



Unconfirmed Minutes Council Meeting

Wednesday 26 March 2025 at 6:00pm

Maryborough Town Hall
71 Clarendon Street, Maryborough



1 Commencement of Meeting

The meeting commenced at 6.00pm.

PRESENT

Councillors:

Grace La Vella (Mayor)
Ben Green (Deputy Mayor)
Geoff Bartlett
Liesbeth Long
Jake Meyer
Gerard Murphy

Officers:

Interim Chief Executive Officer, Sally Jones
General Manager Assets Infrastructure and Planning, Amber Ricks
General Manager Community Wellbeing, Emma Little
Manager Governance Property and Risk, Cecilia Connellan

1 Welcome

The Mayor, Cr La Vella welcomed attendees to the meeting and then read an Acknowledgement of Country and the Council Prayer.

2 Apologies

Nil.

3 Leave of Absence

Cr Anna de Villiers has Leave of Absence for this meeting.

4 Conflict of Interest

Ms Jones declared a conflict of interest in Item 8.1.1, as the report relates to the role of the Chief Executive Officer of Council.

Cr Long declared a conflict of interest in Item 8.2.3.

Cr Long is President of the Central Goldfields Bushwalking & Hiking Club Inc, and the Club together with the Castlemaine Maryborough Rail Trail, oppose the Broiler Farm developments. On Sunday 16 March 2025, they organised a walk along the Moloort Plains railway line from the Moloort Silo to Bald Hill to consider the likely impact that this development would have on the proposed Rail Trail.

5 Confirmation of Minutes from Previous Council Meetings

COUNCIL RESOLUTION

That the Minutes of the Council Meeting held on 26 February 2025 and the Minutes of the Special Council Meeting held on 12 March 2025 be confirmed.

Moved: Cr Bartlett

Seconder: Cr Green

CARRIED

6 Minutes of Delegated and Advisory Committees

Nil.

7 Petitions

Nil.

8 Officer Reports

Ms Jones had declared a Conflict of Interest in Item 8.1.1 and therefore left the meeting here, prior to any discussion or voting taking place on the item.

8.1 Corporate Performance

8.1.1 Chief Executive Officer Employment and Remuneration Policy

The purpose of this report is to recommend the adoption of the Chief Executive Officer Employment and Remuneration Policy.

COUNCIL RESOLUTION

That Council adopt the amended Chief Executive Officer Employment and Remuneration Policy, provided as attachment 1 to this report.

Moved: Cr Murphy

Seconder: Cr Green

CARRIED

Ms Jones returned to the meeting here.

8.2 Infrastructure Assets and Planning

8.2.1 Carisbrook Flood Management Plan Reference Group Membership

This report is to inform Council on the development of an updated Carisbrook Flood Management Plan, including project scope and outputs, as well as the proposed membership of the Carisbrook Flood Plan Advisory Reference Group (FSARG) and associated Terms of Reference.

A Public Expression of Interest (EOI) process was undertaken for the selection of two (2) community members to join the Reference Group and one (1) community member to serve on both the Reference Group and the Tender Panel.

While the committee is not a statutory committee of Council, officers propose that Council formally appoint the community members and a Councillor to the committee by resolution of Council given the public interest in flood mitigation.

COUNCIL RESOLUTION

That Council:

1. Endorses the Draft Flood Study Advisory and Reference Group Terms of Reference;
2. Appoints three (3) community members to the Flood Study Advisory and Reference Group as noted in the Draft Terms of Reference, one of whom will serve on the tender panel for the procurement of the project consultant; and
3. Appoints Cr de Villiers to the Flood Study Advisory and Reference Group, to provide community support.

Moved: Cr Murphy

Seconder: Cr Long

CARRIED

8.2.2 DO 44- 23 42 Victoria Street Carisbrook

This report is for planning permit application no. D044/23 for the two-lot subdivision of the land at 42 Victoria Street, Carisbrook and subdivision adjacent to a road in Transport Zone 2.

Public notice of the application has been given and four objections received.

A permit decision was deferred at the Council meeting held on the 28th of November 2023.

The Application has been assessed against the Central Goldfields Planning Scheme, and it is considered that the proposed subdivision is appropriate. A peer review of the planning assessment has been completed.

Following briefing, Councillors called the application in to recommence the decision process.

COUNCIL RESOLUTION

That Council:

- A) Receive and note the late information submitted by Mr Wayne McKail on behalf of Mrs Judi McKail and provided as Attachment 1.

B) Having caused notice of planning permit application no. D044/23 to be given under section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, including correspondence received following receipt of the officers report, resolves to refuse a planning permit and issue a Notice of Decision to Refuse a Permit in respect of planning permit application no. D044/23 for the land known and described as 42 Victoria Street, Carisbrook, for the 2 lot subdivision of the land, creation of access to and subdivision adjacent to a road in a Transport Zone 2; on the following grounds:

1. The land is subject to Clause 44.04 Land Subject to Inundation Overlay and Councillors are not satisfied that the proposal minimises the potential flood risk to life, health and safety.
2. The land is subject to a Land Use Framework Plan and a future Structure Plan and a Flood Study and the proposal does not ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity from future dwelling development.

Moved: Cr Murphy

Seconder: Cr Green

CARRIED

At the request of Cr La Vella, it was noted that Crs La Vella and Long voted against the Motion.

Cr Long had declared a Conflict of Interest in Item 8.2.3 and therefore left the meeting here, prior to any discussion or voting taking place on the item.

The Mayor, Cr La Vella informed the Meeting to note that a very late objection had been received from Ms Ann Berg.

8.2.3 DO 031-24 39 Clarkes Road Moolort

The purpose of this report is to seek a Council determination for planning permit application for DO 031-24 use and development of the land for a Farm Cluster broiler farm for up to 445,000 birds and two caretakers' houses with associated buildings and works at 39 Clarkes Road, Moolort, and 141 Clarkes Road, Strathlea.

Notice of the application has been given as the proposal is classified as a Farm Cluster broiler farm under the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

As a result, eleven (11) objections and two (2) neutral submissions have been received (at the time of reporting).

COUNCIL RESOLUTION

That Council:

- A) Receive and note the late information submitted by: Mr Geoff Park (provided as Attachment 1) and Ms Allison Teese (provided as Attachment 2).
- B) As the Responsible Authority and pursuant to Section 61 of the Planning and Environment Act 1987, decides to refuse a permit subject to conditions and issue a Notice of Decision to Refuse a Permit in respect of planning permit application no. 031-24 for the use and development of the land for a Farm Cluster broiler farm for up to 445,000 birds and two caretakers' houses with associated buildings and works at 39 Clarkes Road, Moolort, and 141 Clarkes Road, Strathlea on the following grounds:
1. The proposal is inconsistent with the Municipal Planning Statement and Planning Policy Framework of the Central Goldfields Planning Scheme including Clause 12 (Environmental and Landscape Values), 13 (Environmental Risks and Amenity), 14 (Natural Resource Management) and 15 (Built Environment and Heritage), as the proposed cluster broiler farm would be contrary to policy framework that respectively seeks to protect landscape values, residential amenity and environmental values.
 2. The proposal is not compliant with the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Central Goldfields Planning Scheme, as the proposed cluster broiler farm would be incompatible with the amenity of nearby dwellings, would result in detrimental environmental impacts including to soil and water quality as well as impacts to water bodies and biodiversity, and by the location and design of the proposal in a rural landscape.
 3. The proposal is not compliant with the purpose and decision guidelines of Clause 53.09 (Poultry Farm) of the Central Goldfields Planning Scheme due to the appearance of the buildings and works, the need to protect the amenity of adjoining and nearby land uses, the impact of emissions from the site, impact on wetlands and water bodies and the impact upon biodiversity.
 4. The proposal is not compliant with the purpose and decision guidelines of Clause 65.01 (Decision Guidelines - Approval of an Application or Plan) of the Central Goldfields Planning Scheme, as the proposal would be contrary to orderly planning, and would result in detrimental amenity, and environmental impacts.
 5. The proposal is contrary to the Victorian Code for Broiler Farms (Department of Primary Industries 2009, plus 2018 amendments), an Incorporated Document within the Central Goldfields Planning Scheme, including standards of the Broiler Code that relate to stormwater drainage, waste management and landscape qualities.
 6. The proposal would result in an inappropriately high population of birds to be produced by the additional cluster broiler farm sheds.
 7. The proposal would result in detrimental impacts to the landscape values of the site and surrounds by the elevated location of the subject land and the significant built form of the cluster broiler farm sheds.
 8. The proposal would result in detrimental amenity impacts to residential properties in vicinity of the subject land by way of inappropriate visual, odour, lighting and noise effects.

9. The proposal would result in detrimental environmental impacts to the Moolort Plains including water bodies and water quality in addition to the ecology of this locality including native birdlife.
10. The proposal would be contrary to orderly planning by way of allowing a conflicting consent for similar development in the same location on the subject land as an existing valid planning permit issued by the Victorian Civil and Administrative Tribunal, as well as by inappropriately extending the timeline of approval for broiler development in this location since the original permit was granted.

Moved: Cr Murphy

Seconder: Cr Green

CARRIED

9 Councillor Reports and General Business

Nil.

10 Notices of Motion

Nil.

11 Urgent Business

Nil.

12 Confidential Business

Nil.

13 Meeting Closure

The Mayor, Cr La Vella closed the meeting at 6:33 pm.

ATTACHMENTS**8.2.2 DO 44- 23 42 Victoria Street Carisbrook**

From:



Subject:

Council meeting March 26th Item 8.2.2DO 44- 23 42 Victoria Street Carisbrook

Date:

Saturday, 22 March 2025 8:44:51 AM



To whom this may concern.

Dear Sir, Madam.

I am Wayne Mackail and I am writing on behalf of my wife , Judith McKail) with the intention of having the correct information and requirements presented in the Officers report.

Objection to the officer's recommendation

1- We would like to see the June 2023 Draft

Maryborough North, Flagstaff and carisbrook Land use Framework plan , which was done by Hnasons be tabled before any new planning applications are approved.

2- The Carisbrook levee Review has been tabled and approved, this Fred Spain review covers has many recommendations which directly affect this application.

We would like to see all studies, works and recommendations in the Levee review be done before any planning applications are approved.

3- There is mention of the NCCMA flood study 1989 with a mention of 1% level .

Permit Notes NCCMA Flood levels for the 1% AEP (100-year ARI) flood event have been determined for this area under provisions of the Water Act 1989.

NCCMA in response to the Spain levee review have agreed that a new flood study be done. We believe no planning application should be done until that NCCMA Flood study has been presented.

4- the Raising of Marion st and houses has direct effect on all houses between the Bluestone drain east to Marrion st. This issue must be rectified so Marion st does not have a daming effect on these houses. The Marion st concern has to be rectified.

5- there is a [Draft Carisbrook Independent Levee Review Implementation Plan](#) (PDF, 451KB) . In this plan there is (we believe) over 20 (of the 34 submitted plans which have direct effect on the application property. We would like to see the works completed and flood studies done before any application is approved.

6- there was a mention of an Internal Flood study east of the proposed levee. This was a key point which has to be done before any development or application is approved . Being aware of the actual water flow one would think is KEY to any planning approval.

7- There has been a Levee advisory committee just formed and there is a community Levee flood committee. We would suggest that before any application was approved that the local knowledge be sought, especially when having the knowledge oof those who have actually experienced the previous floods.

This is just a few suggestions and we would recommend that no application be approved

for Carisbrook until at least the above items have been researched and reports presented.

Thank you for your time and we hope this objection to item 8.2.2 gives the councillors and council officers some insight into concerns re development in the Carsibrook are.

The task of councillors and council is to provide a safe area for the community. we ask that the thoughts when making this decision that the thoughts of future buyers, also be taken into account, as this project will have effect for every person who lives in this property from completion onwards.

It is crucial that all the correct reports, information and works be done to protect every property moving forward.

Thank you for your time.

Regards

Wayne McKail and Judith McKail

51 Laidman st Maryborough

And owner of a Victorian st Carisbrook property which is four houses the application site.

Judi has lived through and experienced every flood from 1987.

Wayne move to Carisbrook in 2007 and we both now live in Maryborough

[REDACTED]




[REDACTED]

Item 8.2.3 DO 031-24 39 Clarkes Road Moolort**Attachment 1****Formal objection to the unconstrained development of industrial scale broiler farms on the Moolort Plains**
18th July 2024

The purpose of this letter is to express my concern and dismay with the unconstrained development of industrial scale broiler farms on the Moolort Plains.

At the outset, I wish to express the strongest possible objection, not only to the raft of current applications, but to all future applications related to the establishment of intensive farming operations on the Moolort Plains.

My expertise

I am an ecologist and a Director of  an interdisciplinary consulting company concerned with all aspects of environmental decision-making. I have been a director of   Pty Ltd since 2013 and have more than 25 years' experience in facilitating interactions between scientists, policy makers and the community.

In recent years I have coordinated a diverse range of consultancies on biodiversity assessment, investment planning, benefit: cost analysis and evaluation across a diversity of landscapes and themes. He has extensive experience in applying structured decision-making approaches to biodiversity prioritisation, threatened species conservation, invasive species assessment and climate change vulnerability assessment and integrated assessment of bushfire risk and integrated catchment management.

I have worked extensively across all agro-ecological regions in Australia over the past 25 years and has deep and extensive networks with government agencies, NRM groups and environmental NGOs. From 1998-2013 I worked in various roles with Victoria's North Central Catchment Management Authority, the last seven years as a Knowledge Broker. In this role I was responsible for the development of collaborative partnerships between researchers, policy makers, extension staff and landholders that lead to improved knowledge exchange and on-ground biodiversity outcomes. As part of the Future Farm Industries CRC I worked with a small research team exploring the development and application of INFFER, awarded the Australian Research Council 2009 Eureka Prize for excellence in interdisciplinary research. Between 2006 and 2011 I was theme leader (knowledge broking) for the CERF Landscape Logic program, collaboration between six NRM regions across Victoria and Tasmania and seven research organisations.

My background is in landscape ecology, teaching and community education and I was involved in the establishment of the Victorian Landcare Centre at Creswick in 1992. I has a long-standing interest and involvement with communities working to improve biodiversity conservation in agricultural landscapes. Since 1999 I have been a trustee of the Wettenhall Environment Trust, a philanthropic organisation that supports projects to enhance the vitality and diversity of the Australian natural living environment. In 2009 I received the prestigious Dr. Sidney Plowman Travel and Study Award as

part of the Victorian Landcare Awards. I have co-authored 15 peer-reviewed journal papers, 4 book chapters and numerous papers for presentation at national and international conferences. I was a member of the Victorian Catchment Management Council from 2015 to 2018 and instrumental in the development of the 2017 Catchment Condition and Management Report.

Why am I objecting?

Below I outline seven major objections to the unconstrained development of industrial scale broiler farms on the Moolort Plains. I would ask that you carefully consider the matters outlined below, not only in relation to the present raft of applications, but in all future applications of a similar nature.

In the light of local government support for, and active involvement in, major environmental projects (e.g. Moolort Wetlands Restoration project) and community projects (e.g. Castlemaine-Maryborough Rail Trail) on the Moolort Plains, approving further development of large-scale broiler farms would at best appear short-sighted, and at worst, hypocritical.

1. The need for detailed Environmental Impact Assessment

The Moolort Plains are a unique ecological and social landscape, with significant biodiversity, cultural and economic values, that are recognised Australia-wide. Unconstrained industrial scale broiler farm developments have the potential to irrevocably degrade these values, and to change the character of this special area forever.

The proposed developments are of significant scale. They are in close proximity to a number of significant wetlands and close to designated waterways. The land on which these developments occur are typically on free-draining volcanic soils, with poorly understood connectivity to local and regional groundwater systems.

I would urge the responsible authorities to defer consideration of any current applications and commission a detailed and rigorous Environmental Impact Assessment (International Association for Impact Assessment, 1999 and Holder, 2004) of the effects of all current and proposed applications. In doing so, not only will this demonstrate best practice and gather evidence to inform balanced decision making, it will set the standard required for future applications of a similar nature.

Environmental Impact Assessment (EIA) can be defined as:

- The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made.

The objectives of EIA are:

- To ensure that environmental considerations are explicitly addressed and incorporated into the development decision making process.
- To anticipate and avoid, minimize or offset the adverse significant biophysical, social and other relevant effects of development proposals.
- To protect the productivity and capacity of natural systems and the ecological processes which maintain their functions.
- To promote development that is sustainable and optimizes resource use and management opportunities.

In reviewing the current raft of applications I have ask that you consider the degree they meet the objectives of EIA. By any judgement they fail on all of the above objectives. Industrial scale broiler factories, as proposed here, require careful management of water, waste, and odour. The supporting material typically provided with these applications make mention of the area's significant environmental values or consideration of the risks associated with managing the complex in a manner that has no deleterious impact on soil, water and biodiversity.

2. Potential for direct and indirect impacts

According to the Victorian Code For Broiler Farms 2009 ...

“the key environmental issues pertaining to broiler farms are associated with the run-off of nutrients or waste to the surrounding environment – that is, into ground and surface waters, particularly waterways. Although runoff is usually well controlled on broiler farms, the main potential source of run-off is waste areas such as temporary litter piles, compost piles and litter spreading areas that are inappropriately sited or managed. However all aspects of the broiler farm operation (including the broiler sheds and stormwater systems) must be designed to avoid nutrient run-off to ground and surface waters”.

This statement highlights a major weakness in the Code. While acknowledging water issues associated with Broiler Farms are very important, it ignores broader consideration of impacts on ecosystem processes, biodiversity and soils.

The 2018 amendments to the Code also failed to give proper attention to potential biodiversity impacts. Specifically the Code states (p.36) ... *Prospective applicants should seek advice from the responsible authority in the early stages of planning to identify any additional overlays and to understand their obligations to manage on-farm vegetation and biodiversity.*

This statement effectively constrains consideration of biodiversity values to the development footprint and makes no allowance for the cumulative and landscape scale effects of successive developments.

My examination of the requisite flora and fauna assessments associated with individual applications reveals them to be of a very poor standard, failing to detect and document the presence of significant flora and fauna taxa, including a number of state and federally listed threatened species. For example the Moolort Plains is home to 16 of the 24 raptor species, found on continental Australia. Two species, the Spotted Harrier and Black Falcon, are regarded as vulnerable and near threatened respectively under the Victorian Flora and Fauna Guarantee Act. Both species are seen regularly in the vicinity of the proposed developments, and it is not difficult to imagine the potential for adverse impacts, especially considering the past record of poor environmental management. The Australian Painted Snipe (listed as endangered at both a state and federal level) has been recorded in close proximity to several existing and proposed broiler farm developments, yet none of the studies I have examined notes this fact.

Furthermore applications typically mention the use of 'environmentally safe' rodent baits without providing specific details. It is becoming increasingly understood that new generation rodent baits are having a deleterious effect on native birds, in particular raptors. It is no surprise that a decline in recent decade in raptor abundance on the Moolort Plains is associated with the spread of broiler farms and increasing use of toxic baits.

3. The failure of previous developments to comply with specified environmental requirements

In preparing my objection, I have taken into consideration the existence of a number of broiler complexes in the area. My personal view is certainly coloured by observing how the current developments were established and their subsequent management.

It is my understanding that permit requirements include the establishment of native screening plantings on the perimeter of the sites. While some efforts have been made the standard of these plantings are questionable and there has been no discernible visible improvement of site amenity.

Furthermore I understand that there are strict conditions imposed in relation to the disposal of chicken waste, including bird carcasses and manure. Again, it appears that the required practices have not been complied with and large volumes of waste have been stockpiled on nearby properties, adjacent to significant wetlands with little regard for run-off of nutrients and other pollutants into the swamp and groundwater. The owners of at least one facility have been fined by the EPA for illegal waste disposal on at least one occasion.

A requirement of the Victorian Code for Broiler Farms is the preparation of an Environmental Management Plan (EMP). Notwithstanding the weaknesses of the plan provided in the application, what confidence can we have that even these inadequate plans will be complied with into the future? The EMP is supposed to be audited annually and provided to Council. To my knowledge this rarely occurs.

What assurances can proponents provide that the operation of the proposed development will be operated and maintained in a manner that ensures that off-site impacts are avoided, minimised and offset?

4. Degradation of landscape amenity

The Moolort Plains are a place of significant landscape value. Prior to European settlement the area was sparsely wooded grassland, punctuated with a number of gentle volcanic cones, deeply incised valleys and chains of freshwater meadows and red gum and lignum wetlands. While agricultural development has had a major impact on the landscape, the essential character remains that observed by Major Mitchell's party that passed nearby in 1836.

The establishment of yet more broiler sheds will further degrade the visual amenity of the Moolort Plains landscape. Once lost it is doubtful if this would ever be recovered.

5. The 'thin end of the wedge'

Industrial scale, intensive animal industries are a source of ongoing concern in many places beyond the Moolort Plains. While the current applications may be seen as 'just a few additional sheds', evidence from elsewhere in the world would suggest this is not how it will end up, especially if hasty and ill-considered development decisions are made.

For example, in the eastern United States, nutrient pollution and run-off from the 'broiler belt' is directly linked to a serious decline in water quality in Chesapeake Bay, the loss of valuable fishing stocks and an overall degradation of vital ecosystem services. Major efforts are now being made to reverse these impacts, involving the expenditure of billions of dollars of public money, accompanied by heavily enforced regulation of intensive animal industries. **This has all happened within a generation.**

6. Lack of cost: benefit analysis on the proposed development

The proponents of broiler farm development typically forecast major economic benefits as a result. There is no evidence to substantiate these claims.

The other side of the benefit consideration is of course an assessment of costs. There are a number of costs associated with this (and future) developments that should be considered in arriving at a decision.

- What will be the loss of in value of essential ecosystem services?
- What will be the loss of value of key environmental assets, including wetlands, waterways, threatened species and prime agricultural soils?

While the capacity for a detailed cost: benefit analysis is not feasible in all instances it would seem timely for the relevant authorities to undertake an economic assessment of the benefits provided by the area's natural landscapes and traditional agricultural activities, in relation to tourism, recreation and provision of environmental services.

It is worth noting that the proposed development of the Castlemaine Maryborough Rail Trail (CMRT), a project supported by local government, has required rigorous benefit cost analysis in order to proceed to feasibility and design stage. The value of this project which promises to generate significant economic and social benefits to the area will be compromised and undermined should further broiler farm developments be allowed on the plains. I understand that at least one current planning application directly intersects with the proposed route of the CMRT.

7. It undermines a long history of landholder, community and government involvement in projects that have successfully integrated farming and conservation

I have a deep, personal connection with the landscape of the Moolort Plains, having developed extensive personal knowledge of its natural values, especially relating to vegetation and fauna, over many years. A summary of recent observations can be found at my Natural Newstead blog <http://geoffpark.wordpress.com/>

Over the last 25 years I have also observed the strong, ongoing commitment of landholders on the plains, towards environmental rehabilitation, beginning with Project Branchout and salinity control activities in the 1980s, extensive revegetation and grassy woodland restoration in the 2000s, through to more recent projects that have protected significant areas of unique wetland habitat. Landcare is synonymous with the landholders of the Moolort Plains, with a number of local landholders recognised for their enduring efforts to restore and improve the productive capacity of their land.

I have lived in the Newstead district for almost 40 years and have a long-standing association with the Moolort Landcare Group. This group has a wonderful track record of environmental works, knowledge generation and community development that dates back to the mid-1980s. The legacy of these works I believe is significantly undermined by untrammelled expansion of broiler farms.

Conclusion

In 2014 I made a formal objection to a planning application (Number 071\13, from Grandview Poultry Pty Ltd for 141 Clarkes Road Strathlea) for the development of a broiler farm near Joyce's Creek at Strathlea. The process associated with the assessment of this application and a subsequent

appearance as an expert witness at VCAT has given me some insights to the inadequacy of the current legislative and regulatory framework in protecting both the environment and rural communities where these developments are allowed to exist.

The current planning framework with its focus on individual applications is completely useless in addressing the cumulative effects of intensive agricultural developments such as broiler farms on the ecological, landscape and social values at scale.

In particular I have witnessed the immeasurable damage that has been caused to farming families, local residents and concerned community members as they have fought individual battles against a tidal wave of applications.

I urge the relevant local government authorities and associated statutory bodies with a role in the assessment and approval of broiler farm applications to 1) recognise the cumulative impacts of these developments, 2) consult with the local community in a way that seeks to better understand their concerns and 3) encourages the state government to take a more informed and courageous stance in shaping a planning process that provides long-term protection for significant landscape, ecological and community values.

Supporting Information relating to the values of the Moolort Plains

On the 13th of May 2011, the Central Goldfields Shire, writing in support of a funding proposal from the North Central Catchment Management Authority to the Federal Government Funding, observed.

“This wetland complex has long been recognised for its important ecological, cultural and social values, by the landholders who manage them and the broader community of our district. Many of the wetlands have been managed for conservation values over a number of generations and the proposed project will enable landholders to implement on-ground actions to secure the long-term stewardship of these areas.

Furthermore the letter noted.

“... a number of objectives in the Local Planning Policy Framework under Clause 21.0 recognise the need to ‘enhance, protect and augment remnant vegetation and wildlife corridors on freehold land; ‘encourage the establishment of buffer areas and adequate setback distances as a means to enhance and protect significant vegetation’, and ‘encourage the use of incentives to support and facilitate the retention of significant stands of native vegetation on private land’.

In closing the letter stated.

“We believe the project has the potential to generate significant economic, social and environmental benefits to our district and the region...”

According to BirdLife Australia, the nation’s peak ornithological conservation body ...

“We have been aware of the ‘hidden’ value of these wetlands for some time, especially given that the nationally threatened Australian Painted Snipe has been recorded in the area. Many other wetland birds of significance are also recorded at the Moolort Plains wetlands; and there are a number of wetlands that are known breeding sites for Brolga. Birds Australia believes that the wetlands of the Moolort Plains provide important remnant waterbird habitat through a landscape that is otherwise predominantly cleared for agriculture. The wetlands, as a complex, provide a variety of habitats and form a wetland corridor through which migratory species can travel. Therefore, the project actions to protect wetlands from uncontrolled grazing, conduct pest plant and animal control, revegetate wetlands with buffers, create management agreements, and so on, are greatly needed and supported”.

In July 2011, the Commonwealth Government allocated \$919,000 to the North Central Catchment Authority (NCCMA) for a major project to protect the values of these same wetlands! This project was one of the largest Caring for our Country (CfoC)-funded projects approved under the auspices of the 2011-12 Business Plan.

The implementation of this collaborative project involved the NCCMA, Moolort Landcare Group, Birdlife Australia, Trust for Nature (Vic), Maryborough Field Naturalists Club, Parks Victoria, Mount Alexander Shire Council and Central Goldfields Shire Council, working with local landholders to conduct research, on ground works, awareness activities and monitoring of the Moolort wetlands.

The project, commenced in late 2011 and concluded in December 2012, has protected 208 ha of high priority private wetlands through a combination of Trust for Nature Covenants and North Central CMA 10-year agreements. 12 out of 15 landholders contacted during the project agreed to wetland protection, highlighting the positive commitment to long-term environmental protection,

shared by many farmers on the Moolort Plains. Extensive field monitoring has been undertaken to gain baseline data, which will help evaluate the extent of ecological condition change over time.

The Moolort wetlands

The Moolort wetlands, is a chain of approximately 48 swamps scattered across a large basalt plain (known as the Moolort Plains) located in the Loddon catchment of North Central Victoria.

The combined area of all the swamps in the Moolort wetlands is approximately 1034 hectares. The swamps largely occur on private land and have been described as Red-gum wetlands, freshwater meadows and/or shallow freshwater meadows (DSE 2004).

The area has been extensively cleared for agriculture with sheep grazing and cropping the major land uses. While the mean annual rainfall is approximately 524 mm, rainfall totals over the past decade have been substantially lower, meaning that until recently these swamps have been largely dry. Many of the swamps are already managed for conservation by local farmers, but there is also evidence that the prolonged drought has brought some of the land on/around the swamps back into production (Seymour et al. 2010). Whilst some of the swamps have been fenced to manage stock access, a number have been grazed and cropped. There are approximately 30 commercial farmers within the wetland area.

The wetlands are situated on a large area of basalt which is part of the Victoria Volcanic Plains Bioregion, a designated national biodiversity hotspot. The basalt is 30 to 50 metres thick and regional groundwater flow is generally to the north (Australian Natural Resources Atlas 2002). Discharge from this basalt aquifer occurs in topographic lows, producing the Moolort wetlands (ANRA 2002). The Groundwater Management Unit is known as 'Moolort' (ANRA 2002).

The Moolort Plains has been described as being 'largely featureless' with the exception of prior-stream levees and swamps and is quaternary olivine basalt (Schoknecht 1988). The northern part of the Moolort Plains (north of the Pyrenees Highway) features a fertile red duplex soil, ideal for cropping. The southern part of the Moolort Plains features volcanic cones (now flat hills), is poorly drained and is more suitable for grazing (Schoknecht 1988). Nine major soil types occur through the Moolort Landcare group area (Bryant & Lorimer 1993).

Eucalyptus camaldulensis is found within and directly surrounding many of the wetlands. Tangled Lignum *Muehlenbeckia florulenta* is a feature on some of the swamps. Moolort Plains is largely a treeless plain that was once dominated by native grasslands. According to Park (2010), Silver Banksia, Drooping Sheoak, Tree Violet and Bursaria were prominent prior to clearing - of these only Tree Violet remains to any extent.

Some of the notable swamps making up the Moolort wetlands complex are Long Swamp, Saligari's Swamp, Frogmore Swamp, Walker's Swamp, Blackmore's Swamp, Lakeside Swamp, Pioneer, Lignum Swamp, White's Swamp, Baker's Swamp, Merin Merin and Middle Swamps, the latter two managed by Parks Victoria as State Game Reserves.

Long Swamp at 187 ha is the largest wetland in the complex and potentially the most significant. The site was drained in 1965 by the former Tullaroop Shire in an attempt to alleviate a perceived salinity threat (Kevin & Day 1993) and the drain is still in place today.

Saligari's Swamp is a large Red-gum wetland at the southern end of the Moolort Plains near Campbelltown. This swamp contains rare or threatened species/ecosystems (ANRA 2002) and is listed as an important site in the South West Victoria Brolga Flocking Site database.

Environmental values

The wetlands have been described by local farmers as an 'oasis' amongst agricultural land and are considered to play a very important role in bird migration (Seymour 2010, unpublished thesis). For example, Long Swamp is said to be an important wildlife corridor between Tullaroop Reservoir and Deep Creek (NCCMA asset list).

The Moolort wetlands have supported a rich abundance of bird life as evident in the writings of Chisholm (1969). A bird list of the Moolort Plains, compiled between the 1950s and 1960s, lists 103 different species of birds (Rogan & Courtney 1963).

According to a survey of local residents living in and around the Moolort Plains, the swamps are valued highly for a range of environmental reasons particularly for providing bird habitat, sustaining life, threatened species habitat and playing a vital role in bird migration (Seymour 2010, unpublished thesis).

In 2012, the Commonwealth Government listed *Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains*, under the Environment Protection and Biodiversity Protection (EPBC) Act 1999. The name reflects that these wetlands are characterised by a particular hydrology, geographical position and vegetation structure. These are isolated, freshwater wetlands that are usually inundated on a seasonal basis through rainfall, then dry out, so surface water is not permanently present. They occur on the lowland plains of temperate south-eastern Australia and have a vegetation structure that is open, i.e. woody cover is absent to sparse, and the ground layer is dominated by herbs (grasses, sedges and forbs) adapted to seasonally wet or waterlogged conditions. This wetland ecological community includes flora, fauna and micro-organisms and remains present in both wet and dry periods. When standing water is present, wetland plants are clearly evident, however during drought or seasonal dry period's plants may not be visible above ground. During dry periods aquatic and amphibious species persist as desiccated shoots, underground rootstocks or propagules (seeds, spores and eggs) in the ground. The ecological community rapidly reverts to its wet form upon inundation if the hydrological and biological characteristics of the wetland are relatively intact.

A number of the significant wetlands in the Moolort Plains, including some very close to the proposed development, have been assessed to belong to the listed ecological community.

The Seasonal Herbaceous Wetlands ecological community is naturally surrounded by native dryland vegetation communities, typically natural temperate grasslands and grassy woodlands. These are distinguished from the wetlands by the dominance of a suite of dryland grass and forb taxa, e.g. *Themeda*, *Austrostipa*, *Chrysocephalum*, and the absence of wetland species. These grassy dryland communities also have declined considerably and some are listed as nationally threatened ecological communities in their own right, e.g. *Natural Temperate Grassland of the Victorian Volcanic Plain*; *Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia*; *Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions*, remnants of which all are known to occur on the Moolort Plains.

In recent times there have been sightings of a number of significant bird species including Brolga, Spotted Harrier, Black Falcon, Royal Spoonbill, Nankeen Night-heron and Red-kneed Dotterel. During the 2010-11 wetting period there has been breeding observed of Pacific Heron, Little Pied Cormorant and Black-winged Stilt with a major influx of waterbirds.

A detailed floristic survey and fauna survey has recently been completed for Long Swamp (Cook 2009). This survey revealed Growling Grass-frog. More comprehensive flora and fauna surveys are warranted across the entire complex.

A number of rare and threatened fauna species are also found on the Moolort Plains, with recent records in the vicinity of the proposed broiler complex development. These include the Striped Legless Lizard *Delma impar* (Vulnerable under EPBC Act); Olive Legless Lizard (*Delma inornata*) and the Woodland Blind Snake *Ramphotyphlops proximus* (near threatened in Victoria under the FFG Act).

Community/social value

The Moolort wetlands have significant indigenous heritage value. An initiation ground of the Djadja Wurrung people is located 'in a secluded valley' near Carisbrook (Willis 1988). The Moolort Plains were an important food source for the local Indigenous people (the Dja dja Wurrung language group).

The area also has significant European cultural heritage value as an historic mining site, as one of the earliest European pastoral settlements in the region (previously known as Charlotte Plains) and as the setting for Raimond Gaita's acclaimed novel 'Romulus, My Father' (set around Frogmore Swamp and dealing with the hardships of immigrants in the 1950s).

It seems also that the Moolort Plains has contributed much to providing Australian ornithological data dating back to the early 1900s. Growing up around Maryborough, Alexander Chisholm wrote extensively about bird life around the Moolort swamps.

A 2009 survey of the local residents and farmers found that the Moolort swamps are valued for a range of social reasons across the community including: learning/educational value, research value, bird watching, Indigenous history and for being peaceful places (Seymour 2010, unpublished thesis).

The Dja Dja Wurrung People are the traditional owners of the Moolort Wetlands. During the aforementioned Moolort wetlands project seven landholders participated in assessments for cultural heritage, recording artefacts and significant sites. A report (available from the North Central CMA) was drafted about the cultural heritage importance of the wetlands, highlighting the incredible productivity of the region.

References

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Birds of the Moolort Plains and adjacent areas

Specific notes on birds of concern

The DSE Advisory List of Threatened Species (see ref.) as the basis for considering bird species of potential concern. These have been classified into the following categories:

1. Residents that are likely to use the area in the vicinity of where the turbines are located – these have been further divided into forest/woodland (RF) and wetland/plains (RW) species.
2. Migrants that undertake regular movements through the area of interest – divided as above into woodland (MF) and wetland/plains (MW) species.
3. Nomadic/vagrant species (NV) that are recorded irregularly in the area in response to factors such as food availability (e.g. nectar flow associated with eucalypt flowering or wetland filling).

Category	Species	Status (EPBC/FFG)	Comment
RF	Barking Owl	-/E	
	Bush Stone-curlew	-/E	Locally near extinct
	Powerful Owl	-/V	
	Speckled Warbler	-/V	
	Chestnut-rumped Heathwren	-/V	
	Crested Bellbird	-/NT	
	Diamond Firetail	-/NT	
	Hooded Robin	-/NT	
	Spotted Quail-thrush	-/NT	
RW	Black Falcon	-/V	Resident and breed on the plains
	Brolga	-/V	2-3 pairs locally - breeding
	Eastern Great Egret	-/V	
	Hardhead	-/V	
	White-bellied Sea-Eagle	-/V	Breed on Cairn Curran
	Nankeen Night Heron	-/NT	
	Pied Cormorant	-/NT	
	Royal Spoonbill	-/NT	Small numbers at Cairn Curran and larger wetlands
	Spotted Harrier	-/NT	Resident and breed on the plains
MF	Swift Parrot	E/E	Regular migrant to Muckleford Forest and nearby areas
	Painted Honeyeater	-/V	As above
	Square-tailed Kite	-/V	Breed locally in forest areas – at least 2 pairs
	White-throated Needletail	-/V	Also found over open country
	Black-chinned Honeyeater	-/NT	
	Black-eared Cuckoo	-/NT	Spring migrant to box-ironbark
MW	Curlew Sandpiper	-/E	
	Marsh Sandpiper	-/V	Frogmore Swamp
	Wood Sandpiper	-/V	Frogmore Swamp
	Caspian Tern	-/NT	Small numbers seen on Cairn Curran and occasionally on larger wetlands
	Latham's Snipe	-/NT	Small numbers use a variety of small wetlands during spring passage
	Pectoral Sandpiper	-/NT	Lignum Swamp
NV	Australian Painted Snipe	VU/CE	Small numbers used Moolort wetlands in

			2010/11 – likely bred
	Regent Honeyeater	EN/CE	Locally extinct
	Blue-billed Duck	-/E	Occasionally seen on larger wetlands e.g. Lignum and Frogmore Swamps
	Freckled Duck	-/E	~ 30 at Cairn Curran in mid-2013
	Gull-billed Tern	-/E	Rare
	Intermediate Egret	-/E	Occasional
	Little Egret	-/E	Rare
	Australasian Shoveler	-/V	Small numbers uses wetlands
	Baillon's Crake	-/V	Small numbers when conditions are suitable
	Musk Duck	-/V	Relatively common when conditions are suitable
	Glossy Ibis	-/NT	Seen at Lignum and Frogmore Swamps
	Little Button-quail	-/NT	
	Whiskered Tern	-/NT	Regular in small numbers on Cairn Curran and larger wetlands

Note on status

Critically endangered (CR), Endangered (E), Vulnerable (V), Near-threatened (NT) under the Environment Protection and Biodiversity Conservation Act Flora and Fauna Guarantee Act

Reference:

Advisory List of Threatened Vertebrate Fauna in Victoria – 2013, Victorian Government Department of Sustainability and Environment Melbourne, March 2013.

Item 8.2.3 DO 031-24 39 Clarkes Road Moolort Attachment 2

Objection to Proten Victoria 031-24 Dated 22.03.2025 Amended

The Application being objected to

Planning Permit Reference No 031-24 Address: 39 Clarkes Road Moolort and 141

Clarkes Road, Strathlea

This is to be added to my objection to Permit Application 031-24 and is answer to the question raised by Councillor Ben Green.

In this submission of 22 March 2025, I have added context to the importance of respecting the broad ridgeline where this Broiler Farm is proposed.

Response to Question from Councillor Green

Question: Where in the Victorian Code for Broiler Farms is the reference to ridgelines and the broiler development?

Answer: Victorian Code for Broiler Farms

Section 7 Farm Design and Operational Elements

Page 28 Standard E1 S3 Protecting the Visual quality of the landscape.

Approved measure E1 M3.3 This is a key part of Section & Farm Design and Layout.

Existing ridgeline vegetation is maintained to avoid breaking the ridgeline silhouette.

This is a key part of Section & Farm Design and Layout Pages 24 – 40.

The first to note is the subject land's location of buildings and works has frontage onto Clarkes Road.

The north end of Clarkes Road runs from Rodborough Road south to the Hurns Road Intersection and continues to the south.

Clarkes Road follows the broad north-south **ridgeline** between Middle Creek and Joyce's Creek. The height of the silos would break this ridgeline.

See Focus CDS Consultants Fig 1 Location and Topographic Plan.

Contours: Note the ~~250~~-m 260 m contour that generally encompasses the Proposed Broiler Farm. This shows the broad ridgeline that is referred to in my submission.

This is the ~~highpoint~~-high broad ridge in the Strathlea landscape in the south-east area of the extensive Moolort Plains and is a strong factor in determining the visibility of proposed broiler farm. The highest point on Clarkes Road is the 270 m contour just to near the south-west corner of the Site, locally identified by a large farm shed, locally known as Ivor's Shed.

Victorian Code for Broiler Farms

Section 7 Farm Design and Operational Elements

Note: All broiler farm permit applications (regardless of the farm classification) are required to meet the objectives and standards of the all 6 Elements of this Code.

Section 7. Farm Design and Operational Elements.

The relevant elements are in

PART 1 Location, farm size and setback requirements

Element 1 E1: Location, siting and size

PART 2 Farm Design

Element 2 E2: Farm design, layout and construction

Standard E1 S3 Protecting the visual quality of the landscape

Buildings and works are to be sited account for the topography and views from public roads, to minimise their visual impact on the landscape.

Element 4 E4: Landscaping

The landscape of Clarkes Road is an open landscape of crops and pastures not even open woodlands. Hence the proposed plantings of agroforestry on the site are not protecting the visual quality of these rolling plains. This is assuming the plantings would establish and grow in a timely manner.

Approved Measure E1 M3.3 Page 28 of the Code.

Existing ridgeline vegetation is maintained to avoid breaking the ridgeline silhouette.

The ridgeline vegetation is currently crop or pasture so this is the vegetation that is sustainable and comprises annual crops or pastures to 1 meter tall.

Any attempts to screen the sheds, silos and associated constructions with woody vegetation is fraught as nearby landholders found in trialling shelterbelts for farms.

The Eucalypt red gums are confined to the streams like Joyce's Creek and to wetlands in the southern part of the Moolort Plans.

The species approved in the now lapsed Permit Application for the landscape plan have not been found naturally or are proven to grow sufficiently on the broad ridgeline between Middle Creek and Joyce's Creek. This is illustrated by the poor growth of plantings around Unit 1 and 2, these were planted at least 10 years ago.

The original vegetation was native grasses & herbaceous plants and small shrubs.

This land of the ridgeline is not viable for agroforestry as described in the application, there is no evidence in the Permit Application offered by Hayden Burge of Landform Architects or by FocusCDS Consultants of examples to confirming the viability of the agroforestry in the southern Moolort Plains area.

Alison H Teese OAM 22/03/2025