

Date Issued: 14 January 2021

NOTICE OF AN APPLICATION FOR A PLANNING PERMIT

The land affected by the application is located at: **Grimwade Road, Nagambie VIC**

3608

The application is for a Permit for:

**Use and development of land for
Landfill (Placement of 'certified'
clean fill into Borrow Pit);
Development of land for short
term site office, one shipping
container and two containers with
roof kit; creation of access from
Road Zone Category 1**

The applicant for the Permit is:

Russell Varcoe

The application Reference Number is:

P2021-003

You may view the application and any documents that support the application on our website at

<https://www.strathbogie.vic.gov.au/development/statutory-planning/planning-permits-currently-advertised>

or at the office of the Responsible Authority during office hours:

*Strathbogie Shire Council 109A Binney Street Euroa
Telephone: (03) 5795 0000*

Any person who may be affected by the granting of the Permit may object or make other submissions to the Responsible Authority.

An objection must be sent to the Responsible Authority in writing, include the reasons for the objection and state how the objector would be affected.

The Responsible Authority will not decide on the application before: 04 February 2021

All objections are placed on the relevant Planning Permit application file, which is publicly available at all times. Objections can therefore be read and used by other parties.

An objection form is available from Strathbogie Shire Council office, by phoning Council on (03) 5795 0000 or at <https://www.strathbogie.vic.gov.au/development/statutory-planning/objections>

If you submit an objection, the Responsible Authority will tell you of its final decision.



Google Earth


TOWN PLANNING

TP00	COVER
TP01	EXISTING SITE PLAN
TP02	PROPOSED SITE PLAN
TP03	SECTIONS

PROJECT: PROPOSED RE-ESTABLISHMENT OF EXISTING BORROW PIT TO AGRICULTURAL/GRAZING LAND AT:
 ADDRESS: LOT 1 PS701500 GRIMWADE RD NAGAMBIE

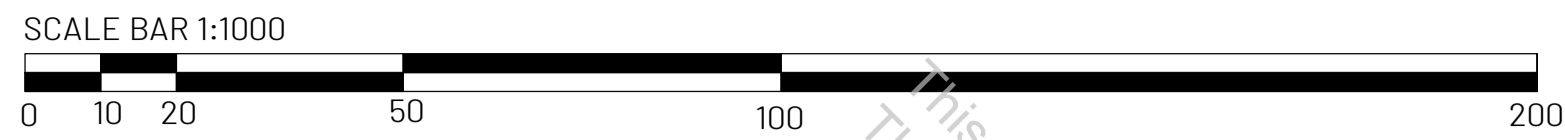
LOCALITY (NOT TO SCALE): NORTH: 

LOCATION OF PROPOSED WORKS

 Rekaris:
 Designed
 Engineering

OFFICE: 6/307-313 WATTLETREE ROAD MALVERN EAST 3145
 TELEPHONE: +61 3 9005 8222
 EMAIL: ENQUIRIES@REKARIS.COM.AU
 WWW.REKARIS.COM.AU

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NOTE: CONTOURS NOT WITHIN SUBJECT AREA OF LESSER ACCURACY

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5930600 NORTH

VACANT BLOCK

3368000 EAST

GRIMWADE RD

LOT 1 PS701500
GRIMWADE RD
NAGAMBIE

EXISTING BORROW PIT

337200 EAST

5930600 NORTH

GOULBURN VALLEY FWY

5930400 NORTH

DAM

3368000 EAST

337000 EAST

VACANT BLOCK

337200 EAST

EXISTING SITE AREA ANALYSIS	
SITE AREA	102222.9 m ²
BORROW PIT	64,085 m ² APPROX.
	483,657 m ² APPROX.

LEGEND

- EXISTING CONTOURS
- BORROW PIT
- DAM

Rekaris:

Designed Engineering

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PROJECT: PROPOSED RE-ESTABLISHMENT OF EXISTING BORROW PIT TO AGRICULTURAL/GRAZING LAND AT:

LOT 1 PS701500 GRIMWADE RD NAGAMBIE

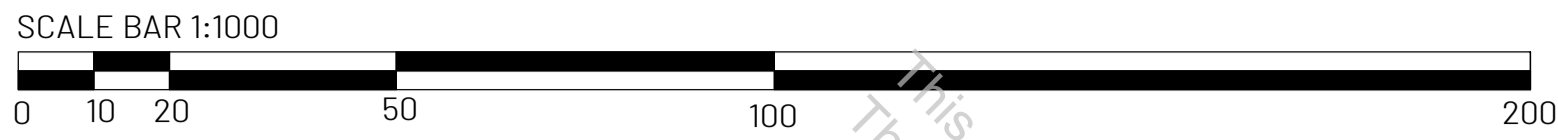
TITLE: EXISTING SITE PLAN

REVISION:	DESCRIPTION:	DRN:	DATE:
01	TOWN PLANNING SUBMISSION	EG	17.12.2020

TOWN PLANNING
PLANS FOR THE USE OF TOWN
PLANNING PURPOSES ONLY

DRAWING:	DATE:	DRAWN:	SHEET SIZE:
	NOV 2020	EG	A1
JOB NO:	181120	SCALE:	1:1000
SHEET NO:	TP01 of TP03	REVISION:	01

EXISTING SITE PLAN
SCALE 1:1000



NOTE: CONTOURS NOT WITHIN SUBJECT ARE OF LESSER ACCURACY

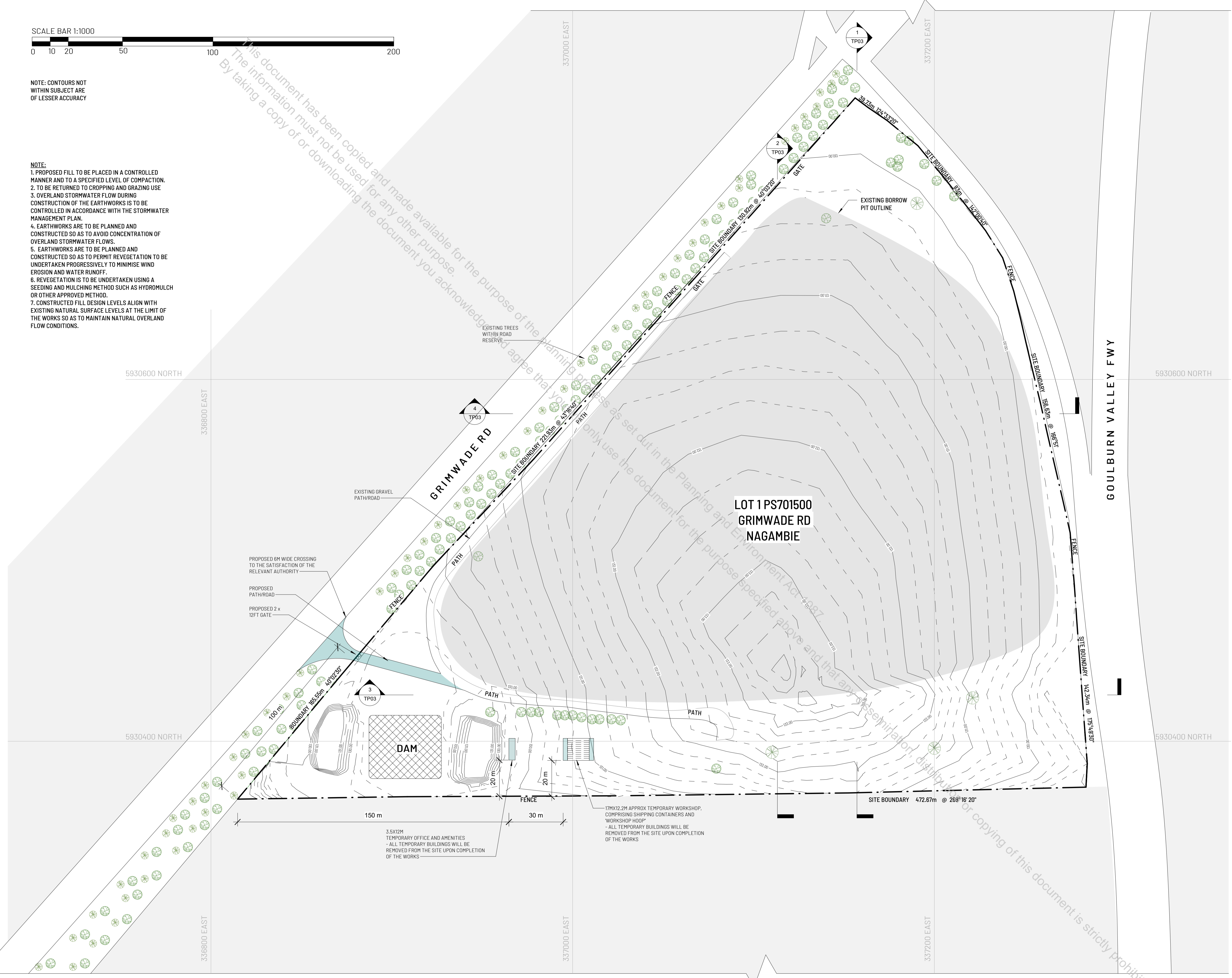
- NOTE:
1. PROPOSED FILL TO BE PLACED IN A CONTROLLED MANNER AND TO A SPECIFIED LEVEL OF COMPACTION.
 2. TO BE RETURNED TO CROPPING AND GRAZING USE
 3. OVERLAND STORMWATER FLOW DURING CONSTRUCTION OF THE EARTHWORKS IS TO BE CONTROLLED IN ACCORDANCE WITH THE STORMWATER MANAGEMENT PLAN.
 4. EARTHWORKS ARE TO BE PLANNED AND CONSTRUCTED SO AS TO AVOID CONCENTRATION OF OVERLAND STORMWATER FLOWS.
 5. EARTHWORKS ARE TO BE PLANNED AND CONSTRUCTED SO AS TO PERMIT REVEGETATION TO BE UNDERTAKEN PROGRESSIVELY TO MINIMISE WIND EROSION AND WATER RUNOFF.
 6. REVEGETATION IS TO BE UNDERTAKEN USING A SEEDING AND MULCHING METHOD SUCH AS HYDROMULCH OR OTHER APPROVED METHOD.
 7. CONSTRUCTED FILL DESIGN LEVELS ALIGN WITH EXISTING NATURAL SURFACE LEVELS AT THE LIMIT OF THE WORKS SO AS TO MAINTAIN NATURAL OVERLAND FLOW CONDITIONS.

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PROPOSED SITE AREA ANALYSIS	
SITE AREA	102222.9 m ²
FILL	64,085 m ² APPROX.
	502,180 m ² APPROX.

LEGEND

- 70- INTERPOLATED CONTOURS EVERY 1m
- [Cross-hatched box] DAM



Rekaris:

Designed Engineering

OFFICE: 8/307-313 WATTLE TREE ROAD MALVERN EAST 3145
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 LOT 1 PS701500 GRIMWADE RD NAGAMBIE

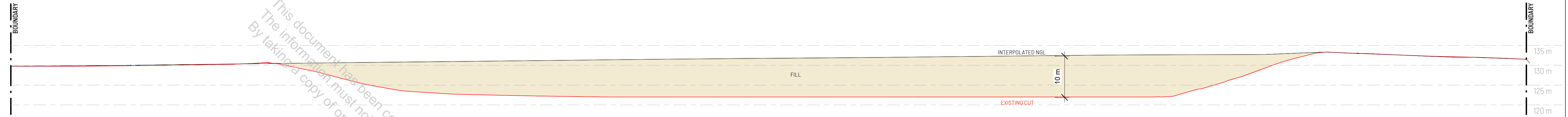
TITLE: PROPOSED SITE PLAN

REVISION: 01	DESCRIPTION: TOWN PLANNING SUBMISSION	DRN: EG	DATE: 17.12.2020
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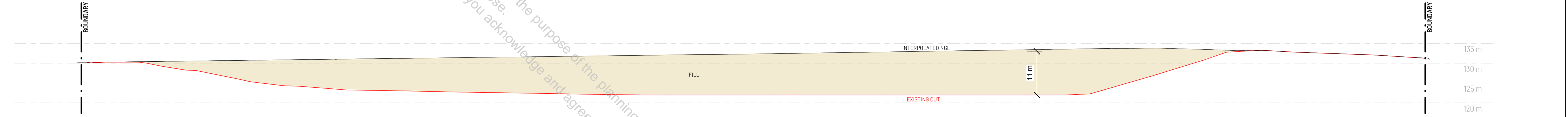
TOWN PLANNING
 PLANS FOR THE USE OF TOWN PLANNING PURPOSES ONLY

DRAWING: NOV 2020	DATE: NOV 2020	DRAWN: EG	DATE: NOV 2020	SHEET SIZE: A1
JOB NO: 181120	SCALE: AS SHOWN			
SHEET NO: TP02 of TP03	REVISION: 01			

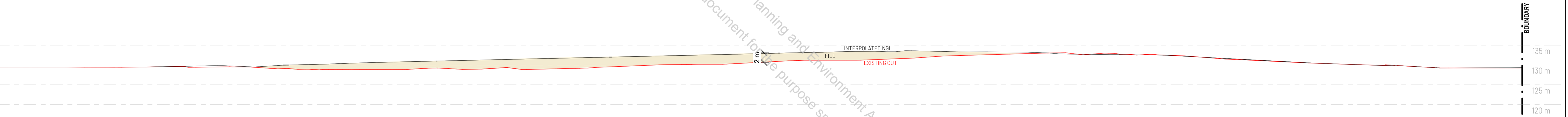
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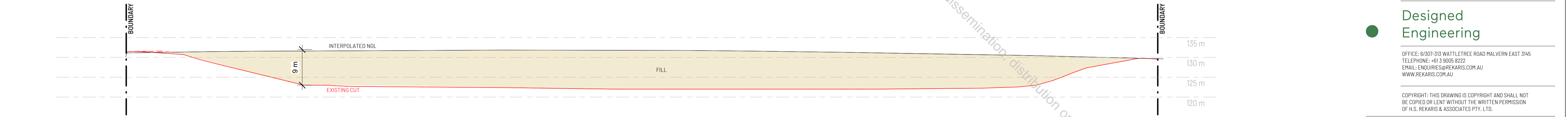
SECTION 1
SCALE 1:500



SECTION 2
SCALE 1:500



SECTION 3
SCALE 1:500



Section 4
SCALE 1:500

LEGEND

- PROPOSED TOPOGRAPHY
- EXISTING TOPOGRAPHY

Rekaris:
Designed Engineering

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PROJECT: **PROPOSED RE-ESTABLISHMENT OF EXISTING BORROW PIT TO AGRICULTURAL/GRAZING LAND AT:**

LOT 1 PS701500 GRIMWADE RD NAGAMBIE

TITLE: **SECTIONS**

REVISION: 01	DESCRIPTION: TOWN PLANNING SUBMISSION	DRN: EG	DATE: 17.12.2020
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TOWN PLANNING
 PLANS FOR THE USE OF TOWN PLANNING PURPOSES ONLY

DRAWING: NOV 2020	DATE: NOV 2020	DRAWN: EG	SHEET SIZE: A1
JOB NO: 181120	SCALE: 1:500	SHEET NO: TP03 of TP03	REVISION: 01

RSVPlanning

Town Planning Consultancy

ABN: 35 918 452 611

17th December 2020

General Manager
Planning Department
Strathbogie Shire Council
PO Box 177
Euroa Vic 3666

C/- RSVPlanning Pty Ltd
PO Box 7346
Geelong West Vic 3218
Email: rsvplanningservices@gmail.com
Mobile: 0477 003 739

RE: Town Planning Application for the proposed placement of 'certified' clean fill into an existing VicRoads Borrow Pit at Lot 1 (PS701500W), Grimwade Road, Nagambie

Dear Sir/Madam,

RSVPlanning Pty Ltd – Town Planning services have been engaged by Cornfoot Bros Cleanfill in respect of the above application for a proposed placement of 'certified' clean fill into an existing VicRoads Borrow Pit at Lot 1 (PS 701500W), Grimwade Road, Nagambie.

It is proposed to fill and compact the borrow pit back to pre-existing conditions, undertake remedial works and reinstate the property to farming land in accordance with the zoning of the land.

Executive Summary

- The subject site known as Lot 1 (PS701500W), Grimwade Road, Nagambie.
- This Planning Application seeks approval for the proposed placement of clean fill into an existing VicRoads Borrow Pit and reinstatement of the land for farming purposes. The site is currently vacant land.
 - No indigenous native vegetation is required to be removed to undertake the proposed works.
- The subject site can be formally described as Lot 1, PS701500W, Volume 11348 Folio 434.

A review of the Title documentation indicates that the land is not impacted by any Section 173 Agreements, Covenants or Easements.

A full copy of the Certificate of Title is provided with this application.

- The subject site is located within the jurisdiction of the Strathbogie Shire Council and is subject to the requirements of the Strathbogie Planning Scheme.
 - The site is located within the Farming Zone.
 - The site is not impacted by any Overlays.
 - The proposed site is impacted by a small identified area of Aboriginal Cultural Heritage Sensitivity. The proposed works do not impact this area.

Background History

- Material from the subject site was sourced/removed as part of the construction of the Nagambie Bypass which involved the construction of a 17km freeway to the east of the Nagambie township from Mitchellstown Road to Weir Road.
- Approximately 485,454m³ was extracted from the site, however in order to level the land and grade/contour the property correctly and evenly, it has been estimated that 502,180m³ of clean fill will be required to restore the property to its original condition.
- Construction of the VicRoads Bypass project commenced in December 2009, with the full bypass open to traffic in April 2013

Pre-Application Meeting

There has been no pre-application meeting held perse, however preliminary discussions have been with Melissa Crane with follow up correspondence 19th October 2020.

Council advised that the following information would be required to be lodged with any application:

- The proposed works come under the heading of 'Industry' in the nesting diagrams.
- Site plan, detailing the proposed works to be undertaken as part of the proposal.
- Details on the proposal, including, but not limited to, the following:
 - Extent of fill to be placed on site
 - How stormwater and drainage will be managed for the site
 - Any works/roads, etc to be constructed to support the operation
 - Proposed days and hours of operation
 - Types of fill to be placed on the site
 - How long the site will be used for fill
- A Traffic Impact Assessment Report, that details the expected traffic movements, including the following:
 - Proposed route to and from the site
 - Expected number of traffic movements
 - Type of traffic movements
 - Recommendations for any upgrades on the road network to support the proposal
- How the site will be managed during and after the works, including the following:
 - Methods proposed to ensure that any environmental issues are managed appropriately
 - Proposed remediation/completion of the site (what will happen when it is finished)
 - Ongoing management of weeds, grasses, etc on site
- Other
 - Proposed staffing levels
 - Number and type of temporary structures

The relevant Clauses of the SPPF and LPPF

- **State Planning Policies**
 - Clause 11 – Settlement
 - Clause 11.03-6S – Regional and Local Places
 - Clause 13 – Environmental Risks and Amenity
 - Clause 13.07-1S – Land Use Compatibility
 - Clause 14 – Natural Resource Management
 - Clause 14.01-1S – Protection of Agricultural Land
 - Clause 14.01-2S – Sustainable Agricultural Land Use
 - Clause 15 – Built Environment and Heritage
 - Clause 15.03-2S – Aboriginal Cultural Heritage
- **Local Planning Policies**
 - Clause 21.04 – Sustainable Environment
 - Clause 22.03 – Hume Freeway, Goulburn Valley Highway Environs

Summary

Owners	Liquid Mud Pty Ltd (Settlement 29 October 2020), 88 Freight Drive, Spomerton
Address of the Land	Lot 1 (PS701500W) Grimwade Road, Nagambie
Proposal	Placement of 'certified' clean fill into an existing VicRoads Borrow Pit
Area of Property	10.35 hectares
Existing Use/Development	Vacant Land
Responsible Authority	Strathbogie Shire Council
Planning Scheme	Strathbogie Planning Scheme
Relevant State Planning Policies	<ul style="list-style-type: none"> ▪ Clause 11 – Settlement ▪ Clause 11.03-6S – Regional and Local Places ▪ Clause 13 – Environmental Risks and Amenity ▪ Clause 13.07-1S – Land Use Compatibility ▪ Clause 14 – Natural Resource Management ▪ Clause 14.01-1S – Protection of Agricultural Land ▪ Clause 14.01-2S – Sustainable Agricultural Land Use ▪ Clause 15 – Built Environment and Heritage ▪ Clause 15.03-2S – Aboriginal Cultural Heritage
Relevant Local Planning Policies	<ul style="list-style-type: none"> ▪ Clause 21.04 – Sustainable Environment ▪ Clause 22.03 – Hume Freeway, Goulburn Valley Highway Environs
Zone	<ul style="list-style-type: none"> ▪ Clause 35.07 – Farming Zone
Overlays	<ul style="list-style-type: none"> ▪ Not Applicable
Existing and Proposed Plans Prepared by H S Rekaris Pty Ltd	<ul style="list-style-type: none"> ▪ TP00 – Cover Page ▪ TP01 – Rev 01 Existing Site Plan ▪ TP02 – Rev 01 Proposed Site Plan ▪ TP03 – Rev 01 Sections
Environment Protection Authority Victoria	<ul style="list-style-type: none"> ▪ Soil Hazard Classification and Management

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This Report

This report has been prepared in support of the proposed placement of 'certified' clean fill into an existing VicRoads borrow pit at Lot 1, Grimwade Road, Nagambie.

The purpose of this planning report is to expand on the explanation of the proposal as shown on the submitted proposed works plan and respond to the requirements of Strathbogie Planning Scheme, State and Local Planning Policies.

The following sections of this report provide:

- An overview of the site and its surrounds.
- A detailed description of the proposal, and
- An assessment of the proposal against the relevant planning controls impacting the site.

The following are provided as separate attachments to this report:

- A receipt copy the Certificate of Title including covenant details.
- Existing and Proposed Plans prepared by H S Rekaris Pty Ltd (refer above),
- Certificate of certified clean fill (in accordance EPA Victoria Soil Hazard Classification – attached)

We trust this information in conjunction associated plans and reports, will enable Council to undertake a detailed assessment of and to support the application.

Site and Surrounds

Subject Site:

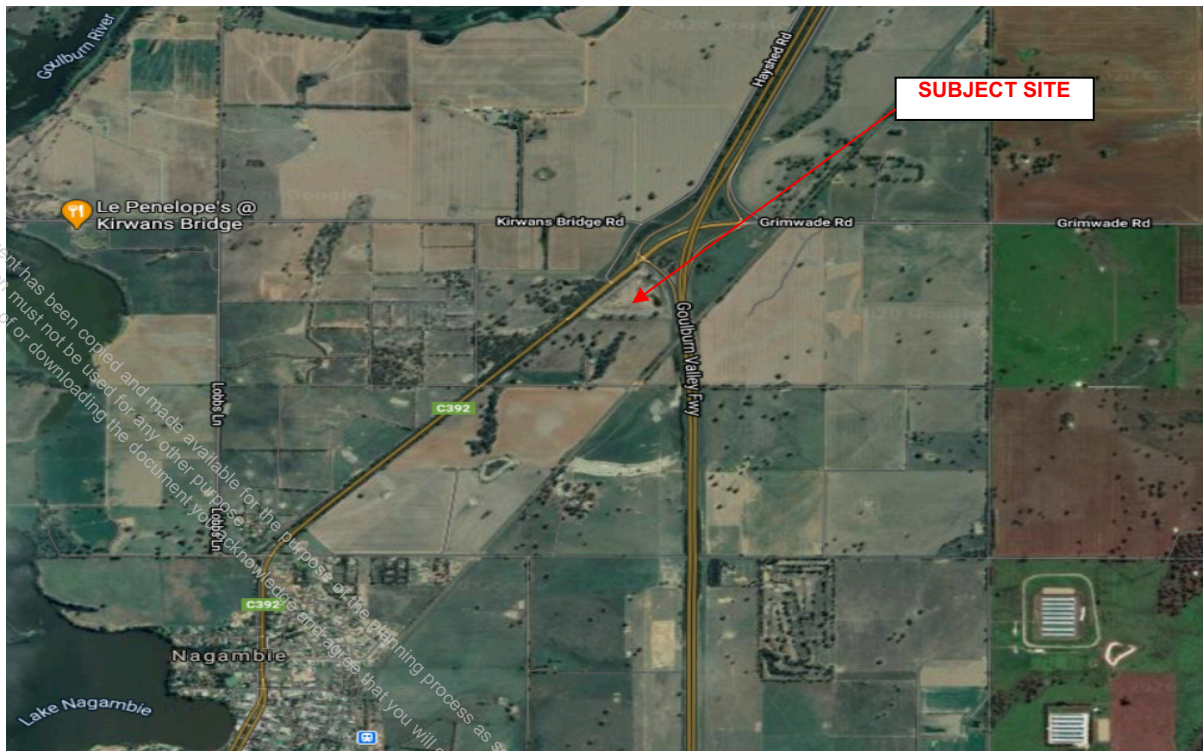
The subject site forms part of a parcel of land that has remained undeveloped since material was removed from the site for the construction of the Nagambie By-Pass road from December 2009 until it was opened in April 2013.

The site is located in the south-western corner of the interchange of the new Goulburn Valley Freeway (eastern side) and Grimwade Road (north-western boundary) approximately 3.5km north-east of Nagambie township. The surrounding countryside is all farmland

Figure 1 - Satellite Imagery – subject site



Figure 2 Surrounding countryside



Current Application

- It is proposed to reinstate the existing borrow pit with the placement of 'certified' clean fill in an existing borrow pit at Lot 1 Grimwade Road, Nagambie.
- Clean 'certified' fill will be transported from the proponents yard in Somerton and other local civil works in northern Melbourne and will be deposited at the above location and compacted to standard requirements suitable for grazing land or as designated by the Responsible Authority.

NOTE: All materials will be required to be tested before being accepted with an EPA approved certificate of clean-fill provided before being allowed on site. This will be achieved by the materials meeting the thresholds contained with the IWRG621 Soil Hazard Categorization and Management document as attached.

- Once filled and compacted, the land will be revegetated/seeded with local seeds and the land returned to its previous use as 'farming land' consistent with the zoning of the land.
- It is proposed that constructed fill design levels will align with existing natural surface levels as to maintain pre-existing natural overland flow conditions. Other on-site water collection will be via a natural overland/subsurface flow into the existing basin/dam and will be used for irrigation of the site and other uses as maybe required in the future.
- Stormwater will be managed in accordance with natural stormwater runoff (as per pre-existing conditions) processes, with the overland flow being directed to the cut off swale drains abutting the Goulburn Valley Freeway to the east.
- Access to the site will be gained from Grimwade Road through a proposed new entry along the south-west boundary in a location where no trees will be required to be removed. There are existing gates along the north-west boundary which are not intended to be used for accessing the site:

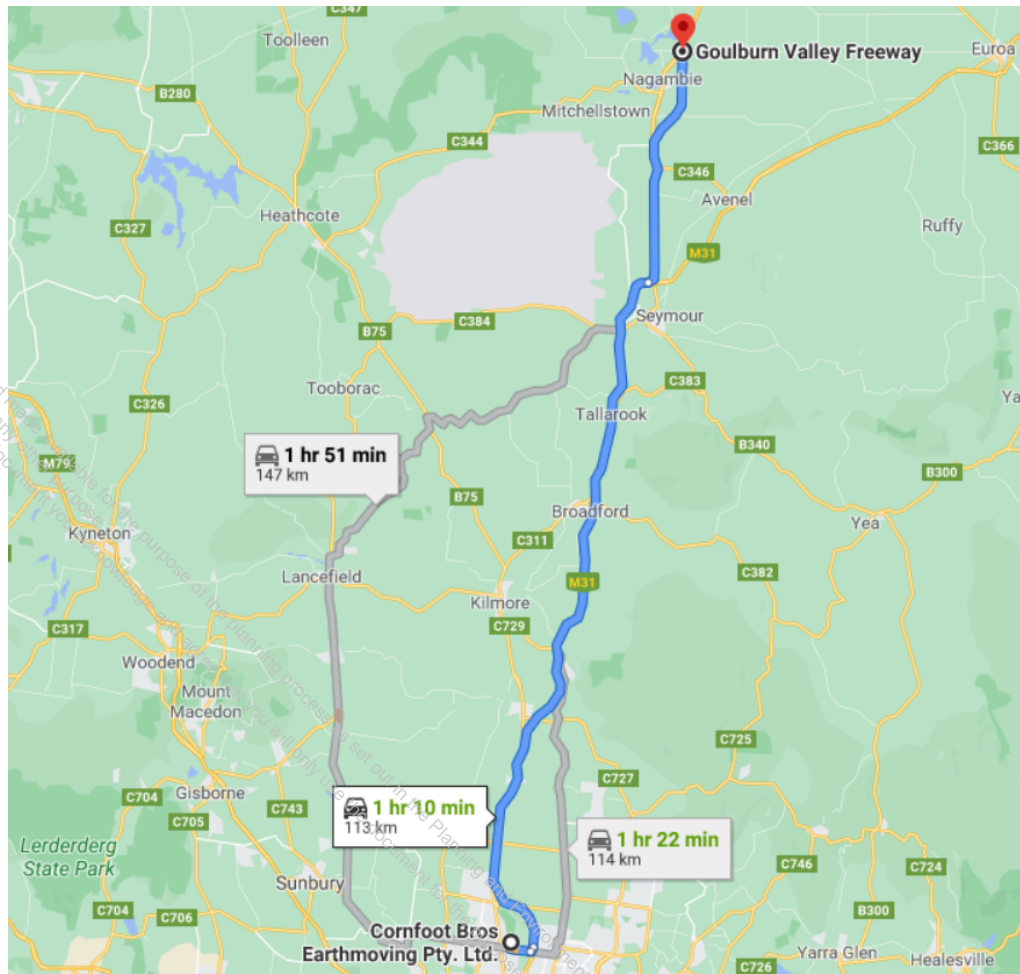
Figure 3- Existing gates & proposed new entry from Grimwade Road



- Road transport and transport movement of 'certified' clean fill material will be as follows:
 - Truck sizes - Typically a standard truck & dog (trailer) configuration
 - Frequency of travel:
 - It is anticipated that approximately 6 loads of stock-piled clean fill material will be transported each day from the Company's Somerton site located at 88 Freight Drive, Somerton VIC 3062
 - The ability to access the site for tipping purposes is proposed to be 24/7 given the remoteness of the site and access to the Goulburn Valley Highway.
 - Proposed route:
 - Clean fill will be stock-piled at the Company's Somerton site and then transported by road to the subject site
 - The route will typically be as follows:
 - Cornfoot Bros Earthmoving Pty. Ltd. - 88 Freight Dr, Somerton VIC 3062
 - Freight Dr to Fleet St
 - Cooper St/State Route 58
 - Hume Freeway/National Hwy M31 ramp to Seymour
 - Merge onto Hume Freeway/National Highway M31
 - Exit onto Goulburn Valley Freeway/M39 towards Shepparton
 - Exit Goulburn Valley Freeway Nagambie VIC 3608 at Grimwade Road interchange

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Figure 4 - Typical Route from Cornfoot Bros Earthmoving to subject site

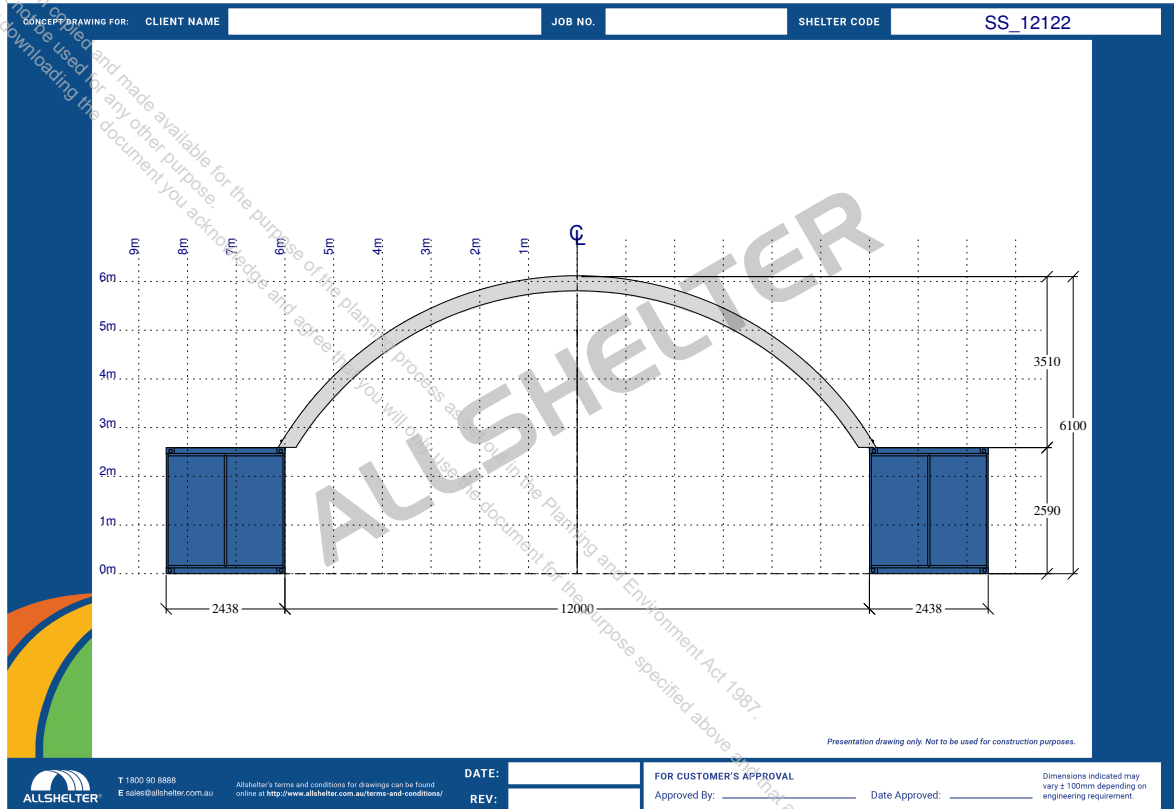


Note: There may be some local 'clean fill' from current Nagambie projects that will be utilised at the site. The most practicable transport path will be used when and if required.

- Site Operations:
 - On-site staff levels will be typically 1-2 persons as required
 - As advised earlier, access will be gained through a new entry point proposed in the south-west corner of the site as per the attached plans.
 - A temporary relocatable site office (12m x 3.5m) will be set up inside the new access entry point to monitor movements entering and exiting the site.
 - 3 x temporary shipping containers (including a workshop hoop requiring 2 x shipping containers – refer below) will be located on the southern side of the existing dam. The Allshelter Shelter will provide protection for the containers and create a good covered work area in between protecting all assets for both personnel and equipment. The roof structure and the security of shipping containers, creates an easy shelter solution. The Container roof kits are designed to be spanned on 20ft & 40ft shipping containers, and can be mounted on either the inside or outside of the shipping container. These shelters are designed and engineered to AS/NZS 1170.2:2011 rated to wind region A (37.3 m/sec Windspeeds).
 - Filling techniques:
 - Fill to be placed in 500mm lifts and compacted utilising a 816 compactor.
 - A sump will be established inside the pit with a pump installed and a water truck/tanker (10,000l capacity) will be available onsite for watering of the working area and internal roads.
 - Cornfoot Brothers earthmoving delivery drivers will generally be responsible for the levelling and compacting of loads on delivery to the site.

- Hours of Operation:
 - The ability to access the site for tipping purposes is proposed to be 24/7 is the preferred option and given the remoteness of the site and access to the Goulburn Valley Highway.
 - However, the use of a dozer, compactor and staffing of the site is proposed to be restricted to between the hours of 6am to 6pm
- Once all filling and appropriate level of filling is achieved/complete, the property will be seeded with local grasses suitable for stock grazing.

Figure 5 - Typical Workshop Hoop



Certificate of Title

The subject site can be formally described as Lot 1, PS701500W, Volume 11348 Folio 434.

A review of the Title documentation indicates that the land is not impacted by any Section 173 Agreements, Covenants or Easements.

A full copy of the Certificate of Title is provided with this application.

State Planning Policy Framework

The State Planning Policy Framework sets out the broad planning policies that apply to all land in Victoria. Accordingly, the relevant Clauses pertaining to the proposed application and how the development responds have been provided below:

Table 1 - State Planning Policy Framework Assessment

Clause	Response
<p>Clause 11 Settlement</p> <ul style="list-style-type: none"> ▪ Clause 11.03-6S – Regional and Local Places <p>The objective of the Clause is to facilitate integrated place-based planning.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> ○ Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns. ○ Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development. 	<ul style="list-style-type: none"> ▪ The proposed works seek to reinstate the subject land back to its original state to be used for farming/agriculture consistent with the intent of the zoning of the land
<p>Clause 13 Environmental Risks and Amenity</p> <ul style="list-style-type: none"> ▪ Clause 13.07-1S – Land Use Compatibility <p>The objective of this Clause is to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> ○ Ensure that use or development of land is compatible with adjoining and nearby land uses. ○ Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses. ○ Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures. ○ Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively. 	<ul style="list-style-type: none"> ▪ The proposed works will reinstate the property to be consistent with adjoining and nearby land uses. ▪ Stormwater runoff will be designed and incorporated to ensure that constructed fill design levels will align with pre existing natural surface levels so as to maintain pre-existing natural overland flow conditions. ▪ The proposed site will be reinstated (seeded with local grasses) to farming/agricultural uses consistent with the zoning of the land. ▪ A 10,000l water tanker will be available on site to be used to minimise dust.
<p>Clause 14 – Natural Resource Management</p> <ul style="list-style-type: none"> ▪ Clause 14.01-1S – Protection of Agricultural Land <p>The objective of this Clause is to protect the state's agricultural base by preserving productive farmland</p> <p>Strategies include:</p>	<ul style="list-style-type: none"> ▪ The subject site consists of in excess of 10 hectares of land that has been made unusable as agricultural/farming land as a consequence of material being excavated from the site for the construction of the Nagambie By-Pass Road (Goulburn Valley Freeway).

<ul style="list-style-type: none"> ○ Identify areas of productive agricultural land, including land for primary production and intensive agriculture. ○ Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity. ○ Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors. Protect productive farmland that is of strategic significance in the local or regional context. ○ Protect productive agricultural land from unplanned loss due to permanent changes in land use. ○ Prevent inappropriately dispersed urban activities in rural areas. ○ Protect strategically important agricultural and primary production land from incompatible uses. ○ Limit new housing development in rural areas by: <ul style="list-style-type: none"> ● Directing housing growth into existing settlements. ● Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses. ● Encouraging consolidation of existing isolated small lots in rural zones. ○ Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources and using available information. ○ In considering a proposal to use, subdivide or develop agricultural land, consider the: <ul style="list-style-type: none"> ● Desirability and impacts of removing the land from primary production, given its agricultural productivity. ● Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production. ● Compatibility between the proposed or likely development and the existing use of the surrounding land. ● The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas. ● Land capability. 	<ul style="list-style-type: none"> ▪ The proposed placement of clean fill at this site will re-establish the site for agricultural and farming activities consistent with the zoning of the land. ▪ The proposed works will protect productive farming land into the future. ▪ The proposed works will ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources
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<ul style="list-style-type: none"> ○ Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land. ○ Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land. ○ Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal. <p>■ Clause 14.01-2S – Sustainable Agricultural Land Use</p> <p>The objective of this Clause is to encourage sustainable agricultural land use.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> ○ Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources. ○ Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices. ○ Support adaptation of the agricultural sector to respond to the potential risks arising from climate change. ○ Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing. ○ Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes. ○ Support agricultural investment through the protection and enhancement of appropriate infrastructure. ○ Facilitate ongoing productivity and investment in high value agriculture. ○ Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment. ○ Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area. 	
<p>Clause 15 Built Environment and Heritage</p> <p>■ Clause 15.03-2S – Aboriginal Cultural Heritage</p> <p>The objective of this Clause is to ensure the protection and conservation of places of Aboriginal cultural heritage significance</p> <p>Strategies include:</p>	<ul style="list-style-type: none"> ■ A small of the site in the south-east corner is impacted by an area of Aboriginal Cultural sensitivity. ■ The proposed works do not impact this small area, consequently no assessment will be

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<ul style="list-style-type: none"> ○ Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme. ○ Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places. ○ Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006. 	<p>required to assess any impacts on Aboriginal Culture Significance at this location.</p>
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Local Planning Policy Framework

The following local planning policies have been reviewed and an assessment of the proposal against the objectives of these policies has been undertaken below;

Table 2 - Local Planning Policy Framework Assessment

Clause	Response
<p>Clause 21.04 – Sustainable Development</p> <p>This policy identifies the Shire is home to many endangered flora and fauna species and ecological communities. The most extensive remnant vegetation within the Shire remains on elevated ridgelines, or in forests and parks set aside for timber production or conservation. Significant areas of remnant vegetation can also be found on private land, roadsides and along waterways.</p> <p>Some of the key planning issues include (inter alia):</p> <ul style="list-style-type: none"> ▪ Impacts of urban expansion on the natural environment ▪ Impact and increased risk of flooding ▪ Impact and increased risk of bushfire ▪ Impacts and increased risk of climate change ▪ Inappropriate development in proclaimed water supply catchments. ▪ Water quality, usage, availability and long term security ▪ Riparian health ▪ Ongoing management of native flora and fauna 	<ul style="list-style-type: none"> ▪ The proposed works will incorporate a Stormwater runoff designed to ensure that constructed fill design levels will align with pre-existing natural surface levels so as to maintain pre-existing natural overland flow conditions. ▪ The subject property will be reinstated to its former condition prior to the excavated material being removed. ▪ The property will be returned to its preferred use as farming land appropriate agricultural pursuits.
<p>Clause 22.03 – Hume Freeway, Goulburn Valley Highway Environs</p> <p>The purpose of this policy seeks to apply to the use and development of land within 100 metres of the Hume Freeway, Goulburn Valley Highway, and any Public Acquisition Overlay identified in Planning Scheme Amendments reserving land for a new alignment of the Goulburn Valley Highway and associated access restoration purposes.</p> <p>The objectives of this Clause are:</p>	<ul style="list-style-type: none"> ▪ The re-establishment of the land back to farming and agricultural pursuits meets the objectives of this Clause. ▪ In regards to potential noise issues, this part of the policy relates to ongoing buildings and structures impacted by traffic noise along the freeway. Once works on site have been completed, the site will be retained as 'farming land' and no permanent structures (dwellings or otherwise) are proposed. ▪ Temporary buildings are proposed as part of the works to be undertaken on-site. Once

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- To ensure that the use and development of land does not prejudice the levels of service, safety and amenity of the Hume Freeway and Goulburn Valley Highway.
- To minimise any adverse effects of noise from traffic using the Hume Freeway and Goulburn Valley Highway.

Key issues are:

- Noise
- Setbacks
- Access

site works have been completed, the temporary buildings will be removed. (Refer to attached plans for temporary building locations.

- Access for the delivery of the clean fill material will be established from the Grimwade Road boundary. A proposed new entry gate will be established along the south-western boundary. There is no direct access from the Goulbourn Valley Freeway proposed. (Refer attached plans)

Conclusion

The proposed placement of clean fill into the existing VicRoads 'borrow pit' has been considered under the relevant provisions of the Strathbogie Planning Scheme and complements the objectives of the planning instruments impacting the site. This proposal is appropriate having regard to the site context and broader surrounds.

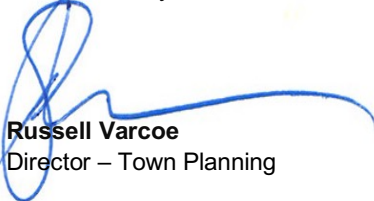
It is submitted that the application should be supported for the following reasons:

- The proposed works will re-establish the site as farming land appropriate and consistent with the zoning of the land.
- All clean fill material has been (will be) certified and complies with Australian Standards
- The proposed works will not impact the owners of adjoining or nearby properties
- The proposed works will have minimal impact vehicles travelling along the Goulburn Valley Highway and/or Grimwade Road.
- The proposed works will remove a 'scar' on the landscape which was created by the excavation of material for the construction of the Nagambie By-Pass road.

Overall, the proposal results in an outcome that will facilitate and return of the land to its former condition and for the ongoing use as farming/agricultural land.

It is submitted that planning approval should be granted for the proposed placement of 'Clean Fill' into the existing 'borrow pit' created by VicRoads in order that the subject land can be reinstated to farming/grazing land appropriate to the zoning of the land in accordance with the attached plans.

Yours sincerely,



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INDUSTRIAL WASTE RESOURCE GUIDELINES

SOIL HAZARD CATEGORISATION AND MANAGEMENT

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INTRODUCTION

Producers of contaminated soil must categorise their waste into one of four categories, Category A, B, C or clean fill.

This guideline applies only to soils (it is not suitable for rubble, concrete and other inert solid waste materials).

WHAT THIS MEANS FOR YOU

If you are a producer or treater of contaminated soils, you will be required to categorise the soil into Category A, B, C or clean fill to determine what management options are available for that material.

WASTE CHARACTERISATION

Waste characterisation involves an assessment of the soil, including site history, to identify which contaminants require analysis to determine the hazard category. The assessment must be for all chemical substances known and reasonably expected to be present in the waste.

If the waste contains a contaminant that is potentially poisonous (acute), toxic (delayed or chronic) and/or ecotoxic and the contaminant is not listed in Table 2, the waste generator must apply to EPA for a determination of hazard category.

Allowable contaminant levels for fill material are also specified in Table 2. EPA does not regulate the use of fill material. However, the Environment Protection Act 1970 places general obligations to prevent adverse impacts on the environment and human health. Where there is potential for adverse impacts from the deposit of fill material, advice should be sought from EPA.

SAMPLING AND ANALYSIS

Soil sampling should be conducted in accordance with the IWRG *Soil sampling*, whilst soil analysis should be performed in accordance with the [IWRG Sampling and analysis of waters, wastewaters, soils and wastes](#).

EPA requires that leachability testing be undertaken in accordance with the Australian Standard Leaching Procedure (ASLP) (Australian Standards AS4439.2 and 44396.3) by a NATA accredited laboratory. For contaminated soil going to disposal or re-use, it is necessary to perform ASLP using the acetate buffer solution (pH of 2.9 or pH 5, dependant on the pre-testing step as outline in the Australian Standard).

There is no need to conduct leachability tests in cases where total concentration data indicates that all total concentration results are less than 20 times the relevant Category C leachable concentration upper limits. This reflects the effect of dilution resulting from the use of the Australian Standard Leaching Procedure.

RECOMMENDED METHODS

The recommended methods for contaminated soils are provided in the [IWRG Solid industrial waste sampling](#). EPA has no plans to mandate methods for 'totals', but the method that is used must be appropriate to determine the 'total concentration' of the contaminants.

Further information on these methods can be found on the USEPA website Test Methods SW-846 www.epa.gov/epaoswer/hazwaste/test/main.htm and from the National Environment Protection (Assessment of Site Contamination) Measure 1999 Guideline on Laboratory Analysis of Potentially Contaminated Soils www.ephc.gov.au/sites/default/files/ASC_NEPMsch_03_Lab_Analysis_199912.pdf

SPECIFIC CONTAMINANTS

Many laboratories conduct Total Recoverable Hydrocarbon (TRH) analysis and report this for Total Petroleum Hydrocarbon (TPH). A number of people have raised concerns with using TRH result and reporting these as TPH due to the presence of other hydrocarbon substances, not related to petroleum hydrocarbons, that are included in a TRH test. Until

This guidance forms part of the Industrial Waste Resource Guidelines (IWRG), which offer guidance for wastes and resources regulated under the *Environment Protection (Industrial Waste Resource) Regulations 2009* (the Regulations). Publication IWRG621 – June 2009.



there is a routine test developed exclusively for TPH, it may be necessary to discuss with clients what options are available to remove non petroleum based hydrocarbons.

To provide consistency in the approach of summing grouped contaminants and interpreting results that are below the limit of reporting, EPA recommends all positive values for the individual components be summed together.

Soils with a pH value of 4 or less or a pH of 9 or more are considered to be Prescribed Industrial Wastes (PIWs). Table 1 provides further information on pH values that are applicable to Category A.

Results for total concentrations are to be reported on a dry weight basis.

WASTE CATEGORIES

To determine the hazard category, contaminated soil must first be considered and excluded from Category A, then considered and excluded from Category B, before it can be considered as Category C. Figure 1 shows a decision flowchart for classifying waste soils.

Contaminated soils that display any specific hazard characteristic listed in Table 1 are categorised as Category A PIW.

Table 2 contains the threshold limit values (upper limits) for each of the categories, including clean fill. Contaminated soils must be assessed against the total concentration (TC0, TC1 and TC2) and leachable concentration (ASLP1 and ASLP2) thresholds specified in Table 2

Contaminated soils with any contaminant level above the TC2 or ASLP2 thresholds are categorised as Category A. Contaminated soils with any contaminant level greater than TC1, but below TC2, or greater than ASLP1, but below ASLP2 are categorised as Category B. Soils with any contaminant level greater than TC0, but below the TC1 and ASLP1 thresholds are categorised as Category C. Soils with all contaminant levels below the TC0 threshold are categorised as clean fill.

If doubt exists as to which hazard category applies to a soil, seek advice from EPA.

Landfill operators will require analytical results to demonstrate that the contaminated soil meets the relevant criteria set out in their licence.



SOIL HAZARD CATEGORISATION AND MANAGEMENT

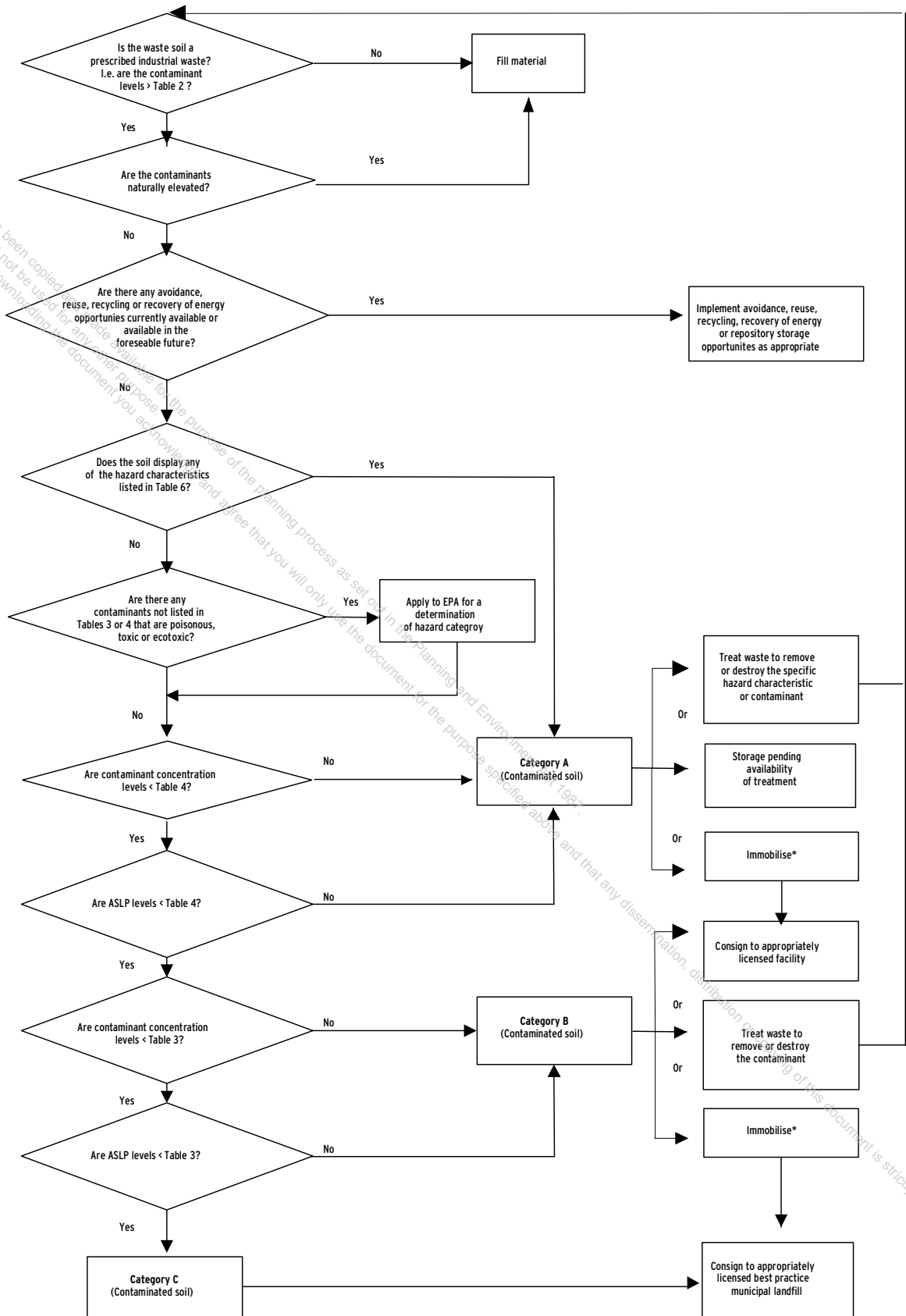


Figure 1: Decision flow chart for waste soil

Table 1: Specific hazard characteristics

Hazard characteristic	Definition ¹
Explosive wastes	An explosive waste is a solid waste (or mixture of wastes) which is in itself capable, by chemical reaction, of producing gas at such a temperature, pressure and speed, as to cause damage to the surroundings. Note: These are wastes classified as 'Class 1' under the provisions of the Road Transport (Dangerous Goods) Act 1995 and/or classified as 'Goods too dangerous to be transported' under the Australian Dangerous Goods Code.
Flammable² solid wastes	Waste solids, other than those classified as explosives, which, under conditions encountered in transport or containment, are readily combustible, or may cause or contribute to fire through friction. Note: These are wastes classified as 'Class 4.1' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Wastes liable to spontaneous combustion	Wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and liable to catch fire. Note: These are wastes classified as 'Class 4.2' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Wastes which, in contact with water, emit flammable gases	Wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities. Note: These are wastes classified as 'Class 4.3' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Oxidising wastes	Wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause or contribute to the combustion of other materials. Note: These are wastes classified as 'Class 5.1' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Organic peroxide wastes	Organic wastes which contain the bivalent-O-O-structure and which are thermally unstable and may undergo exothermic self-accelerating decomposition. Note: These are wastes classified as 'Class 5.2' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Infectious wastes	Wastes containing viable microorganisms or their toxins which are known or suspected to cause disease in animals or humans. Note: These include clinical and related wastes as prescribed in the Environment Protection (Prescribed Waste) Regulations 1998 and is waste classified as 'Class 6.2' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Corrosive wastes	Wastes which, by chemical action, will cause severe damage when in contact with living tissue, or in the case of leakage, will materially damage, or even destroy, other goods or the means of transport or containment. They may also cause other hazards. Where corrosivity testing data is not available, pH may be used to determine if the material is Category A. <ul style="list-style-type: none"> • pH value of 2 or less • pH value of 12.5 or more Note: This includes wastes classified as 'Class 8' under the provisions of the Road Transport (Dangerous Goods) Act 1995.
Wastes that liberate toxic gases in contact with air or water	Wastes which, by liberation with air or water, are liable to give off toxic gases in dangerous quantities. Note: These are wastes liable to give off toxic gases that are classified as 'Class 2.3' under the provisions of the Road Transport (Dangerous Goods) Act 1995.

1 Definitions are adopted from the *Industrial Waste Management Policy (Movement of Controlled Wastes between States and Territories) 2001*.

2 In this document the word 'flammable' has the same meaning as 'inflammable'. Flammable liquid wastes are waste liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc.) which give off flammable vapour at temperatures of not more than 60.5 °C (closed-cup test), or not more than 65.6 °C (open-cup test). Note: The definition of flammable liquid wastes are those wastes classified as 'Class 3' under the provisions of the Road Transport (Dangerous Goods) Act 1995.

Table 2: Soil hazard categorisation thresholds

Category	Fill Material upper limits		Category C upper limits		Category B upper limits		C A T E G O R Y
		TC0	ASLP1 ¹	TC1	ASLP2 ¹	TC2	
Contaminant concentration thresholds (dry weight)		(mg/kg)	(mg/L)	(mg/kg)	(mg/L)	(mg/kg)	
Units							
Inorganic species	Inorganic species		Inorganic species		Inorganic species		
Arsenic		20	0.7	500	2.8	2,000	
Cadmium		3	0.2	100	0.8	400	
Chromium (VI)		1	5	500	20	2,000	
Copper		100	200	5,000	800	20,000	
Lead		300	1	1,500	4	6,000	
Mercury		1	0.1	75	0.4	300	
Molybdenum		40	5	1,000	20	4,000	
Nickel		60	2	3,000	8	12,000	
Tin		50	-	500	-	-	
Selenium		10	1	50	4	200	
Silver		10	10	180	40	720	
Zinc		200	300	35,000	1,200	140,000	
Anions	Anions		Anions		Anions		
Cyanide		50	8	2,500	32	10,000	
Fluoride		450	150	10,000	600	40,000	
Organic species	Organic species		Organic species		Organic species		
Phenols (halogenated) ²		1	2	10	8	320	
Phenols (non-halogenated) ³		60	14	560	56	2,200	
Monocyclic aromatic hydrocarbons ⁴		7	-	70	-	240	
Benzene		1	0.1	4	0.4	16	
Polycyclic aromatic hydrocarbons ⁵		20	-	100	-	400	
Benzo(a)pyrene		1	0.001	5	0.004	20	
C6-C9 petroleum hydrocarbons		100	-	650	-	2,600	
C10-C36 petroleum hydrocarbons		1,000	-	10,000	-	40,000	
Polychlorinated biphenyls ⁶		2	see note 6		see note 6		
Chlorinated hydrocarbons ⁷		1					
Hexachlorobutadiene			0.07	2.8	0.28	11	
Vinyl chloride			0.03	1.2	0.12	4.8	
Other chlorinated hydrocarbons ⁸			-	10	-	50	
Pesticides	Pesticides		Pesticides		Pesticides		
Organochlorine pesticides ⁹		1					
Aldrin + dieldrin			0.03	1.2	0.12	4.8	
DDT + DDD + DDE			2	50	-	50	
Chlordane			0.1	4	0.4	16	
Heptachlor			0.03	1.2	0.12	4.8	
Other organochlorine pesticides ¹⁰			-	10	-	50	



MANAGEMENT OPTIONS

Waste generators must classify contaminated soil by hazard category in order to determine which facility is licensed to accept the soil. If the soil does not meet the acceptance criteria, further treatment or stabilisation will be required.

Category C and Category B Contaminated soil can be accepted at a landfill or facility licensed by EPA to accept such waste.

Category A Contaminated soil will require treatment to reduce or control the hazard before meeting acceptance criteria for disposal at an appropriate EPA-licensed facility.

Table 3: Contaminated soil management options

Category A contaminated soil	<ul style="list-style-type: none"> On-site remediation Off-site remediation Storage pending availability of treatment 	No disposal to landfill. <ul style="list-style-type: none"> EPA transport certificates must be used. Vehicles must hold EPA permit (unless exemption issued).
Category B contaminated soil	<ul style="list-style-type: none"> On-site remediation Off-site remediation Licensed facility 	Disposal to licensed facility. <ul style="list-style-type: none"> EPA Transport certificate system must be used. Vehicles must hold EPA permit (unless exemption issued).
Category C contaminated soil	<ul style="list-style-type: none"> On-site remediation Off-site remediation Licensed landfill 	Disposal to licensed landfill. <ul style="list-style-type: none"> EPA Transport certificate system must be used. Vehicles must hold EPA permit (unless exemption issued).

Generators of contaminated soils may wish to submit a classification application to EPA for approval, where it can be demonstrated that a different category from that outlined above is appropriate for a particular contaminant or group of contaminants in soil. For example, a contaminant that is intrinsically immobilised (without treatment) may display a low hazard because of the very low leachable concentration, despite a relatively high total concentration. Applications will need to provide justification as to why the proposed management will achieve the best environmental outcome. Further analytical testing may also be required. The Industrial Waste Resource Guidelines (IWRG) Classifications - for Disposal provides further information on the requirements for a classification.

FURTHER INFORMATION

- Australian Standard 4439.2 – 1997, *Wastes, sediments and contaminated soils. Part 2: Preparation of leachates – Zero headspace procedure*
- Australian Standard 4439.3 – 1997, *Wastes, sediments and contaminated soils. Part 3: Preparation of leachates – Bottle leaching procedure*
- Australian Standard 4482.1 – 2005, *Guide to sampling and investigation of potentially contaminated soil. Part 1: Non-volatile and semi-volatile compounds*