

Submission to Central Goldfields Shire Council

Proposed Stages Three (3) & Four (4) Construction of Levee and Associated Earthworks and Drainage Infrastructure Carisbrook



Prepared on behalf of Central Goldfields Shire Council

November 2019

Ref: 1163901

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1 INTRODUCTION

This submission is made on behalf of Central Goldfields Shire Council, who are seeking approval for the construction of stages three (3) and four (4) of a flood mitigation levee. Stages one (1) and two (2) of the levee have already been constructed, and Central Goldfields Shire Council is now in a position to complete works with stages three (3) and four (4) of the levee and associated earthworks and drainage infrastructure.



Stage 1 – yellow, completed

Stage 3 – blue, continuation of Stage 1

Stage 4 – green

The proposed levee, comprising four stages in total, is located west of the Carisbrook township and was proposed in response to a flood that occurred in 2011 and 2012. At the time, North Central Catchment Management Authority (NCCMA) commissioned Water Technology to prepare the Carisbrook Flood and Drainage Management Plan. The Plan identified key flooding issues in the township, determined flood levels for a range of flood events and recommended mitigation works to reduce the risk of future flooding. Resulting from that study, the flooding of Carisbrook is caused by two mechanisms as follows:

- Riverine or main creek flow, the cause of flooding of the major part of the township from overtopping the banks of the McCallums and Tullaroop Creeks with an upstream catchment of about 1,200km²
- Overland flows, from bush areas to the south and west of the township with a local catchment of around 21 km²

Significant consultation has been undertaken with Carisbrook community and stakeholders, the community determining their preference was creek vegetation thinning in conjunction with a western levee and drain to protect the town from overland flows. The modelling of flooding and the levee mitigations were made as a conservative worst case scenario, disregarding the vegetation thinning.

In February 2015 preliminary design of two options (A and B), relating to the overland flows, were prepared by Entura for CGSC. Option A (also known as the Western Levee) was selected as the preferred option to proceed with, comprising four stages. Stages 1 and 2 have been completed, and stages 3 and 4 are the subject of this permit application.

The Central Goldfields Planning Scheme applies to all areas of the proposed levee. The following zones and overlays pertain to the consideration of this proposal: Farming Zone (Schedule 1), Public Use Zone-Transport, Road Zone – Category 1, Rural Living Zone, Bushfire Management Overlay, Environmental Significance Overlay, Erosion Management Overlay, Land Subject to Inundation and Salinity Management Overlay.

This Planning Application has been prepared and structured to address all of the relevant planning policies that relate to this proposal in the Central Goldfields Planning Scheme and respond to state legislation regarding the conservation of biodiversity, heritage and culture.

This report is arranged under six main headings. **Section 1** introduces the permit application. The requirements for a planning permit and other regulatory triggers are set out in **Section 2**. **Section 3** describes the site and its context and **Section 4** describes the details of the proposal. The proposal is then assessed against the provisions of the Planning Scheme in **Section 5**. The conclusions of the report are in **Section 6**.

This report should be read in conjunction with the following documents submitted with the permit application:

Attachment 1	Photographs of the site and its surrounds
Attachment 2	Site and Context Plan
Attachment 3	Design Response Plan
Attachment 4	Proposed Plans of Subdivision
Attachment 5	Tree Report
Attachment 6	Updated Hydrology and Hydraulic Report – ARR2016, Carisbrook Flood Mitigation Modelling, Water Technology August 2019
Attachment 7	Aboriginal Cultural Heritage Due Diligence Assessment, Landskape, October 2018
Attachment 8	Planning permit Stage 2, PA100/16
Attachment 9	DELWP and VicTrack referral responses
Attachment 10	Copies of titles

2 **REGULATORY TRIGGERS**

2.1 **Planning permit triggers**

The proposed construction of the stage three (3) and four (4) drainage levee and construction of borrow pits require a planning permit under the following provisions of the Planning Scheme.

Provision	Clause	Trigger
Farming Zone (Schedule 1)	35.07	Earthworks which change the rate of flow or discharge point of water across a property boundary.
Public Use Zone-Transport (PUZ4)	36.01	Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1.
Road Zone – Category 1	36.04	Section 2 - Utility Installation
Rural Living Zone	35.03	Section 2 – Utility Installation
Environmental Significance Overlay (Schedule 2)	42.01	Permit Required for Works
Erosion Management Overlay (EMO)	44.01	Permit Required for Works
Salinity Management Overlay (SMO)	44.02	Permit Required for Works

2.2 Aboriginal Heritage Act

A cultural heritage scoping study was undertaken in June 2015 by Landskape Heritage Management which concluded that no Aboriginal cultural heritage sites had previously been recorded in the area proposed for flood mitigation works. Predictive modelling showed that there was a low to negligible potential for Aboriginal cultural heritage to occur in the development site.

The scoping study found that the activity area for the proposed flood mitigation works was not an area of cultural heritage sensitivity according to the Aboriginal Heritage Regulations 2007 and concluded that a CHMP is not required for the construction of the project.

The Cultural Heritage due diligence assessment was updated in October 2018 and is provided at Attachment 7.

2.3 Planning History

In February 2015 preliminary design of two options (A and B), relating to the overland flows, were prepared by Entura for CGSC. Option A (also known as the Western Levee) was selected as the preferred option to proceed with, comprising four stages. Stages 1 and 2 have been completed and stages 3 and 4 are the subject of this permit application.

Refer to Attachment 2 for Stage 2 Planning Permit D100/16.

3 THE SITE AND SURROUNDS

3.1 Site and Context Description

The township of Carisbrook is located east of 7km Maryborough. Late 2010 and early 2011, Carisbrook was hit with substantial rainfall, the North Central Catchment Management Authority (NCCMA) estimates that over 250 properties were inundated during the floods. As a response, the Carisbrook Flood and Drainage Management Plan 2013 was commissioned by the NCCMA. The Plan identified a series of flood mitigation strategies that would prevent future substantive flooding to a 1 in 100-year frequency. Community and stakeholder consultation were undertaken to establish acceptable strategies for mitigating future flood risk.

Carisbrook is located at the confluence of McCallum Creek and Tullaroop Creek within the wider Loddon River catchment. The location of Carisbrook in relation to these substantial waterways implicates the township as being within a floodplain. The Carisbrook Flood and Drainage Management Plan identified two key mechanisms by which the town becomes inundated:

- Riverine or main creek flow, resulting in overtopping the banks of the McCallums and Tullaroop Creeks with an upstream catchment of about 1,200km².
- Overland flows, originating from bush areas to the south and west of the township with a catchment of 21km².

Properties Affected

Address	Reference	Owner
Pleasant Street road reserve		Central Goldfields Shire
Castlemaine-Maryborough Railway Line	1A~Y\PP5154 2012\PP5154	VicTrack
4020 Pyrenees Highway	4\LP114330	JR & KT Wright
Pyrenees Highway		VicRoads
4027 Pyrenees Highway	1\TP692027C 2\TP220222R 2\TP103682J 2\LP205106H	New Zalia Pty Ltd

4027 Pyrenees Highway is a parcel of land containing seven (7) lots, which are Lot 2 LP205106H, Lot 3 PS522674G, Lot 1 TP103682, Lot 2 TP 103682J, Lot 1 TP 220222R and Lot 1 TP692027C. The total area of this lot is 131.759 Ha. This lot is just outside of the established township of Carisbrook and is the proposed location of the stage four (4) section of the levee. This lot contains a Crown Land road reserve along the northern section of Curragh Moor Road. The site is primarily cleared for agricultural use, with some outcrops of native trees scattered throughout the lot. This property is within the Farming Zone.

4020 Pyrenees Highway is a parcel of land to the north and west of 4027 Pyrenees Highway. The parcel contains four (4) lots, which are Lots 4 & 5 LP114330, Lot 1 TP244561 & Lot 1 TP320657. The total area of this lot is 42.573 Ha. This lot is just outside of the established township of Carisbrook, and Lot 4 LP114330 will abut the proposed stage three (3) section of the levee. The vegetation found on this lot is similar to that found at 4027 Pyrenees Highway, much being cleared for agricultural use and some scattered native trees, none of which will be impacted by proposed works.

The lots north of the Pyrenees highway are zoned as Rural Living, whilst the lots to the south are within the Farming Zone.

Refer to Attachment 3 – Design Response Plan for Staging and Parcel details

Residential development found to the east of Pleasant Street is within the General Residential Zone (Schedule 1). Residential housing in proximity of Pleasant Street is a typical low-density rural character, typical of Carisbrook.

Zones and overlays affecting parts of the subject area:

- Bushfire Management Overlay (partial, not in the area where works are proposed)
- Environmental Significance Overlay – Schedule 2
- Erosion Management Overlay
- Salinity Management Overlay



Proposed levee worked marked blue

- *Refer to Attachment 1 for photos of site and surrounds*
- *Refer to Attachment 2 for the Site and Context Plan*
- *Refer to Attachment 6 for the Copy of Titles*

4 THE PROPOSAL

4.1 Design and Construction

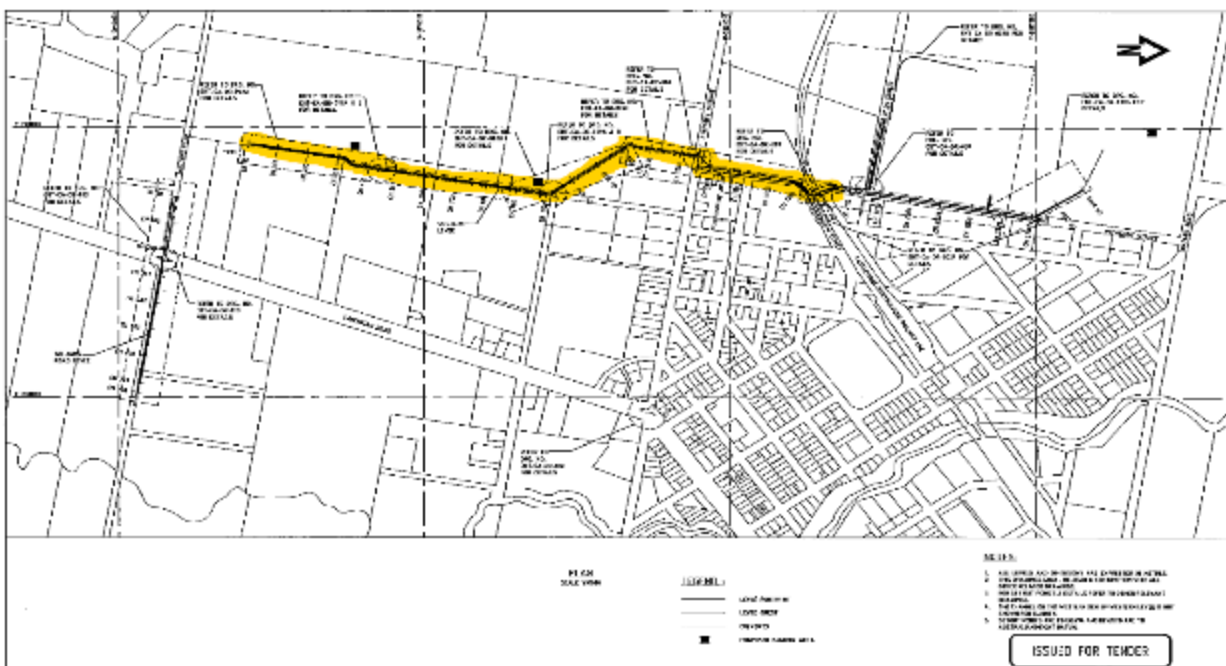
This planning application is for construction of stages 3 and 4 of the western levee, a continuation of the stage one (1) Pleasant Street Levee/Wills Street open drainage channel. Upon completion, the levee will run north-south approximately 3.0km long, beginning at Pleasant Street and continuing down until just north of Williams Road. The levee will run under the Pyrenees Highway through a proposed culvert. This is the point of connection between stages three (3) and four (4) of the levee.



Stage 1 – yellow, completed

Stage 3 – blue, continuation of Stage 1

Stage 4 – green





Intersection of Stage 1 and Stage 3, VicTrack land

An additional 4 culverts are proposed in addition to the western levee, located along the proposed stage three (3) and four (4) section of the levee. These culverts can be found at the old railway line, under the Pyrenees Highway, the corner of Curagh Moor Road and Belfast Road and 650m (roughly) south, along the proposed stage four (4) section of the application.

Since the completion of the Carisbrook Flood and Drainage Management Plan, Water Technology was engaged by Central Goldfield Shire Council to undertake additional hydrology and hydraulic modelling. This updated report outlines existing conditions in the Carisbrook township, levels of inundation before and after the construction of stages 1 and 2 of the levee and associated drainage infrastructure. This report can be found at Attachment 6 of the application.

Stages 3 and 4 of the levee cross the following roads and railway:

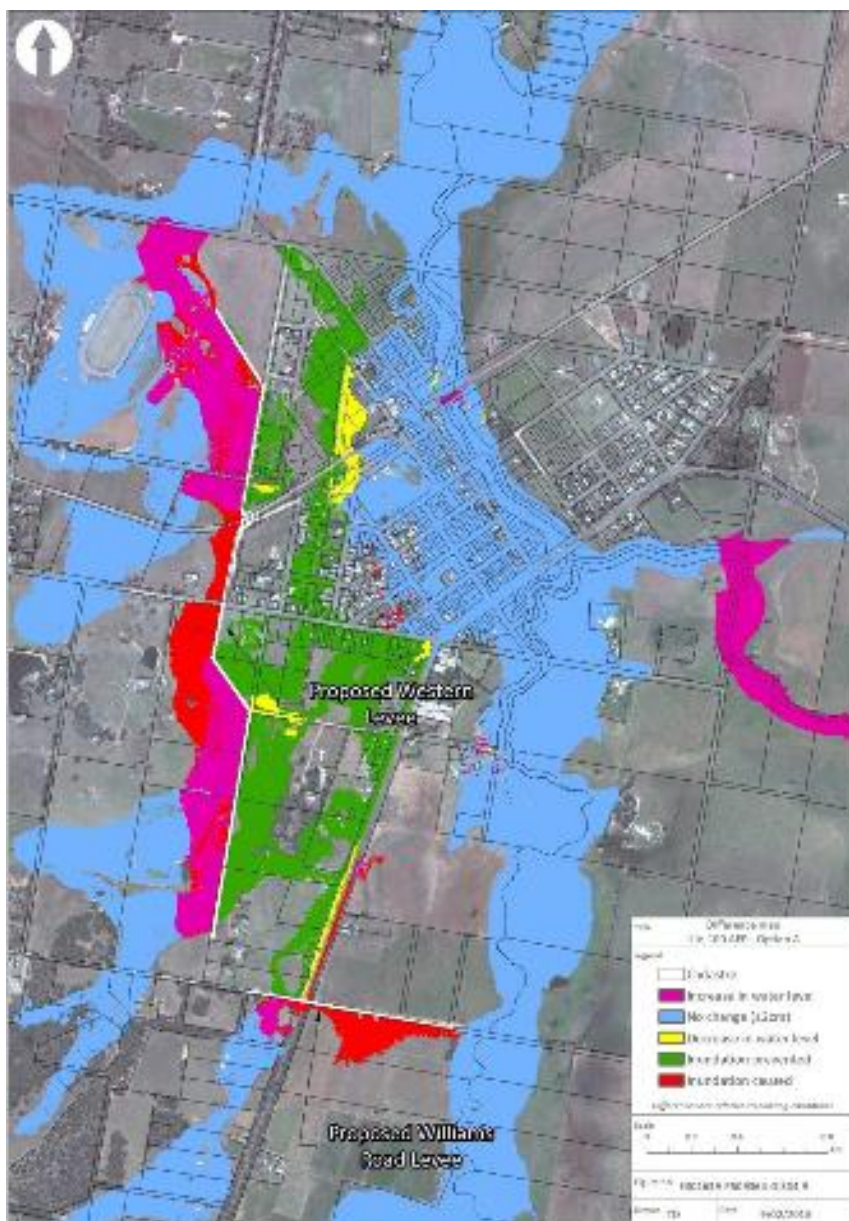
- Pyrenees Highway, between stage three (3) and four (4). (Managed by VicRoads)
- Castlemaine-Maryborough Railway Line at around Ch 2000. (Managed by VicTrack)

These crossings will require new culverts generally in a south-north direction in parallel to the levee and two (2) new culverts to be built under the levee in west-east direction at Ch 450 and Ch 1000. An upgraded culvert is proposed on the Pyrenees Highway.

The following culverts are proposed:

- Culverts underneath Pyrenees Highway (Ch 1550m) – consisting of two (2) 1,200mm wide by 1200mm high channels.
- Culverts underneath railway line (Ch 1990m) – consisting of four (4) 1200m wide by 900mm high culverts.
- Culvert to the south of Pyrenees Highway (Ch 1000m) – consisting of one (1) 450mm culvert, intended to drain into existing infrastructure.
- Culvert 650m south of the above culvert (Ch 450m) – consisting of one (1) 225mm culvert, intended to drain into existing infrastructure.

Maximum height of the proposed western levee is approximately 1.5m and general height proposed at 1.0m. It is anticipated that detailed design will be undertaken a permit condition, to the satisfaction and standards of the responsible authority.



Anticipated differences in inundation (with all levee works completed) – 1 in 100 AEP

4.2 Utility Services

AusNet Services

Consultation occurred with Downer/Tenix (on behalf of AusNet Services) in relation to the need to alter a gas pipeline on the northern side of the Pyrenees Highway. Their response was that they have no objection to the proposed works but require them to be undertaken by an AusNet Services accredited subcontractor prior to start of Pyrenees Highway culverts construction works.

Central Highland Water

Central Highlands Water were contacted at the outset regarding the need to alter a water pipeline on the southern side of the Pyrenees Highway, and will be followed up post planning permit.

Telstra

Some alterations to Telstra cabling will be required at both the Pyrenees Highway and on the northern side of the railway. Initial contact has been made but a formal job request will need to be submitted post planning permit.

4.3 Vegetation Removal

Initial design of the levee work would have resulted in some minimal native vegetation removal. Following construction of Stages 1 and 2, Council commissioned an arborist report from WM Environmental for those native trees anticipated to be impacted by Stage 4. (Attachment 5). Three affected trees were found to be of good to very good health and structure, and of very high landscape contribution. As a result of the assessment, the design of Stages 3 and 4 has been modified to ensure no vegetation removal is required. The levee works have been realigned to avoid removal of these trees. Refer to Attachment 3 Design Response Plan.

4.4 Additional Land acquisition

To minimise land acquisition and consultation from multiple parties, the levee will run predominantly on 4027 Pyrenees Highway and sections of Council-owned road reserves.

Two subdivisions will be required for Council to acquire land on which the levee is to be constructed.

These subdivisions are within the provisions of Clause 62.04, where a permit is not required for subdivision by an authority acquiring land which does not create an additional lot, or as long as the additional lot is without legal access. The subdivision of the two areas therefore does not require a planning permit, as neither subdivision will result in creation of a lot.

Stage 3

Stage 3 levee works necessitate Council acquisition of a portion of Lot 4 LP114330. A draft Plan of Subdivision is provided at Attachment 4.

Stage 4

Stage 4 levee works necessitate Council acquisition of the strip of land containing the levee works, which will be portions of Lot 1TP692027C, Lot 2 TP220222R, Lot 2 TP103682J and Lot 2 LP205106H, corresponding with the shape and location of the levee works. A draft Plan of Subdivision is provided at Attachment 4.

Landowners have been engaged with and consulted, and Council will follow standard processes for the valuation and acquisition of land.

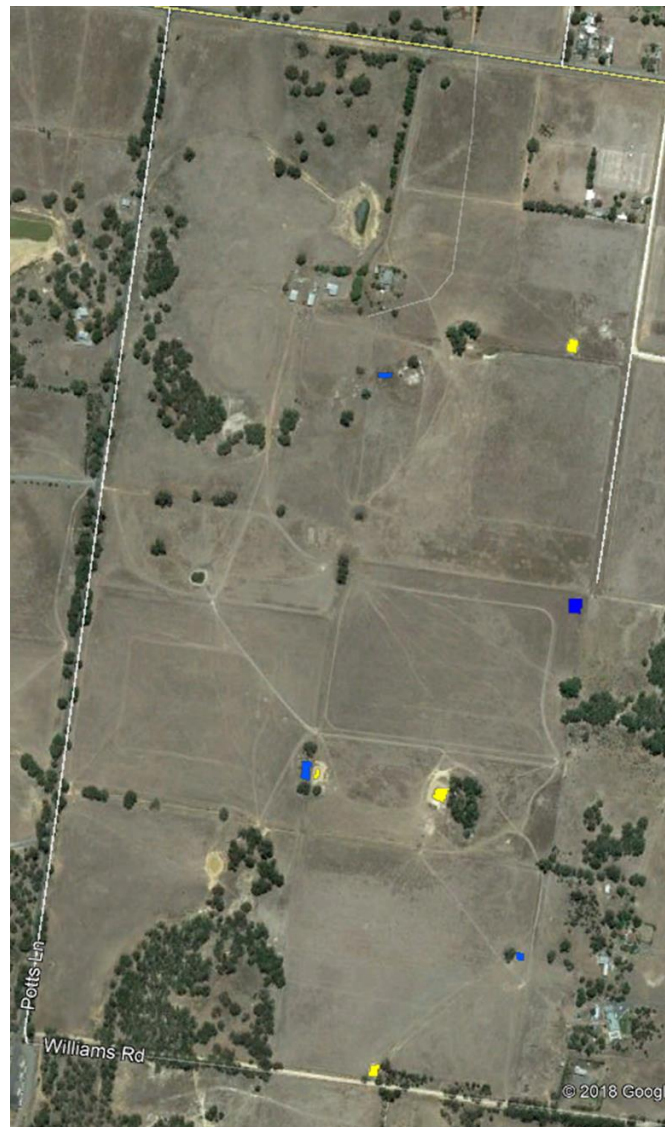
4.5 Construction of Borrow Pits

In order to maximise cost efficiency, material will be sought from local areas where possible. It's estimated that approximately 10,000m³ of material will be needed, outside of what can be reused from the levee construction area itself.

Geotechnical investigation has suggested that several areas may be suitable. The final location and size of the pits will be subject to negotiations with the owners.

Location of suitable material is located on 4027 Pyrenees Highway which is privately owned. Several potential locations have been considered, being four new dam locations, and/or 4 locations to enlarging existing dams (Estimated approximately 10,000m³ of material).

The final locations and shape of these pits is yet to be determined but, functionally, opportunity may exist to incorporate them into the water channel to serve as detention basins as well as provide water storage for stock.

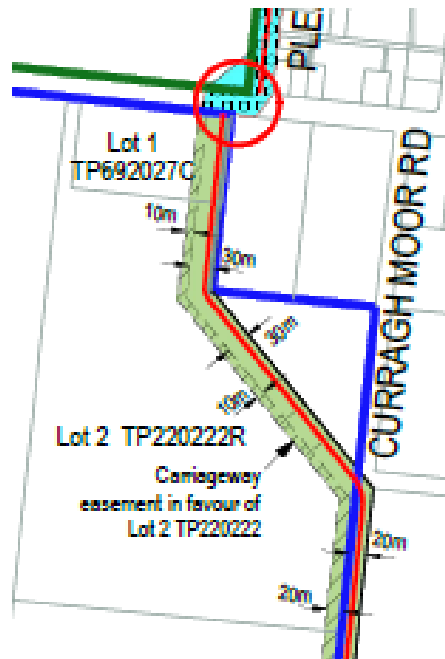


4.6 Access to The Properties

It is understood that access to the affected properties will be required during the construction phase of the levees, and will be based on current agreements with the landowners.

Western Levee Stage 4 (approx. Chainage 1070)

The levee will split Lot 2 TP22022R in two and an access needs to be provided to the western side of this property.



A ramp access is proposed to be provided from the eastern side of the levee to the western side with an angle of about 30 degrees to the alignment of the levee. This is to ensure a slope of not steeper than 10% can be achieved. A temporary timber bridge needs to be located on the wet toe channel then to ensure full access is granted between eastern side and western side of the existing property above the levee and channel.

Access to the eastern side of the property will be provided via carriageway easement after construction.

5 REGULATORY PROVISIONS & LEGISLATION

This section of the application covers the regulatory frameworks for environmental protection, cultural protection and planning regulation compliance.

5.1 Central Goldfields Planning Scheme

Central Goldfields Planning Scheme is applicable for this site, and the proposal has been assessed against its provisions throughout this report.

The proposal is classified as a 'utility installation' under clause 73.03 of the Central Goldfields Planning Scheme, notably, *Land used*:

- *For telecommunications;*
- *To transmit or distribute gas, oil or power;*
- *To collect, treat, transmit, store or distribute water; or*
- *To collect, treat or dispose of storm or flood water, sewage, or sillage.*

A utility installation is not noted as being exempt from a permit requirement under clause 62.01 of the Central Goldfields Planning Scheme. Under clause 62.02-1, works under \$1 million AND being carried out by or on behalf the responsible authority would be exempt from requiring a permit, however, this is not the case. This proposal has therefore been assessed against all relevant policies.

5.2 Planning and Environment Act 1987

This Act establishes a framework for the use, development and protection of land in Victoria. It empowers planning schemes and sets out the process for assessment, public notification or referral of the proposal as well as any review or appeal of the decision.

Public notification of the proposal is required as part of the assessment process. In addition, referral agencies must be consulted, and the responsible authority must take any comments into account when determining the matter.

5.3 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The proposed levee and associated drainage infrastructure do not have a significant impact on the area, nor is of national environmental significance as the proposal does not involve any areas of national or world heritage. No sensitive vegetation, threatened species, ecological communities or migratory species. Subsequently, approval under this act is not required.

5.4 Environments Act 1978

None of the criteria are met for requiring an Environment Effects Statement with this application.

5.5 Environment Protection Act 1970

The Act seeks to prevent environmental harm through the setting of state environment protection policies (SEPPs), waste management policies and regulations. As the proposal is not a Scheduled Premises (as defined in the act), a Works Permit is not required for the permit.

5.6 Flora and Fauna Guarantee Act 1988

The Act identifies flora and fauna species and ecological communities of importance in Victoria. A 'Protected Flora License' or associated permit is required if works or other activities are planned to occur on public land which might kill, injure or disturb protected native plants.

There is no native flora or fauna that will be removed, killed or displaced due to this proposal; accordingly, a permit is not required under this Act.

5.7 Heritage Act 2017

The Heritage Act protects heritage locations and objects that are of importance and significance to Victoria through the Victorian Heritage Register, Heritage Inventory and the Heritage Council of Victoria. Local heritage sites are identified under Heritage Overlays within local planning frameworks rather than the Heritage Act, as such it is a local council's responsibility.

There are no places of heritage significance that will be impacted by this proposal.

5.8 Aboriginal Heritage Act 2006

The Aboriginal Heritage Act provides protection of Aboriginal cultural heritage by linking the protection of Aboriginal cultural heritage more directly with planning and land development processes. Development that may impact upon Aboriginal cultural heritage may require a Cultural Heritage Management Plan (CHMP)

No cultural heritage sites have been identified in the areas flagged for the proposed drainage works as demonstrated in the Aboriginal Cultural Heritage Due Diligence Assessment prepared for the proposal (Attachment 7).

6 PROVISIONS OF THE PLANNING SCHEME

6.1 Planning Policy Framework

These clauses in the Planning Policy Framework (PPF) are relevant to the proposed utility installation:

- Clause 12.01-1 Protection of biodiversity
- Clause 12.01-2 Native vegetation management
- Clause 13.03-1 Floodplain management
- Clause 15.03-2 Aboriginal cultural heritage
- Clause 19.03-3 Integrated water management

Response to the Planning Policy Framework

The proposal is generally in accordance with the objectives outlined in the Planning Policy Framework.

- Clause 12.01-1 include strategies to minimise impacts on biodiversity. This proposal has been carefully designed to avoid the removal of three large mature native trees and avoid any net loss to biodiversity.
- Clause 13.03-1 identifies objectives to protect life, property and community infrastructure from flood hazard. Additionally, the flood carrying capacity of rivers, streams and floodways. This proposal seeks to strengthen these objectives by implementing flood mitigation strategies.
- Clause 15.03-2 aims to protect any areas of Aboriginal cultural significance. There are no Aboriginal cultural impacts associated with the subject site, therefore an Aboriginal Cultural Heritage Management Plan is not required.
- Clause 19.03-3 aims to manage water supply, water resources, wastewater, drainage and storm water through an integrated water management approach. The goals of this proposal align with the objectives of this policy, notably the enhancement of flood protection infrastructure. The construction of levee and borrow holes will provide flood protection from overland flows, to the township.

6.2 Local Planning Policy Framework

The following clause in the Municipal Strategic Statement (MSS) is considered relevant to the proposal:

- Clause 21.09 Protection of Land and Water Resources

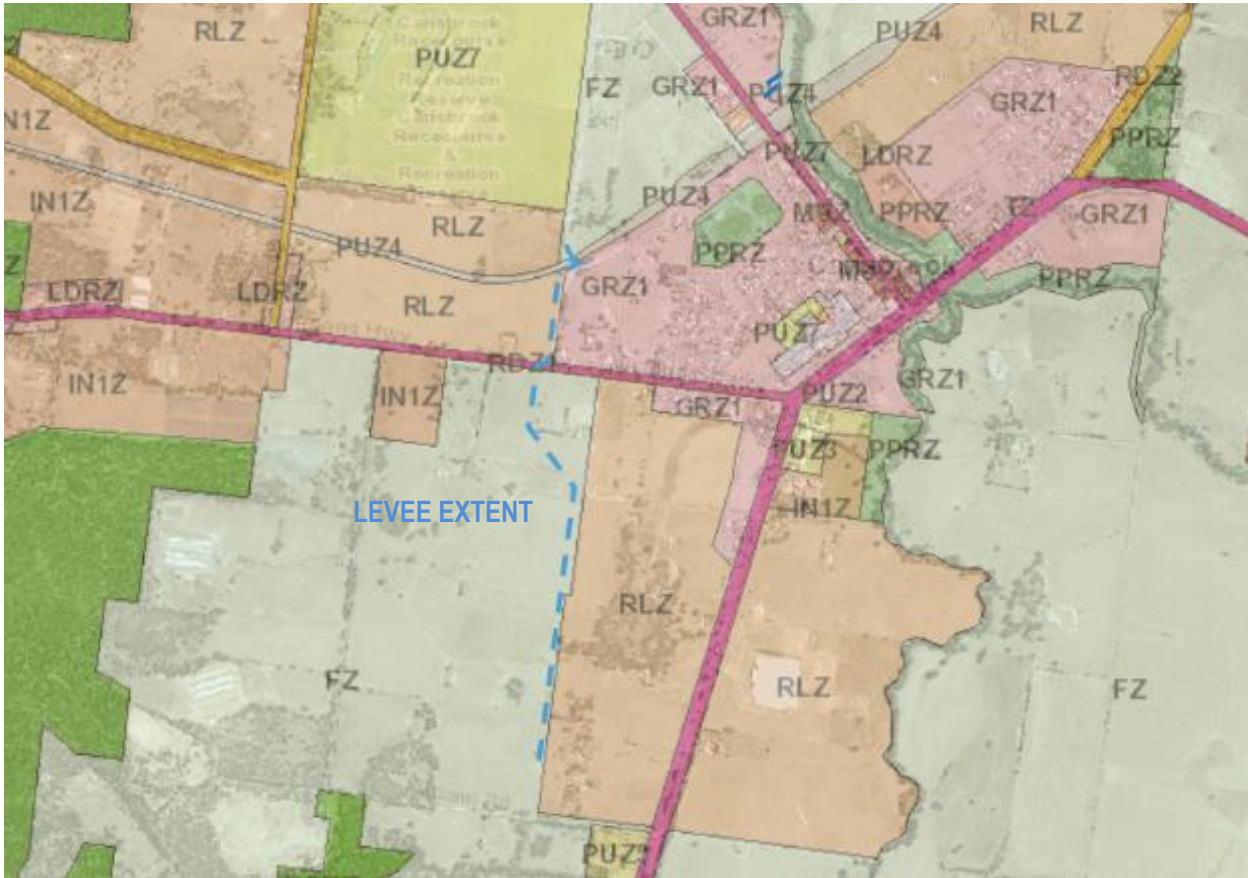
Response to the Local Planning Policy Framework

Clause 21.09 identifies goals and objectives pertaining to the protection and management of land and water resources in the wider Avoca Loddon-Campaspe catchment area.

Under objective 2, implementing adopted flood mitigation studies is noted. The proposed levee and new culverts are referenced throughout this application, which are some of the flood mitigation strategies proposed for the Carisbrook township. This proposal seeks to legitimise and seek approval to begin construction on these flood mitigation

infrastructure projects. Additionally, the proposal seeks to protect future land use and development from environmental risks.

6.3 Zones



The proposal is within the following zones:

Clause 35.07 Farming Zone (Schedule 1)

The Farming Zone includes the following stated purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

The construction of levee and associated infrastructure supports the objectives set out in the scheme, the proposal will provide infrastructure to ensure the continuation of agricultural use within the zone and protect residents from inundation.

Clause 32.08 General Residential Zone

The General Residential Zone includes the following stated purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The proposal is in support of the objectives outlined in the zone. The construction of the proposed levee and associated drainage infrastructure will support the liveability and livelihood of those living within the GRZ with a reduced threat of inundation, destruction of property and loss of life.

Clause 35.03 Rural Living Zone

The Rural Living Zone includes the following stated purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The proposal will assist in maintaining a higher quality of life for those within the RLZ by reducing risk of inundation, destruction of property and loss of life. The levee and associated works will not diminish the rural character of the area, but support and protect the natural resources found in the zone.

Clause 36.01 Public Use Zone - Transport

The Public Use Zone- Transport Zone includes the following stated purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

The proposal is not in conflict with the objectives of the zone. The railway line is not currently operating, so no impact is expected.

Clause 36.04 Road Zone – Category 1

The Road Zone – Category 1 Zone includes the following stated purposes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify significant existing roads.
- To identify land which has been acquired for a significant proposed road.

The proposal is not in conflict with the use or objectives of the RDZ1. There will be no impact on the use of the road resulting from the proposal. VicRoads has been notified and associated approval can be found at Attachment 9.

Application requirements

An application for development within the above zones is required to include the following:

Zone	Requirement	Response
General Residential Zone – 32.08	Plans drawn to scale and dimensioned which show: <ul style="list-style-type: none"> • Site shape, size, dimensions and orientation. • The siting and use of existing and proposed buildings. • Adjacent buildings and uses. • The building form and scale. • Setbacks to property boundaries. • The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare	Plans showing the proposed works, including their location, size, dimensions and orientation can be found at Attachment 3 of the application. The impacts of the proposal have been discussed throughout the application and due diligence has been taken to ensure minimal impact occurs.
Farming Zone – 35.07	Not Applicable.	There are no requirements for a utility installation/works within this zone, except a permit application.
Rural Living Zone – 35.03	Not Applicable.	There are no requirements for a utility installation/works within this zone, except a permit application.
Public Use Zone (Transport) 36.01	An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either: <ul style="list-style-type: none"> • To the application for permit being made. • To the application for permit being made and to the proposed use or development. • 	<i>Complies – The relevant public land managers has been notified and their consent can be found at attachment 9 of the application.</i>
Road Zone (Category 1) – 36.04	Not Applicable.	There are no requirements for a utility installation/works within this zone, except a permit application.

6.4 Overlays

The proposal is affected by the following overlays:

Clause 42.01 – Environmental Significance Overlay – Schedule 2 (ESO)

Purposes of the Environmental Significance Overlay are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Addressing the ESO Decision Guidelines

This application has addressed the Municipal Strategy Statement and Planning Policy Framework in section 6.1 and 6.2 of the application.

No vegetation removal is proposed with this application.

Ref: 1163901

Carisbrook Levee

Submission to Central Goldfields Shire Council

The statement of environmental significance specified in the schedule to this zone pertains to odours from the operations of Penney and Lang abattoirs and Maryborough Waste-Water Plant. The proposed drainage infrastructure is not impacted by these odours, nor will it result in changes to odours. It's also noted that Penney and Lang abattoirs is no longer operational.

There are no anticipated impacts generated by the proposal that will impact the operations of Waste Water Treatment Plant or the Penney and Lang Abattoirs.

The proposed works are beneficial to the existing developments as they provide a solution to inundation.

Clause 44.01 – Erosion Management Overlay (EMO)

The purposes under the EMO include:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.*

The purpose of the EMO is considered to be met as the construction of the levee will minimise erosion by providing detention for overland flows during peak events.

Addressing the Decision Guidelines

The proposal has been assessed against the Municipal Planning Strategy and the Planning Policy Framework. This assessment can be found at section 6 of the application.

This proposal is in support of the objectives outlined in the *North Central Regional Catchment Strategy*, some of the goals that pertain to this strategy are as follows:

- *Protection of biodiversity*
- *Protection of land and soils to promote agriculture.*
- *Supporting the community.*
- *Protection of water resources*

The proposal is in support of the above objectives as it introduces measures to manage and reduce erosion within the Carisbrook township and surrounding areas. Any works that are required to complete the proposed levee will be done in accordance with the requirements stated by the responsible authority.

Clause 44.02 – Salinity Management Overlay (SMO)

The purposes under the SMO include:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas subject to saline ground water discharge or high ground water recharge.*
- *To facilitate the stabilisation of areas affected by salinity.*
- *To encourage revegetation of areas which contribute to salinity.*
- *To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.*
- *To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.*
- *To prevent damage to buildings and infrastructure from saline discharge and high water table.*

The purposes of the SMO are considered to be met as the construction of the levee will contribute to saline discharge and no vegetation removal is required.

Addressing the Decision Guidelines

The proposal is in support of the purpose of this overlay, based around water and salinity management. No vegetation removal is required with this proposal.

A comprehensive Hydraulic and Hydrology Report can be found at attachment A6 of the application.

Clause 44.04 – Land Subject to Inundation Overlay (LSIO)

The purposes of the LSIO are as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

No permit is required for flood mitigation works within the LSIO.

However, the purpose of the LSIO is considered to be met as the levee provides for the detention and diversion of floodwaters from sensitive areas, while still allowing their passage.

7 CONCLUSION

The proposed construction of stages 3 and 4 of the flood mitigation levee and drainage infrastructure and associated works mitigate ensure the Carisbrook township is protected from inundation resulting from overland flows from bush areas to the south and west of the township and riverine or main creek flows overtopping the banks of the McCallums and Tullaroop creeks.

Following on from the Completion of Stages 1 and 2 of the Flood Mitigation Levee, completion of stages 3 and 4 would complete flood mitigation works as established in the Carisbrook Flood and Drainage Management Plan.

The proposal was developed with input from Carisbrook community and stakeholders who determined their preference for creek vegetation thinning in conjunction with a western levee and drain to protect the town from overland flows.

Proposed works draws on the results of flood modelling to ensure that proposed flood mitigation techniques provide adequate protection of the Carisbrook township, its community and infrastructure. The proposed works can be completed with no impacts on significant vegetation in the area.

This report and supporting documentation have had regard to all relevant planning policies and state legislation.

The proposal is recommended to Council and we look forward to a positive outcome from the application and for Carisbrook.

ATTACHMENT 1 – Photos of the Site and Surrounds



Photo 1 – Location of proposed section four (4) levee (Crownland Road Reserve, Curragh Moore Road)



Photo 2 – Corner of Curragh Moor Road & Belfast Road



Photo 3 – Location of proposed section four (4) levee (corner Curragh Moor Road & Belfast Road.)



Photo 4 - Location of proposed end of stage three (3) levee (Corner Pyrenees Highway & Pleasant Street)



Photo 5 – Looking towards Pyrenees Highway from Pleasant Street



Photo 6 – Location of proposed stage three (3) section of Levee along Pleasant Street.



Photo 7 - Location of proposed culvert under railway line (Stage three (3) of proposal)



Photo 8 – Behind photo 7 looking south. (Stage three (3) of proposal)



Photo 9 – Abandoned Carisbrook Train Station

ATTACHMENT 2 – Site and Context Plan, Staging Plan

ATTACHMENT 3 – Design Response Plan

ATTACHMENT 4 - Proposed Plans of Subdivision

ATTACHMENT 5 – Tree Report

ATTACHMENT 6 – Updated Hydrology and Hydraulic Report

ATTACHMENT 7 – Aboriginal Cultural Heritage Due Diligence

ATTACHMENT 8 – Planning Permit Stage 2

ATTACHMENT 9 – DELWP and VicTrack referral responses

ATTACHMENT 10 - Titles