

11/02/2016  
C99**SCHEDULE 8 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO8.

**MANUFACTURE OF MILK PRODUCTS AMENITY BUFFER****1.0**11/02/2016  
C99**Statement of environmental significance**

South Gippsland Shire contains some of the most productive dairy farming land in the nation. Milk processed in the Shire is exported globally and is a major contributor to the Victorian economy. Global demand for milk protein means that demand for milk products is expected to grow, underpinning the viability and expansion of local ‘manufacture of milk products’ facilities (milk factories) into the future.

A legacy of past practice means that milk factories are typically located in close proximity to residential areas and other sensitive land uses. This can create amenity conflicts from factory generated noise, odour, dust (particulates) and light impacts on surrounding land.

The ESO amenity buffer identifies the area most likely to be affected by factory operations. The control ensures that planning permit applications for sensitive land uses are assessed with consideration to potential factory impacts on surrounding lands and potential impacts on the factory from encroachment / intensification of sensitive uses near the factory. The ESO identifies areas subject to pre-existing factory impacts that will continue, and could intensify, over time.

The ESO does not affect a landowner’s right to apply to use and develop a single dwelling on an existing lot in a residential zone in the buffer. The presence of the buffer does not reduce the responsibility on a factory to comply with relevant environmental standards and licensing requirements.

**2.0**11/02/2016  
C99**Environmental objective to be achieved**

- To inform landowners and land purchasers that the areas surrounding a manufacture of milk products facility may be exposed to amenity impacts resulting from existing and ongoing factory operations.
- To protect a manufacture of milk products facility from the incremental encroachments of sensitive land uses that may endanger the commercial operations of the facility.
- To discourage the subdivision of land for sensitive land uses that will result in an increase in the number of people likely to be exposed to amenity impacts from the operation of a manufacture of milk products facility.
- To assist in shielding people from the impact of noise, odour, dust and light by requiring appropriate attenuation measures in new dwellings and other sensitive use buildings.

**3.0**11/02/2016  
C99**Permit requirement**

A permit is not required to construct a building or construct or carry out works except in relation to the use of land for accommodation<sup>1</sup>, childcare, education, hospital, office, place of assembly and retail purpose. This does not apply (no permit required) to the following buildings and works in relation to these uses:

- Non-habitable outbuildings.
- External alterations to a building that do not increase the internal floor area of a building by more than 50%.
- Fencing, advertising signage and domestic services normal to a dwelling.
- Earthworks, landscaping, gardening.

A permit is not required under this overlay to remove, destroy or lop vegetation.

*Note: Permit requirement explanation  
Accommodation<sup>1</sup> Accommodation is 'Land used to accommodate persons' and includes Camping and caravan park, Corrective institution, Dependent person's unit, Dwelling, Group accommodation, Host farm, Residential building, Residential village and Retirement village.*

#### 4.0

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### Application requirements

An application must include building design, layout and landscaping details demonstrating how the building will minimise the impact of noise, dust, odour and light pollution on the proposed sensitive land use.

Applications to subdivide land must include noise measurements, at various times across the 24 hour period, and reported by a suitably qualified acoustic engineer.

The application requirements can be reduced or set-aside if in the opinion of the responsible authority the requirements are unnecessary to appropriately consider the application.

#### 5.0

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### Referral of applications

An application must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority.

#### 6.0

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### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The objectives of the overlay.
- The views of the Environment Protection Authority of Victoria and the manufacture of milk products company.
- Whether the proposal is compatible with the current permitted operations, approved planning permit or an approved development plan for the manufacture of milk products facility.
- Whether the design of the building responds to identified or anticipated noise, odour, dust and light pollution amenity issues.
- The distance of the application site from the manufacture of milk products facility and corresponding impact of the facility on the sensitive land use.

#### 7.0

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### Reference documents

GHD Burra Foods Pty Ltd Buffer Assessment November 2014