

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

Ensure the communications technology needs of business, domestic, entertainment and community services are met.

Do not prohibit the use of land for a telecommunications facility in any zone.

Encourage the continued deployment of broadband telecommunications services that are easily accessible by:

- Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.
- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.

In consideration proposals for telecommunication services, seek a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

Policy guidelines

Planning must consider as relevant:

- *A Code of Practice for Telecommunications Facilities in Victoria* (Department of Sustainability and Environment, 2004).

19.03-5

31/03/2017
VC134

Waste and resource recovery

Objective

To reduce waste and maximise resource recovery so as to minimise environmental, community amenity and public health impacts and reduce reliance on landfills.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.

Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Encourage technologies that increase recovery and treatment of resources to produce energy and other marketable end products.

Enable waste and resource recovery facilities to locate in close proximity in order to share separation distances, reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities in accordance with the *Waste Management Policy (Siting, Design and Management of Landfills)* (Environmental Protection Authority, 2004).

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Policy guidelines

Planning must consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2015).
- *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016)
- Any Regional Waste and Resource Recovery Implementation Plan.
- *Waste Management Policy* (Siting, Design and Management of Landfills) (Environmental Protection Authority, 2004).
- *Environment Protection (Industrial Waste Resource) Regulations 2009*.
- *Best Practice Environmental Management Guideline (Siting, Design Operation and Rehabilitation of Landfills)* (Environmental Protection Authority, 2001).
- *Victorian Organics Resource Recovery Strategy* (Sustainability Victoria, 2015).
- *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015).

19.03-6

20/09/2010
VC71

Pipeline infrastructure

Objective

To plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005* to ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Strategies

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.

19.03-7

20/09/2010
VC71

Survey infrastructure

Objective

To protect geodetic sites (survey marks) that support infrastructure projects, land development, survey, mapping and geographical information systems.

Strategies

Protect the location of survey marks established by the Office of the Surveyor-General.

Ensure the safekeeping of survey marks.

CLAUSE 21 MUNICIPAL STRATEGIC STATEMENT TEMPLATE FOR WASTE & RESOURCE RECOVERY FACILITIES

Using this template

Content in black colour is standard text that should be included.

Content in blue colour either prompts a response or gives guidance to the completion of the template and must be deleted upon completion of the template.

Content in red colour is standard text that–

- requires information to replace the content in red colour OR
- requires the options in red colour to be included if and as applicable.

21.0X WASTE AND RESOURCE RECOVERY FACILITIES AND THEIR BUFFER AREAS

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Insert this clause under an appropriate thematic clause (for example, ‘Infrastructure’) under Clause 21 where available. This content should not be included under a thematic clause relating to environmental risks (or similar) as the content is not limited to environmental risks.

21.0X-1 Waste and resource recovery facilities and their buffer

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Overview

This strategic policy statement implements clause 19.03-5 (Waste and resource recovery) of the State Planning Policy Framework.

Waste and resource recovery facilities include materials recycling, refuse disposal (including landfill), transfer station and other facilities that manage, reprocess or dispose of waste. This municipality contains waste and resource recovery facilities that are important infrastructure essential to meet the waste and resource recovery needs of the **State / XXXX region / municipality** now and into the future. **This municipality also contains closed landfills that require rehabilitation into the future.** Insert the name of the region if applicable.

This strategic policy statement applies to:

- all waste and resource recovery facilities of State / regional / local importance as identified in the regional waste and resource recovery implementation plan
Select this if the policy is to apply to all facilities
- all waste and resource recovery facilities identified on Map / in Table 1 to this clause **Select this if the policy is to apply only to specified facilities**
- all land within the buffer area around the waste and resource recovery facilities as identified on Map 1 / Map(s) XX.

If the buffer area cannot be clearly articulated on Map 1, a separate map or maps showing the buffer area around each waste or resource recovery facility should be included.

Waste and resource recovery facilities can have adverse impacts on the surrounding environment and community, including from noise, odour, emissions to air, land or water, vibration, dust, litter, light spill, visual impact, and traffic. **Operating and closed landfills also produce landfill gas that can migrate and accumulate; landfill gas poses a risk of explosion and asphyxiation.**

Environment Protection Authority policies and guidelines require the separation of waste and resource recovery facilities and land uses or development that are sensitive to the potential impacts of these facilities; this is referred to as a ‘separation distance’ or ‘buffer area’ (separation distance/buffer area).

Land uses and developments that are sensitive to the potential adverse impacts of waste and resource recovery facilities are listed in Table XX to this clause.

Establishing and maintaining separation distances/buffer areas between waste and resource recovery facilities and sensitive land uses or development will minimise the adverse impacts of these facilities on the environment and community and protect the ongoing operation of these facilities.

Table 1 – Sensitive uses and developments

Waste and resource recovery facility type	Sensitive uses and developments
Landfill (operating) Organics composting facility	Accommodation Child care centre Education centre Hospital Office
Landfill (closed)	Buildings and works other than a building with at least 50 per cent of its perimeter open.
Insert waste and resource recovery facility type	Insert sensitive uses and developments

Objectives

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- 1 To recognise the importance of waste and resource recovery facilities as strategic infrastructure necessary to meet the ongoing waste management and resource recovery needs of the community.
- 2 To minimise the adverse amenity impacts of waste and resource recovery facilities on sensitive land uses or development.
- 3 To avoid or minimise land use conflicts between waste and resource recovery facilities and sensitive land uses or development.
- 4 To define, protect and maintain a buffer area between waste and resource recovery facilities and sensitive land uses or development.

21.0X-3 Strategies

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Strategies to achieve objective 1

- Facilitate the ongoing operation of waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan.
- Facilitate the expansion of waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan.
- Facilitate the establishment of new waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan or where there is a demonstrated need.
- Support the co-location of waste and resource recovery facilities.
- Support the co-location of waste and resource recovery facilities and other land uses or development that require separation from sensitive land uses or development.
- Support a master planned approach to the future use and development of land as a landfill. Include this policy statement if the relevant regional waste and resource recovery implementation plan identifies a long term life for existing

landfills in the municipality or the need for a new landfill in the municipality or region.

Strategies to achieve objective 2

- Support the establishment of waste and resource recovery facilities within and adjoining zones that prohibit or limit the establishment of sensitive land uses or development.
- Require an application for a waste or resource recovery facility to demonstrate that:
 - The facility is located as far as practicable from any sensitive use or development within proximity of the facility.
 - The siting, design and operation of the facility will minimise any adverse impacts on existing sensitive land uses or development within proximity to the facility in accordance with any relevant Environment Protection Authority policies and guidelines.
- **Facilitate the progressive rehabilitation of closed landfill cells.**
Include this strategy/policy if the municipality contains an operating or closed landfill.

Strategies to achieve objective 3

- Map the boundary of the separation distance/buffer area required by any relevant Environment Protection Authority policy or guideline around a waste or resource recovery facility:
 - included in an infrastructure schedule in any relevant metropolitan or regional Waste and Resource Recovery Implementation Plan; or
 - of State, regional, or local importance.
- Ensure the application of zones and overlays to land within the buffer area around a waste or resource recovery facility avoids or minimises the potential for sensitive land use or development to be established or intensified.
- Avoid sensitive land uses and development locating within the separation distance/buffer area around a waste or resource recovery.
- Avoid or limit the intensification of an existing sensitive land use or development located within the separation distance/buffer area around a waste or resource recovery facility.
- Require an application for a sensitive use or development on land within the separation distance/buffer area around a waste or resource recovery facility to demonstrate that:
 - The use or development is located as far as practicable from the facility.
 - The use or development or any person involved in the use or occupying the development will not be adversely impacted by the potential impacts of the facility.
 - The use or development will not adversely impact the operation of the facility.
- **Require an application for the development of land within the separation distance/buffer area around an operating or closed landfill to demonstrate that the buildings and works have been designed to prevent the migration and accumulation of landfill gas.**
Include this strategy if the municipality contains an operating or closed landfill.
- Support the establishment of industrial, commercial and other land uses or developments that are not sensitive to the impacts of waste and resource

recovery facilities within the separation distances/buffer areas around these facilities.

Implementation

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Application requirements

An application for the use or development of land as a waste or resource recovery facility should be accompanied by the following information:

- The information specified under clause 52.45-2 as if that clause applies to all waste and resource recovery facilities.
- The assessment of potential amenity impacts specified under clause 52.45-2 should be prepared by a suitably qualified person(s). If the assessment identifies that the proposed use or development may adversely impact the amenity of surrounding land, the assessment should specify any measures recommended to avoid, minimise or ameliorate those impacts.
- Details of any existing and proposed stockpiles, including:
 - The height, area and volume of the stockpile.
 - The type and condition of materials being stockpiled.
 - Whether and how the stockpiles are to be covered.
- Where the facility is a landfill or involves the stockpiling or processing of combustible waste, a fire management plan.
- A separation distance/buffer area plan.

An application for a sensitive use or development within the separation distance/buffer area around a waste or resource recovery facility should be accompanied by the following information, as applicable:

- A location plan showing the site and its distance from the waste or resource recovery facility.
- A detailed site plan showing the layout of the proposed use and the siting, design and details of any proposed buildings and works.
- Plans or other media showing anticipated views from the proposed use or development to the waste and resource recovery facility.
- A written report(s) including:
 - Identification of the purpose of the use or development.
 - A description of the likely number of occupants or visitors to be present on the site at any time, the frequency and length of stay of any person occupying or visiting site, the hours of operation of any use.
 - Proposed hours of operation of the use.
- An assessment of the sensitivity of the proposed use to the potential adverse amenity impacts of the waste and resource recovery facility, including noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact and traffic. The assessment should be prepared by a suitably qualified person(s). If the assessment identifies that the proposed use or development may be adversely impacted by the waste or resource recovery facility, the assessment should specify any measures recommended to avoid, minimise or ameliorate those impacts.
- A separation distance/buffer area plan.

A separation distance/buffer area plan should be prepared by a suitably qualified person and include, as applicable, the separation distance(s)/buffer area(s) around the facility as indicated by:

- Any existing separation distance/buffer area established by a planning permit or works approval issued under the Environment Protection Act 1970.
- The line of any separation distance/buffer area as recommended or required under any relevant policy, guideline or publication issued by the Environment Protection Authority.
- The line representing the outermost point at which odour emanating from a waste or resource recovery facility during 'upset conditions' may have adverse amenity impacts on a sensitive use.
- The line representing the outermost point at which noise emanating from the facility during 'upset conditions' may have adverse amenity impacts on a sensitive use.

For the purposes of this policy, 'upset conditions' comprise the failure of the design or management of a waste or resource recovery facility or abnormal weather conditions.

An application for the use or development of land as a landfill or within the separation distance/buffer area around an operating or closed landfill should also include a landfill gas risk assessment, prepared by a suitably qualified person. This assessment must include an assessment of the risk of landfill gas generation, migration and accumulation, including on land surrounding the landfill.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Guidelines for exercise of discretion

It is policy that before deciding on an application for the use or development of land as a waste or resource recovery facility, in addition to the Decision Guidelines of Clause 65, the responsible authority will consider:

- The decision guidelines specified under clause 52.45-3 as if that clause applies to all waste and resource recovery facilities.
- The extent to which the establishment or expansion of the facility is required to support the implementation of any relevant regional waste and resource recovery facility implementation plan.

It is policy that before deciding on an application for a sensitive use or development within the separation distance/ buffer area around a waste or resource recovery facility, in addition to the Decision Guidelines of Clause 65, the responsible authority will consider:

- The views of the Environment Protection Authority.
- The views of the operator of the facility.
- The proximity of the site to the facility and whether the use or development is located as far as practicable from the facility.
- Whether the proposed use or development is compatible with the operations of the facility.
- The sensitivity of the proposed use or development to the adverse amenity impacts that may be generated by the facility.
- Whether the proposal provides measures to avoid, minimise or ameliorate the potential adverse amenity impacts and the risk of landfill gas migration and accumulation (if applicable).

- The number of occupants or visitors likely to be present on the site at any time.
- The likely frequency and length of stay of any person occupying or visiting the site.
- The degree of choice a person has to remain on the site.
- The potential for the proposed use or development to expand and attract additional occupants or visitors.

Reference documents

XXXX Waste and Resource Recovery Implementation Plan (XXXX, XXXX) Insert the full name, source and date of the relevant plan.

Insert any other applicable reference documents.

Map/Table 1 – Location and separation distances/buffer areas of waste and resource recovery facilities

Insert map showing the location of waste and resource recovery facilities within the municipality.

Map/s X, Y, Z (etc) – Waste and resource recovery facility separation distances/buffer areas

Insert map/s showing the boundary of and land within the buffer area around the waste and resource recovery facilities within the municipality.

CLAUSE 22 LOCAL PLANNING POLICY TEMPLATE FOR WASTE & RESOURCE RECOVERY FACILITIES

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22.0X WASTE AND RESOURCE RECOVERY FACILITIES AND THEIR BUFFER AREAS

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22.0X-1 Policy basis

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This strategic policy statement implements clause 19.03-5 (Waste and resource recovery) of the State Planning Policy Framework.

Waste and resource recovery facilities include materials recycling, refuse disposal (including landfill), transfer station and other facilities that manage, reprocess or dispose of waste. This municipality contains waste and resource recovery facilities that are important infrastructure essential to meet the waste and resource recovery needs of the State / XXXX region / municipality now and into the future. This municipality also contains closed landfills that require rehabilitation into the future. Insert the name of the region if applicable.

This strategic policy statement applies to:

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Select this if the policy is to apply to all facilities
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- all land within the buffer area around the waste and resource recovery facilities as identified on Map 1 / Map(s) XX.

If the buffer area cannot be clearly articulated on Map 1, a separate map or maps showing the buffer area around each waste or resource recovery facility should be included.

Waste and resource recovery facilities can have adverse impacts on the surrounding environment and community, including from noise, odour, emissions to air, land or water, vibration, dust, litter, light spill, visual impact, and traffic. Operating and closed landfills also produce landfill gas that can migrate and accumulate; landfill gas poses a risk of explosion and asphyxiation.

Environment Protection Authority policies and guidelines require the separation of waste and resource recovery facilities and land uses or development that are sensitive to the potential impacts of these facilities; this is referred to as a 'separation distance' or 'buffer area' (separation distance/buffer area).

Land uses and developments that are sensitive to the potential adverse impacts of waste and resource recovery facilities are listed in Table XX to this clause.

Establishing and maintaining separation distances/buffer areas between waste and resource recovery facilities and sensitive land uses or development will minimise the adverse impacts of these facilities on the environment and community and protect the ongoing operation of these facilities.

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Insert waste and resource recovery facility type	Insert sensitive uses and developments

22.0X-2 Objectives

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- 1 To recognise the importance of waste and resource recovery facilities as strategic infrastructure necessary to meet the ongoing waste management and resource recovery needs of the community.
- 2 To minimise the adverse amenity impacts of waste and resource recovery facilities on sensitive land uses or development.
- 3 To avoid or minimise land use conflicts between waste and resource recovery facilities and sensitive land uses or development.
- 4 To define, protect and maintain a buffer area between waste and resource recovery facilities and sensitive land uses or development.

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Policies to achieve objective 1

It is policy to:

- Facilitate the ongoing operation of waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan.
- Facilitate the expansion of waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan.
- Facilitate the establishment of new waste and resource recovery facilities in accordance with any relevant regional waste and resource recovery implementation plan or where there is a demonstrated need.
- Support the co-location of waste and resource recovery facilities.
- Support the co-location of waste and resource recovery facilities and other land uses or development that require separation from sensitive land uses or development.
- Support a master planned approach to the future use and development of land as a landfill. Include this policy statement if the relevant regional waste and resource recovery implementation plan identifies a long term life for existing landfills in the municipality or the need for a new landfill in the municipality or region.

Policies to achieve objective 2

It is policy to:

- Support the establishment of waste and resource recovery facilities within and adjoining zones that prohibit or limit the establishment of sensitive land uses or development.
- Require an application for a waste or resource recovery facility to demonstrate that:
 - The facility is located as far as practicable from any sensitive use or development within proximity of the facility.
 - The siting, design and operation of the facility will minimise any adverse impacts on existing sensitive land uses or development within proximity to the facility in accordance with any relevant Environment Protection Authority policies and guidelines.
- **Facilitate the progressive rehabilitation of closed landfill cells.**
Include this strategy/policy if the municipality contains an operating or closed landfill.

Policies to achieve objective 3

It is policy to:

- Map the boundary of the separation distance/buffer area required by any relevant Environment Protection Authority policy or guideline around a waste or resource recovery facility:
 - included in an infrastructure schedule in any relevant metropolitan or regional Waste and Resource Recovery Implementation Plan; or
 - of State, regional, or local importance.
- Avoid sensitive land uses and development locating within the separation distance/buffer area around a waste or resource recovery.
- Avoid or limit the intensification of an existing sensitive land use or development located within the separation distance/buffer area around a waste or resource recovery facility.
- Require an application for a sensitive use or development on land within the separation distance/buffer area around a waste or resource recovery facility to demonstrate that:
 - The use or development is located as far as practicable from the facility.
 - The use or development or any person involved in the use or occupying the development will not be adversely impacted by the potential impacts of the facility.
 - The use or development will not adversely impact the operation of the facility.
- **Require an application for the development of land within the separation distance/buffer area around an operating or closed landfill to demonstrate that the buildings and works have been designed to prevent the migration and accumulation of landfill gas.**
Include this strategy if the municipality contains an operating or closed landfill.
- Support the establishment of industrial, commercial and other land uses or developments that are not sensitive to the impacts of waste and resource recovery facilities within the separation distances/buffer areas around these facilities.

21.0X-4 Implementation

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Zones and overlays

- Apply the Industrial 2 Zone or Special Use Zone to land designated for waste or resource recovery uses with potential for adverse amenity impacts.
- Apply the Industrial 1 Zone or the Industrial 3 Zone to land within the buffer area around a waste or resource recovery facility.
- **Apply the Development Plan Overlay to land to be used and developed as the XXXX.** Specify the individual waste or resource recovery facility to which this overlay is to apply.
- **Apply the Development Plan Overlay to land within the buffer area around the XXX.** Specify the individual waste or resource recovery facility to which this overlay is to apply.
- Apply the Environmental Significance Overlay or Design and Development Overlay to land within the buffer area around a waste or resource recovery facility.

Application requirements

An application for the use or development of land as a waste or resource recovery facility should be accompanied by the following information:

- The information specified under clause 52.45-2 as if that clause applies to all waste and resource recovery facilities.
- The assessment of potential amenity impacts specified under clause 52.45-2 should be prepared by a suitably qualified person(s). If the assessment identifies that the proposed use or development may adversely impact the amenity of surrounding land, the assessment should specify any measures recommended to avoid, minimise or ameliorate those impacts.
- Details of any existing and proposed stockpiles, including:
 - The height, area and volume of the stockpile.
 - The type and condition of materials being stockpiled.
 - Whether and how the stockpiles are to be covered.
- Where the facility is a landfill or involves the stockpiling or processing of combustible waste, a fire management plan.
- A separation distance/buffer area plan.

An application for a sensitive use or development within the separation distance/buffer area around a waste or resource recovery facility should be accompanied by the following information, as applicable:

- A location plan showing the site and its distance from the waste or resource recovery facility.
- A detailed site plan showing the layout of the proposed use and the siting, design and details of any proposed buildings and works.
- Plans or other media showing anticipated views from the proposed use or development to the waste and resource recovery facility.
- A written report(s) including:
 - Identification of the purpose of the use or development.
 - A description of the likely number of occupants or visitors to be present on the site at any time, the frequency and length of stay of any person occupying or visiting site, the hours of operation of any use.

- Proposed hours of operation of the use.
- An assessment of the sensitivity of the proposed use to the potential adverse amenity impacts of the waste and resource recovery facility, including noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact and traffic. The assessment should be prepared by a suitably qualified person(s). If the assessment identifies that the proposed use or development may be adversely impacted by the waste or resource recovery facility, the assessment should specify any measures recommended to avoid, minimise or ameliorate those impacts.
- A separation distance/buffer area plan.

A separation distance/buffer area plan should be prepared by a suitably qualified person and include, as applicable, the separation distance(s)/buffer area(s) around the facility as indicated by:

- Any existing separation distance/buffer area established by a planning permit or works approval issued under the Environment Protection Act 1970.
- The line of any separation distance/buffer area as recommended or required under any relevant policy, guideline or publication issued by the Environment Protection Authority.
- The line representing the outermost point at which odour emanating from a waste or resource recovery facility during 'upset conditions' may have adverse amenity impacts on a sensitive use.
- The line representing the outermost point at which noise emanating from the facility during 'upset conditions' may have adverse amenity impacts on a sensitive use.

For the purposes of this policy, 'upset conditions' comprise the failure of the design or management of a waste or resource recovery facility or abnormal weather conditions.

An application for the use or development of land as a landfill or within the separation distance/buffer area around an operating or closed landfill should also include a landfill gas risk assessment, prepared by a suitably qualified person. This assessment must include an assessment of the risk of landfill gas generation, migration and accumulation, including on land surrounding the landfill.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Guidelines for exercise of discretion

It is policy that before deciding on an application for the use or development of land as a waste or resource recovery facility, in addition to the Decision Guidelines of Clause 65, the responsible authority will consider:

- The decision guidelines specified under clause 52.45-3 as if that clause applies to all waste and resource recovery facilities.
- The extent to which the establishment or expansion of the facility is required to support the implementation of any relevant regional waste and resource recovery facility implementation plan.

It is policy that before deciding on an application for a sensitive use or development within the separation distance/ buffer area around a waste or resource recovery facility, in addition to the Decision Guidelines of Clause 65, the responsible authority will consider:

- The views of the Environment Protection Authority.

- The views of the operator of the facility.
- The proximity of the site to the facility and whether the use or development is located as far as practicable from the facility.
- Whether the proposed use or development is compatible with the operations of the facility.
- The sensitivity of the proposed use or development to the adverse amenity impacts that may be generated by the facility.
- Whether the proposal provides measures to avoid, minimise or ameliorate the potential adverse amenity impacts and the risk of landfill gas migration and accumulation (if applicable).
- The number of occupants or visitors likely to be present on the site at any time.
- The likely frequency and length of stay of any person occupying or visiting the site.
- The degree of choice a person has to remain on the site.
- The potential for the proposed use or development to expand and attract additional occupants or visitors.

Further strategic work

- Identify and map the location of closed landfills within the municipality and their associated buffer areas.

Reference documents

XXXX Waste and Resource Recovery Implementation Plan (XXXX, XXXX) Insert the full name, source and date of the relevant plan.

Insert any other applicable reference documents.

Map/Table 1 – Location and separation distances/buffer areas of waste and resource recovery facilities

Insert map showing the location of waste and resource recovery facilities within the municipality.

Map/s X, Y, Z (etc) – Waste and resource recovery facility separation distances/buffer areas

Insert map/s showing the boundary of and land within the buffer area around the waste and resource recovery facilities within the municipality.

52.45 RESOURCE RECOVERY

31/03/2017
VC134

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

52.45-1 Scope

02/06/2010
VC69

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station; and/or
- A Materials recycling facility.

52.45-2 Application requirements

02/06/2010
VC69

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
 - Identification of the purpose of the use.
 - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
 - Proposed hours of operation.
 - Likely traffic generation including heavy vehicles.
 - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
- An assessment of:
 - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
 - The impact of traffic generation on local roads.

52.45-3 Decision Guidelines

31/03/2017
VC134

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.

- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Any Regional Waste and Resource Recovery Implementation Plan including the *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016).
- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).

WORKING DRAFT FOR DISCUSSION PURPOSES ONLY

Summary of existing land use planning tools define, protect and maintain Waste and Resource Recovery Facilities and buffers

	MSS / Local Policy	Design and Development Overlay	Development Plan Overlay	Environmental Significance Overlay
Overview	<p>The Municipal Strategic Statement or a Local Policy should be used as a mechanism for strategically identifying facilities and their buffer areas to inform strategic land use planning decisions and planning permit applications.</p> <p>It is appropriate to use a Local Planning Policy to assist in exercising discretion for applications relating to waste and resource recovery facilities and/or development within their buffer areas.</p> <p>The use of policy objectives and strategies should support policy and give local specification to Clause 19.03-5.</p> <p>Where possible, preference should be given to using other tools within the planning system to deliver protection to facilities.</p>	<p>The Design and Development Overlay can be used as a mechanism for controlling built form outcomes for waste and resource recovery facilities, as well as development within their buffer areas.</p> <p>The Overlay is able to set parameters that development either should or must meet, in order to mitigate the impacts of a facility on certain land use and development. Equally, it can restrict development to densities which reduce the numbers of people exposed to the facility.</p>	<p>The Development Plan Overlay can provide a masterplanned outcome for waste and resource recovery facilities, as well as their buffer areas.</p> <p>The Development Plan Overlay can be applied to the facility itself to facilitate its growth and development in accordance with a Development Plan.</p> <p>The Overlay can also be applied to the buffer area of a facility to regulate land use and development and/or set parameters under which certain land use and development may be permitted.</p> <p>The application of this Overlay to buffer areas is appropriate only in circumstances where a comprehensive future development is proposed within the buffer. It should not be applied broadly to areas that have already been developed or limited new development is expected to occur.</p>	<p>The Environmental Significance Overlay is often identified as the 'control of best fit' for protecting buffer areas around uses with adverse amenity potential, such as waste and resource recovery facilities.</p> <p>The Overlay can be applied to the buffer areas of facilities to manage development associated with sensitive land uses.</p> <p>The Environmental Significance Overlay should generally not be applied to regulate activities within the facility itself. The Development Plan Overlay or Design and Development Overlay should be used if guidance is needed for the facility.</p>
Strengths of this tool	<ul style="list-style-type: none"> Allows for a consideration of waste and resource recovery facilities in strategic planning, development for growth and in planning permits. 	<ul style="list-style-type: none"> Can provide an extra level of statutory protection for a facility and its buffer. Can use permit triggers to limit development associated with sensitive land uses. Can set discretionary or mandatory design requirements to be met in new development. Can provide formal referral or notice provisions for applications to be referred to the Environment Protection Authority. 	<ul style="list-style-type: none"> Requires a Development Plan to be prepared, which can set out the overarching vision for a facility and/or its buffer. Prohibits land use and development that is not 'generally in accordance' with the Development Plan. 	<ul style="list-style-type: none"> Can provide an extra level of statutory protection for a facility and its buffer. Can use permit triggers to limit development associated with sensitive land uses. Can provide formal referral or notice provisions for applications to be referred to the Environment Protection Authority.
Limitations of this tool	<ul style="list-style-type: none"> Does not trigger a permit. Can only be considered when a planning permit is triggered under another provision. Limited statutory protection. 	<ul style="list-style-type: none"> Cannot trigger a permit for land uses. Control is provided over new development for sensitive uses only. 	<ul style="list-style-type: none"> Does not trigger a permit. Development Plan preparation and amendment can be onerous. 	<ul style="list-style-type: none"> Cannot trigger a permit for land uses. Control is provided over new development for sensitive uses only.
Can it be applied to protect and guide the current and future operation of a facility?	✓	✓	✓	✗
Can it be applied to protect the buffer area of a facility?	✓	✓	✓	✓
Provides a spatial representation of a facility and its buffer area	✓	✓	✓	✓
Is a permit required to use land for sensitive land uses that should be avoided within buffer areas?	✗	✗	No permit trigger under this overlay. However, a permit cannot be granted under any provision within the Scheme unless it is generally in accordance with an approved Development Plan.	✗
Is a permit required for buildings and works?	✗	✓	No permit trigger under this overlay. However, a permit cannot be granted under any provision within the Scheme unless it is generally in accordance with an approved Development Plan.	✓
Can it specify mandatory requirements that development must meet?	✗	✓	✓	✗
Is a permit required for subdivision?	✗	✓	No permit trigger under this overlay. However, a permit cannot be granted under any provision within the Scheme unless it is generally in accordance with an approved Development Plan	✓
Is a permit required to remove, destroy or lop vegetation?	✗	✗	No permit trigger under this overlay. However, a permit cannot be granted under any provision within the Scheme unless it is generally in accordance with an approved Development Plan	✓
Can specify information that should be provided with any application?	✓	✓	✓	✓
Can specify specific decision guidelines that decision-makers must consider in assessing whether to grant a permit within the buffer area?	✓	✓	✓	✓

--/20--
C--

SCHEDULE [NUMBER] TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO[number]**.

LANDFILL FACILITY SEPARATION DISTANCE/BUFFER AREA

Use this template for separation distances/buffer areas around landfills (not other waste and resource recovery facilities).

1.0

Design objectives

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C--

- To ensure development that is sensitive to the adverse impacts of landfill facilities does not encroach the separation distance/buffer area around a facility.
- To regulate the establishment, siting and design of development sensitive to the adverse impacts of landfill facilities, including landfill gas migration and accumulation.
- To ensure that development is sited and designed to avoid, minimise or ameliorate the potential adverse impacts associated with the current and future operations and post closure rehabilitation of landfill facilities, including landfill gas migration and accumulation.
- To limit the number of sensitive developments within the separation distances/buffer areas of landfill facilities to ensure that the cumulative impact of development does not prejudice the safe, effective, and continued operation of the facilities.
- To encourage development that is compatible with the potential adverse impacts of landfill facilities.

2.0

Buildings and works

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C--

A permit is not required to construct a building or to construct or carry out works, except where the building or works is associated with the existing or proposed use of the land for the following sensitive uses:

- Accommodation.
- Child care centre.
- Education centre.
- Hospital.
- Office.

Include additional sensitive land uses where relevant (for example, where an EPA policy or guidelines specifies other sensitive land uses).

A permit is required to construct a fence.

Buildings and works requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- The number of dwellings that may be constructed on a lot must not exceed one, including any existing dwelling. This does not apply to a dependent person's unit where it is the only dependent person's unit on the lot.
- Buildings and works must be sited and designed to avoid, minimise or ameliorate the potential adverse impacts associated with the current and future operations and post closure rehabilitation of a landfill facility, including landfill gas migration and accumulation.

- Buildings and works should be sited to maximise their distance from the landfill facility.
- Habitable rooms of new dwellings or additions to an existing dwelling must be designed to limit internal noise in accordance with any relevant State Environment Protection Policy.
- Buildings should be designed to ensure that apertures are located away from any odour or dust source of a landfill facility.
- Buildings and works must incorporate measures, including passive or active ventilation measures, where appropriate, to prevent the accumulation of landfill gas.

Include additional requirements where relevant (for example, where an EPA policy or guidelines specifies other requirements applicable to the circumstances).

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay.

3.0 Subdivision

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C--

A permit to subdivide land must meet the following requirements:

- Each lot created must be at least [1,000 square metres] in area.
- [Insert any additional requirements]

The minimum subdivision area should be specified having regard to the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

Insert any other specific subdivision requirements that must be met.

A permit cannot be granted to subdivide land which is not in accordance with:

- The minimum lot size specified in this schedule.
- [Insert any additional requirements]

4.0 Advertising signs

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C--

None specified.

5.0 Decision guidelines

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C--

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the Environment Protection Authority and the operator of the landfill facility to which the separation distances/buffer area relates.
- The proximity of the site to the landfill facility and whether the proposed development is located as far as practicable from the facility.
- Any landfill gas risk assessment addressing the risk of landfill gas migration and accumulation on the land.
- Whether the purpose of the development is compatible with or sensitive to the potential adverse impacts of the landfill facility.
- The potential for the future use or development of the lots that will be created by the subdivision of land to be sensitive to the potential adverse impacts of the landfill facility.
- Whether the proposed development has been designed to or includes measures to avoid, minimise or ameliorate the potential adverse impacts of the landfill facility.

- The potential for the works, services and utilities to be provided as part of the subdivision of the land to create a pathway for the migration and/or accumulation of landfill gas.
- The extent to which the recommendations of any assessment of the potential adverse impacts of the landfill facility on the proposed development have been incorporated within the development and whether the measures are practical and achievable.
- The extent to which the recommendations of any landfill gas risk assessment have been incorporated within the development and whether the measures are practical and achievable.
- The number of people likely to occupy or visit the site as a result of the proposed development.
- The likely frequency and length of stay of any person occupying or visiting the proposed development.
- The degree of choice a person occupying or visiting the proposed development has to remain on the site associated with the proposed development.
- The potential for the proposed development to be expanded and attract additional occupants or visitors.

The DDO template does not include a clause to specify application requirements; these should be included in the LPPF or could be drafted in the form of decision guidelines.

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C--

SCHEDULE [NUMBER] TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO[number]**.

WASTE AND RESOURCE RECOVERY FACILITY SEPARATION DISTANCE/BUFFER AREA

Use this template for separation distances/buffer areas around waste and resource recovery facilities that are not landfills.

1.0

Design objectives

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C--

- To ensure development that is sensitive to the adverse impacts of waste and resource recovery facilities does not encroach the separation distance/buffer area around a facility.
- To regulate the establishment, siting and design of development sensitive to the adverse impacts of waste and resource recovery facilities.
- To ensure that development is sited and designed to avoid, minimise or ameliorate the potential adverse impacts associated with the current and future operations of waste or resource recovery facilities.
- To limit the number of sensitive developments within the separation distances/buffer areas of waste or resource recovery facilities to ensure that the cumulative impact of development does not prejudice the safe, effective, and continued operation of the facilities.
- To encourage development that is compatible with the potential adverse impacts of waste or resource recovery facilities.

2.0

Buildings and works

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C--

Permit requirements

A permit is not required to construct a building or to construct or carry out works, except where the building or works is associated with the existing or proposed use of the land for the following sensitive uses:

- Accommodation.
- Child care centre.
- Education centre.
- Hospital.
- Office.

Include additional sensitive land uses where relevant (for example, where an EPA policy or guidelines specifies other sensitive land uses).

Buildings and works requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- The number of dwellings that may be constructed on a lot must not exceed one, including any existing dwelling. This does not apply to a dependent person's unit where it is the only dependent person's unit on the lot.
- Buildings and works must be sited and designed to avoid, minimise or ameliorate the potential adverse impacts associated with the current and future operations of a waste or resource recovery facility.

- Buildings and works should be sited to maximise their distance from a waste or resource recovery facility.
- Habitable rooms of new dwellings or additions to an existing dwelling must be designed to limit internal noise in accordance with any relevant State Environment Protection Policy.
- Buildings should be designed to ensure that apertures are located away from any odour or dust source of a waste or resource recovery facility.

Include additional requirements where relevant (for example, where an EPA policy or guidelines specifies other requirements applicable to the circumstances).

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay.

3.0 Subdivision

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C--

A permit to subdivide land must meet the following requirements:

- Each lot created must be at least [1,000 square metres] in area.
- [Insert any additional requirements]

The minimum subdivision area should be specified having regard to the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

Insert any other specific subdivision requirements that must be met.

A permit cannot be granted to subdivide land which is not in accordance with:

- The minimum lot size specified in this schedule.
- [insert any additional requirements]

4.0 Advertising signs

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C--

None specified.

5.0 Decision guidelines

--/20--
C--

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the Environment Protection Authority and the operator of the waste or resource recovery facility to which the separation distance/buffer area relates.
- The proximity of the site to the waste or resource recovery facility and whether the proposed development is located as far as practicable from the facility.
- Any assessment of the potential adverse impacts of the waste or resource recovery facility on the proposed development, including in relation to noise, odour, emissions to air, land or water, vibration, dust, litter, light spill, visual impact, and traffic.
- Whether the purpose of the development is compatible with or sensitive to the potential adverse impacts of the waste or resource recovery facility.
- The potential for the future use or development of the lots that will be created by the subdivision of land to be sensitive to the potential adverse impacts of the waste or resource recovery facility.
- Whether the proposed development has been designed to or includes measures to avoid, minimise or ameliorate the potential adverse impacts of the waste or resource recovery facility.
- The extent to which the recommendations of any assessment of the potential adverse impacts of the waste or resource recovery facility on the proposed

development have been incorporated within the development and whether the measures are practical and achievable.

- The number of people likely to occupy or visit the site as a result of the proposed development.
- The likely frequency and length of stay of any person occupying or visiting the proposed development.
- The degree of choice a person occupying or visiting the proposed development has to remain on the site associated with the proposed development.
- The potential for the proposed development to be expanded and attract additional occupants or visitors.

The DDO template does not include a clause to specify application requirements; these should be included in the LPPF or could be drafted in the form of decision guidelines.

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C--

SCHEDULE [NUMBER] TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO[number]**.

LANDFILL FACILITY

1.0 Requirement before a permit is granted

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C--

A permit may be granted for use or to subdivide land or to construct a building or to construct or carry out works that is not in accordance with the incorporated plan.

2.0 Conditions and requirements for permits

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C--

The following conditions and/or requirements apply to permits:

- A permit may be granted before the Development Plan has been prepared to use land as **XXXX**.
- A permit may be granted before the Development Plan has been prepared to subdivide land for the purpose of **XXXX**.
- A permit may be granted before a Development Plan has been prepared to construct or carry out works relating to **XXXX**.
- A permit may be granted before the Development Plan has been prepared to demolish or remove a building or works.

Insert these, as applicable, to specify buildings or works for which a permit may be granted before the Development Plan has been prepared, having regard the facility details, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

- A proposal to use or subdivide land or to construct a building or to construct or carry out works before the Development Plan has been prepared must be accompanied by a report demonstrating that the approval of the use, subdivision, or buildings or works will not prejudice the long term future use or development of the land in accordance with the Development Plan.

Include this if:

- No requirements are specified limiting what use, subdivision or buildings and works a permit may be granted for before the Development Plan has been prepared.
- If requirements are specified limiting what use, subdivision or buildings and works a permit may be granted for before the Development Plan has been prepared but it is still necessary to consider how they may impact on the long term future use or development of the land.
- **[insert conditions and requirements for permits]**

Insert additional conditions or requirements as relevant, having regard the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

Where no requirements are specified insert “None specified.”

See 43.04-1 for relevant provisions.

3.0 Requirements for development plan

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C--

A development plan must include the following requirements:

Operational Plan

An operation plan that includes the following details of the existing and future operation of the waste or resource recovery facility, as applicable:

- A site analysis plan that identifies the key attributes of the land and its context.
- Details of the existing and proposed use and development of the facility.
- The staging and associated timing of the future use and development of the facility, including the staging and associated timing of individual landfill cells.
- Details of any proposed separation distance/buffer area to be provided within the boundaries of the site to avoid or minimise any potential adverse impacts of the facility on nearby land uses and development that may be sensitive to such impacts.
- Details of any measures to avoid, minimise or ameliorate any potential adverse impacts of the existing and future use and development of the facility, including in relation to noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact and traffic impacts, on nearby land uses and development that may be sensitive to such impacts.
- Details of any measures to avoid, minimise or ameliorate landfill gas generation, migration and accumulation, and to prevent migration of landfill gas beyond the boundary of the site.
- Land management strategies for any area of the land not required for immediate use.
- Land management and remediation measures that are required throughout the life of the facility's operation, including the progressive closure of landfill cells.
- Land management and remediation measures that are required after the landfill has ceased operation (post closure).
- A landscape concept plan for the site.
- A traffic impact assessment that includes consideration of:
 - Traffic generation and distribution resulting from operations; and
 - Any required internal road network.

Geotechnical assessment

A geotechnical assessment of the site that includes, as applicable:

- An analysis and plan of the existing geotechnical conditions, including all areas of existing cut and fill.
- Identification of any areas of previous excavation or quarrying.
- Identification of any areas of proposed cut and fill.

Environmental hazard and landfill gas assessment

An environmental hazard and landfill gas assessment, prepared by a suitably qualified person(s), that includes:

- Any existing or potential environmental hazards or contamination of land.
- The risk of landfill gas generation, migration and accumulation.
- Recommended treatments or measures to avoid, minimise or ameliorate any identified risk of hazard, contamination, and landfill gas generation, migration and accumulation, including measures to prevent migration and accumulation of landfill gas beyond the boundary of the site.

Adverse impact assessment

An adverse impact assessment, prepared by a suitably qualified person(s), that includes:

- Any existing and potential adverse impacts of the facility, including in relation to emissions to air, land or water, vibration, dust, light spill, and visual impact.
- Recommended treatments or measures to avoid, minimise or ameliorate any adverse impacts on nearby land uses and development that may be sensitive to such impacts.

Noise assessment

An acoustic assessment report, prepared by a suitably qualified person(s), that includes:

- An assessment of internal and external noise levels in accordance with State Environment Protection Policy No. N-1 “Control of Noise from Commerce, Industry and Trade” (SEPP N-1) or Noise from Industry in Regional Victoria (NIRV, EPA Publication 1411).
- Recommended noise attenuation measures to achieve the noise limits when assessed indoors at adjoining properties in accordance with SEPP N-1 or NIRV.

Odour assessment

An odour assessment report, prepared by a suitably qualified person(s), that includes:

- An assessment of the potential odour risks and impacts of the facility.
- Recommended treatments or measures to avoid, minimise or ameliorate any odour impacts on nearby land uses and development that may be sensitive to such impacts.

Insert additional requirements as relevant, having regard the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

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SCHEDULE [NUMBER] TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO[number]**.

WASTE AND RESOURCE RECOVERY FACILITY

1.0 Requirement before a permit is granted

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C--

A permit may be granted for use or to subdivide land or to construct a building or to construct or carry out works that is not in accordance with the incorporated plan.

2.0 Conditions and requirements for permits

--/20--
C--

The following conditions and/or requirements apply to permits:

- A permit may be granted before the Development Plan has been prepared to use land as **XXXX**.
- A permit may be granted before the Development Plan has been prepared to subdivide land for the purpose of **XXXX**.
- A permit may be granted before a Development Plan has been prepared to construct or carry out works relating to **XXXX**.
- A permit may be granted before the Development Plan has been prepared to demolish or remove a building or works.

Insert these, as applicable, to specify buildings or works for which a permit may be granted before the Development Plan has been prepared, having regard the facility details, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

- A proposal to use or subdivide land or to construct a building or to construct or carry out works before the Development Plan has been prepared must be accompanied by a report demonstrating that the approval of the use, subdivision, or buildings or works will not prejudice the long term future use or development of the land in accordance with the Development Plan.

Include this if:

- No requirements are specified limiting what use, subdivision or buildings and works a permit may be granted for before the Development Plan has been prepared.
- If requirements are specified limiting what use, subdivision or buildings and works a permit may be granted for before the Development Plan has been prepared but it is still necessary to consider how they may impact on the long term future use or development of the land.
- **[insert conditions and requirements for permits]**

Insert additional conditions or requirements as relevant, having regard the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

Where no requirements are specified insert “None specified.”

See 43.04-1 for relevant provisions.

3.0 Requirements for development plan

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C--

A development plan must include the following requirements:

Operational Plan

An operation plan that includes the following details of the existing and future operation of the waste or resource recovery facility, as applicable:

- A site analysis plan that identifies the key attributes of the land and its context.
- Details of the existing and proposed use and development of the facility.
- The staging and associated timing of the future use and development of the facility.
- Details of any proposed separation distance/buffer area to be provided within the boundaries of the site to avoid or minimise any potential adverse impacts of the facility on nearby land uses and development that may be sensitive to such impacts.
- Details of any measures to avoid, minimise or ameliorate any potential adverse impacts of the existing and future use and development of the facility, including in relation to noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact and traffic impacts, on nearby land uses and development that may be sensitive to such impacts.
- Land management strategies for any area of the land not required for immediate use.
- A landscape concept plan for the site.
- A traffic impact assessment that includes consideration of:
 - Traffic generation and distribution resulting from operations; and
 - Any required internal road network.

Geotechnical assessment

A geotechnical assessment of the site that includes, as applicable:

- An analysis and plan of the existing geotechnical conditions, including all areas of existing cut and fill.
- Identification of any areas of previous excavation or quarrying.
- Identification of any areas of proposed cut and fill.

Environmental hazard assessment

An environmental hazard assessment, prepared by a suitably qualified person(s), that includes:

- Any existing or potential environmental hazards or contamination of land.
- Recommended treatments or measures to avoid, minimise or ameliorate any identified risk of hazard or contamination.

Adverse impact assessment

An adverse impact assessment, prepared by a suitably qualified person(s), that includes:

- Any existing and potential adverse impacts of the facility, including in relation to emissions to air, land or water, vibration, dust, light spill, and visual impact.
- Recommended treatments or measures to avoid, minimise or ameliorate any adverse impacts on nearby land uses and development that may be sensitive to such impacts.

Noise assessment

An acoustic assessment report, prepared by a suitably qualified person(s), that includes:

- An assessment of internal and external noise levels in accordance with State Environment Protection Policy No. N-1 “Control of Noise from Commerce, Industry and Trade” (SEPP N-1) or Noise from Industry in Regional Victoria (NIRV, EPA Publication 1411).
- Recommended noise attenuation measures to achieve the noise limits when assessed indoors at adjoining properties in accordance with SEPP N-1 or NIRV.

Odour assessment

An odour assessment report, prepared by a suitably qualified person(s), that includes:

- An assessment of the potential odour risks and impacts of the facility.
- Recommended treatments or measures to avoid, minimise or ameliorate any odour impacts on nearby land uses and development that may be sensitive to such impacts.

Insert additional requirements as relevant, having regard the facility type, its potential adverse impacts, the zoning of the land, any EPA policy or guidelines, and other matters as applicable.

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C--

SCHEDULE [NUMBER] TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO[number]**.

LANDFILL FACILITY SEPARATION DISTANCE/BUFFER AREA

1.0 Statement of environmental significance

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C--

Landfills can have adverse impacts on the surrounding environment and community, including from noise, odour, emissions to air, land or water, vibration, dust, litter, light spill, visual impact, and traffic. Operating and closed landfills also produce landfill gas that can migrate and accumulate; landfill gas poses a risk of explosion and asphyxiation.

Environment Protection Authority policy and guidelines require the separation of landfill facilities and land uses or development that are sensitive to the potential impacts of these facilities; this is referred to as a 'separation distance' or 'buffer area'.

Maintaining a separation distance/buffer area between a landfill facility and sensitive land uses or development, and managing the development of land within the separation distance/buffer area, will minimise the adverse impacts of these facilities on the environment and community and protect the ongoing operation of these facilities.

The ESO[number] applies to the separation distance/buffer area around [landfill facilities] [the XXXX facility].

Different separation distances/buffer areas apply to the area around this/these facility/facilities. These are shown in Figure 1. These separation distances/buffer areas are:

- The primary separation distance/buffer area, in which high levels of [noise / odour / vibration / dust / litter / light spill / visual impact] may be experienced. Development associated with sensitive land uses must be stringently controlled.
- Secondary separation distance/buffer area, in which moderate levels of [noise / odour / vibration / dust / litter / light spill / visual impact] may be experienced. Development associated with sensitive land uses may be appropriate provided these impacts can be avoided, minimised, or ameliorated to an acceptable level.
- Landfill gas separation distance/buffer area, which is susceptible to potential landfill gas migration and accumulation. Development in this area must be stringently controlled.

Include this if different separation distances/buffer areas are defined for different impacts.

2.0 Environmental objective to be achieved

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- To protect and maintain separation distances/buffer areas around landfills from the encroachment of land uses and development that are sensitive to the potential adverse impacts of landfill facilities.

3.0 Permit requirement

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C--

A planning permit is not required to construct a building or to construct or carry out works, except where the building or works is associated with the existing or proposed use of the land for the following sensitive uses:

- Accommodation.
- Child care centre.
- Education centre.
- Hospital.

▪ **Office.**

Include this in circumstances where the ESO applies to an operating landfill.

Include additional sensitive land uses where relevant (for example, where an EPA policy or guidelines specifies other sensitive land uses).

A planning permit is not required to construct a building with at least 50 of its perimeter open.

Include this where the ESO applies to the separation distance/buffer area of a closed landfill.

A permit is not required to remove, destroy or lop any vegetation.

4.0 **Decision guidelines**

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C--

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the Environment Protection Authority and the operator of the landfill facility to which the separation distance/buffer area relates.
- The proximity of the site to the landfill facility and whether the proposed development is located as far as practicable from the facility.
- Any assessment of the potential adverse impacts of the landfill facility on the proposed development, including in relation to noise, odour, emissions to air, land or water, vibration, dust, litter, light spill, visual impact, and traffic.
- Whether the purpose of the development is compatible with or sensitive to the potential adverse impacts of the landfill facility.
- The potential for the future use or development of the lots that will be created by the subdivision of land to be sensitive to the potential adverse impacts of the landfill facility.
- Whether the proposed development has been designed to or includes measures to avoid, minimise or ameliorate the potential adverse impacts of the landfill facility.
- The extent to which the recommendations of any assessment of the potential adverse impacts of the landfill facility on the proposed development have been incorporated within the development and whether the measures are practical and achievable.
- Whether the proposed development has been designed to or includes measures to avoid, minimise or ameliorate the risk of landfill gas migration and accumulation.
- The extent to which the recommendations of any landfill gas risk assessment have been incorporated within the development and whether the measures are practical and achievable.
- The number of people likely to occupy or visit the site as a result of the proposed development.
- The likely frequency and length of stay of any person occupying or visiting the proposed development.
- The degree of choice a person occupying or visiting the proposed development has to remain on the site associated with the proposed development.
- The potential for the proposed development to be expanded and attract additional occupants or visitors.

The ESO template does not include a clause to specify application requirements; these should be included in the LPPF or could be drafted in the form of decision guidelines.