

25 September 2023

Jack Wiltshire
Strategic Planner
Macedon Ranges Shire Council
PO Box 151
Kyneton VIC 3444



Dear Jack,

RE: MACEDON RANGES SHIRE COUNCIL – DRAFT ROMSEY STRUCTURE PLAN – PUBLIC CONSULTATION

Thank you for the opportunity to provide our views on the Draft Romsey Structure Plan (the Draft Structure Plan), currently on public consultation, and referred to the EPA via email on 14 August 2023.

EPA has reviewed the following documents of relevance:

- Draft Romsey Structure Plan, prepared for the Macedon Ranges Shire Council, May 2023.
- Romsey Structure Plan – Investigation Areas Report, prepared for the Macedon Ranges Shire Council, February 2022.

Ministerial Direction 19

The recognition of the preventative value of EPA's early involvement in strategic land use planning is reflected in Ministerial Direction 19 (MD19). MD19 requires planning authorities to seek early views from EPA when undertaking strategic planning processes that may significantly impact Victoria's environment, amenity or human health due to pollution and waste.

EPA's consideration and views on relevant planning matters is intended to support decisions made by planning authorities in the early stages of the planning process. It is in this context that EPA provides the following comments.

Our Understanding of the Proposal

EPA understands that Council has prepared the Draft Structure Plan to manage growth and development in Romsey to 2025 and will replace the current Romsey Outline Development Plan, which set the direction for the town until 2021.

The Draft Structure Plan includes the following matters which are of relevance to the EPA:

- Proposal for an expanded settlement boundary with new residential and new employment land proposed on existing Farming Zone (FZ), Commercial 2 Zone (C2Z) and Industrial 1 Zone (IN1Z) land;
- New employment precinct;
- New Secondary School and Open Spaces; and,
- Proposed separation distances for the new Employment Precinct and existing Romsey Wastewater Treatment Plant (the Romsey WWTP).

epa.vic.gov.au

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Previous Responses

EPA has to date, provided two responses to Council relating to the preparation of the Romsey Structure Plan (29 November 2018, EPA reference: REQ5009076) and (5 April 2022, EPA reference: REQ001822) regarding:

- Application of the Environmental Significance Overlay for the buffer of the Romsey Wastewater Treatment Plant (the Romsey WWTP);
- Off-site impacts; and,
- Potentially contaminated land.

EPA Views

EPA has reviewed the Draft Structure Plan taking into account the potential risks of harm to human health, the environment and amenity from pollution or waste, and it is in this context that EPA provides the following comments to Council.

Separation Distances

The purpose of separation distances is to protect sensitive land uses from adverse amenity and health impacts from air emissions such as odour, dust, and noise. They also protect industry from encroachment where the impacts from activities such as industrial facilities or intensive animal industries on nearby sensitive uses can constrain the full operation and sometimes ongoing viability of those industries.

The Draft Structure Plan proposes the following separation distances:

- 1000m for the existing Romsey WWTP; and
- 200m for the proposed Employment Precinct.

Romsey Wastewater Treatment Plant

The recommended separation distance for a wastewater treatment plant (WWTP) is informed by EPA Publication 1518 *Recommended separation distances for industrial residual air emissions*ⁱ (EPA Publication 1518). EPA Publication 1518 (page 15) states that the separation distance for each plant is informed by a calculation based on the size and operations, refer table 6, and should be determined in consultation with EPA.

The Draft Structure Plan refers to an 'existing' 1000m separation distance, which EPA understand has been referred to, based on discussion between Council and GWW. However as noted above, the separation distance should be determined in consultation with EPA, and no discussions or work to determine the separation distance have yet been finalised with EPA.

Further, Planning Practice Note 92 *Managing buffers for land use compatibility* (March 2021) (PPN92) also provides a process whereby a site specific separation distance can be determined. Therefore, Council must ensure that any separation distance meets the requirements of either EPA Publication 1518 or PPN92, both of which require consultation with EPA.

ⁱ EPA Publication 1518 will be replaced by the proposed EPA Publication 1949 *Separation distance guideline*, once finalised. Council should also become familiar with the changes proposed in EPA Publication 1949.

In addition, Council should ensure that any future proposed open space, secondary school and future urban growth areas to accommodate sensitive land uses are located outside of the separation distance that is established for the WWTP.

Draft Structure Plan – Strategy 21

Strategy 21 of the Draft Structure Plan includes the following:

“Reduce potable water usage and minimise the volume of urban run-off and pollution that reaches local creeks and waterways.”

With the actions underneath outlining:

“Advocate to Greater Western Water to finalise the buffer area required around the Romsey Water Treatment Plant in conjunction with the EPA to ensure this outcome feeds into the final Romsey Structure Plan” and,

“Ensure the finalised buffer areas are incorporated into the Macedon Ranges Planning Scheme via the appropriate planning overlays such as the BAO.”

It appears to EPA that these actions may be placed under the incorrect strategy as the Buffer Area Overlay (BAO) and buffer area is primarily about the impact on sensitive land uses, not local creeks and waterways.

Employment Precinct buffer

The Draft Structure Plan states an action under Strategy 8 to; *“Provide a minimum 200 m buffer between the new Employment Precinct and any new residential development within proximity.”* It is unclear to EPA, what has informed this buffer distance, and it does not appear to be shown on any plans, however we draw Council’s attention to Clause 53.10 of the Victoria Planning Provisions which sets out the threshold distances for different types of uses and activities with potential adverse impacts. Many land uses listed in this clause have a threshold distance greater than 200m, and if sensitive uses are proposed beyond the 200m buffer, this may limit the future industrial uses that may be carried out within this precinct. EPA requests this matter to be clarified.

Moreover, once the WWTP separation distance has been established, Council should refer to Section 10.2 which discusses interface land uses that can be located within separation distances between industrial land uses and sensitive land uses.

Land use compatibility

The location of future residential growth areas would result in direct interfaces with the existing Farming Zone land and agricultural activities.

Agricultural activities have the potential to produce off-site impacts, such as noise, dust and odour. Clause 13.07-1S *Land use compatibility* of the Macedon Ranges Planning Scheme aims to protect community amenity, human health and safety while facilitating appropriate commercial, industrial or other uses with potential adverse off-site impacts.

It is unclear to EPA whether Council have considered the potential amenity impacts that may arise from agricultural activities. EPA recommend that land use compatibility is addressed in the Draft Structure Plan, including how potential amenity impacts may be prevented or mitigated, having regard to the strategies listed at Clause 13.07-1S, which include:

- *“Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively”.*

Potentially contaminated land

Contaminated land has the potential to harm human health and the environment. Development of land provides an opportunity to address contamination and mitigate any risks posed to human health, the environment, as well as building and structures.

Potentially contaminated land is defined in Ministerial Direction No.1 (MD1) – Potentially Contaminated Land and Clause 73.01 General Terms of the Victoria Planning Provisions (VPP) as land:

- “used or known to have been used for industry or mining;*
- used or known to have been used for the storage of chemicals, gas, waste or liquid fuel (other than minor above-ground storage that is ancillary to another use of the land); or*
- where a known past or present activity or event (occurring on or off the land) may have caused contamination on the land”.*

EPA recommend that Council seek to understand any particular sites of known contamination and consider these in the context of where future growth will be located, noting that potentially contaminated sites may require further assessment prior to rezoning. It may also be worth identifying these sites in the Draft Structure Plan.

Transport noise and air quality impacts

EPA highlights that future residential development would abut Melbourne-Lancefield Road (Transport Zone, Schedule 2 – Principal Road Network). Recorded traffic volumes on the Traffic Volume website provided by the Department of Transport and Planning, show that for Melbourne-Lancefield Road 9000 vehicles of which 620 are trucks, use the road each day. EPA highlights the potential risk of harm to human health and amenity due to noise pollution from Melbourne-Lancefield Road on proposed sensitive uses. EPA directs Councils attention to Clause 13.05-1S *Noise Management* in the Macedon Ranges which seeks to: *“Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area”.*

In addition, the health impacts of traffic related to air pollution near major roads are significant and widely recognised both within Australia and internationally. Public concern about air quality is commonly raised for major road developments, existing roads being upgraded and plans to develop sensitive uses near major roads.

EPA recommends that Council considers the existing transport networks that may cause noise, vibration and air quality impacts, when considering where to direct future growth within Romsey.

Other matters

The following statement included in the *Investigation Areas Report* should remove reference to EPA given this statement has come from elsewhere:

"The land lies within close proximity of the Romsey Water Treatment Plant. An indicative buffer provided by the EPA disqualifies 91 hectares from the investigation area for urban development."

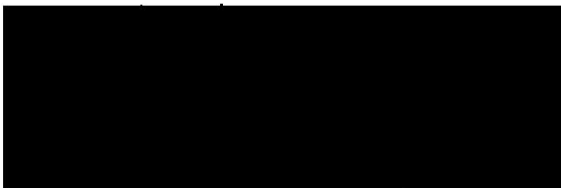
Summary and Submission

EPA's view and recommendations are summarised as follows:

1. Ensure that any separation distance meets the requirements of either EPA Publication 1518 or PPN92, both of which require consultation with EPA, given that a 1000m separation distance has been specified for the Romsey WWTP within the Draft Structure Plan.
2. Ensure that any future sensitive land uses are located outside of the separation distance that is established for the WWTP.
3. EPA requests that Council clarify and provide further detail regarding the 200m Employment Precinct buffer, because it is unclear to EPA what has informed this buffer distance.
4. Refer to Section 10.2 of EPA Publication 1518 when considering interface land uses, once the recommended separation distance for the Romsey WWTP has been established.
5. Consider land use compatibility in the Draft Structure Plan, including how potential amenity impacts may be prevented or mitigated, having regard to the strategies listed at Clause 13.07-1S.
6. Understand any particular sites of known contamination, and whether it is worth identifying these sites in the Draft Structure Plan.
7. Consider the existing transport networks that may cause noise, vibration and air quality impacts, when considering where to direct future growth within Romsey.
8. The *Investigation Areas Report* should remove reference to EPA, as outlined in this letter.

Closing

EPA thanks Council for the opportunity to provide its views and extends an invitation to meet further for discussions if necessary. If you need additional information or would like to discuss this matter further, [REDACTED]



Environment Protection Authority Victoria

26 September 2023

Strategic Planning
Macedon Ranges Shire Council
PO Box 151
KYNETON VIC 3144

Dear Sir/Madam,

Draft Romsey Structure Plan (June 2023) Submission

Thank you for providing Greater Western Water (GWW) with notice of the draft Romsey Structure Plan (June 2023) (the Structure Plan) and inviting to make a submission. The Structure Plan is of considerable interest to GWW, which not only services the area but owns and operates essential local infrastructure.

Who is GWW and what is their role?

GWW provides drinking water, recycled water, sewerage and trade waste services across an area stretching west from the Melbourne Central Business District and capturing most of the Macedon Ranges Shire. At present, GWW services approximately 550,000 residential customers and more than 50,000 non-residential customers across an area of 3,700 square kilometres. Considerable growth is forecast to occur within its customer area and GWW's purpose statement is to continue to provide trusted water services for the community and future generations.

Romsey Recycled Water Plant

GWW operates the Romsey Recycled Water Plant (RRWP), which has been a vital community asset since the 1970s.

RRWP is a lagoon plant that is located on Portingales Lane in a rural area approximately 4km from the Romsey town centre. GWW owns the plant, which is zoned Public Use, as well as some land to the south, which is zoned Farming Zone (FZ) pursuant to the Macedon Ranges Planning Scheme (see Figure 1).

Principally, GWW's land borders land within the FZ, although to the north it borders land zoned Rural Living Zone. The boundaries of GWW's land are as follows:

- To the west by Portingales Lane, with the exception of the industrial zone where a waste transfer station is located.
- To the east by Deep Creek.
- To the north by Romsey Road.
- To the south by Government Road, which is unmade and is an extension of Greens Lane.

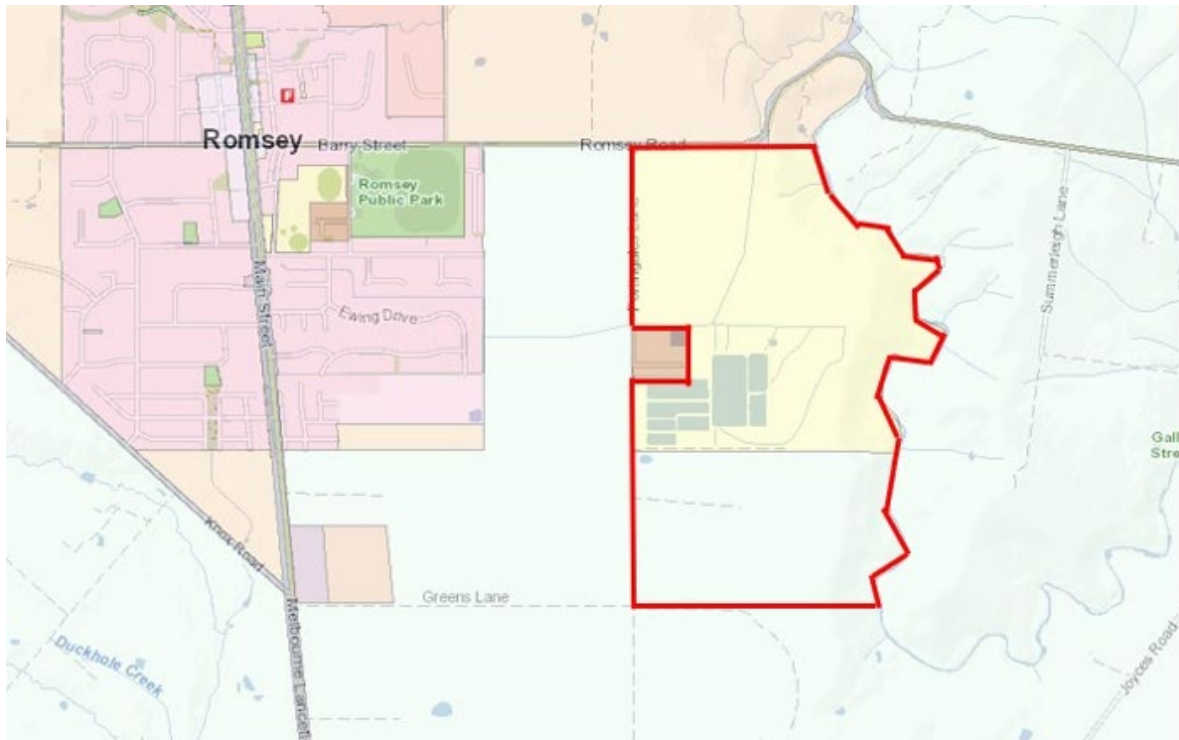


Figure 1 Existing zone plan showing GWW land

At present, the closest sensitive receptors to the plant's lagoons are located 900m away to the west. There is also a dwelling located approximately 1km to the north-east and approximately 1km to the east.



Figure 2 Aerial photo showing RRWP (nearest existing residential interfaces shown)

The RRWP produces recycled water, suitable for a range of uses including irrigation of crops although unsuitable for some other uses that are currently apparent in the area. Population growth has meant that the RRWP is close to capacity and GWW is in the process of investing in various upgrade works to increase its treatment and storage capacity and better manage recycled water.

The existing strategic planning context

The Planning Scheme protects critical infrastructure, such as the RRWP, and seeks to manage any issues arising at the interface between a use with potentially adverse impacts and a sensitive land use.

Specifically, Clause 13.07-1S (Land Use Compatibility) includes strategies which seek to ensure use and development is compatible with adjoining and nearby land uses and avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts. It also seeks to protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively. Pursuant to the local policy at Clause 13.07-1L, Council seeks to protect the ongoing operation of the RRWP from encroachment by sensitive uses.

For the case of the RRWP, the management of air quality (and specifically odour emissions) in the surrounding area is most important. Clause 13.06-1S (Air Quality Management) seeks to assist the protection and improvement of air quality. It includes the following strategy:

- *Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, childcare centre, school, education centre, residential aged care centre or hospital).*

Currently, the RRWP is provided with a buffer, determined from the Environment Protection Authority Guidelines. Broadly based on current population, the required separation distance is 700m however, as population increases, the required buffer also increases.

Clause 19.03-3S (Integrated Water Management) seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach. Its strategies include plan and coordinate integrated water management to (among other things) minimise drainage, water and wastewater infrastructure and operational costs. Other strategies include:

- *Ensure land is set aside for water management infrastructure at the subdivision design stage.*
- *Minimise the potential impacts of water, sewerage and drainage assets on the environment.*
- *Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.*
- *Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality. Ensure that the use and development of land identifies and appropriately responds to potential*

environmental risks and contributes to maintaining or improving the environmental quality of water and groundwater.

Considering the foregoing summary, GWW submits that the Structure Plan contains some more specific concerns which are described below.

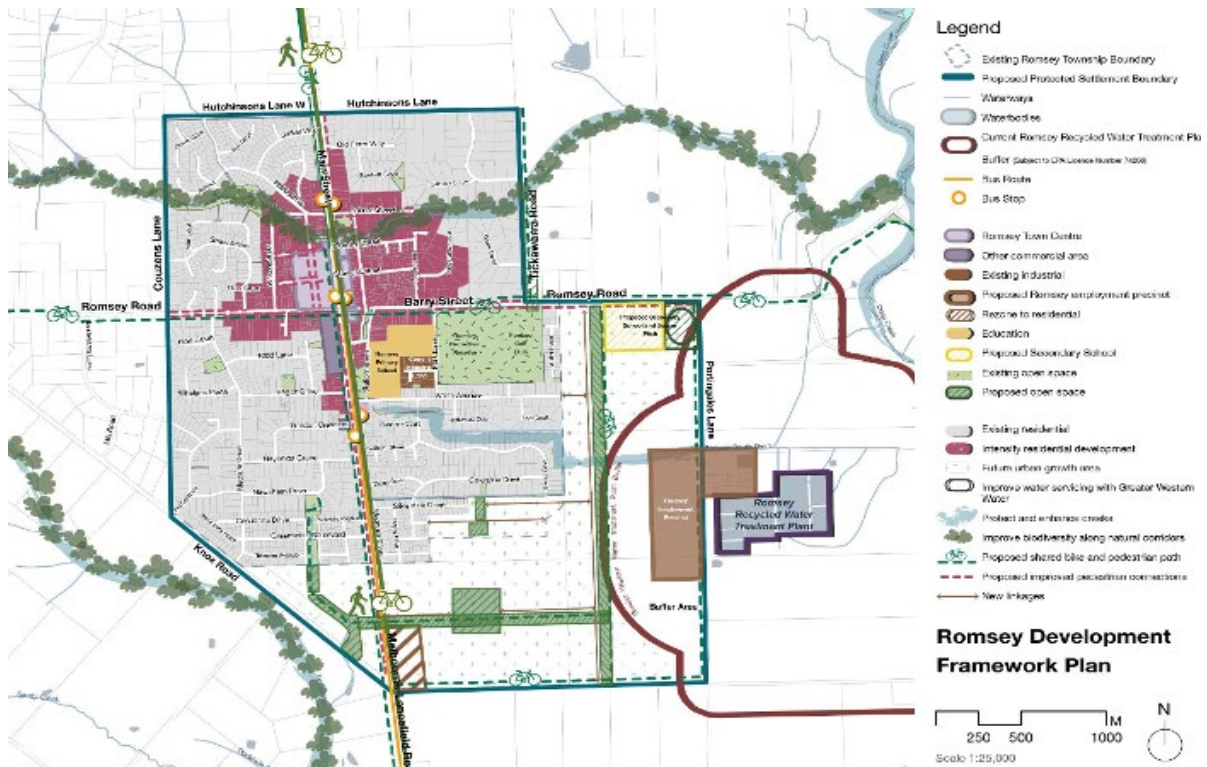


Figure 3 Excerpt from Romsey Structure Plan

The proposed extent of urban development

The proposed Romsey Township Framework Plan (the Framework Plan) indicates that the eastern Protected Settlement Boundary (PSB) will align with Portingales Lane, immediately outside the RRWP (although it will also incapsulate the Industrial 3 Zone land on the east of Portingales Lane).

As shown on the Framework Plan, the 'Current Romsey Recycled Water Treatment Plant Buffer (subject to EPA Licence No. 74268)' sits to the west of the proposed PSB. The overlap between the two areas may create issues.

As foreshadowed above, GWW is progressing with plans to introduce a Buffer Area Overlay (BAO) around the RRWP. It is evident from Strategy 21 of the Structure Plan, that Council broadly supports this project, and acknowledges that this work should feed into the final Romsey Structure Plan. GWW submits that this is critical.

Overlap area within PSB and existing buffer

The boundaries of the BAO are to be determined by an odour analysis, which is underway. This analysis may alter the extent of the buffer as currently shown in the Framework Plan. The required odour analysis involves a technical and time-consuming assessment of the perception of odour during different weather conditions, times and seasons. The final results are expected to be some time off however GWW will share the results with Council when available.

There is a risk in Council progressing with the Structure Plan in the absence of this information, as the areas east and south of the township may ultimately find their opportunities curtailed by a new BAO. Moreover, the actual delineation of the buffer (and in particular the location of potential residential land uses) may also need to be modified depending on the results of this analysis.

The proposed uses within the existing buffer

Notwithstanding any potential change to the buffer designation, GWW is concerned about both the proposed secondary school (specifically the area of active open space to the east of the township) and the proposed Romsey Employment Precinct encroaching into the existing buffer.

The school would constitute a sensitive use and it is one where people (both staff and students) spend a considerable amount of time (including on the sporting ovals). Staff and students using the oval are likely to be subject to odour emissions from the RRWP, which they are likely to deem unacceptable. The school and its outdoor space should be moved entirely outside the existing designated buffer.

In terms of the Romsey Employment Precinct, from the Proposed Romsey Zoning Changes map included in the Structure Plan, this area is intended to be rezoned Industrial 1 Zone (IN1Z). This zone facilitate uses which could be sensitive to odours produced by the RRWP. While the commercial processes associated with industrial land use themselves may well be compatible with the RRWP, it is the long-term occupation of the Precinct by workers which is of concern to GWW.

Most, if not all, industrial and commercial businesses rely on at least some staff on the premises during business hours. Furthermore, 'office' is a use permitted in the IN1Z and has a high floor space occupancy (meaning more people on the site). Similarly, 'education centre', 'place of assembly' and 'retail premises' (other than shop) are all permitted uses in the INZ1 and may all pose issues of compatibility with the RRWP.

GWW is concerned that by enabling an industrial zone in this location it will facilitate uses with potential to raise objections to the treatment plant and hinder its ability to perform its critical services. Furthermore, the Romsey Employment Precinct is likely to find itself subject to a BAO in the future, which will limit its ability to perform its intended role.

Potential supply/capacity issues

The Structure Plan anticipates a considerable expansion to the existing urban extent and in turn will generate a commensurate increase in demand of GWW services to the existing water filtration plants for provision of drinking water and RRWP for treatment of wastewater.

With respect to capacity and impact to the RRWP, an action listed under Strategy 21 is to work with GWW to ensure there is adequate capacity within the RRWP to facilitate the growth of Romsey and provide long term plans to deal with the impacts of climate change. GWW is committed to working collaboratively with Council and the community in future planning of the RRWP.

The Romsey Water Filtration Plant (RWFP) sits to the west of the Structure Plan boundary on Glenfern Road and supplies drinking water to the Romsey township. The nature of the RWFP operation and the distance of the plant from the Structure Plan boundary is such that the risk profile is significantly less than that associated with RRWP.

Provision of Water and Sewer services

The structure plan is located beyond the current water and sewer network extents. An extension of both networks will be required, as well as potential augmentation of existing assets to ensure the growth is able to be serviced.

The proposed changes will eventually enable the temporary pump stations servicing the Lomandra and Autumn Views estates to be decommissioned and replaced with a permanent pump station along Portingales Lane in the south-east corner of the subject site. This can be located within land affected by the RRWP buffer and would pump directly to the head of the RRWP.

Integrated Water Management

GWW supports the emphasis on integrated water management throughout the Plan. Below are some key areas where it could be further strengthened:

- **3.2.6 Sustainability and Resilience** This could be further enhanced by a greater emphasis of the role of integrated water management specifically in relation to dot points 1, 2 and 4.
- **6.2 Biodiversity** Romsey could benefit from a wetland treatment system on the Romsey South Drain in the buffer area adjacent to the RRWP. The ambition should be high, to not only treat new development, but to also take the opportunity to manage Romsey's existing stormwater runoff to best practice - this is a one-off opportunity. A further dot point at 6.2 should be added to reflect this. GWW would also welcome investigations into a chain of wetlands which include final polishing wetlands from RRWP.
- **6.4 Figure 9** Water sensitive urban design (WSUD) in streetscapes could be further strengthened through greater emphasis and also inclusion in relevant cross sections such as Fig 9 which could incorporate WSUD such as raingardens, swales and/or tree pits.
- All planning and design for stormwater discharge to the Romsey South Drain must consider any added flood risk to the RRWP and GWW's ability to undertake emergency discharge to the Romsey South Drain.