

Lifestyle



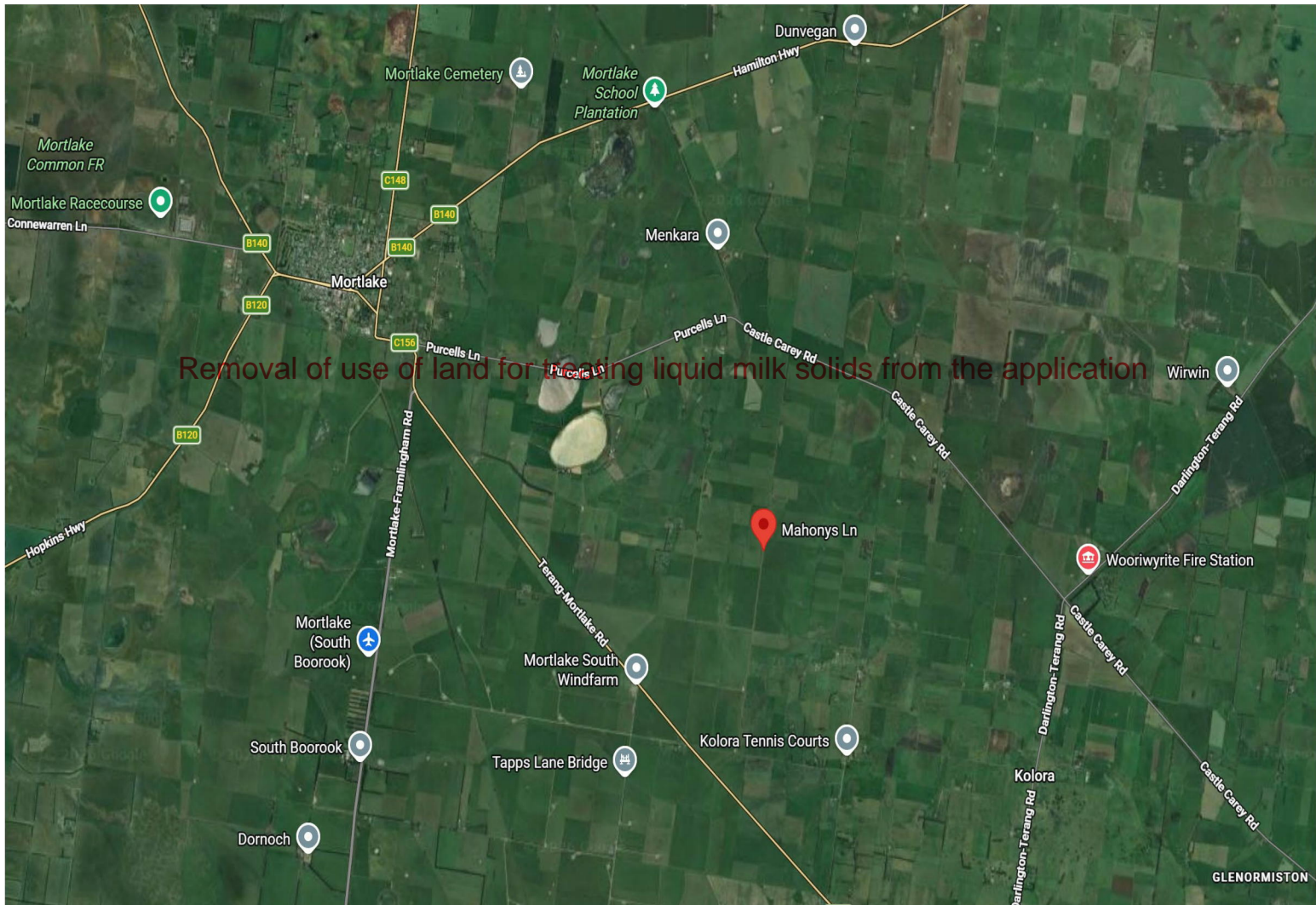
Town Planning & Services

Planning Report

Lot 3 Lot Plan 58553 – Mahonys Road Mortlake

Buildings and works associated with a Section 2 use – industry, (waste water treatment).

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application at Mahonys Road, Mortlake, Vic. 3272.

1. PROPOSAL AND BACKGROUND

The application is seeking retrospective planning approval for the installation of a dam which was installed in July 2025. The landowner did not apply for a planning permit as it was assumed at the time that the works were associated with agriculture and did not require a permit as the use is very much aligned with farming as expounded further in this report.

The dam has dimensions of 80m x 40m and a depth of 6m. The dam is setback approximately 45m from the southern boundary and approximately 140 from the Mahonys Lane boundary (western side). The site has an area of 32.5 ha.

The dam is being used to store and treat liquid milk solids which are a byproduct from the milk and dairy production industry which are transported to the site by tanker on a daily basis. Up to 100,000l of liquid is transported to the site daily in 3 vehicle movements per day. The disposal of this product is problematic for the dairy industry as there is no consistent method of disposal which is done in many ways including irrigation using untreated or partially treated waste water in some areas. The liquid is not able to be disposed of through Wannon Water.

This proposal is an innovative and cost effective method to treat and reuse this waste product so that it can be put to a more productive and environmentally beneficial use, which is to irrigate the adjoining land. This serves a dual purpose, to enable reuse of waste water and to enable improved livestock production in the form of improved fodder and grazing through irrigation.

In order to use the waste water for irrigation, as the milk byproduct has a high acid and fat content, it is treated by using microbes (microorganisms) which are added in 20kg bags on a monthly basis (generally depending on flow rates, water levels etc) to the dam water to break down the liquid milk solids to remove odour and enable the water to be used for irrigation on the adjoining land.

The 32.5ha site is used to rear around 50 calves for beef cattle and for the grass to be cut for hay, with this yield expected to double with the increase in irrigation afforded by the treatment and reuse of waste water.

As the process has strong links to agriculture, the landowner was initially of the view that no permit for use was required. In making this application it is in fact debatable and is open to interpretation if in fact a permit is required, however this application has been submitted to satisfy Councils request and to ensure that the ongoing use of the site can be conducted lawfully.

It is also possible that this innovation could be expanded as a potentially new way of dealing with this form of problem dairy waste in a sustainable and value adding way.

The dam water has been tested post treatment with results confirming that the dam water when treated is suitable for irrigation.

The site has an EPA licence granted in November for waste and resource recovery refer below.



Registration

Environment Protection Act 2017

Removal of use of land for treating liquid milk solids from the application

Registration number	R000313457
Issue date	10 November 2025
Expiry date	10 November 2030
Registration holder	
ACN	688639563
Activity site(s)	Mahonys Lane, Mortlake, Victoria, 3272, Australia
Prescribed permission activities	A13c (Waste and resource recovery - small)

Granted under section 85(1) of the *Environment Protection Act 2017* (the Act).

Manager, Permissioning
Delegate of Environment Protection Authority Victoria (EPA)

Site plan



1 Site Plan - Dam Location
1 : 1500

All measurements provided are estimates derived from the scaling of aerial imagery and should be considered approximate.



The product and supplier used to treat the dam water



Ignition Compost Starter and Effluent Digester



Ignition Compost Starter & Effluent Digester unlocks the potential of your farm compost.

- Breaks down solid waste and boosts the uptake of this material when applied to the growing area of your farming enterprise.
- Helps to create a cost-effective, sustainable fertiliser by making the nutrients in your compost, more readily available to plants.

Directions for use as a compost starter:

1. Mix 5 kgs of the blend to every 10 tonnes of compost material.
2. Spread it over compost and turn so Biolink Ignition is fully blended into all material.
3. Regularly turn your compost - at least every 3 to 4 days.
4. 3 weeks after the initial application, your compost should be ready to use on your crops and pastures.
5. Each 20kg bag will treat 40 tonnes of material.

GUARANTEED MINIMUM ANALYSIS

Nitrogen	7.27%
Phosphorus	5.0%
Potassium	1.57%
Sulphur	0.77%
Calcium	9.9%

ACTIVE INGREDIENTS

Blood meal, fish meal, bone meal, humic fulvic acid & microbial inoculants



Available in 20 kg bag

www.biolink4plants.com.au

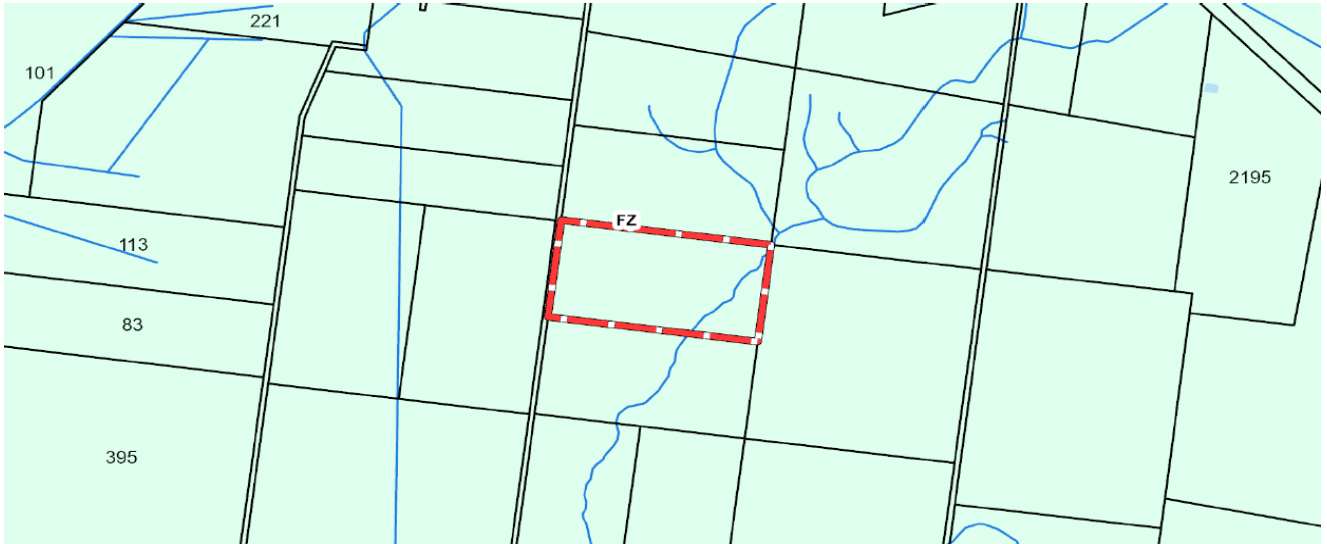


Manufactured by Biolink4Plants & Animals Pty Ltd, 5 Sinnott Crescent, Camperdown VIC 3260
Kevin: 0400 061 732 | Graham: 0429 939 260 | E: info@biolink4plants.com.au | ABN 49 606 914 372

2. PLANNING CONTROLS

Zone

The site is located in the Farming Zone (FZ)



Overlays

None.

Removal of use of land for treating liquid milk solids from the application

Other

The site is within a Designated Bushfire Prone Area.

Permit requirements

- A permit is required for the use of land for industry at **Clause 35.07-1**. The actual land use is potentially “innominate” and could potentially fit within a number of defined land uses such as “materials recycling”, “rural industry” and it is therefore acknowledged that “industry” may be too broad a definition.
- A permit is required pursuant to **Clause 35.07-4** – buildings and works associated with a section 2 use.

3. SITE ANALYSIS

The property has frontage to Mahonys Lane which is some 2.5 kms east of the Terang Mortlake Road and approximately 7.5km south of Mortlake. The land is undeveloped and has been used for grazing. There is a gravelled access road into the site leading from Mahonys Lane which is also a gravelled road leading to Terang Mortlake Road. The land contains an existing dam and windmill and hayshed in the southwest corner. There is a culvert installed at the access into the site and a small watercourse which is believed to be man-made running broadly north/south through the southern section of the site.

The Mortlake South wind turbines are situated approximately 2km to the southwest.

Aerial view



Site access taken from Mahony's Lane



Site access taken from Mahonys Lane



Dam looking west



Looking north



4. RESTRICTIONS ON TITLE

None

5. PLANNING ASSESSMENT

Clause 35.07

FARMING ZONE

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

Removal of use of land for treating liquid milk solids from the application
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Clause 35.07-6

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

- *How the use and development makes use of existing infrastructure and services.*

ASSESSMENT

An assessment of the Planning Policy Framework and Municipal Planning Strategy is provided later in this report.

There is no flooding identified on the site.

The dam and the water treatment process benefits agriculture by collecting and treating waste water for reuse as irrigation.

The use of land is consistent with general farm activity and traffic movements with xxx tanker deliveries to the site daily which is considered and compatible with surrounding farm activities.

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

Removal of use of land for treating liquid milk solids from the application

- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether Rural worker accommodation is necessary having regard to:*
 - *The nature and scale of the agricultural use.*
 - *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
- *The duration of the use of the land for Rural worker accommodation.*

ASSESSMENT

The proposal will support and enhance agricultural production by improving the irrigation on the land which will also increase the grazing and fodder capacity of the land.

The use has no adverse impacts on the surrounding agricultural activity as vehicle movements are modest and consistent with surrounding uses. There is no excessive odour as the microbes effectively reduce odour.

Accommodation issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*
- *The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:*
 - *A permit for a wind energy facility; or*
 - *An application for a permit for a wind energy facility; or*
 - *An incorporated document approving a wind energy facility; or*

Removal of proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.

- *The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

ASSESSMENT

There is no proposed accommodation associated with the proposal.

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*

- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

ASSESSMENT

The dam provides an overall environmental benefit in the form of improved environmental and water treatment practices, and additional irrigation. Once treated the dam water is suitable for wildlife and biodiversity.

Design and siting issues

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*
- *The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:*
 - *A permit for a wind energy facility; or*
 - *An application for a permit for a wind energy facility; or*
 - *An incorporated document approving a wind energy facility; or*
 - *A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.*
- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

ASSESSMENT

The site is accessed via an all-weather road leading from a government road. The dam is not visible from a distance and enhances agricultural production without loss or fragmentation of farmland.

02.03-4

Natural resource management

Agriculture

Rural land in the municipality forms part of the highly productive Western District. A mild climate, high and well distributed rainfall, a diverse range of soil types and access to markets have combined to make the Shire a significant agricultural area. Intensive dairying and crop production are significant land uses in the coastal hinterland, while extensive cropping and grazing enterprises, including beef cattle and sheep for wool and meat, are major activities in the northern part of the Shire.

Agricultural areas along the coast, between settlements and on the edge of townships are under pressure from other forms of development, particularly housing on existing small lots interspersed with farming land. The construction of dwellings on many or all such lots would not be consistent with responsible management of rural land. Such areas include:

- Extensive areas where the size of lots is less than half the minimum lot size specified under the Farming Zone; and*
- Areas of open farming land which are comprised of comparatively small lots that are distant and isolated from townships with appropriate infrastructure and services.*

Demand for rural lifestyle properties on small lots has increased mainly in the south of the Shire, and the proliferation of dwellings for lifestyle or hobby farm purposes in rural areas can compromise the long-term viability of farming. Dwellings or small lot subdivisions can sometimes genuinely be required to support agricultural production, however the development of isolated dwellings and housing clusters of small lots that are not associated with agriculture can result in land use conflicts, the loss of productive agricultural land and inefficient demand for social and physical infrastructure services. Council seeks to direct the demand for rural lifestyle living to land zoned for such purposes. A 'Lifestyle Farming' area at Bushfield, Grassmere and Wangoom is intended to accommodate demand for lifestyle farming and small-scale farming enterprises which can make productive use of agricultural land.

The Belfast Rural area (also known as the Killarney Area) between Rosebrook and the Tower Hill Wildlife Reserve comprises high quality fertile volcanic soils that have traditionally been the focus for potato farming. The area is characterised by a large number of small land holdings that are predominantly managed as conglomerations.

Sustainable timber production and the development of timber industries to process product are supported where they are undertaken with minimal adverse impacts.

Water

Areas along the coast and to the west of the municipality have been identified as high potential groundwater recharge areas. Development with the potential to impact upon the water table must be designed to respond to this constraint.

Strategic directions

- *Encourage sustainable farming practices to protect water supply, manage salinity and pests, and maintain the long-term viability of agriculture in the Shire.*
- *Protect the natural and physical resources upon which agricultural industries rely.*
- *Prevent land use conflicts between agricultural uses and sensitive uses.*
- *Limit the use of productive agricultural land for non-productive agricultural purposes.*
- *Restrict the rural residential use of productive agricultural land.*
- *Avoid industrial activities in rural zones unless they are directly related to agricultural production.*
- *Encourage farming and primary production uses on the high quality fertile volcanic soils around Koroit and Killarney.*
- *Encourage the consolidation of titles and discourage the further subdivision of land in the Belfast Rural area.*
- *Ensure development in high potential groundwater recharge areas is compatible with site capability and retains native vegetation.*
- *Remove of use of land for treating liquid milk solids from the application*
- *Ensure the growth and management of forests for timber production is balanced with environmental, landscape and social values.*
- *Support the extraction of basalt, sand, limestone and scoria in appropriate locations.*

ASSESSMENT

The concept of farming practices that protect water supply and maintain long term viability of land are supported by this clause and provided by the proposal in the for of waste water treatment and reuse for irrigation and environmental benefit.

02.03-7

Economic development

The economy of the Shire is based on agriculture, manufacturing, tourism and commerce.

Agriculture

Agriculture is the most important sector of the local and regional economy and a major source of local employment. The Shire is within Australia's largest dairy production region that contributes around a quarter of the nation's milk production.

The Western Victoria Livestock Exchange at Mortlake has a key role in supporting the regional agricultural sector.

There are opportunities for economic diversification through the development of aquaculture, horticulture and intensive agricultural enterprises, and agriculturally linked value adding industries. Value adding onsite or closer to the source of the product provide opportunities to expand the local economy.

The preservation of agricultural land in large holdings is necessary to maintain the economy of the Shire, including the service and processing industries that support agriculture.

ASSESSMENT

The proposal is an innovative solution to a waste water problem which provides improved environmental, economic benefits by value adding to the land.

Clause 14.01-2S

Sustainable agricultural land use

Objective

To encourage sustainable agricultural land use.

Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

*Removal of use of land for treating liquid milk solids from the application
Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*

Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.

Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

Support agricultural investment through the protection and enhancement of appropriate infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

ASSESSMENT

As previously discussed, the innovative nature of the is fully supported by the above Clause.

Clause 14.02-2S

Water quality

Objective

To protect water quality.

Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Ensure that the siting, design, operation and rehabilitation of landfills avoids impacts on groundwater and surface water.

Avoid detrimental impacts on groundwater resources and minimise risk of harm to human health and the environment from proposed land use or development.

ASSESSMENT

The nature of the soils and observations have noted that the dam contents does not seep into ground water supplies. The use of microbes to treat the waste water allows for water reuse for irrigation.

6. CONCLUSION

As discussed in this report, the proposed site is considered an ideal location to site the dam for its intended purpose.

The potential for this kind of waste water treatment is considerable with numerous economic, environmental and farm improvement benefits without posing detriment to the amenity or agricultural practices nearby.

The proposal is innovative and cost effective with enormous potential to be rolled out in other locations.

It is hoped that the proposal is supported by Council. The applicants would however be happy to discuss the proposal in greater detail if required should Council require further information.

Removal of use of land for treating liquid milk solids from the application