



STRATHBOGIE SHIRE COUNCIL

MINUTES OF THE SPECIAL MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD ON TUESDAY 18TH SEPTEMBER 2012 AT THE EUROA COMMUNITY CONFERENCE CENTRE, COMMENCING AT 5.03 P.M.

Councillors: Graeme (Mick) Williams (Chair)
Colleen Furlanetto
Malcolm Little
Neil Murray
Howard Myers
Debra Swan
Peter Woodhouse

Officers: Steve Crawcour - Chief Executive Officer
Roy Hetherington - Director, Asset Services
David Woodhams – Director, Corporate and Community
Phil Howard – Director, Sustainable Development

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies

Nil
4. Disclosure of Interests

Nil

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

5. Reports

5.1 Organisation

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5. **REPORTS**

5.1 **ORGANISATION**

5.1.1 **Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie)**

Author / Department

Director, Sustainable Development & Manager, Economic Growth / Sustainable Development

File Reference

T65/0160/C66

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

Costa Exchange (Mushroom Exchange Pty Ltd) seeks Council's endorsement to re-zone their land at 347 Zanelli Road and 1932 Dargalong Road, Nagambie to Special Use Zone (SUZ). The zoning change is required to reflect its existing use and recognize the need for certainty in relation to future use and expansion of their operation in accordance with the master plan that has been prepared.

The SUZ is commonly applied to sites like the Costa Exchange land to ensure operations and future expansions are not impeded by time consuming and unnecessary bureaucracy. Development of these sites is highly regulated by Council and other Authorities via the compulsory and detailed development and environmental plans, which must be consistent with the master plan approved in the Planning Scheme. Examples already existing in the Strathbogie Shire are:

- The Freeway Service Centres (Euroa and north of Nagambie).
- Mangalore Airport

Costa proposes to convert the compost facility from a phase 1 to a phase 3 facility and increase compost tonnage production from 1500 tonnes to approximately 2025 tonnes per week.

The proposed upgrades, including bio-filters composting in bunkers, will reduce odour levels that occur at the site. The odour will be contained within the site boundaries and reduced to a minimum. The expansion will also provide significant economic benefit to the community with an estimated 300 new jobs, staged over a number of years.

The Department of Business and Innovation have partnered with Council to support the processing of this amendment. Consultation has occurred with adjoining landowners, the community and relevant Authorities, e.g. EPA Victoria.

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

In order for Costa Exchange to be assured that its investment decisions can proceed, it requires certainty from Council and the State Government in relation to the zoning and planning controls relating to the land. Costa exchange has made a formal request that Council make a recommendation to the Minister for Planning to:

- Amend the Strathbogie Planning Scheme to re-zone the land at 347 Zanelli Road and 1932 Dargalong Road, Nagambie to Special Use Zone (SUZ) with a schedule to the zone and an associated master plan.

Having regard to the notice exemption requirements from the Minister of Planning, it was decided that prior to considering the request, Council seek the views of the community. This resulted in notifying the immediate adjoining landowners, advertising within local paper media, and advertising on Council's Web site, one on one consultation for people whom requested a meeting. Furthermore a community information session was held in Nagambie.

As a result of the information session and the personal consultation; specific changes have occurred within the wording of the Schedule to the Special Use Zone. These changes include a more prescriptive air emissions management plan and will require a traffic management plan for heavy vehicles.

In addition, Council will establish a Reference Group made up of community representatives, Council Officers and Costa Exchange representatives. This will ensure the community is well informed on specific requirements and plans of the proposal at each stage of development.

Section 20(4) of the Planning and Environment Act

The following section provides a discussion regarding the appropriateness of requesting the Minister to use his powers under section 20(4) of the *Planning and Environmental Act 1987* (the Act).

In order to satisfy a request to the Minister under section 20(4) of the Act, a number of criteria are to be considered. These are listed below together with a discussion of their relevance to the proposed Costa Exchange amendment:

The matter will be one of genuine State or Regional significance. Such situations may include, for example, those:

- Where the determination of the application may have a substantial effect on achievement or development of State or Regional planning or heritage objectives.
- Which raise an issue of State or Regional policy or public interest.
- Which could have significant effects beyond their immediate locality.

It is considered the basis of the amendment meets this criterion due to the investment in the region and Victoria, long term business viability, creation of substantial employment and the use of superior technology and management controls to reduce odour emissions.

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

RECOMMENDATION

1. That Council requests that the Minister for Planning re-zone the subject land from Farming Zone to Special Use Zone with a Schedule 3 over 1932 Dargalong Road, Nagambie and a Schedule 4 over 347 Zanelli Road, Nagambie, under Section 20(4) of the *Planning and Environment Act 1987*.
2. That Council forms a Reference Group, as detailed in the 'Summary' component of this report, for the duration of the project.

COUNCILLORS SWAN/MURRAY -

Amendment:

1. That Council requests that the Minister for Planning re-zone the subject land from Farming Zone to Special Use Zone with a Schedule 3 over 1932 Dargalong Road, Nagambie and a Schedule 4 over 347 Zanelli Road, Nagambie under Section 20(4) of the *Planning and Environment Act 1987*.
2. That Council notes that the ultimate location of the mushroom growing facility as shown in the Costa Exchange Mushroom Farm Nagambie Master Plan 2012 may be subject to change, in order to avoid significant impacts to protected flora and fauna and areas of cultural heritage sensitivity, in accordance with Federal and State legislation.
3. That Council requests the Minister for Planning to become the responsible authority for the land for the sole purpose of approving the final Master Plan/s for the subject land.
4. That Council appoints the Chief Executive Officer and delegates to negotiate details of the final Master Plan/s for approval with the owner and developer, adjoining landowners and relevant authorities, prior to submitting it to the Minister for Planning.
5. That Council forms a Reference Group consisting of equal representation from Costa Group, Council and the community for the duration of the project.

12/12

ON BEING PUT, THE AMENDMENT BECAME THE MOTION

13/12 **CRS. SWAN/LITTLE** : *That the Motion be carried.*

CARRIED

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

Background

Costa Exchange operates a compost facility at Nagambie under the business name of Mushroom Exchange Pty Ltd.

Costa is currently considering a proposal to convert the compost facility from a phase 1 to a phase 3 facility and increase compost tonnage production from 1500 tonnes to approximately 2025 tonnes per week.

The works to be undertaken will result in all composting being undertaken in bunkers that are fully enclosed utilizing recycled air exiting through three straw bio-filters. This will result in the reduction in current odour levels that occur on the site.

In addition, Costa is contemplating the construction of a new greenfields mushroom farm on the land directly opposite the compost facility, which is also owned by Costa. The farm would have an initial 60 tonnes per week capacity expanding to 120 tonnes per week.

Costa believes these projects will provide significant economic development and benefit to the Shire of Strathbogie and the State of Victoria, creating up to 300 new jobs once the mushroom farm becomes fully operational and produces 120 tonnes per week.

Further employment opportunities will also be created for the surrounding community, as local accommodation and amenities will be required by new employees and a greater volume of straw and chicken manure will be sourced from local suppliers.

Costa seeks Council's endorsement to re-zone their land to Special Use Zone (SUZ) to reflect its existing use and recognise the need for certainty in relation to future use and expansion of their operation in accordance with the master plan that has been prepared.

The selection of the zone and process for obtaining future detailed approval in accordance with their master plan is critical for them to secure funding for future expansion and to respond to the market opportunity for additional mushroom production.

The SUZ provisions provide for a significant level of detail for Council approval in advance of the construction of any of the components of the compost facility and mushroom farm on the master plan. Costa has carefully considered the management of their interface with surrounding landowners.

The SUZ is commonly applied to sites, like the Costa Exchange land, to ensure operations and future expansions are not impeded by time consuming and unnecessary bureaucracy. Development of these sites is highly regulated by Council and other Authorities via the compulsory and detailed development and environmental plans, which must be consistent with the master plan approved in the Planning Scheme. Examples already existing in the Strathbogie Shire are:

- The Freeway Service Centres (Euroa and north of Nagambie).
- Mangalore Airport

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

The rezoning will provide a level of corporate certainty to Costa and will allow them to commence planning for the increased production volume.

Two draft SUZ Schedules, one dealing with the proposed compost facility and the other with the mushroom farm have been supplied. Accompanying these schedules is a master plan detailing the relevant works.

Costa is seeking Council's agreement to request the involvement of the Minister for Planning and the use of the Minister's powers to amend the Shire of Strathbogie Planning Scheme without delay in order for Costa to secure the certainty which is required for these projects.

Alternative Options

The proposal is considered the best option to ensure the re-zoning of the greenfield site. Alternative re-zoning options would delay the project for a number of years and inhibit Council's economic growth and Council Plan Strategies.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

This project is a joint proposal between State, Strathbogie Shire and the Owners. It will ensure the objectives of the Council Plan are significantly met.

The proposal supports Council's strategies with job creation and decreasing adverse amenity impacts by the introduction and use of carbon friendly initiatives.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

Proposed Amendment C66 has been prepared by Costa Exchange at no expense to Council. The capital works proposed will significantly increase Council's rate income.

Economic Implications

The author of this report considers that the recommendation provides for a significant positive impact to the economics of the greater community and across the shire, providing for growth to rural industry and an increase in employment opportunities.

Environmental / Amenity Implications

The introduction of superior technology to assist in reduction of air emissions will have a positive effect on the environment and assist in the reduction of any adverse amenity impacts.

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

Community Implications

The author of this report considers that the recommendation will have a positive impact on the community by providing employment opportunities for all education levels. This proposal will provide work for local contractors within the shire, and will grow the community, population and economy.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

All immediately surrounding property owners and occupiers were notified of the proposed amendment and were given the opportunity over a three week period from 17 August 2012 to 10 September 2012 to make submissions to Council on the proposed rezoning and master plan. To assist in the above process, a brochure was prepared to describe the proposed amendment and distributed via mail to the adjoining landowners. All the relevant supporting documents were placed on Council's website, in the Nagambie Visitor Information Centre and notices were placed in all the relevant local paper media.

A community information session was also organized and held on Thursday 30 August 2012. The session was attended by Council officers and representatives from the Costa Group.

A summary of the written submissions received by Council as a result of the public consultation process is provided below.

No.	Submitter	Summary	Officer Comment
1.a	Submitter 1	Concerned that the construction of buildings will without due care, alter the natural flow of flood water.	As a result of some concerns raised, it was concluded that a reference group be formed for consultation/information on plans submitted to Council.
1.b		We do not want 'earth banks' being put around sites that could push water 'west' towards our property.	As above

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

1.c.		We wish for Council or Costa Exchange to provide a written guarantee that our property will not be inundated with water being pushed 'west' should the construction proceed.	As above
2.a.	Submitter 2	The current road infrastructure would be incapable for the increased number of vehicle movements and vehicle size.	Consultation has occurred between Council Engineers and the proponents.
2.b.		Any new development are not to affect the existing drainage lines. I am concerned our neighbouring property could be adversely affected.	As per reference group
2.c.		The rezoning of the land to special use zone should in no way negate the need of the relevant authority to thoroughly investigate and evaluate the proposal and its potential impact on the surrounding area.	As above
3.a.	Submitter 3	The proposal to re-zone land to two separate Special Use Zones, one for the purpose of composting and one for the purpose of growing mushrooms, has in principal support of the Group providing that any buffer requirements of their operation are contained within their own property boundaries.	Noted
3.b.		The other implication in relation to rezoning to an SUZ is the loss of the third party right of appeal. It is therefore critical that the community is fully aware of what impact the development will have before they forgo their third party right of appeal.	Noted and consultation has occurred for the formation of a reference group
3.c.		At this stage there appears to be lack of detail in the Master Plan as to the level of odour that we would expect at nearby residences i.e. no odour modeling.	Amendments have been made to the Schedule

5.1.1 Strathbogie Planning Scheme – Planning Scheme Amendment C66 (Costa Exchange ~ 347 Zanelli Road and 1932 Dargalong Road, Nagambie (cont.))

3.d.		The planning application has no traffic flow information available, no public infrastructure upgrade schedule and no complaints mechanism.	Amendments have been made to the Schedule
3.e.		The Master Plan should be more specific in detail so that the community is confident in the loss of the third party right appeal.	The schedule to the SUZ is detailed and more specific.
3.f.		Mushroom composting and mushroom growing is allowable in the farming Zone and we are therefore concerned that the only reason the Mushroom Exchange requires the rezoning to an SUZ is for the security that the removal of the third party right of appeal brings to their development.	Certainty is required by the proponent to secure State funding and reassurance for significant investment to the region
3.g.		For the community to have confidence in rezoning to an SUZ the Master Plan needs to contain far more detail.	Detail included within the Schedule to the SUZ

Attachments

The attachments include:

- Schedule 3 to the Special Use Zone
- Schedule 4 to the Special Use Zone.
- Incorporated Document 'Costa Exchange Mushroom Farm and Composting Facility, Nagambie 2012'.
- Site Plan
- Master Plan

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.16 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date

STRATHBOGIE PLANNING SCHEME

SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**

**COSTA EXCHANGE MUSHROOM FARM – 1932 DARGALONG ROAD,
NAGAMBIE**

Purpose

To promote the use and development of the land consistent with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.

To provide for the use and development of the land by Costa Exchange for the growing, harvesting, packing, storage and distribution of mushroom-related or allied food products in a manner which minimises the impact on the amenity of surrounding areas.

1.0

Table of uses

Section 1 - Permit not required

USE	CONDITION
Agriculture (other than animal husbandry and aquaculture)	Must be associated with the growing, harvesting, packing, storage and distribution of mushroom-related or allied food products.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Industry (other than Materials recycling, Refuse disposal, Transfer station and Rural industry)	Must be associated with the growing, harvesting, packing, storage and distribution of mushroom-related or allied food products.
Informal outdoor recreation	
Minor utility installation	
Office	Must be associated with growing, harvesting, packing, storage and distribution of mushroom-related or allied food products.
Railway	
Restricted Place of Assembly	
Rural Industry (other than Abattoir and Saw Mill)	Must be associated with growing, harvesting, packing, storage and distribution of mushroom-related or allied food products.
Tramway	
Warehouse	Must be associated with growing, harvesting, packing, storage and distribution of mushroom-related or allied food products.

STRATHBOGIE PLANNING SCHEME

Section 2 - Permit required

USE	CONDITION
Caretaker's house	
Caretaker's house	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Manufacturing sales	
Mineral, stone, or soil extraction	
Place of assembly (other than Restricted Place of Assembly)	
Shop (other than Adult sex bookshop)	The leasable floor area must not exceed 200 square metres.
Utility installation (other than Minor utility installation)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Adult sex bookshop
Brothel
Cinema based entertainment facility
Extractive Industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Retail premises (other than Manufacturing sales and Shop)

2.0

Use of land

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, the hours of delivery and dispatch of goods and materials, light spill, solar access and glare.

An application to use land for an industry or warehouse must also be accompanied by the following information:

- The type and quantity of goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

STRATHBOGRIE PLANNING SCHEME

3.0 Buildings and works

Permit requirement

A permit is not required to construct or carry out:

- A building or works generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.
- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

A building or works generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012* must be constructed or carried out in accordance with the following plans, as appropriate, prepared to the satisfaction of the responsible authority:

- An **Existing Conditions Plan** drawn to scale showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels and flood water levels
 - The location and quality of any existing vegetation.
- A **Design Plan** drawn to scale showing:
 -
 - The layout of existing and proposed buildings and works including building setbacks from boundaries, finished floor levels, and an indicative internal layout for each building
 - Elevations, showing the dimensions, colours and materials of all buildings and works.
 - Driveways, vehicle parking areas, car parking spaces, and loading and unloading areas.
 - Finished site levels and the location of any proposed cut and fill.
 - Removal of protection of any existing vegetation.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
 - Details of boundary fences, including the height, location, design and treatment of the fences.
 - A development summary, including the floor area of each type of land use and number of car parking spaces.
- A **Stormwater Management Plan** specifying details of how stormwater runoff from proposed new buildings or works will be managed.
- A **Construction Management Plan** specifying the measures proposed to ensure that construction activity has minimal impact on adjoining land and waterways.
- A **Landscape Plan** for the area of the land which is subject of buildings and works describing the vegetation species to be planted, the number of trees, planting formations, earth mounding, surface treatments and the method of preparing, draining, watering and maintaining the landscape areas (as appropriate).
- A **Noise Management Plan** providing details on the expected levels of noise from the new building(s) or works at the property boundaries.

STRATHBOGIE PLANNING SCHEME

- **An Air Emissions Management Plan** which must include:
 - A description of process and controls to mitigate the emission of odour and dust.
 - A measurement of the emissions which are acceptable once the facility is operating
 - An ongoing reporting and monitoring process concerning odour and airborne emissions.
- **A Waste Management Plan** providing details on the expected volume and management of waste.
- **A Vegetation and Land Management Plan** for the site including, where appropriate, measures to protect and conserve native vegetation, to reduce the impact of land and water degradation and provide habitat for plants and animals. The plan should address the following objectives:
 - Prevention of erosion.
 - To avoid the removal of native vegetation where possible.
 - If the removal of native vegetation cannot be avoided, to minimise the removal of native vegetation through appropriate planning and design.
 - To appropriately offset the loss of native vegetation.
- **A Traffic Management Plan** which includes an assessment of anticipated heavy vehicle traffic to and from the site and the preferred route for heavy vehicle traffic.

Before any of the above plans are approved for a building or works, the land owner must advise the responsible authority:

- whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- whether a cultural heritage management plan is required pursuant to the Aboriginal Heritage Act 2006.

5.0 Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012* 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 Act.

6.0 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works or the approval of a plan prepared in accordance with the requirements of Clause 3.0 of this schedule, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.
- The interface with adjoining areas, including the location and proximity of sensitive uses.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The interim use of those parts of the land not required for the proposed use.
- The potential impact and management of flood events.
- The drainage of the land.

STRATHBOGIE PLANNING SCHEME

- The availability of and connection to services.
- The location and type of access to the site.
- The effect of traffic to be generated on roads.
- Provision for car parking.
- Provision for the loading and unloading of vehicles.

- The storage of rubbish and materials for recycling.
- Provision made for vegetation protection and landscaping.

7.0 Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

STRATHBOGIE PLANNING SCHEME

SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ4**

**COSTA EXCHANGE COMPOSTING FACILITY – 347 ZANELLI ROAD,
NAGAMBIE**

Purpose

To promote the use and development of the land consistent with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.

To provide for the use and development of the land by Costa Exchange as a composting facility, including receipt, storage, blending, maturation and distribution in a manner which minimises the impact on the amenity of surrounding areas.

1.0

Table of uses

Section 1 - Permit not required

USE	CONDITION
Car park	Must be used in conjunction with another use in Section 1 or 2.
Industry (other than Materials recycling, Refuse disposal, Transfer station and Rural industry)	Must be associated with the receipt, storage, blending, maturation and distribution of compost or allied products.
Informal outdoor recreation	
Minor utility installation	
Office	Must be associated with the receipt, storage, blending, maturation and distribution of compost or allied products.
Railway	
Rural Industry (other than Abattoir and Saw Mill)	Must be associated with receipt, storage, blending, maturation and distribution of compost or allied products.
Tramway	
Warehouse	Must be associated with receipt, storage, blending, maturation and distribution of compost or allied products.

Section 2 - Permit required

STRATHBOGRIE PLANNING SCHEME

USE	CONDITION
Caretaker's house	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Manufacturing sales	
Mineral, stone, or soil extraction	
Place of assembly	
Shop (other than Adult sex bookshop)	The leasable floor area must not exceed 200 square metres.
Utility installation (other than Minor utility installation)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Adult sex bookshop
Brothel
Cinema based entertainment facility
Extractive industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Retail premises (other than Manufacturing sales and Shop)

2.0

Use of land

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, the hours of delivery and dispatch of goods and materials, light spill, solar access and glare.

An application to use land for an industry or warehouse must also be accompanied by the following information:

- The type and quantity of goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

STRATHBOGRIE PLANNING SCHEME

3.0 Buildings and works

Permit requirement

A permit is not required to construct or carry out:

- A building or works generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.
- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.

A building or works generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012* must be constructed or carried out in accordance with the following plans, as appropriate, prepared to the satisfaction of the responsible authority:

- An **Existing Conditions Plan** drawn to scale showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels and flood water levels.
 - The location and quality of any existing vegetation.
- A **Design Plan** drawn to scale showing:
 - The layout of existing and proposed buildings and works including building setbacks from boundaries, finished floor levels, and an indicative internal layout for each building.
 - Elevations, showing the dimensions, colours and materials of all buildings and works
 - Driveways, vehicle parking areas, car parking spaces, and loading and unloading areas.
 - Finished site levels and the location of any proposed cut and fill.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
 - Details of boundary fences, including the height, location, design and treatment of the fences.
- A **Stormwater Management Plan** specifying details of how stormwater runoff from proposed new buildings or works will be managed.
- A **Construction Management Plan** specifying the measures proposed to ensure that construction activity has minimal impact on adjoining land and waterways.
- A **Landscape Plan** for the area of the land which is the subject of buildings and works, describing the vegetation species to be planted, the number of trees, planting formations, earth mounding, surface treatments and the method of preparing, draining, watering and maintaining the landscape areas (as appropriate).
- An **Environmental Management Plan (EMP)** showing the measures proposed to be applied to the new buildings or works to achieve minimal impact on surrounding areas. The EMP must include all monitoring, auditing, reporting and mitigation measures that are relevant to the new use and development of the land.
- A **Noise Management Plan** providing details on the expected levels of noise from the new building(s) or works at the property boundaries.

STRATHBOGIE PLANNING SCHEME

- An **Air Emissions Management Plan** which must include:
 - A description of process and controls to mitigate the emission of odour and dust.
 - A measurement of the emissions which are acceptable once the facility is operating
 - An ongoing reporting and monitoring process concerning odour and airborne emissions.
- A **Waste Management Plan** providing details on the expected volume and management of waste.
- A **Vegetation and Land Management Plan** including, where appropriate, measures to protect and conserve native vegetation, to reduce the impact of land and water degradation and provide habitat for plants and animals. The plan should address the following objectives:
 - Prevention of erosion.
 - To avoid the removal of native vegetation where possible.
 - If the removal of native vegetation cannot be avoided, to minimise the removal of native vegetation through appropriate planning and design.
 - To appropriately offset the loss of native vegetation.
- A **Traffic Management Plan** which includes an assessment of anticipated heavy vehicle traffic to and from the site and the preferred route for heavy vehicle traffic.

Before any of the above plans are approved for a building or works, the land owner must advise the responsible authority:

- whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- whether a cultural heritage management plan is required pursuant to the Aboriginal Heritage Act 2006.

5.0 Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012* 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 Act.

6.0 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works or the approval of a plan prepared in accordance with the requirements of Clause 3.0 of this schedule, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The *Costa Exchange Mushroom Farm Nagambie Master Plan 2012*.
- The interface with adjoining areas, including the location and proximity of sensitive uses.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The interim use of those parts of the land not required for the proposed use.
- The potential impact and management of flood events.
- The drainage of the land.

STRATHBOGRIE PLANNING SCHEME

- The availability of and connection to services.
- The location and type of access to the site.
- The effect of traffic to be generated on roads.
- Provision for car parking.
- Provision for the loading and unloading of vehicles.
- The storage of rubbish and materials for recycling.
- Provision made for vegetation protection and landscaping.

7.0 Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

STRATHBOGIE PLANNING SCHEME

STRATHBOGIE PLANNING SCHEME

INCORPORATED DOCUMENT

**'COSTA EXCHANGE MUSHROOM FARM AND COMPOSTING
FACILITY, NAGAMBIE, 2012'**

**This document is an incorporated document in the Planning Scheme pursuant to
Section 6(2)(j) of the Planning and Environment Act 1987.**

STRATHBOGRIE PLANNING SCHEME

INTRODUCTION:

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 of the Strathbogrie Planning Scheme (the Scheme).

This document excludes the land identified in this Incorporated Document from certain controls contained within the Scheme in order to facilitate the use and development of the land for a mushroom farm and composting facility, in accordance with the *Costa Exchange Mushroom Farm Nagambie Master Plan 2012* and subject to the provisions of the relevant schedule to the Special Use Zone.

The controls which are excluded in this document are required to be included in a master plan subject to relevant schedule to the Special Use Zone, to the satisfaction of the Responsible Authority.

ADDRESS OF THE LAND:

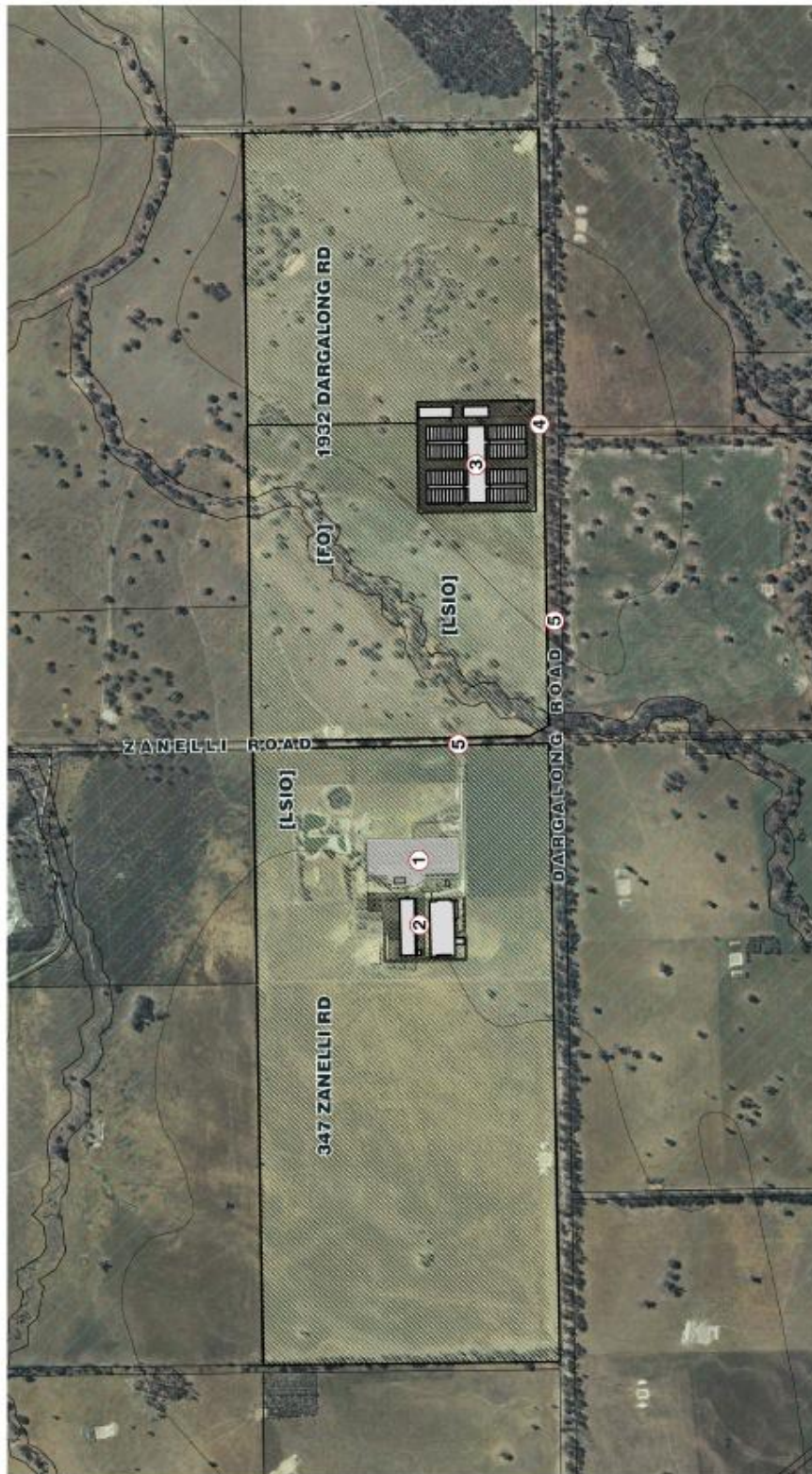
- The land at 347 Zanelli Road described as Allotment 1, Section B Parish of Monea North in Certificate of Title Volume 8207, Folio 442; and
- 1932 Dargalong Road, Nagambie described as Allotment 2, Section B Parish of Monea North in Certificate of Title Volume 2928, Folio 560.

APPLICATION OF PLANNING SCHEME PROVISIONS:

The following provisions of the Strathbogrie Planning Scheme do not apply to the land identified in this Incorporated Document:

- Clause 44.03 – Floodway Overlay
- Clause 44.04 – Land Subject to Inundation Overlay
- Clause 52.05 - Advertising Signs
- Clause 52.06 – Car Parking
- Clause 52.07 – Loading and Unloading of Vehicles
- Clause 52.17 – Native Vegetation
- Clause 52.34 – Bicycle facilities

END OF DOCUMENT



**12 09 05 COSTA EXCHANGE
347 ZANELLI RD & 1932 DARGALONG RD, NAGAMBIE**

LEGEND:

- Site Boundary
- Existing Building Envelope
- Proposed Development Envelope
- [LSIO] Council defined Land Subject to Inundation Overlay
- [FO] Council defined Floodway Overlay
- 1 Existing Compost Facility
- 2 Proposed Expansion of Compost Facility
- 3 Proposed Mushroom Growing Facility
- 4 New Site Entry to Mushroom Growing Facility
- 5 Upgrade existing Site Access

SITE PLAN

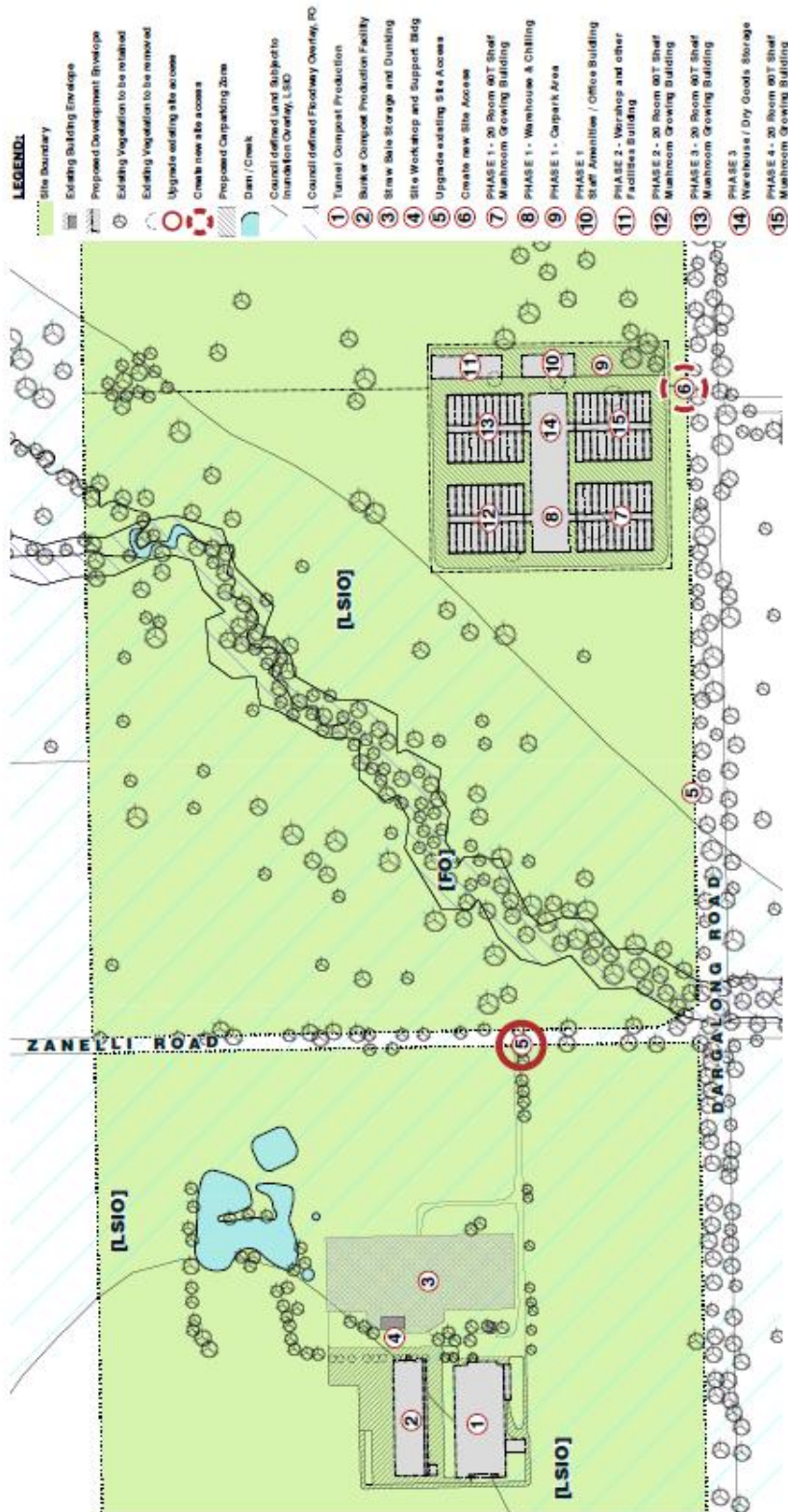
Drawing No: **A-001** Revision: _____ Date: _____ Scale: 1:10,000 (P.A.)

F2

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F2

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 2 41 882 238



Lead: Sarah
 410 54 864
 41 882 238
 41 882 238
 41 882 238

MASTER PLAN

15 09 05 COSTA INC HANGE
 347 ZANELLI RD & 1032 DARGALONG RD, HARGAMBIE

Scale: 1:1000
 Date: 07/06/12
 Drawn: PFL/JS
 Check: PFL/JS