

**DETAILS OF SUBMISSION / OBJECTION:** Continued

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Attach additional pages if required


**Are there any changes that could be made to the proposal to address your concerns?** Yes  No

*If yes, what changes would you suggest that would meet your concerns:*

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**Signed:**  **Date:** 22.03.2018

**IMPORTANT NOTES ABOUT SUBMISSIONS / OBJECTIONS TO PERMIT APPLICATIONS**

1. This form is to help you make an objection to an application in a way which complies with the *Planning and Environment Act 1987*, and which can be readily understood by the responsible authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice - Application for Planning Permit.
4. An objection must state the reasons for your objection; and state how you would be affected if a permit is granted.
5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process in accordance with the *Planning & Environment Act 1987*.
7. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the website.
8. If you object before the responsible authority makes a decision, the authority will tell you its decision.
9. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
10. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

**Golden Plains Shire Privacy Statement**

*The Golden Plains Shire considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014. Council has in place a standard operating procedure that sets out the requirements for the management and handling of personal information.*

If you have any queries regarding this Privacy Statement, please contact the Privacy Officer on 03 5220 7111.

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Page 1 of 1

Forwarded message

[REDACTED]  
Date: Fri Mar 23 04:06:51 PM EST 2018  
Subject: Objection to Granting a Planning Permit - Application #P02-102  
To: Enquiries;

Good afternoon,

Please find my objection to permit application P02-102 attached.

Many thanks

[REDACTED]  
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<http://www.mailguard.com.au/tt>

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27 MAR 2018

<https://banbcp01v.gplains.vic.gov.au:8443/bluepoint-ecm-site/secure/dialogemail.isf?...> 27/03/2018




23<sup>rd</sup> March, 2018

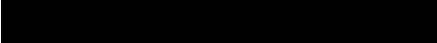
Mr Eric Braslis  
Chief Executive Officer  
Golden Plains Shire  
2 Pope Street  
BANNOCKBURN, VIC 3331

Dear Sir,

**Re: Proposed expansion of Piggery at 3140 Midland Highway, Lethbridge**

Your reference: Planning Permit Application P02-102A

 wish to register an objection to the application to amend the current planning permit covering the operations at this site.

 for the Moorabool River, particularly regarding its flows. Water quality within the river, and its implications for the river's dependent species including humans, is also a primary focus.

Our concerns regarding this application center on the risks to the river posed by the planned doubling of animal numbers and the storing and dispersal of porcine effluent on the property.

**Property assessment**

The allotment slopes toward and directly borders the Moorabool River and lies almost entirely within its catchment. The current building is close to a natural waterway channel identified

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through <http://services.land.vic.gov.au/maps/interactive.jsp> (see Image 1).

It features a large and pronounced gully which is indicative of an active watershed capable of reasonable volume and velocity. An elevation profile taken from the western most border of the property (see purple line) appears to show a continuous slope through to the start of the identified water channel within the gully (see Image 2).

Google Earth Pro images taken from a northern aspect illustrate the extent of the gully and its relationship to the Moorabool River (see Image 3). The second has the height exaggerated by a factor of 2 to better identify the topography (see Image 4).

From our observations there appear to be few trees or other significant vegetation capable of impeding water movement across the property toward the Moorabool River. Further there are signs of sheet erosion on the south-eastern face of the escarpment within the allotment.

#### **Current permit conditions**

It is our understanding the current permit, formed by agreement through the VCAT process in 2003 (PLANNING AND ENVIRONMENT LIST No. P2724/2002), contained a list specific of conditions, several of which the proponent now wishes to either markedly modify or have completely removed.

Part of Condition 2 stipulated the following modifications to the original application - (a) *deletion of the lagoon*, (b) *deletion of reference to "land that may receive effluent"*, (c) *deletion of effluent disposal buffers*.

Other relevant conditions include;

- 8 *Effluent from all pigs must be removed from the site by vacuum extraction tanker on a fortnightly basis, with a maximum of 21 days between collections*
- 9 *All piggery waste must be stored within the piggery building or in the sump and associated piping.*
- 10 *Piggery effluent generated from any activities on the land must not be placed on the*

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*land or any other land within 10 km of the intersection of Russell Street and the Midland Highway, Lethbridge.*

- 12 *The number of pigs kept on the site at any one time shall not exceed 200. The operation shall otherwise accord with the requirements of a Piggery having an R value of 500 as set out in the Code of Practice-Piggeries –1992*
- 21 *All waste from the piggery must be contained within the piggery compound and/or transported off site and must not result in run-off of contaminated water into surface waters or contaminate any groundwater.*
- 33 *Contaminated stormwater must be directed to the sump. If the effluent collection sump cannot handle the volume, then the plant must be designed to allow for the separate collections of contaminated stormwater.*
- 35 *All polluted runoff must be contained and prevented from entering the waterways at all times.*

It is the position [REDACTED] that these are sensible conditions which serve among other things to minimise the risk to the Moorabool River. This is a river which is rightly regarded as the most flow stressed and over allocated in Victoria, as such the impact of any contamination is likely to be considerably heightened.

The parlous state of the Moorabool River is recognised within the current Golden Plains Shire Environment Strategy 2011- 2016;

*“The Moorabool River in the east has the dubious reputation as one of the most severely flow stressed waterways in Victoria (CCMA 2009a).” page 6*

There is also a commitment to advocate for the Moorabool River within the document’s list of Strategic Actions as well as general commitment to **“Advocate for the protection and enhancement of rivers and streams”** pages 22-3.

From our reading of the proposed amendment the proponent now wishes to revert substantially to the original application, one that was rejected to so strongly by the community

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in and around Lethbridge. It details a doubling of the current maximum number of intensively farmed pigs on the site, the creation of an effluent lagoon and the dispersal of that effluent on the property rather than transporting it to a different site away from the Moorabool River which is the current practice.

#### **Potential risks of storing and dispersing porcine effluent on the property**

Movement of the following classes of contaminants into the Moorabool River, the concentrations of which are driven by the nature of intensive farming and are not comparable for instance to traditional sheep farming;

- Nutrient loads - High nutrient levels within runoff delivered into rivers cause many issues, particularly as a factor in algal blooms and black water events. Being under flow stress the Moorabool River has markedly less capacity to dilute and disperse any influxes compared to other rivers.
- Metal contaminates – zinc and copper are used as growth promotants for young piglets
- Veterinarian chemicals - including antibiotics and growth promotants, along with synthetic pyrethroids often used for fly control, can have serious impacts on aquatic invertebrates within streams and rivers. They represent a very fundamental part of the food chain for many other species.

Dispersal of effluent onto the property, which from our understanding does not occur now, would likely be the primary source of the above contaminants. However the risk of dam or lagoon failure is not easily discounted. The quarrying operations across the river has had two significant dam breaches into the Moorabool River within the last decade. The consequences of such a breach from this property for the river's environment and downstream users would potentially be catastrophic.

The Golden Plains Shire and Federal and State governments have invested heavily in creating a buffered, intensive agriculture precinct at Lethbridge. There is no reason to increase the risk to a significant natural system like the Moorabool River when more a appropriate place for an operation such as this lies in such close proximity.

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**Conclusion**

[REDACTED] call on the Council to honour its role as a significant steward of the natural environment within the Shire and its stated commitment to “work to promote, conserve, enhance and protect” such.

The Moorabool River is one of the Shire's most prominent natural features. It is our considered opinion that the proposed amendment to the planning permit poses an unacceptable risk of contamination to the river.

[REDACTED] position is that the current conditions, previously endorsed by VCAT and negotiated with the Lethbrige community, should remain in force. We strongly object to any amendments which would permit the storage within a lagoon, and dispersal on site, of porcine effluent.

Yours faithfully,

[REDACTED]

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Image 1 – taken from the Victorian Government Land Channel showing proximity of current operations to the water channel.



Image 2 – Google Earth Pro image showing slope profile from the western edge of the property to the natural water channel.



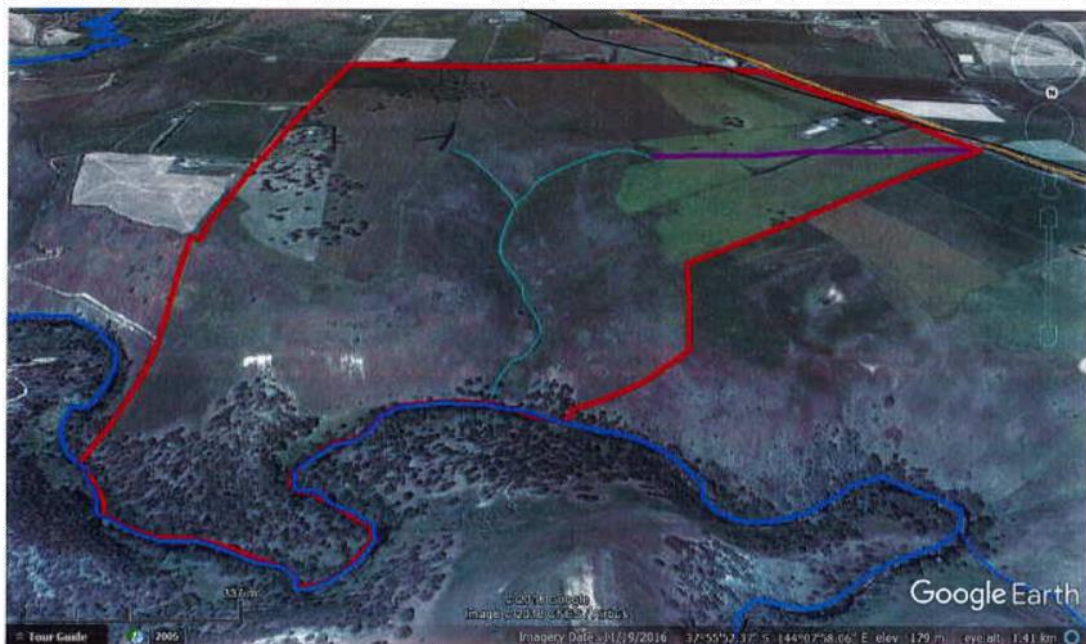
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Image 3 – Showing the major gully on the property directing runoff to the Moorabool River.



Image 4 – Similar to above but with a 2x elevation exaggeration.



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27 MAR 2020

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Page 1 of 1

Forwarded message

[REDACTED]  
Date: Fri Mar 23 10:24:22 PM EST 2018  
Subject: Re: Proposed expansion of Piggery at 3140 Midland Highway, Lethbridge  
To: Enquiries;

Hi,

Please find attached an objection from [REDACTED] to the application to amend the planning permit for the Piggery at 3140 Midland Highway, Lethbridge.

Kind regards

[REDACTED]  
Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.  
<http://www.mailguard.com.au/tt>

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27 MAR 2018

<https://banbcp01v.gplains.vic.gov.au:8443/bluepoint-ecm-site/secure/dialogemail.jsf?...> 27/03/2018



Submission Re Application to Amend Planning Permit  
 Reference No. P02-102A  
 Piggery Extension at 3140 Midland Hwy, Lethbridge.



the Moorabool River Catchment between the Brisbane Ranges in the North and the railway line at Batesford in the South. The subject property is in this area and as such this application is of concern to our members.

This submission concerns the treatment and use of effluent on the property.

**Effluent Treatment.**

The open lagoon system proposed would appear to be far from today’s best practice in effluent management. This system would expose the community of Lethbridge to unpleasant odours and would not ensure complete digestion of the effluent prior to application to the paddocks as proposed in the application. Incomplete digestion creates the potential for pathogens being present in the effluent sprayed on the paddocks, with some chance for contamination of the Moorabool River. It would also emit significant odour.

In addition, the open lagoon system allows gasses such as Methane, Nitrous Oxide, Carbon Monoxide and Hydrogen Sulphide to be lost to the atmosphere. It is known that Methane and Nitrous Oxide are powerful greenhouse gasses, many times more damaging than Carbon Dioxide. The application states (in section 5.7) that “*Considerable nitrogen losses occur to liquid pig effluent through a storage tank, lagoon system and land application, typically 40 – 50% of the nitrogen, can be volatilised into the atmosphere.*” In an anaerobic system, most of these losses will be in the form of Nitrous Oxide.

Treatment of the effluent should occur in a sealed digester, capturing the gasses and containing odour. Such a system would be of benefit to the piggery in that it speeds up the treatment process, facilitates use of the gasses for energy or heating and will reduce odour complaints.

**Application of treated effluent on the property.**

Significant questions remain as to whether effluent from intensive animal industries should be allowed to be applied to land in such close proximity to waterways and population centres. Properly treated effluent (as above) should be odourless and free from pathogens. Improperly treated (or untreated) effluent is foul smelling and potentially dangerous to human and animal health as well as being environmentally damaging should it reach a waterway.

The application states that the annual water requirement for the piggery will be 2.56 MI (Section 3.7). It can be assumed that this will be approximately equal to the liquid wastes produced. If spread over 7 ha annually on a rotational basis (as stated in the application, section 5.8) this equates to 36 litres per square metre, or 36 mm of rainfall. A great deal of caution would need to be taken in how the effluent is applied, as a large volume such as this could lead to run off or leaching below the root zone. There would have to be several smaller applications rather than one large one.

Effluent from intensive animal industries contains many useful nutrients for broad acre production. However, it often contains high levels of heavy metals. There is potential for land to become contaminated with intensive use of effluent. This would have to be carefully managed.

obj (35)

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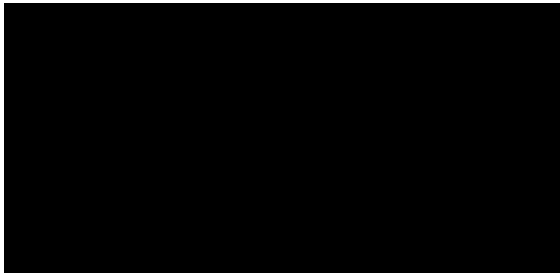
Section 3.2 (Soils) states *“This soil is basically a grey clay with poor physical structure, often waterlogged in winter, can only benefit from appropriate applications of the nutrients nitrogen, phosphorus and potassium and the organic matter present in the treated piggery effluent.”* While this is generally true, it should be noted that:

- Excessive use of nitrogen can increase soil acidity and can actually lower soil organic carbon due to microbial action.
- High levels of Nitrogen in waterlogged soils produces high emissions of Nitrous Oxide through the process of denitrification.
- It is unlikely that the liquid effluent will contain much organic matter.

Further to the above, if the effluent is to be spread on the property, the area treated should not extend beyond fifty metres from the edge of the plateau. This is in addition to the buffers described in the application. This is an additional safeguard to the Moorabool River from nutrient and pathogens.

As an overriding principle, no odours or effluent or any other adverse impacts should be present beyond the property boundaries.

Regards,



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Forwarded message -----

[REDACTED]  
Date: Sun Mar 25 11:59:15 PM EST 2018  
Subject: Submission Re Application to Amend Planning Permit, Reference No. P02-102A  
To: Enquiries;

Please find attached:  
Submission Re Application to Amend Planning Permit  
Reference No. P02-102A  
Piggery Extension at 3140 Midland Hwy, Lethbridge,  
[REDACTED]



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**GOLDEN PLAINS SHIRE**  
**Golden Plains Shire Council**  
 Bannockburn -  
 2 Pope Street, Bannockburn  
 Linton -  
 68 Sussex Street, Linton  
 M: PO Box 111  
 Bannockburn, Victoria 3331  
 P: (03) 5220 7111  
 F: (03) 5220 7100  
 E: [enquiries@goldenplains.vic.gov.au](mailto:enquiries@goldenplains.vic.gov.au)  
 W: [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

# SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

*Planning and Environment Act 1987*

**Before completing this form, it is recommended you inspect the planning permit application online or at a Customer Service Centre.**

**YOUR DETAILS:**

**DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:**

Application Number: P02-102

Address of Subject Land: 3140, Midlands Hwy, Lethbridge, 3332

Description of Proposal: Amended conditions to pig farm permit

Name of Applicant: Chris Richards

**DETAILS OF SUBMISSION / OBJECTION:**  
*(State reasons for objection and how you would be affected by the granting of a planning permit)*

The proposed amendment is applying to remove all of the restrictions which were put in place in 2003 by VCAT. Given that the Lethbridge township has grown since the last ruling in 2003 suggests that the ruling is even more applicable today. It was ruled that a maximum of 200 boars was allowable in 2003 and now the Pork Stocks Company wants to double that. What will happen in another 15 years??

Continued - see over

obj (26)

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**DETAILS OF SUBMISSION / OBJECTION:** Continued

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Attach additional pages if required

**Are there any changes that could be made to the proposal to address your concerns?** Yes  No

*If yes, what changes would you suggest that would meet your concerns:*

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**Signed:** [REDACTED] **Date:** 24/3/18

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4. An objection must state the reasons for your objection; and state how you would be affected if a permit is granted.
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8. If you object before the responsible authority makes a decision, the authority will tell you its decision.
9. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
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Page 1 of 1

----- Forwarded message -----

[REDACTED]  
Date: Mon Mar 26 10:05:07 AM EST 2018  
Subject: Objection to application P02-102  
To: Enquiries;

Please see attached.

Regards,  
[REDACTED]

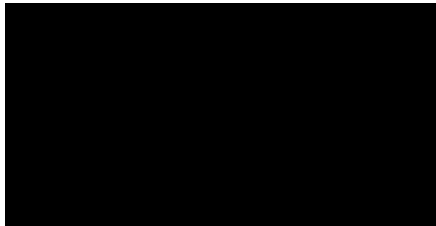
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Planning Department  
 Golden Plains Shire  
 2 Pope Street  
 Bannockburn 3331

**Re: Proposed expansion of Piggery at 3140 Midland Highway, Lethbridge**  
**Your reference: Planning Permit Application P02-102A**

[Redacted] at 3140 Midland Highway, Lethbridge, I received notice from Porkstorks that they are applying to expand their piggery operation substantially, i.e. doubling the number of boars from 200 to 416 and, perhaps more significantly, that they are seeking approval to treat the effluent on the property and then to spread it on the ground.

My property has river frontage [Redacted] at 3140 Midland Highway and I am committed to protecting and improving the biodiversity values on my property and especially along the riparian zone. I have received assistance through Landcare to do some revegetation work, and I welcomed Lisa Neville's recent announcement of the Living Moorabool project, which seeks to improve the ecosystems in and alongside the Moorabool River. Any threat to these initiatives undermines the hard work and commitment of individuals and government agencies in protecting one of our struggling waterways.

In 2003 I objected to Porkstorks' original application to operate a piggery and to spread treated effluent on that property because I was concerned about contaminants or excess nutrients reaching the Moorabool River and affecting the quality of the water and thereby compromising, or even irreversibly damaging, the health of the entire riparian and aquatic ecosystem. A subsequent VCAT process led to certain conditions being placed on the piggery operation such that all effluent was to be removed from the site and that any polluted runoff had to be prevented from entering any waterways.

I see no reason to alter these conditions, especially now that global warming is such a problem and is leading to more variable weather and more extreme weather events. Apart from not being a fan of intensive indoor animal husbandry I have three areas of concern regarding this Planning Application.

**The treatment lagoon**

- 1 The anaerobic process of the lagoon will give off greenhouse gases, thereby contributing to global warming, and produce significant odour, making life miserable for neighbours.
- 2 If there is only one lagoon and effluent is pumped or gravity fed into it regularly then any time liquid is removed from it to spread on the ground as fertiliser it must contain a certain amount of untreated waste.
- 3 There is nothing in the application that addresses the risk of an overflow from the lagoon in the event of heavy rains that may allow contaminants to flow into the waterway below.

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obj (37)

27 MAR 2017

**Spreading the liquid on the ground as fertiliser**

There is a risk that heavy rain following the spreading on the ground of the liquid from the lagoon may allow contaminants and excess nutrients to reach the waterway below affecting the quality of the water and thereby compromising, or even irreversibly damaging, the health of the entire riparian and aquatic ecosystem.

**The calculation of the percentage reduction of variable buffer distances**

I notice in section 5.2 on page 7 of the Planning Application what appears to be an error in the calculation of the Percentage Reduction of Variable Buffer Distances. When I calculate the listed Reduction Factors I get 0.772, which gives a Percentage Reduction of 22.8%. The Actual Distances in table 5.3 still exceed my recalculated Code Required Distances, but it is disconcerting to find an error of this nature in the Planning Application. As I am no expert in the operation of piggeries I cannot ascertain if there are other more significant errors in the application, so I ask that the Council ensure that there are none!

Yours sincerely,



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27 MAR 2020

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----- Forwarded message -----

[REDACTED]  
Date: Mon Mar 26 02:07:28 PM EST 2018  
Subject: Planning Permit Application P02-102A — objection  
To: Enquiries;  
[REDACTED]

Please find attached my objection to Planning Permit Application P02-102A

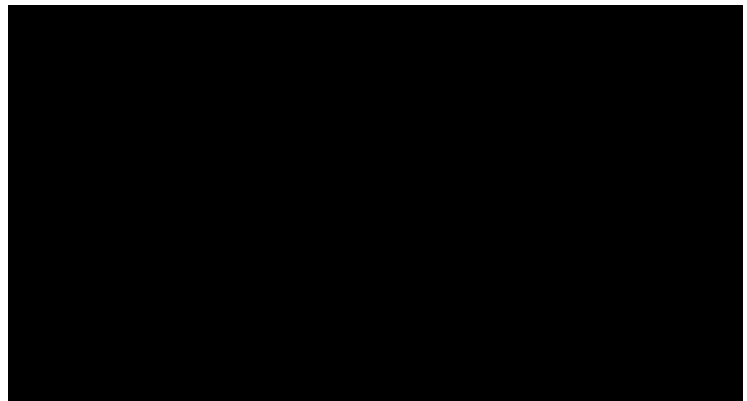
Yours sincerely

[REDACTED]

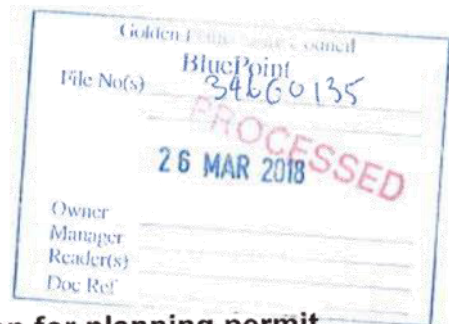
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27 MAR 2018

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Golden Plains Shire  
 2 Pope St  
 Bannockburn Vic. 3331



**Notice of Objection to application for planning permit**

**Application reference number P02-102A**

**This Objection replaces the previous one dated March 13, 2018**

**Application Details**

The land affected by the application is located at	LOT 2 ON LAND OF SUBDIVISION 3140 MIDLAND HIGHWAY LETHBRIDGE
The application is to amend permit number	P02-102 BY AMENDING THE PERMIT TO ALLOW A PIGGERY SHED EXTENSION, AN INCREASE IN THE NUMBER OF PIGS (INCREASE FROM 200 TO 400 BOAR PIGGERY) AND THE APPLICATION OF TREATED PIG EFFLUENT TO THE LAND
The applicant for the amendment to the permit is	CHRIS RICHARDS
The application reference number	P02-102A

obj (38)

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 28 MAR 2017