of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (C) of the Local Government Act.

APPLICATION DETAILS:	
Applicant:	Vaughan Constructions Pty Ltd
Application Received:	16/08/2022 (fee paid 22/8/2022)
Proposal for "The Permit Allows":	Amendment to existing permit to allow additional development and to allow a reduction in the statutory car parking and bicycle parking rates. Existing permit issued for <i>"Development being Buildings and Works (Personnel Access Entry, Chiller No 5, Cutting Room extension) and the Part demolition/alteration to an existing building (skin shed) associated with an existing Abattoir"</i>
Property Address:	46 Abattoir Road STAWELL 3380
Legal Description:	LOT 1 and 2 on Plan of Subdivision 206222A
Site Area:	Overall site area of approx. 10.3ha
Existing Use:	Existing Abattoir, including carparking, vegetation etc
Zone:	Industrial 1 Zone
Adjoining Zones:	Industrial 1 Zone
Overlays:	Partial Bushfire Management Overlay (BMO)
Easements:	No easements on title
Covenants or Restrictions:	No covenants or Section 173 Agreement registered on title.
CHMP required:	No. The area is not in an area of cultural heritage sensitivity.
Is the site located in a Special Water Supply Catchment ?	Yes
Permit Triggers:	<ul style="list-style-type: none"> • Clause 33.01 (IN1Z) – a permit is required for building and works • Clause 44.06 (BMO) – a permit is required for buildings and works associated with industry. • Clause 52.06 – a permit is required for car parking dispensation • Clause 52.34 – a permit is required for a bicycle parking reduction

PROPOSAL

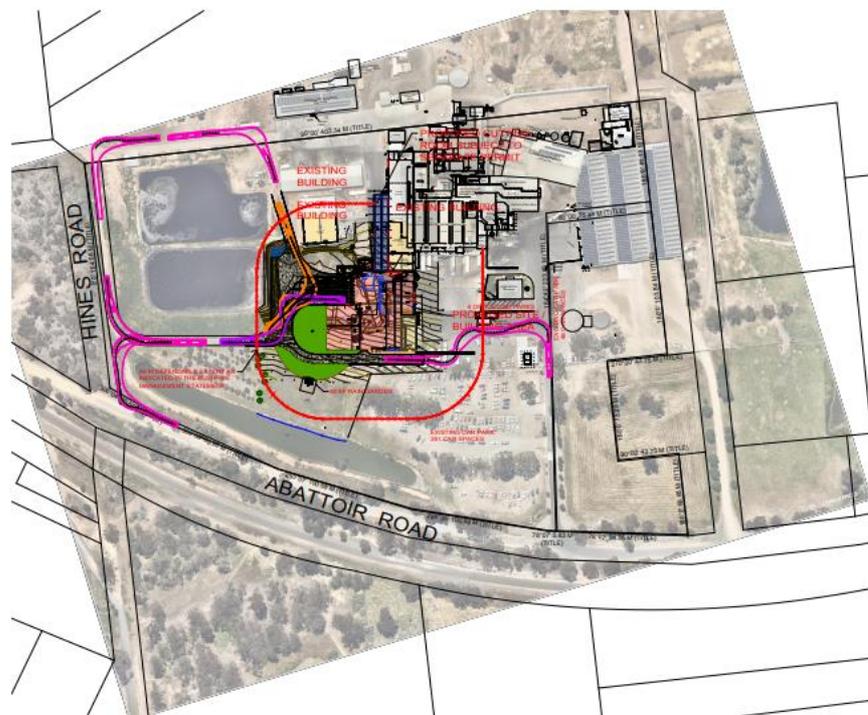
Planning permit 5.2021.78.1 has recently been issued for additional development to the site to allow the construction of three buildings (Personnel Access Entry, Chiller No. 5, Cutting Room extension) and demolition/alteration to an existing building (skin shed) associated with existing Industry (Frew Foods International). This proposal comprises an amendment to the existing permit 5.2021.78.1 to allow additional substantial development. The changes sought are:

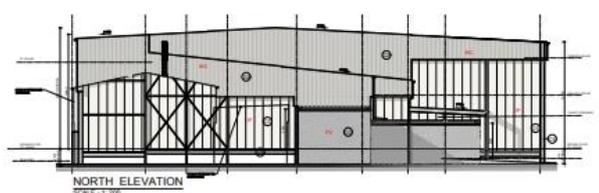
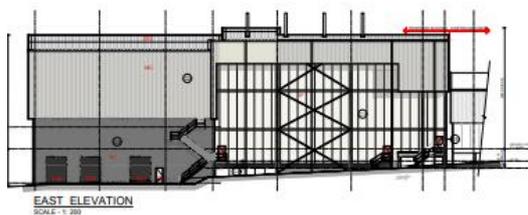
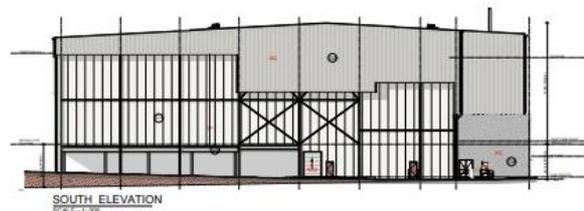
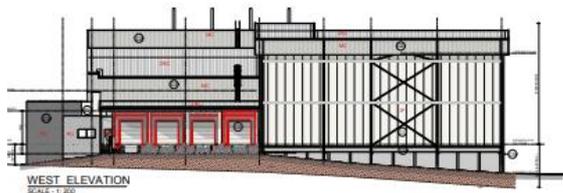
- Alter the approved plans and allow a large extension to the existing facility, in order to improve the versatility of the site, ensuring the facility is improved to respond to current operational requirements.
- The proposed new building will have a total floor area of approximately 3,945sqm and an overall height of 16.89m to the ridge. Building materials include precast concrete walls and colorbond, with the roofing to be galvanized iron.
- A dispensation of 114 car parking spaces is requested. A Traffic Impact Assessment has been provided to support this dispensation. This TIA indicates that 308 car parking spaces will be required for the extended use. The site currently contains in excess of 308 car parking spaces spread among three car parking areas.
- A dispensation of 4 bicycle parking spaces is requested. 10 bicycle parking spaces will be retained on the site.

A Stormwater Management Plan has been provided showing how stormwater will be retained and treated on-site. An ESD report has been provided showing the buildings compliance with energy efficiency standards.

The expanded facilities will permit increased production volumes, which will be facilitated by approximately a 20% increase in peak staffing levels, and an increase from one shift to two shifts each day.

A copy of the site plans are shown below:





SITE AND SURROUNDING AREA

The subject site is located on the northern side of Abattoir Road. The site comprises of multiple titles with the proposed works being located within Lot 1. The subject site (Lot 1) is irregular in shape and comprises 8.637ha, with the overall site area being 10.3ha. The land is currently used and developed as an abattoir and contains a number of buildings including offices building/s, guard house, chiller & cutting rooms, staff rooms, boiler, boiler shed, storage sheds, skin sheds, truck and carparking areas, and effluent disposal lagoons.

The site is located within an established industrial area, and all abutting land is zoned Industrial 1 Zone. Land located immediately to the north and east of the site is also owned by Frew Food International and land located immediately to the west is Crown Land, and to the south is the Adelaide-Melbourne railway line. Further to the north west is an extractive industry, with industrial and commercial zoned land and businesses located to the south and south west. The nearest residentially zoned land is over 350m away to the northeast, with the Stawell CBD being approximately 2km east of the site.

An aerial map and zoning map are provided below. The subject site is outlined in orange.





PERMIT HISTORY

There have been many planning permits issued for the Abattoir over the years.

- Amendment 5.2014.11.3 was to include the new offal chiller and brain room extension.
- Amendment 5.2014.11.4 included the walkway, which was done without permission/permits, extension to workshop and loading bay area, and a new shed.
- 5.2019.53.1 was for the Wood Chip Boiler Room which required more detail in regards to a Works Approval from EPA.
- 5.2020.40.1 Development being Buildings and Works associated with existing Abattoir (extension to wood chip boiler room).
- 5.2021.78.1 - Development being the construction of three buildings (Personnel Access Entry, Chiller No. 5, Cutting Room extension) and demolition/alteration to an existing building (skin shed) associated with existing Industry (Frew Foods International). This application seeks to amend this permit.

REFERRALS

The following **external** referrals were undertaken:

Authority	Advice/ Response/Conditions	Report Response
Section 55 Referrals:		
CFA	<p>No objection subject to condition as below:</p> <p>1. Endorsement of Bushfire Management Plan Before the development starts, the Bushfire Management Plan prepared by Regional Planning and Design (Revision C & dated 31/8/2022) must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.</p> <p>– End of Conditions – Further Comments</p> <ul style="list-style-type: none"> • CFA supports the proposed variations to the standard vegetation management requirements at Table 6 in clause 53.02 of the Scheme. This is because of the area of vegetation is relatively isolated and well separated from the building. 	Noted. Conditions will be placed on permit.
GWM Water	No objection and no conditions required.	Noted. No concerns or conditions required.

Authority	Advice/ Response/Conditions	Report Response
Section 52 Referrals:		
EPA	<p>EPA is not a statutory referral Authority under Section 55 of the P&E Act, since this proposal:</p> <p>a) does not require an operating licence or development license, or amendment to a license;</p> <p>b) is not proposed to be used for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a threshold distance not specified or for which the threshold distance cannot be met; and</p> <p>c) is not a proposed extractive industry intended to be used at a later date for landfill.</p> <p>EPA does not object to the proposal and provides the following comments for Council's consideration.</p> <p>The Proposal and Site Context EPA understands that the subject site constitutes a small section of a larger site licenced under Activity Type D01 – Abattoirs. The nearest sensitive receptor to the development site is a dwelling in an Industrial 1 Zone, approximately 320</p>	Noted. The EPA has no objections to the proposal and does not require any conditions. A note requested by EPA advising of the possibility of an amendment to the EPA licence will be placed on the permit. A permit condition regulating noise is already on the permit and will be retained.

metres to the east, 175 metres from the established abattoir site.

The permit which this proposal seeks to amend was last assessed by EPA in September 2021 (EPA reference REQ001239), when it was determined that EPA was not a statutory referral authority. EPA did not object to the proposal and provided advice relating to noise generation and wastewater management.

The proposed amendment seeks to demolish a shed on site, and develop a warehouse comprising of temperature-controlled storage areas and two floors of service and control rooms as well as four docking bays and a load-out area. EPA understands that no animal processing will occur within the facility, as it will be used for the storage and transfer of product only.

EPA Permissions

Changes to the area licensed under activity type D01 may require an amendment to the existing licence. To determine if an amendment is required for the proposed development, it is recommended that the Proponent submit a Permissions Proposal Pathway Form (F1021).

EPA Publication 1995 - The Permissions Proposal Guideline contains information for this application. The completed form and all supporting evidence should be submitted by email to permissions@epa.vic.gov.au.

Noise Generation

As this amendment relates to an extension of the existing abattoir use, EPA encourages Council to consider any potential noise impacts within the context of their contribution to the cumulative effects of the abattoir.

EPA considers that the proposed temperature-controlled storage rooms may depend on the function of external fans to operate, similarly to refrigeration or ventilation systems. These may produce a significant amount of noise which could potentially impact nearby sensitive receptors.

It is recommended that the proponent adopt a preventative approach to the generation of noise by the proposed extension. The EPA website page "How to control noise from your business" contains relevant guidance which will assist the proponent in mitigating any noise generation. Recommended measures may involve the use of acoustic louvres or duct attenuators.

If Council remains concerned with noise produced by the development, an acoustic report, prepared by a suitably qualified person, may be requested to demonstrate compliance with EPA publication 1826 - Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (the

	<p>Noise Protocol) in regard to impacts on surrounding sensitive uses. This will also provide details of recommended mitigation measures if required.</p> <p>Demolition and Construction Processes of construction and demolition also have the potential to generate significant dust and noise which may impact sensitive receptors nearby the site. EPA would encourage the permit holder to take a preventative approach in the minimisation of any potential impacts of demolition and construction. To assist in ensuring this, Council may wish to direct the proponent to the following guidance:</p> <ul style="list-style-type: none"> • Construction - guide to preventing harm to people and the environment, EPA Publication 1820.1, https://www.epa.vic.gov.au/about-epa/publications/1820-1 • Civil construction, building and demolition guide, EPA Publication 1834, https://www.epa.vic.gov.au/about-epa/publications/1834. <p>The Environment Protection Act 2017 EPA advises that the amended <i>Environment Protection Act 2017</i> came into effect on 1 July 2021. The general environmental duty (GED) is a centrepiece of the laws. It applies to all Victorians. If you engage in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take reasonably practicable steps to eliminate or minimise them. EPA will work with industry and the community to help them understand how to fulfil their obligations, by providing guidance, advice, and other support.</p> <p>For further information on what the laws mean for Victorian businesses go to: https://www.epa.vic.gov.au/for-business/new-laws-and-your-business For further information on what the laws will mean for individuals and the community go to: https://www.epa.vic.gov.au/about-epa/laws/new-laws/the-new-act-for-the-community</p>	
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The application was referred internally and comments received as below:

Internal Council Referrals	Advice/ Response/Conditions	Report Response
Environmental Health	I have taken a look at the proposed amendments to this planning permission and have no objections to the issuing of this permit. There are unlikely to be any additional environmental issues from the construction of this cutting room or demolition of the buildings or hardstand.	Noted. No concerns or conditions required. Existing EHO conditions will be retained on the permit.

Infrastructure	No objection subject to conditions.	Noted. Conditions will be retained on permit.
Economic Development	Noted.	Noted. No concerns or comments on the application.

PUBLIC NOTIFICATION

Pursuant to Clause 33.01-4 (IN1Z), Clause 44.06-7 (BMO), Clause 52.06-4 (Car parking) and Clause 52.34-3 (Bicycle Parking) of the Northern Grampians Planning Scheme the application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning and Environment Act 1987.

ASSESSMENT

The principal issues can be summarised as follows:

STRATEGIC JUSTIFICATION

The proposal generally complies with relevant state and local planning policies including those listed below:

- Clause 02.02 'Vision' aims to boost economic growth by facilitating business to increase workforce.
- Clause 02.03-1 *Settlement* which aims to encourage the growth of Stawell as the shire's largest town.
- Clause 02.03-7 *Economic development* which aims to consolidate retail and service businesses in Stawell and to direct industrial uses to areas that are serviced by power, water and gas.
- Clause 11.01-1R *Settlement - Wimmera Southern Mallee* which aims to support the ongoing growth and development of Stawell as a key service hub.
- Clause 11.01-1L *Settlement - Northern Grampian* which aims to Concentrate retail and professional service uses in existing commercial centres and to encourage industrial and intensive commercial development in areas to the north east of the town, including in the vicinity of the gold mine, and to the west of the town.
- Clause 13.05-1S *Noise management* which aims to assist the management of noise effects on sensitive land uses. Relevant strategies include:
 - Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.
 - Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.

- Clause 13.06-1S *Air quality management* aims to assist the protection and improvement of air quality.
- Clause 13.07-1S *Land use compatibility* which aims to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
- Clause 17.01-1S *Diversified economy* which aims to facilitate growth in a range of employment sectors, including industries and professional and technical services, to improve access to jobs closer to where people live and to support rural economies to grow and diversify.
- Clause 17.01-1R *Diversified economy - Wimmera Southern Mallee* which aims to capitalise on economic development opportunities through building on the region's assets.
- Clause 17.03-2S *Sustainable industry* aims to facilitate the sustainable operation of industry. Relevant strategies include:
 - Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.
 - Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.
 - Minimise inter-industry conflict and encourage like industries to locate within the same area.
 - Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.
 - Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.
 - Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.
 - Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

The state bushfire policy at Clause 13.02-1S also applies as the site is subject to a Bushfire Management Overlay. The policy objective is:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The policy includes strategies relating to protection of human life, bushfire hazard identification and assessment, settlement planning, areas of biodiversity conservation value, and use and development control in Bushfire Prone Areas. The strategies for the protection of human life are to give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

Clause 71.02-3 –Integrated decision making sets out the principles of integrated decision making that apply when making planning decisions. These include:

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations (emphasis added).

Comment: As detailed above, there is significant policy support aimed at protecting and enhancing the existing abattoir business which is a key industry for Stawell. The site is appropriately located in an industrial zone and the proposed changes will allow the growth and continued viability of the business. Bushfire risk is also appropriately managed and complies with the above policies.

ZONE

Industrial 1 Zone

The site is located within an Industrial 1 Zone and the purpose of this zone is to:

- *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.*

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any natural or cultural values on or near the land.*
- *Streetscape character.*
- *Built form.*
- *Landscape treatment.*
- *Interface with non-industrial areas.*
- *Parking and site access.*
- *Loading and service areas.*
- *Outdoor storage.*
- *Lighting.*
- *Stormwater discharge.*

Comments: The site is already used and developed as an abattoir and has recently had a permit issued to allow the expansion of the abattoir. This proposal will allow additional works including a large extension to the existing facility, in order to improve the versatility of the site, ensuring the facility is improved to respond to current operational requirements. The proposed new building will have a total floor area of approximately 3,945sqm and an overall height of 16.89m to the ridge. Building materials include precast concrete walls and colorbond, with the roofing to be galvanized iron. The new building has been designed with substantial articulation and will be a mixture of concrete, glazing and colorbond – materials which are compatible with the prevailing built form in this industrial area. Whilst the building is large in size and 16.89m in height, it is well setback from the front and side property boundaries and therefore will not appear imposing from adjacent properties. As no changes to the overall land use are proposed, there are not expected to be any

new amenity issues which will result from this proposal. The application was referred to the EPA and Councils EHO, neither of whom raised concerns about the proposal causing new offsite amenity impacts. Permit conditions will ensure the development is carried out appropriately with respect to construction management, noise, odour and dust emissions. The site will retain its existing landscaping, and sufficient provision has been made for car parking and loading areas.

OVERLAYS

Bushfire Management Overlay

The purpose of the Bushfire Management Overlay is to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Clause 44.06-5 requires the following mandatory condition be applied to the permit :

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

This Clause 44.06-6 also requires the application be referred to the CFA for approval. The CFA have reviewed the Bushfire Management Plan which was submitted and have consented to the application subject to conditions.

The application is consistent with the purpose of the Bushfire Management Overlay and the construction standard of BAL 12.5, along with the management of vegetation on the site will ensure that the risk to property and life can be reduced to an appropriate level.

An assessment against 52.03 'Bushfire Planning' is provided later in this report.

PARTICULAR PROVISIONS

52.03 Bushfire planning

The Bushfire Management Overlay is to be read in conjunction with this clause which provides guidance and technical requirements to ensure that land use and development in areas that are prone to bushfire risk are suitably mitigated.

The proposal is required to meet the bushfire protection objectives for landscape, siting and design, defensible space and construction, water supply and access through the approved measures outlined in this provision.

A detailed assessment of how the proposal complies with the listed measures is provided with the Bushfire Management Statement and to be implemented through the Bushfire Management Plan. The BMS has provided for appropriate responses to Clause 53.02-4 via the implementation of *Approved* and *Alternative Measures* which are considered to result in an appropriate outcome as also viewed by the CFA.

Pursuant to the Clause 53.02-1, the application requires the consideration of an assessment under Clause 53.02-4 applies to this application and property. An assessment has been conducted on the relevant section of Clause 53.02-4:

Clause	Measure	Requirement	Response
Clause 53.02-4.1	AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	It is noted that the bushfire risk is primarily to the west of the site (Illawarra Bushland Reserve). The new building will contain 50m of defensible space and will be constructed to a BAL 12.5 which is considered acceptable for mitigating bushfire risk and has been supported by the CFA.
	AM 2.2	A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> • The maximum separation distance between the building and the bushfire hazard. • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles. 	The building is located centrally within the site and reasonably setback from the western boundary. The building will be constructed to a BAL of 12.5 with appropriate defensible space provided. The site has access to the road network (via Abattoir Rd) and has easy access to the site for emergency service vehicles.
	AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building	The development which will have a BAL of 12.5 and has been designed to limit ember accumulation and attack is responsive to the landscape risk.
Clause 53.02-4.2	AM 3.2	A building used for accommodation (other than a dwelling or dependent person's unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is: Provided with defensible space in accordance with Table 3 to Clause 52.03-	Defensible space of 50m around the building is proposed and can be accommodated within the boundaries of the site. This enables a BAL of 12.5 to be utilised. It is noted that the applicant proposes to allow the retention of a number of clumps of trees within the

		<p>5 wholly within the title boundaries of the land.</p> <p>Constructed to a bushfire attack level of BAL12.5.</p>	<p>defendable space area with an exemption from the 5m canopy separation requirements. These trees form part of the landscaping to the carpark and are surrounded by cleared land and are therefore extremely low risk.</p> <p>The application has been reviewed and approved as acceptable by the CFA.</p>
<p>Clause 53.02-4.3</p>	<p>AM4.2</p>	<p>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:</p> <p>A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.</p> <p>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</p> <p>An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.</p> <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</p>	<p>The building is not used for accommodation but instead for an industrial use and therefore there is no set rate for water supply.</p> <p>A 40,000L static water supply is proposed and will be fitted with CFA fixtures.</p> <p>Access requirements to the shelter are likewise not specified noting that the building is not used for accommodation. Nonetheless access driveways will be designed to accommodate CFA vehicles for firefighting purposes. The BMP has been assessed and approved by the CFA.</p>

Clause 52.06 'Car Parking'

The purpose of this clause is to:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*

- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

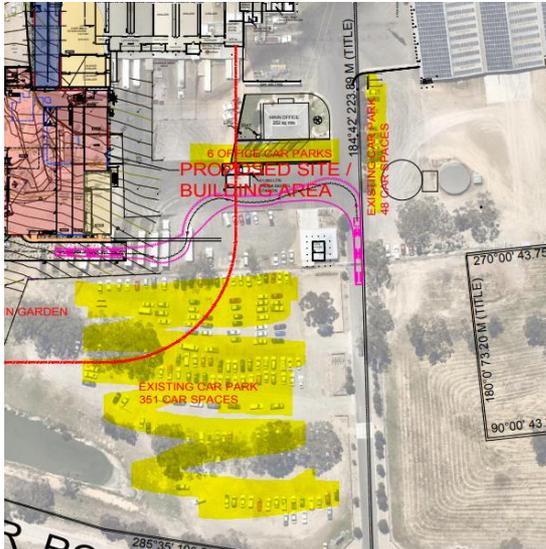
Under the provisions of Clause 52.06-5, for an industrial use, 2.9 car parking spaces are required per 100sqm of net floor area. The additional floor area of 3,945sqm would therefore require 114 car parking spaces. No additional car parking spaces are proposed and the applicant has therefore requested dispensation of car parking for 114 spaces.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as selected relevant:

- *The availability of alternative car parking in the locality of the land, including:*
 - *Efficiencies gained from the consolidation of shared car parking spaces.*
 - *Public car parks intended to serve the land.*
 - *On street parking in non residential zones.*
 - *Streets in residential zones specifically managed for non-residential parking.*
- *On street parking in residential zones in the locality of the land that is intended to be for residential use.*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.*
- *Any car parking deficiency associated with the existing use of the land.*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes to and from the land.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*

The applicant has submitted a Traffic Impact Assessment prepared by One Mile Grid analysing the car parking demand associated with the abattoir extension. This traffic assessment highlights that *“Future operations are proposed to be conducted across two shifts across the day. The proposed development is expected result in an uplift in 20% of staff parking demands, equating to a total parking demand of 240 spaces across each of the two shifts. Assuming an additional demand of 60 spaces during the shift overlap period, a maximum staff parking demand of 300 spaces is anticipated. Based on information provided by the operator, the existing site generates a visitor parking demand of 8 spaces throughout the day. It is conservatively assumed that the visitor parking demand of 8 spaces is generated during the shift overlap period.”*

This would require a total of 308 car parking spaces. Existing permit conditions require 301 car parking spaces to be provided on the site. This condition will be updated to the 308 spaces required. The site currently contains 6 car parking spaces adjacent to the office, approximately 351 car parking spaces in the existing informal car parking area at the south of the site and approximately 48 car parking spaces in the eastern area of the site, generally as shown below:



Council's Infrastructure Department do not require the car parking area to be sealed and are satisfied to retain the existing gravel finish. As such, and noting the ample area available on the site in the areas shown above and in further areas spread on the 10.3ha property, a formal car parking plan showing the exact location and dimensions of the car parking spaces are not required.

In summary, sufficient car parking can be readily provided on-site to accommodate the extension and increased staff numbers.

Clause 52.17 'Native Vegetation'

The applicant has received approval from the CFA to allow a patch of native trees in the car parking area to be retained, and has a revised BMP with this exemption built into the defendable space calculations. As such, no native vegetation is required to be removed as part of this application.

Clause 52.34 'Bicycle Parking'

The purpose of this clause is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Under the provision of this clause, 1 bicycle parking space is required per 1000sqm of floor area. The additional floor area of 3,945sqm would therefore require 4 bicycle parking spaces. The applicant has requested dispensation of these bicycle spaces. 10 existing bicycle parking spaces are retained on the site. The proposed dispensation of 4 bicycle parking spaces is considered acceptable, given there is ample room on-site for informal bicycle parking, and the dispensation sought (4 spaces) is very modest.

Clause 53.18 'Stormwater Management'

The purpose of this clause is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

The applicant has provided a detailed Stormwater Management Plan which includes an 80sqm rain garden and 20kL rainwater tank to treat and retain stormwater. This has been reviewed and accepted by Councils Infrastructure team. A permit condition will be added to ensure stormwater retention and treatment is managed as per

CLAUSE 65

The application is generally consistent with the decision guidelines of Clause 65.01 – Approval of an application.

CONCLUSION

The proposal is considered to accord with the relevant decision guidelines of the Northern Grampians Planning Scheme. It is recommended that a Planning Permit is issued subject to the following conditions.

Endorsed Plans

1. All buildings and works must be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must be completed to the satisfaction of the Responsible Authority prior to the occupation of the development. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority.

Layout not to be altered

2. The proposed development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Amenity

General Amenity

3. The development hereby permitted must be managed so that the amenity of the area is not detrimentally affected, 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.

to the satisfaction of the Responsible Authority.

In the event of any nuisance being caused to the neighbourhood by activities related to the use and development the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.

External lighting

4. All external lighting of the site must be located, directed and shielded, and of such limited intensity so that no nuisance is caused to nearby residents and motorists to the satisfaction of the Responsible Authority.

Colours and Materials

5. All external surfaces of any buildings (including any roof) and works must be non-reflective and to the satisfaction of the Responsible Authority

Noise Control

6. Noise emissions from the site must not exceed the standards set out in State Environment Protection Policies or EPA publication 1826 - Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (the Noise Protocol), or as amended/updated by the EPA, to the satisfaction of the Responsible Authority.

Maintenance

7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Wastes

8. All wastes and the remnants of solid waste materials used or produced on the site must be stored and removed from the site and disposed of in such a manner as to avoid any nuisance, pollution or offence to the satisfaction of the Responsible Authority.
9. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into any existing drains or watercourses.
10. Waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no waste is spilt, or dust or odour is created to the satisfaction of the Responsible Authority.

Car parking

11. Prior to the occupation of works or development, no fewer than 308 car space(s) must be provided on the land for the use and development, including spaces clearly marked for use by disabled persons and designed in accordance with Australian Standard AS 2890.6 – 2009.

12. Prior to the commencement of the use or occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the approved plans must to the satisfaction of the Responsible Authority be:

- (a) Suitably constructed of crushed rock (as a minimum);
- (b) Properly formed to such levels that they can be used in accordance with the plans;
- (c) Adequately drained;
- (d) Clearly marked to show the direction of traffic along access lanes.

Car spaces and access lanes must be maintained and kept available for these purposes at all times.

Council's Environmental Health Condition

13. A standard on-site wastewater management system is required, make sure to submit an OWMS application with a treatment system floor plan.

Council's Infrastructure Department Conditions

Entry Works

14. Access to the property must be provided from Abattoir Road via the existing sealed driveway with dimensions adequate to accommodate emergency vehicles and the largest vehicles using the site to the satisfaction of the Responsible Authority. Any new access points to Council managed roads will require Council approval.

Stormwater Drainage

15. Before the use begins, the development must be connected to the existing stormwater drainage system to the satisfaction of the Responsible Authority

Emissions and Discharges during Construction

16. The developer must restrict emissions and discharges from any construction sites within the land in accordance with the best practice environmental management techniques and guidelines contained in the Environment Protection Authority publications for sediment pollution control and Environmental Guidelines for major construction sites to the satisfaction of the Responsible Authority.

Generation of Dust

17. The permit holder must ensure the surface of the site is maintained to avoid dust nuisance to any residential area to the satisfaction of the Responsible Authority.

Loading/Unloading

18. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and must not disrupt the circulation and parking of vehicles on the land or street network to the satisfaction of the Responsible Authority. All Vehicle entry to and egress from the site shall be in a forwards direction.

Vegetation Protection Works

19. Unless with the further written consent of the Responsible Authority, vegetation protection works shall be undertaken during site construction including:

- No stockpiling around the base of any vegetation;
- No excavation works shall be carried out within the drip line of any tree canopy;
- No damaging roots greater than 50mm in diameter;
- No unnecessary pruning of any vegetation;

All vegetation protection works shall be undertaken to the satisfaction of the Responsible Authority and shall remain in place during all site works.

Bushfire Management Plan

20. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

CFA Condition

Bushfire Management Plan endorsed

21. The Bushfire Management Plan Attachment 5 – Bushfire Management Plan (version 2; dated March 2020); prepared by Southern Cross Town Planning must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Stormwater Management Plan

22. Unless with the further written consent of the Responsible Authority, the stormwater drainage, retention and treatment of the site must be developed and maintained on an ongoing basis in accordance with the requirements of the approved Stormwater Management Plan which has been endorsed and forms part of this permit. The endorsed Stormwater Management Plan must not be altered without the further written approval of the Responsible Authority.

Environmentally Sustainable Design

23. Unless with the further written consent of the Responsible Authority, the development must comply with the Environmentally Sustainable Design requirements set out in the approved ESD Report which has been endorsed and forms part of this permit. The endorsed ESD Report must not be altered without the further written approval of the Responsible Authority.

Expiry

24. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of this permit;
- b) The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

End of Conditions

Permit Notes:

Environment Protection Authority (EPA) Notes:

- This permit is not an EPA permission/approval. 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 2017 are met. This may include obtaining an EPA permission, approval, or exemption, in accordance with the Environment Protection Regulations 2021.
- Changes to the area licensed under activity type D01 may require an amendment to the existing licence. To determine if an amendment is required for the proposed development, it is recommended that the Proponent submit a Permissions Proposal Pathway Form (F1021).
- EPA Publication 1995 - The Permissions Proposal Guideline contains information for this application. The completed form and all supporting evidence should be submitted by email to permissions@epa.vic.gov.au.

Building Approvals

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the *Building Act 1993*, *Building Regulations 2018* and *Building Code of Australia 2014*.

Amendment Box
Condition 1 (Endorsed Plans) updated. Condition 3 (Amenity) updated. Conditions 11 and 12 (Car Parking) updated. Condition # (Noise) updated. Condition 20 (Bushfire Management Plan) and Condition 21 (CFA Condition) added. Condition 19 (Vegetation Protection Works) Added. Condition 17 (Generation of Dust) Added. Condition 18 (Loading and Unloading) Added. Condition 22 (Stormwater Management Plan) Added. Condition 23 (Environmentally Sustainable Design) Added. Condition 24 (Expiry) Added. EPA Note updated. Building Note added.

9.3.3. Big Hill Arboretum

Author/Position: John Hunt, Manager Operations

Purpose

To provide information for Council to make a determination on Big Hill, Stawell Improvement options including the Arboretum.

Summary

This report is broken into two distinct portions being:

- Part A, Arboretum
- Part B, Big Hill Improvement

Part A, Arboretum

Interested community individuals supported by the Stawell Urban Landcare have approached Council requesting permission to restore the Arboretum and undertake general upkeep of the area on an ongoing basis. To do this Council would need to assume management responsibility of the Crown land to allow the volunteers to undertake works under Council responsibility.

Part B, Big Hill Improvements

Council has been requested to improve the appearance and functionality of Big Hill for the purpose of improving its tourism appeal. To this end, Big Hill is included in the Council Plan and Council Action Plan 2022-23. Upgrading works are proposed on car park/viewing area.

Recommendation

That Council

1. **applies for the general Crown land licence over the Arboretum area within the Big Hill Reserve and supports the volunteers**
2. **accepts the proposed Big Hill Improvements Project and allocates budget consideration in 2023-24.**

Background/Rationale

The bare landscape to the side of Big Hill was identified as being in dire need of rehabilitation, post-mining. In 1958 the newly formed Stawell Apex Club, with support from the Stawell Field Naturalists led by Ian McCann and the Stawell Progress Association, progressed a vision to rehabilitate the land as a local Arboretum to raise awareness of the advantages of growing Australian trees and shrubs, as well as providing a recreational facility.

For many years, it served as a popular picnic area for local families, as well as a resource for community groups such as The Scout and Guiding movement. The Apex Club volunteers maintained the Arboretum and socialised there until 1994 when it was then handed back to DELWP to manage. Sadly, during the past 28 years, the site has fallen into disrepair.

Interested community individuals supported by the Stawell Urban Landcare have approached Council requesting permission to restore the Arboretum and undertake general upkeep of the area on an ongoing basis.

Council currently holds no responsibility for the land in question and therefore has no right to permit this activity. The land is Crown land that has no appointed land manager.

Advice was sought from Department Environment, Land, Water and Planning (DELWP) regarding the options to enable said individuals to undertake restoration activities. DELWP advised the preferred approach is to formalise the type of public community use, reserve the Crown land for an appropriate purpose (e.g. public use, recreation, etc.) and then appoint a Committee of Management.

DELWP also advised that it would not consider a direct user pays lease or license with the community group as an appropriate option or be supportive of appointing community member-based Committee of Management over reserves where increased development and public use is proposed.

Therefore to enable the volunteer based restoration, Council would need to assume management responsibility of the Crown land to allow the volunteers to undertake works under Council's responsibility.

To assume responsibility of the Arboretum area, Council can request DELWP to become the Committee of Management. This would require a survey and subdivision to establish formal boundaries. Council can also make an application to DELWP for a general Crown land licence for the area to allow the Council to assume long or short term management control.

A general Crown land licence agreement to Council can be issued for up to a ten-year term and handed back at any time. A general Crown land licence fee to Council is expected to be \$433.63 per annum. No surveying costs would be required to undertake a licence.

If Council was to assume responsibility for the Arboretum area to support volunteer-based restoration, volunteers would be covered by Council's public liability insurance and there would be no increase in Council insurance premiums due to the land ownership residing with the Crown.

Any short-term improvement in the condition of the Arboretum is expected to change the community's expected long-term condition.

Council has also been requested to improve the appearance and functionality of Big Hill for the purpose of improving its tourism appeal. To this end, Big Hill is included in the Council Plan and Council Action Plan 2022/23. Upgrading works are proposed on car park/viewing area.

Big Hill proposed improvements include:

- seal the gravel car park
- replace guard rails
- formalise the car park with kerb, channel and footpath

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25 - Enhance Lifestyles and Community and Providing Sustainable Infrastructure

Shire Community Vision 2021-41

Municipal Public Health and Wellbeing Plan 2021-25

Activate 2020 to 2030 Strategy

Open Space, Sport and Recreation Strategy 2018

Options

Part A, Arboretum

Option 1

That Council applies for the general crown land licence over the Arboretum area within the Big Hill Reserve and supports the volunteers. **[recommended]**

Option 2

That Council applies to become the Committee of Management over the Arboretum area within the Big Hill reserve and supports the volunteers. **[not recommended]**

Option 3

That Council does not seek to assume responsibility of the Arboretum area within the Big Hill Reserve. **[not recommended]**

Part B, Big Hill Improvements

Option 1

That Council accepts the proposed Big Hill Improvements Project and allocates budget consideration in 2023-24. **[recommended]**

Option 2

That Council does not accept the proposed Big Hill Improvements Project. **[not recommended]**

Implications

Ongoing asset management implications are that any short-term improvement in the condition of the Arboretum will change the expected long-term condition, no matter what the management arrangement.

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

Not applicable

Community Engagement

Interested community individuals supported by the Stawell Urban Landcare have approached Council, requesting permission to restore the Arboretum and undertake general upkeep of the area on an ongoing basis.

Innovation and Continuous Improvement

Not applicable

Collaboration

DELWP has been approached to discover what options are available to enable the volunteer's request.

A DELWP general Crown land licence (rental) agreement to Council can be issued for up to a ten-year term. The general Crown land licence can be handed back to DELWP at any time. No surveying costs would be required under a licence.

The general Crown land licence (rental) fee to Council would be \$433.63 per annum.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

John Hunt, Manager Operations

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Appendix 1 [9.3.3.1 - 1 page]

Appendix (1)

Recommended boundary for general crown licence.



9.4. Improve Organisational Effectiveness

Nil

10. Notices of Motion or Rescission

Nil

11. Reports from Councillors/Committees

12. Urgent Business

13. Public Question Time

14. Closure of Meeting Pursuant to Section 66(2)(a) of the Local Government Act 2020

A Council or delegated committee may resolve that the meeting be closed to members of the public if it considers it necessary because a circumstance specified below apply:

The circumstances are-

- (a) the meeting is to consider confidential information; or**
- (b) security reasons; or**
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.**

If the circumstances specified in subsection (b) or (c) apply, the meeting can only be closed to the public if the Council has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

14.1. C5 2022/23 - Plant Replacement Program

14.2. Development Services Fee Refund

15. Close

Trenton Fithall
Acting Chief Executive Officer
28 October 2022