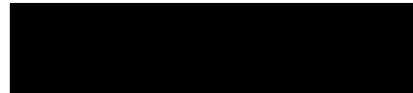


ATTACHMENT 3 - GREATER GEELONG PLANNING SCHEME RESPONSE

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PREPARED BY:



PAVILION FARM 13

Greater Geelong
Planning Scheme Assessment
Planning Permit Application PP-789-2025

415 Carrs Road
Anakie VIC 3213

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The following provisions of the Greater Geelong Planning Scheme are of relevance to this application. Each clause is reproduced in summary form, followed by the Applicants' responses and a conclusion as to compliance. References to "the Applicant" or "the Applicants" throughout this document refer jointly to Pavilion Farms as proprietors of the land the subject of this application.

This Attachment 3 should be read together with the Planning Summary Report, the Environmental Management Plan, the GHD Odour Assessment Report and the Broiler Code Application Checklists in Attachment 4.

Clause 01 — Purposes of the Planning Scheme

The purposes of the Greater Geelong Planning Scheme are to:

- Provide a clear and consistent framework within which decisions about the use and development of land can be made.
- Express state, regional, local and community expectations for areas and land uses.
- Provide for the implementation of State, regional and local policies affecting land use and development.
- Support responses to climate change.

Applicant Response:

The Proposed Development is a bona fide rural farming activity which meets the requirements of the planning scheme. Farm 13 (Farm 3 Expansion) is sited within the Farming Zone on land suitable for intensive agricultural use, and forms an extension of an existing operation that is already integrated with the Anakie agricultural setting.

The key sections of the planning scheme which are relevant and ought to be considered in the determination of this application are addressed in turn below.

Clause 02 — Municipal Planning Strategy

The Municipal Planning Strategy of the Greater Geelong Planning Scheme sets out the strategic vision and directions for the municipality, including for environmental and landscape values, environmental risks and amenity, natural resource management, economic development, and transport.

Environmental and Landscape Values

Council seeks to protect significant landscapes and biodiversity values across the municipality. The Anakie locality includes the Brisbane Ranges and the You Yangs, which are areas of identified landscape value.

Applicant Response:

The subject land is located on flat to gently undulating cleared agricultural land in the Anakie locality and is not identified as a significant landscape area in the planning scheme.

The Proposed Development has been sited to avoid impact on significant landscape features and will be screened by a perimeter landscape buffer planted with locally indigenous species, as detailed in the Landscape Plan (Attachment 9).

Environmental Risks and Amenity

Council seeks to address environmental risks and amenity by minimising the potential impact of development on water pollution, land degradation and the risk of salinity and erosion, and by ensuring land capability supports land use and development, particularly in areas of environmental risk.

Applicant Response:

The Proposed Development is located in the Farming Zone and poses no risk to ground or surface water. There are no rivers, lakes or wetlands within the immediate vicinity of the development. Stormwater is managed entirely on-site via a drainage plan that captures shed roof, hardstand and access road runoff and directs it to an on-site retention dam for reuse in farm operations.

Land capability has been assessed and the site is suitable for the proposed use. The Proposed Development will not contribute to land degradation, salinity or erosion.

Natural Resource Management — Agricultural Land

Council's strategic directions for agricultural land include protecting agricultural land of local and regional strategic significance, promoting agriculture as a primary land use, avoiding the fragmentation of productive agricultural land, and discouraging the use and development of land that could create conflict with existing agricultural activities.

Applicant Response:

The Proposed Development is a bona fide intensive agricultural use located in the Farming Zone. The use directly supports Council's strategic intent to promote agriculture as a primary land use in the rural areas of the municipality.

Farm 13 forms part of an established agricultural enterprise (Pavilion Farms' Anakie operation) and does not result in fragmentation of agricultural land. The footprint of the broiler shed complex is approximately 7 hectares, with the balance of the property continuing to support grazing and dryland agriculture.

Natural Resource Management — Animal Husbandry

Council's strategic direction for animal husbandry is to ensure that animal husbandry is located, sited and designed to protect the amenity of residential areas and minimise impacts on the environment.

Applicant Response:

The Proposed Development is sited and designed in accordance with the Victorian Code for Broiler Farms 2009 plus 2018 Amendments, with separation distances and amenity controls supported by the GHD Odour Assessment Report (October 2025) and accepted by EPA Victoria.

The Code-compliant design, the comprehensive Environmental Management Plan and the rural setting of the site together ensure that the use will not unreasonably affect residential amenity.

Economic Development

Council seeks to support agricultural investment, intensive agriculture and industries that build on the region's competitive strengths.

Applicant Response:

The Proposed Development represents significant private capital investment in regional Victoria, contributes directly to the Anakie agricultural cluster, generates ongoing local employment and supports the broader Victorian poultry supply chain through contract growing arrangements with a major Victorian processor.

Transport

Council's strategic directions for transport include connecting smaller towns and supporting the road and movement network.

Applicant Response:

The Proposed Development uses the existing Pavilion Farms crossover on Staceys Road for site access. The access and internal road network are designed and constructed to the standards specified in the Traffic Management Plan (Attachment 7). Indicative average traffic generation is approximately 3.5 truck movements per day plus approximately 7 staff vehicle movements per day, which is readily accommodated by the existing road network without unacceptable impact.

Clause 11.01-1R — Settlement (G21 Region)

Objective:

To plan for a region of growing settlements integrated with employment, transport, infrastructure, services and the natural and built environment.

Applicant Response:

The Proposed Development is not a settlement-related use. It is sited in the Farming Zone outside any identified urban settlement and supports the productive rural land use intent of the planning scheme.

Clause 12.01-1S — Protection of Biodiversity

Objective:

To protect and enhance Victoria's biodiversity.

Strategies:

- Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.
- Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.
- Ensure that decision making considers the impacts of land use and development on Victoria's biodiversity, including consideration of cumulative impacts, fragmentation of habitat, and the spread of pest plants, animals, and pathogens into natural ecosystems.
- Avoid impacts of land use and development on important areas of biodiversity.

Applicant Response:

The subject land is cleared agricultural land in productive use. A Flora and Fauna Assessment has been prepared in support of this application by Mark Trengove Ecological Services (Final, May 2025) (Attachment 8). The assessment confirms that: (a) the proposed development footprint contains no native vegetation requiring removal; (b) there are no implications for any FFG Act-listed species, including the Victorian Grassland Earless Dragon (*Tympanocryptis pinguicolla*), Spiny Rice-flower (*Pimelea spinescens* subsp. *spinescens*), Golden Sun Moth (*Synemon plana*), Striped Legless Lizard (*Delma impar*), and Growling Grass Frog (*Litoria raniformis*); (c) there are no implications for any EPBC Act-listed ecological communities, including the Natural Temperate Grassland of the Victorian Volcanic Plain (Critically Endangered); and (d) the site does not contain habitat values that would constitute an important area of biodiversity for the purposes of this clause.

The site has a closed stormwater management system that captures runoff for reuse and there will be no unacceptable impact on waterways, wetlands or wildlife habitat.

Clause 12.01-2S — Native Vegetation Management

Objective:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies:

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Applicant Response:

The Flora and Fauna Assessment (Attachment 8) identifies the extent of native vegetation (if any) affected by the Proposed Development. Any required removal has been minimised by the siting of the sheds within cleared paddock areas and outside vegetation clusters where reasonably practicable.

Native vegetation offsets (where required) will be secured through the purchase of third-party offset credits in accordance with the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP, 2017). Compliance with Clause 52.17 is addressed below.

Clause 12.03-1S — River Corridors, Waterways, Lakes and Wetlands

Objective:

To protect and enhance river corridors, waterways, lakes and wetlands.

Strategies:

- Protect the environmental, cultural and landscape values of all waterway systems as significant economic, environmental and cultural assets.
- Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.
- Ensure development does not impede the natural flow of waterways or future flood events.

Applicant Response:

There are no rivers, lakes or wetlands within the immediate vicinity of the proposed shed complex. The nearest mapped natural waterway is set well back from the proposed shed footprint, and shed siting maintains a setback of at least 50 metres from any waterway in accordance with the Code.

There are no waste streams from the development that have potential to affect waterways. Stormwater is managed by a drainage plan which directs runoff from shed roofs, hardstand areas and access roads to an on-site retention dam for reuse within the broiler operation for drinking water and shed cooling.

Clause 12.05-2S — Landscapes

Objective:

To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Applicant Response:

The Proposed Development has a small footprint of approximately 7 hectares on flat to gently undulating cleared agricultural land. It is not located within an identified significant landscape area. The maturing perimeter landscape buffer detailed in the Landscape Plan (Attachment 9) will further reduce visibility of the shed complex from public viewpoints over time.

Clause 13 — Environmental Risks and Amenity

Planning should strengthen the resilience and safety of communities by adopting a best-practice environmental management and risk management approach. Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through land use and development compatibility and effective controls to prevent or mitigate significant impacts.

Applicant Response:

The Proposed Development is a Code-compliant intensive agricultural use, supported by a comprehensive Environmental Management Plan, a site-specific GHD Odour Assessment Report accepted by EPA Victoria, and an internal stormwater management system that prevents off-site water quality impacts.

The use is sited in the Farming Zone, separated from sensitive uses by distances supported by the GHD odour modelling, and will be operated by Pavilion Farms in accordance with the EMP and Pavilion Farms' broader environmental compliance framework.

Clause 13.02-1S — Bushfire Planning

Objective:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies:

- Give priority to the protection of human life over all other policy considerations.
- Identify bushfire hazard and undertake appropriate risk assessment by applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Consult with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.

Applicant Response:

The Proposed Development does not involve the settlement of significant numbers of people, accommodating no more than approximately 5 staff at any time. All buildings will

be designed and constructed with appropriate egress, signage and emergency lighting in accordance with the National Construction Code.

The shed buildings are constructed of non-combustible materials including steel, concrete and fire-retardant XFLAM insulated panel cladding.

The Proposed Development includes a comprehensive on-site fire suppression system comprising hydrant network, dedicated firefighting water storage, electric and diesel-driven pumps, and an FRV-compliant hydrant arrangement around the shed complex. The fire system has been designed by a qualified fire engineer and will be approved by the relevant authority prior to commencement of use.

The perimeter landscape buffer and on-site water resources further support emergency response in the event of a bushfire.

Clause 13.03-1S — Floodplain Management

Objective:

To assist the protection of life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flow; and to protect the natural flood-carrying capacity of rivers, streams and floodways and the flood storage function of floodplains and waterways.

Applicant Response:

The subject land is not located within a designated floodplain. The Proposed Development does not impede the natural flow of any waterway and includes finished floor levels at least 0.5 metres above adjacent open earth drains, providing a substantial margin against any localised overland flow events.

Clause 13.05-1S — Noise Management

Objective:

To assist the control of noise effects on sensitive land uses.

Applicant Response:

The Environmental Management Plan (Attachment 6) is an integral part of the Proposed Development. Section 2.5 of the EMP sets out specific performance measures, monitoring arrangements and contingency actions to ensure compliance with the EPA Noise Protocol Publication 1826.4 and the noise criteria specified in the planning permit.

Bird pick-up is undertaken at night in accordance with industry biosecurity and welfare practice. Specific noise control measures applicable during pick-up operations are detailed in the EMP, including use of broadband (quieter) reversing alarms on pick-up trucks, instruction of pick-up contractors in noise-minimisation procedures, and management of shed door operation to minimise off-site noise transmission.

Clause 13.06-1S — Air Quality

Objective:

To assist the protection and improvement of air quality.

Applicant Response:

The Proposed Development complies with the requirements of the Victorian Code for Broiler Farms 2009 plus 2018 Amendments. Compliance with applicable air quality and odour criteria is supported by the GHD Odour Assessment Report (Attachment 10), which has been prepared in accordance with EPA Publication 1883 (Guidance for Assessing Odour) and EPA Publication 1881 (Guidance for Field Odour Surveillance), and accepted by EPA Victoria as part of the formal referral process (referral response dated 11 December 2025).

The classification of the Proposed Development as Special Class is supported by the GHD assessment, which models cumulative odour emissions from existing and proposed broiler operations in the Anakie locality and demonstrates compliance with EPA's Environmental Reference Standard odour design criteria at all sensitive receptors. The Proposed Development also complies with the General Environmental Duty under section 25 of the Environment Protection Act 2017, with ongoing obligations managed through the EMP (Section 2.6.6).

Clause 13.07-1S — Land Use Compatibility

Objective:

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies:

- 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.

Applicant Response:

The Proposed Development is a bona fide intensive agricultural use, supported by State and local policy and regulated by the Code. The proposal complies with the Code, with separation distances supported by the GHD Odour Assessment and accepted by EPA Victoria.

When established, the use will contribute positively to the sustainability and viability of agriculture in the Anakie area and is co-located with existing Pavilion Farms operations on adjoining land, ensuring biosecurity and operational alignment.

Clause 14.01-1S — Protection of Agricultural Land

Objective:

To protect the state's agricultural base by preserving productive farmland.

Strategies:

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
- Protect productive farmland that is of strategic significance in the local or regional context.
- Protect strategically important agricultural and primary production land from incompatible uses.
- Limit new housing development in rural areas by directing housing growth into existing settlements and discouraging the development of isolated small lots in the rural zones for dwellings or other incompatible uses.

Applicant Response:

The Proposed Development is itself a primary production use that strengthens the agricultural base in the Anakie locality. The footprint of the shed complex (approximately 7 hectares) occupies a relatively small portion of the property, with the balance continuing in productive grazing or dryland agriculture.

The proposal does not result in the permanent removal of strategically significant agricultural land from the State's agricultural base. To the contrary, it represents direct investment in intensive agricultural infrastructure and is consistent with Council's Municipal Planning Strategy direction to support intensive agriculture in the Farming Zone.

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.
- Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.
- 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.

Applicant Response:

The Proposed Development is a Code-compliant poultry farm directly contemplated by the strategies of this clause, which expressly facilitate the establishment and expansion of poultry farms in a manner consistent with orderly and proper planning and protection of the environment.

Pavilion Farms' broader operational model includes the integration of broiler operations with on-site biogas energy recovery (Pavilion Biogas, 445 Carrs Road) and the use of leading-practice ventilation, heating and cooling technology. This integrated, sustainability-oriented operating model directly supports the strategies of this clause.

Clause 14.01-2L — Animal Husbandry (Greater Geelong Local)

Objective:

To ensure the use and development of land for animal husbandry does not negatively impact on local amenity or the environment.

Strategies:

- Locate animal husbandry facilities so that they minimise impacts to residential amenity.
- Minimise odour and noise disruption to nearby properties from animal husbandry facilities and waste management practices.
- Provide an area for visitor parking that is drained, treated and maintained to minimise the emission of dust.

Applicant Response:

The Proposed Development is sited and designed in accordance with leading-practice broiler farming principles and complies with the Code. Odour, noise and dust impacts on nearby properties are managed through:

- (a) site-specific separation distances supported by the GHD Odour Assessment and accepted by EPA Victoria;
- (b) the operational, monitoring and contingency measures detailed in the EMP (Attachment 6); and
- (c) all-weather sealed surface treatment of internal roads and parking areas to minimise dust generation, as detailed in Section 2.3 of the EMP.

Clause 14.02-1S — Catchment Planning and Management

Objective:

To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Strategies:

- Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

- Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.
- Retain natural drainage corridors with vegetated buffer zones at least 50 metres wide along each side of a waterway.
- Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.

Applicant Response:

There are no waste streams from the Proposed Development that can affect waterways. Stormwater is managed by a drainage plan which directs runoff from shed roofs, hardstand areas and access roads to an on-site retention dam, sized to detain a 1:10-year ARI event, for reuse within the broiler operation.

Shed sanitisation operates on a high-pressure low-volume basis to prevent free-flowing water leaving the sheds. Litter is retained within the sheds during the growing cycle and removed off-site to the Pavilion Biogas facility at the end of each batch.

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.

Applicant Response:

The Proposed Development is not located near any reservoir, river, lake or wetland. The site has a closed stormwater management system, with all captured stormwater used within the broiler operation for drinking water and shed cooling. No discharge to a waterway is contemplated.

The Environmental Management Plan (Attachment 6) provides for ongoing performance measures, monitoring and contingency actions to prevent water contamination.

Clause 15.01-6S — Design for Rural Areas

Objective:

To ensure development respects valued areas of rural character.

Strategies:

- Ensure that the siting, scale and appearance of development protects and enhances rural character.

- Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.
- Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hilltops, waterways, lakes and wetlands.

Applicant Response:

The Proposed Development is consistent with and respectful of the rural character of the Anakie locality. The site is flat to gently undulating, the shed complex is not located on a ridgeline or hilltop, and the perimeter landscape buffer detailed in the Landscape Plan (Attachment 9) will provide screening of the development as the planting matures.

External cladding is selected to minimise reflectivity and visual intrusion (pale eucalypt-toned colorbond walls and non-reflective coolpad surfaces), as detailed in Section 2.2 of the EMP.

Clause 15.03-1S — Heritage Conservation

Objective:

To ensure the conservation of places of heritage significance.

Applicant Response:

The subject land is not located within or in the vicinity of any Heritage Overlay area under the Greater Geelong Planning Scheme. The Proposed Development will not impact any place of heritage significance.

Clause 15.03-2S — Aboriginal Cultural Heritage

Objective:

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Applicant Response:

There are no places of Aboriginal cultural heritage significance on this site.

Clause 17 — Economic Development

Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity. Planning is to contribute to the economic wellbeing of the State and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Applicant Response:

The Proposed Development supports the economic development objectives of the planning scheme by:

- protecting and strengthening employment in the Anakie agricultural cluster;
- improving access to jobs in the rural areas of the municipality and supporting rural economies to grow and diversify;
- building on the region's competitive strengths in agricultural land use; and
- supporting industries that utilise skills within the region and contribute to the broader Victorian poultry supply chain.

Clause 18 — Transport

Relevant State policy clauses include 18.01-1S (Land use and transport integration), 18.01-3S (Sustainable and safe transport) and 18.02-4S (Roads), which together seek to facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport, to support a safe and sustainable transport system, and to make best use of existing infrastructure.

Applicant Response:

The Proposed Development is in the Farming Zone and is accessed via the existing Pavilion Farms crossover on Staceys Road. The access and internal road network are designed and constructed to the standards specified in the Traffic Management Plan (Attachment 7). Indicative average traffic generation is approximately 3.5 truck movements per day plus approximately 7 staff vehicle movements per day, which is readily accommodated by the existing rural road network without unacceptable impact on safety or capacity.

Clause 19.03-3S — Integrated Water Management

Objective:

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies:

- Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use.
- Facilitate the use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.
- Ensure that development protects and improves the health of water bodies by minimising stormwater quality and quantity related impacts and managing industrial and commercial toxicants in an appropriate way.

Applicant Response:

Farm 13 will have its own stormwater system, separate from Farm 3. Runoff from roofs, hardstand areas and roads will drain to a new retention dam at the southern end of the site. The dam provides 4ML of storage for the 1:10-year ARI event, as confirmed by CAF Consulting, with captured water reused on site and supplemented by private mains supply.

Domestic wastewater from the generator and amenities shed will be managed through an on-site wastewater management system in accordance with EPA Publication 891.4 and the relevant Land Capability Assessment. The existing OWMS permit will be reviewed prior to occupation and amended if required.

The operation does not generate industrial waste streams that would affect waterways or groundwater. Ongoing monitoring and contingency measures are addressed in the EMP.

Clause 19.03-5S — Waste and Resource Recovery

Objective:

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

Strategies:

- 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 high-value, marketable end products.
- Encourage development that facilitates sustainable waste and resource recovery.

Applicant Response:

The waste streams generated by the Proposed Development are spent litter and dead birds. Spent litter is removed from the sheds at the end of each batch and transported directly to the co-located Pavilion Biogas facility at 445 Carrs Road, Anakie, where it is processed into renewable energy (biogas) and fertiliser. This is a leading-practice circular-economy approach that converts a poultry industry waste stream into both a renewable energy resource and an agricultural input. There is no on-site stockpiling, spreading or disposal of spent litter on the Broiler Farm Property; litter transfer occurs entirely on the internal road network under common land ownership with no use of the public road network.

Dead birds are composted on-site in accordance with EPA Regulations and the EMP. Mass mortality and emergency disposal arrangements are addressed in Appendix 2 of the EMP.

The Waste Minimisation Plan (Appendix 1 of the EMP) identifies all waste streams generated on the farm and the corresponding minimisation, recovery and disposal arrangements.

Clause 21.16 — Anakie (Local Planning Policy)

Clause 21.16 establishes local planning policy for the Anakie locality. The strategies of the local policy include managing growth and development consistent with the rural character of the area, protecting the surrounding agricultural land base and the natural environment of the Brisbane Ranges and the You Yangs, and supporting agricultural activities consistent with the rural setting.

Applicant Response:

The Proposed Development is consistent with the Anakie local planning policy. It is a primary production use located in the Farming Zone on land outside any settlement boundary, and forms an extension of an existing agricultural enterprise that has operated successfully in the locality for many years.

The siting of the development on cleared agricultural land, the comprehensive landscape buffer, the application of leading-practice operational controls under the EMP, and the integration of the operation with the co-located Pavilion Biogas resource recovery facility all directly support the strategic objectives of the Anakie local planning policy.

Clause 35.07 — Farming Zone

Objective:

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 do not adversely affect the use of land for agriculture; to encourage the retention of employment and population to support rural communities; and to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The table of uses set out in Clause 35.07-1 identifies Broiler Farm as a use for which a planning permit is required, and provides that the use must meet the requirements of Clause 53.09 (Poultry Farm).

Clause 35.07-3 — Subdivision

A permit is required to subdivide land in the Farming Zone, with each lot to be the area specified in the schedule (40 ha minimum).

Clause 35.07-4 — Buildings and Works

A permit is required for buildings or works associated with the proposed use.

Clause 35.07-6 — Decision Guidelines

Decision guidelines that the responsible authority is required to consider in determining whether to issue a permit for the proposed use and development.

Applicant Response:

The Proposed Development is permitted in the Farming Zone subject to compliance with the Code under Clause 53.09. The Farming Zone is the appropriate planning instrument for the accommodation of agricultural uses such as that proposed.

The proposal accords with the purpose of the zone and satisfies the matters set out in the Clause 35.07-6 decision guidelines. In particular:

- the proposal satisfies the relevant State and local policy provisions of the Greater Geelong Planning Scheme as set out throughout this Attachment 3;
- it is not in conflict with any Regional Catchment Strategy;
- the land can accommodate the proposal including provision for waste disposal (with all spent litter transported off-site to the co-located Pavilion Biogas facility);
- the proposed use is sustainable on the land;
- because of its size and relativity to surrounding properties, the land is well suited to the proposed use, as demonstrated through application of the Code and the GHD Odour Assessment;
- the use proposed is defined as agriculture, the purpose for which the land is zoned, and there will be no loss or fragmentation of agricultural land as a result of the proposal;
- the proposal will be established in compliance with the Code and will not limit the agricultural capacity of adjoining properties;
- the proposed use will not impact adversely on soil conditions, water quality, flora or fauna, or local biodiversity;
- design and siting of the development have been prepared in accordance with the requirements of the Code; and
- the proposed use will not diminish or impact adversely on existing infrastructure.

Clause 52.17 — Native Vegetation

Objective:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Applicant Response:

The Flora and Fauna Assessment (Mark Trengove Ecological Services, Final, May 2025) (Attachment 8) confirms that the proposed development footprint contains no patch or scattered tree native vegetation requiring removal. The impact area was inspected on 28 April 2025 by a DEECA-accredited VQA assessor and is assessed as comprising 0% cover of perennial native vascular understorey species — the impact area is degraded exotic cropping land with no native vegetation. One area of remnant patch native grassland vegetation (EVC 132 Plains Grassland) was identified to the north-east of the proposed impact area; this patch is located outside the development footprint and will be retained without impacts.

Accordingly, no permit is required under Clause 52.17 and no native vegetation offset is required. The Proposed Development has no implications under Clause 52.17.

Clause 53.09 — Poultry Farm

Objective:

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Requirement — Broiler Farm

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 Amendments).

Decision Guidelines

- The purpose of the relevant zone.
- The design, height, setback, and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways, or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.

Applicant Response:

The Proposed Development meets the requirements of the Code, as documented in detail in the Broiler Code Application Checklists at Attachment 4 (Element-by-Element Approved Measure compliance) and supported by the GHD Odour Assessment Report (Attachment 10).

Each of the Clause 53.09 decision guidelines is addressed by the application package as a whole:

- zone purpose — addressed in the Clause 35.07 response above;
- design, height, setback and appearance — addressed in the Site Plans (Attachment 1) and Sections 3.1 and 8.2 of the Planning Summary Report;
- landscaping — addressed in the Landscape Plan (Attachment 9) and Section 2.1 of the EMP;
- amenity of adjoining uses — addressed by the Code-compliant separation distances (supported by the GHD Odour Assessment), the perimeter landscape buffer, and the operational controls in the EMP;
- off-site emissions (noise, light, odour, dust, waste) — addressed in Sections 2.5–2.10 of the EMP;
- impact on waterways — addressed in the Clause 12.03-1S and Clause 14.02 responses above;

- environmental impact on natural features and biodiversity — addressed in the Flora and Fauna Assessment (Attachment 8) and the Clause 52.17 response above; and
- support for agricultural production — addressed in the Clause 14.01-1S, 14.01-2S and 17 responses above.

On this basis, the Proposed Development satisfies Clause 53.09.

Regarding the Special Class classification and the Farm Cluster question raised by Agriculture Victoria: the Code's Farm Cluster provisions are primarily concerned with the cumulative assessment of separation distances from the cluster boundary, not the internal proximity of sheds within a commonly-operated enterprise. The GHD OERA already uses a fully cumulative modelling approach incorporating Farm 13, Farm 3, and all other Pavilion Farms operations in the Anakie locality, satisfying the technical intent of both classifications. EPA Victoria has accepted the GHD methodology and confirmed no objection to the Proposed Development. EPA's acceptance is determinative.

Conclusion

The Proposed Development satisfies the relevant requirements of the Greater Geelong Planning Scheme, including the Municipal Planning Strategy, the State and local Planning Policy Framework, the Farming Zone (Clause 35.07), Native Vegetation provisions (Clause 52.17), the Poultry Farm provisions (Clause 53.09), and the local planning policy for Anakie (Clause 21.16). Compliance with the Victorian Code for Broiler Farms 2009 (plus 2018 Amendments) is documented in detail in the Broiler Code Application Checklists at Attachment 4.

Accordingly, it is considered that the proposal is well founded under the Greater Geelong Planning Scheme, and that a permit should be issued.