

**200 Bradleys Lane & 62 Phillips
Lane, Costerfield**

April 2024

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200 Bradleys Lane & 62 Phillips Lane, Costerfield

April 2024

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1 Introduction

This Town Planning Report has been prepared to accompany a planning permit application for the land 200 Bradleys Lane and 62 Phillips Lane, Costerfield. The application seeks approval for the construction of buildings and works for a tailings storage facility associated with the Brunswick processing facility.

The application is made to the Minister for Planning under Clause 53.22 of the Greater Bendigo Planning Scheme.

The report provides the planning context and assessment of the proposal including:

- A description of the locality and the site;
- A description of the proposal;
- A summary of the applicable statutory framework; and
- An assessment of the proposal taking into account relevant town planning considerations.

The application is supported by:

- A copy of Statutorily Endorsed Work Plan Variation PLN-001702 dated 28 September, 2023, including associated conditions, a required by Clause 52.08 of the Planning Scheme
- A copy of Planning Permit AM/2248/1997/C dated 11 July, 1997, which allows *Open cut mining and gold antimony recovery and existing treatment plant (located at the Brunswick mine site) and works allowed by the Victorian Civil and Administrative Tribunal in its determination of permit amendment proceedings P842/2014 and P846/2014 authorising the raising of the dam walls of the Bombay tailings dam and the Brunswick tailings dam associated with the Augusta mine.*
- Plans (prepared by ATC Williams)
- *Brunswick West Tailings Storage Facility (TSF) – 3D visualisations and technical methodology statement* (prepared by Hansen Partnership, January 2024)
- *Brunswick West Tailings Storage Facility Closure Plan* (prepared by Mandalay Resources, March 2023)
- *Brunswick West Tailings Storage Facility Dam Safety Emergency Plan* (prepared by Mandalay Resources, March 2023)
- *Brunswick West Tailings Storage Facility Groundwater assessment* (prepared by WSP, March 2023)

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1 Introduction

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- *Brunswick West Tailings Storage Facility Credible Failure Mode Assessment* (prepared by ATC Williams, March 2023)
 - *Detailed Cost Estimates* (prepared by WT Partnership, January 2024)
 - *Brunswick West Tailings Storage Facility Detailed Design Report* (prepared by ATC Williams, March 2023)
 - *Groundwater Management Plan* (prepared by Mandalay Resources, June 2023)
 - *Native Vegetation Removal Report – Intermediate Assessment Pathway* (prepared by Central Highlands Environmental Consultancy, March 2023)
 - *Costerfield Mine – Brunswick TSF Probabilistic Seismic Hazard Analysis Report* (prepared by ATC Williams, December 2020)
 - DEECA Consent Letter (dated 8 February 2024)
 - *Rehabilitation Plan* (prepared by Accent Environmental, July 2023)
 - *Costerfield Mine Operations – Review of Brunswick West TSF Noise Control Requirements* (prepared by Clarity Acoustics, December 2022)
 - *Costerfield Operations – Risk Management Plan* (prepared by Accent Environmental, April 2023)
 - *Risk Treatment Plan Brunswick West TSF – Dround Instability* (prepared by Accent Environmental)
 - *Surface Water Management Plan* (prepared by Mandalay Resources, June 2023)

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2 Subject land & surrounds

2.1 Subject land

The application relates to the Costerfield Mine, which is a gold and antimony mine operated by Mandalay Resources. The mine is located approximately 8.5kms north-east of the Heathcote township.

The Mine operates pursuant to a range of approvals and authorisations, including Mining Licence No. MIN4644 and EPA (Section 20) Licence 109992. Various planning permits have also been issued for the wider mining site over the years.

The mine's general arrangement includes underground accesses (via portals), air intake /exhaust and emergency access shafts, ore processing facilities, site workshops and office buildings, site amenities, tailing storage facilities, water treatment plant and waste rock and ore stockpiling areas.

Whilst the mine is large and spans multiple land parcels, the works proposed in this application are contained to Lots 1 and 2 PS 404811. Lots 1 and 2 are located in the northern / central part of the wider mine area and located proximate to the area known as the Brunswick Process Plant and Ron of Mine overflow stockpiles.

Within Lots 1 and 2, the main proposed works are at the northern end of the triangular parcel of land, which hosts two dams, a patch of native vegetation centrally, and a windrow of vegetation on its western frontage to Bradleys Lane.

Given the extensive mining licence boundary that applies to the land, there are no direct third party interfaces to the area of the proposed works.



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2 Subject land & surrounds

Figure 2.1
Locality Plan

Source: Melways Online, February 2024

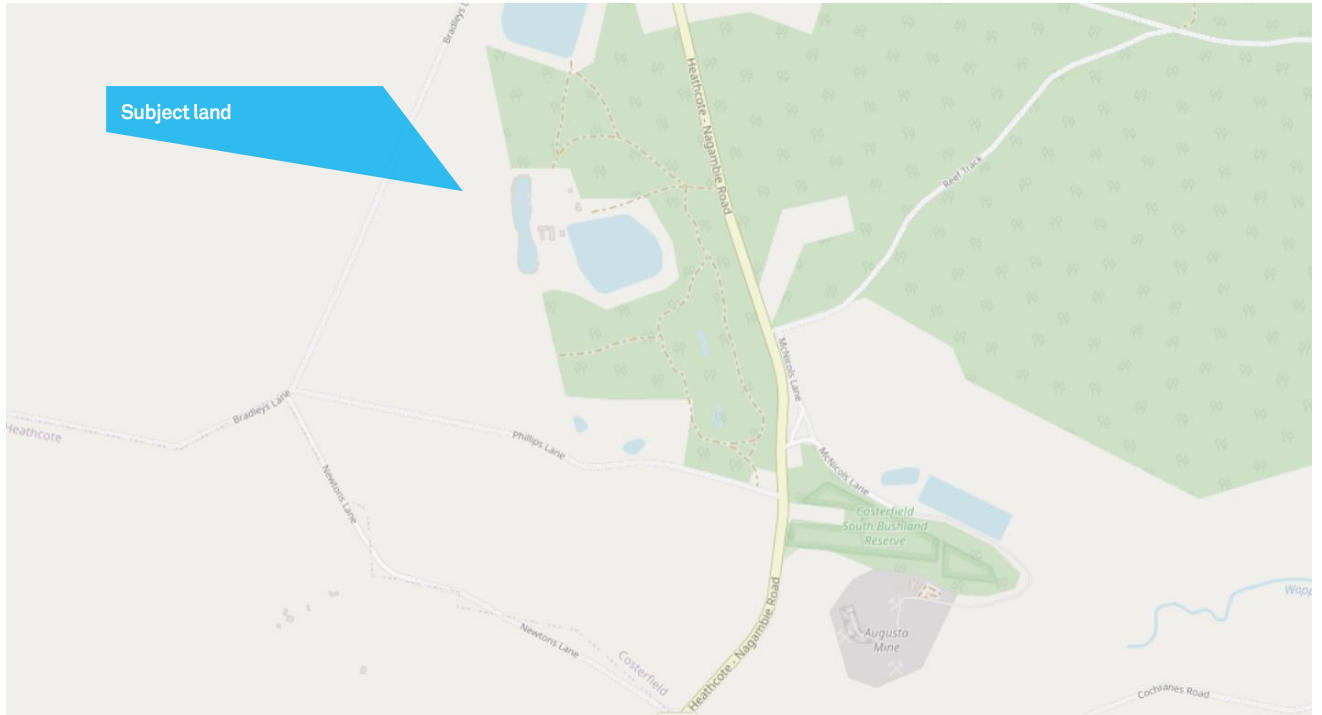
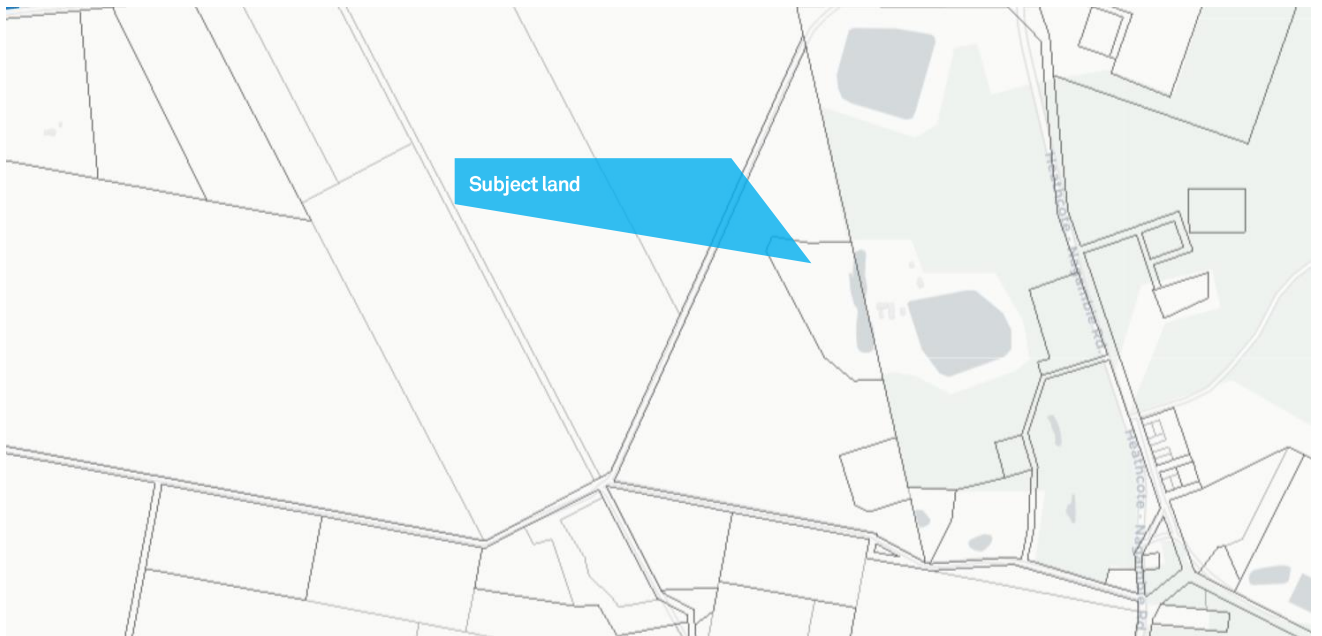


Figure 2.2
Cadastral Plan

Source: VicPlan, February 2024



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2 Subject land & surrounds

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Figure 2.3
Aerial Image (1)

Source: Nearmap,



Figure 2.4
Aerial Image (2)

Source: Nearmap,



3 Proposal

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The construction of buildings and works for a tailings storage facility associated with the Brunswick processing facility is proposed as part of this application.

Mandalay Resources produces a gold and antimony concentrate. Currently extracted material is transported to the Brunswick Processing Plant. Tailings are left-over materials arising from the processing operations, which are facilitated by Planning Permit AM/2248/1997/C.

Previously, tailings were stored at the Brunswick Tailings Storage Facility (TSF) which is located to the south-east of Lots 1 and 2. The Brunswick TSF is at capacity and no further tailings will be deposited. A second facility – the Bombay TSF – is located to the north-east of Lots 1 and 2, and is nearing capacity. Construction of the new TSF proposed in this application – known as the Brunswick West TSF – needs to commence in August 2024 to ensure it is ready to accept material in early 2025 once the Bombay TSF is closed. The Brunswick West TSF facility is integral to the ongoing operation of the mine.

The location and design of the proposed TSF has followed extensive research and testing by Mandalay. Various locations and capacities were reviewed, and this application represents the applicant's preferred outcome. It will accommodate approximately 5 years worth of tailings from the mine, beyond which a further tailings deposition methodology or TSF will be required.

The enclosed plans prepared by ATC Williams describe the proposed works.

The works will include:

- Removal of native vegetation (as described in the accompanying report prepared by Central Highlands Environmental Consultancy) (Lots 1 and 2).
- Relocation and undergrounding of an existing powerline around the western perimeter of the site.
- Removal of existing north-western section of ROM (run of mine) pad (Lot 1).
- Construction of works associated with formation of the new TSF, including cut and fill and earthworks and an embankment crest of RL200 with a 2:1 upstream and 4:1 downstream profile. The base of the TSF will be between RL186 and RL180.
- Construction of a return water pond (RWP) to the south of the TSF with associated pipeworks and infrastructure connecting to the broader mining site. A key factor in design is the installation of a BGM (bituminous geomembrane) on the upstream embankment and a low permeable clay core on floor of TSF.

3 Proposal

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- Realignment of internal accessways.
 - Construction of perimeter fencing to exclude livestock.
 - Construction of a flood protection bund at a 1:1 profile around the Brunswick Underground Portal (mine shaft) in two sections – north and south – to protect this area from a failure event (Lot 1).

The northern end of the site will accommodate a topsoil stockpile.

ATC has noted the following operational details (refer p. iv of the Detailed Design Report included in this application):

The TSF operational concept will involve deposition from a single point at the northern most point of the facility. Occasional deposition from an additional 4-6 spigot points strategically placed around the facility will help to shape the tailings beach. This arrangement will allow the tailings to beach to shape to a low point at the south-western corner of the facility against the embankments where an inclined decant filter structure will be constructed.

Surface water will enter into the inclined decant structure, comprising of three large heavy duty HDPE pipelines with slots cut into them, and wrapped in a UV resistant filter geotextile, and connected to a pre-cast concrete pit at the base of the embankment. The geotextile will allow water to freely migrate into the pipelines and filter down to the base pit, while preventing tailings from entering. As the tailings rise, the geotextile will clog, primarily allowing surface water to enter in. Water will be pumped out of the pit via a submersible pump and sent to the external RWP.

The intention of the external RWP is to help alleviate issues previously faced with the existing TSFs with water remaining on the facility for extended periods of time while the Brunswick Processing Plant water needs are met, and the Augusta storage dams are full. The external RWP effectively acts as detention basin for the TSF, allowing for water to be continually removed from the TSF even when the Augusta storage dams are at capacity. All water collected within the external RWP is conveyed to either the process plant or Augusta storage dams.

Following completion of the TSF project, the rehabilitation of the site has been endorsed through the Mining Licence (statutorily endorsed Work Plan Variation) on 28 September, 2023. The rehabilitation is described in the Rehabilitation Plan prepared by Accent Environmental (date: July 2023):

The rehabilitated site of the Brunswick West TSF will be returned in the form of pastoral grassland. Rehabilitation of

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areas disturbed by Brunswick West TSF shall be implemented to achieve the following outcomes:

- *long-term stable landform compatible with the surrounding landscape;*
- *turkey nest style TSF to become water shedding hill with non-eroding slopes; and*
- *suitable for grazing land use. (p. 33)*

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4 Greater Bendigo Planning Scheme

4.1 Municipal Strategy

The subject land is affected by the Greater Bendigo Planning Scheme.

Clause 02.01 of the Planning Scheme recognises the contribution of mining to the City's economic base:

*Greater Bendigo performs a regional service role with construction, manufacturing, health care, education and financial services being the major contributors to economic output, along with **mining**, retail and tourism.*

Clause 02.03-3 Environmental risks and amenity acknowledges *the interface between urban development and forested areas, waste management facilities and active gold mines in the municipality need to be managed to safeguard community amenity, protect forest values and support key services and industries. There is further work to do in putting in place explicit buffers to manage these interfaces.*

The following strategic directions for land use compatibility are included:

- *Manage the interface between urban development and incompatible uses including waste management facilities, gold mines and other uses with off-site amenity impacts to support land use compatibility.*
- *Minimise land use compatibility issues through separating waste management facilities, gold mines, and other uses with off-site amenity impacts.*

More specifically for Costerfield, the planning scheme notes that *mining is still a major industry for Greater Bendigo, with the current expansion of goldmines at Fosterville and Costerfield, and for this to be ongoing, these resources need to be protected from incompatible land uses. It is also critical that these industries are developed in an environmentally and socially responsible way.*

The subject land is included in the Rural strategic framework plan at Clause 02.04, it is identified as *infrastructure with potential off-site impacts.*

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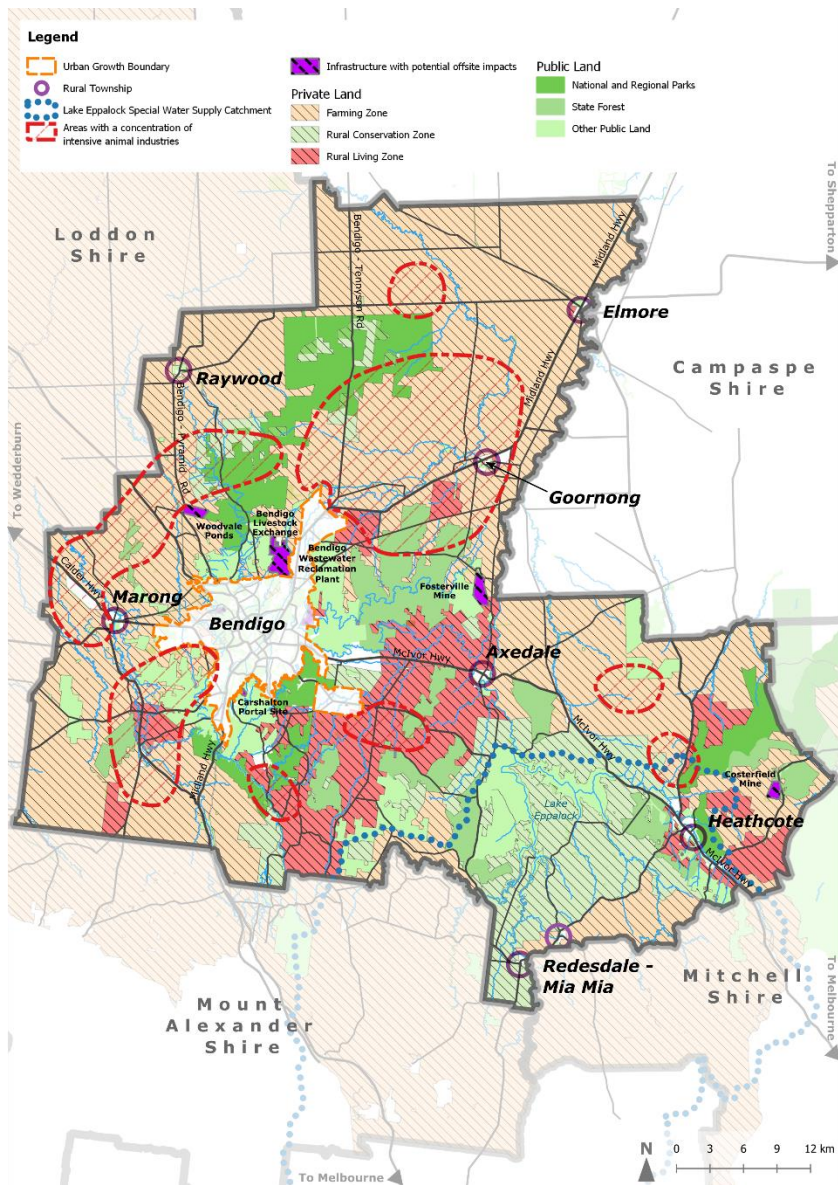


4 Greater Bendigo Planning Scheme

Figure 4.1 Rural strategic framework plan

Source: Greater Bendigo Planning Scheme

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4 Greater Bendigo Planning Scheme

4.2 Planning Policy Framework

The following clauses of the Planning Policy Framework are considered relevant to this proposal:

- Clause 11 Settlement
 - Clause 11.01-1S Settlement
 - Clause 11.01-1R Settlement – Loddon Mallee South
- Clause 12 Environment and Landscape Values
 - Clause 12.01-1S Protection of biodiversity
 - Clause 12.01-1L Protection of biodiversity – Greater Bendigo
 - Clause 12.01-2S Native Vegetation Management
- Clause 13 Environmental Risks and Amenity
 - Clause 13.02-1S Bushfire planning
 - Clause 13.05-1S Noise Management
 - Clause 13.06-1S Air Quality Management
 - Clause 13.07-1S Land use compatibility
- Clause 14 Natural Resource Management
 - Clause 14.03-1S Resource exploration and extraction
- Clause 15 Built Environment and Heritage
 - Clause 15.01-1S Urban design
 - Clause 15.01-1L-01 Landscaping – Greater Bendigo
 - Clause 15.01-2S Building design
 - Clause 15.01-2L Environmentally Sustainable Development – Greater Bendigo
- Clause 17 Economic Development
 - Clause 17.01-1S Diversified economy
 - Clause 17.01-1R Diversified economy – Loddon Mallee South
 - Clause 17.01-1L Diversified economy – Greater Bendigo
 - Clause 17.03-2S Sustainable Industry

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Clause 11 – Settlement

Clause 11.01-1S relates to Settlement and seeks to *promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Strategies include supporting the development of integrated and high-quality settlements that focus investment and growth along existing and planned transport infrastructure. This clause emphasises the importance of delivering *networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable.*

Loddon Mallee South Regional Growth Plan (Victorian Government, 2014), Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017) and Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019) are policy documents at Clause 11.01-1S.

The following principle is included in the *Loddon Mallee South Regional Growth Plan* (2014):

3. Strengthen and diversify our economy

Ensuring access to diverse employment, recreation, retail and cultural activities will develop the Loddon Mallee South region as a preferred destination and self-sustaining region. Strategic opportunities for the growth of the region's economic base, including agricultural diversification, the minerals industry and new industries, will also be facilitated.

The following future economic land use actions have been identified:

- *Maintain and develop buffers around mining and quarrying activities*
- *Identify, manage and facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential*
- *Increase opportunities for emerging sectors through policy support, investment and incentives*

Plan Melbourne 2017-2050: Metropolitan Planning Strategy includes the following outcome:

Regional Victoria is productive, sustainable and supports jobs and economic growth

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This outcome is supported by the following directions:

7.1 Invest in regional Victoria to support housing and economic growth

7.2 Improve connections between cities and regions

Clause 12 – Environment and Landscape Values

Clause 12.01-1S Protection of biodiversity includes the following objective:

To protect and enhance Victoria's biodiversity.

Strategies to achieve this objective include:

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Assist in the identification, protection and management of important areas of biodiversity.

Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

Support land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.

The objective of Clause 12.01-1L Protection of biodiversity - Greater Bendigo is *to enhance biodiversity and biolinks across Greater Bendigo.*

Clause 12.01-1L also includes strategies to address this objective.

Clause 12.01-2S Native vegetation management includes the following objective:

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

Strategies relevant to this application at Clause 12.01-2S include:

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

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4 Greater Bendigo Planning Scheme

- *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.*

Clause 13 – Environmental Risks and Amenity

Clause 13.02-1S applies to land that is:

Within a designated bushfire prone area;

Subject to a Bushfire Management Overlay; or

Proposed to be used or developed in a way that may create a bushfire hazard.

The subject land is included in a Bushfire Management Overlay and Designated Bushfire Prone Area.

The objective of Clause 13.02-1S is:

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

Strategies that relate to protection of human life, bushfire hazard identification and assessment, settlement planning, areas of biodiversity conservation value and, uses and development control in a Bushfire Prone Area are included at Clause 13.02-1S.

The objective of Clause 13.05-1S Noise Management is:

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

Strategies to achieve this objective include:

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

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

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separation techniques as appropriate to the land use functions and character of the area.

A policy guideline at Clause 13.06-1S, to be considered as relevant is:

The noise requirements in accordance with the Environment Protection Regulations under the Environment Protection Act 2017.

Environment Protection Regulations under the Environment Protection Act 2017 and Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826, Environment Protection Authority, May 2021) are policy documents at this clause.

The objective of Clause 13.06-1S Air quality management is:

To assist the protection and improvement of air quality.

Strategies provided at Clause 13.06-1S that relate to this application include:

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:

- *Integrating transport and land use planning to improve transport accessibility and connections.*
- *Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.*
- *Providing infrastructure for walking, cycling and public transport.*

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, child care centre, school, education centre, residential aged care centre or hospital).

Minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout and design responses.

The objective of Clause 13.07-1S Land Use Compatibility is:

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

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Strategies to support this objective 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.

Clause 14 – Natural Resource Management

Clause 14.03-1S Resource exploration and extraction includes the following objectives:

To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

Strategies relevant to this application include:

Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.

Recognise the possible need to provide infrastructure, including transport networks, for the exploration and extraction of natural resources.

Develop and maintain buffers around mining and extractive industry activities.

Clause 15 – Built Environment and Heritage

The objective of Clause 15.01-1S Urban Design is:

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies to achieve this include:

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

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Ensure the interface between the private and public realm protects and enhances personal safety.

Clause 17 – Economic Development

Strategies at Clause 17.01-1R (Diversified Economy –Loddon Malle South) include:

Facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential.

The objective of Clause 17.03-2S Sustainable Industry is:

To facilitate the sustainable operation of industry.

Strategies to achieve this objective include:

Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.

Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

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4.3 Zoning

The subject site, being part of Lots 1 and 2, is included in the Farming Zone.

Pursuant to Clause 35.07, the purpose of the Farming Zone is:

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

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

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

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

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

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

Pursuant to Clause 35.07-4 a permit is required to construct or carry out:

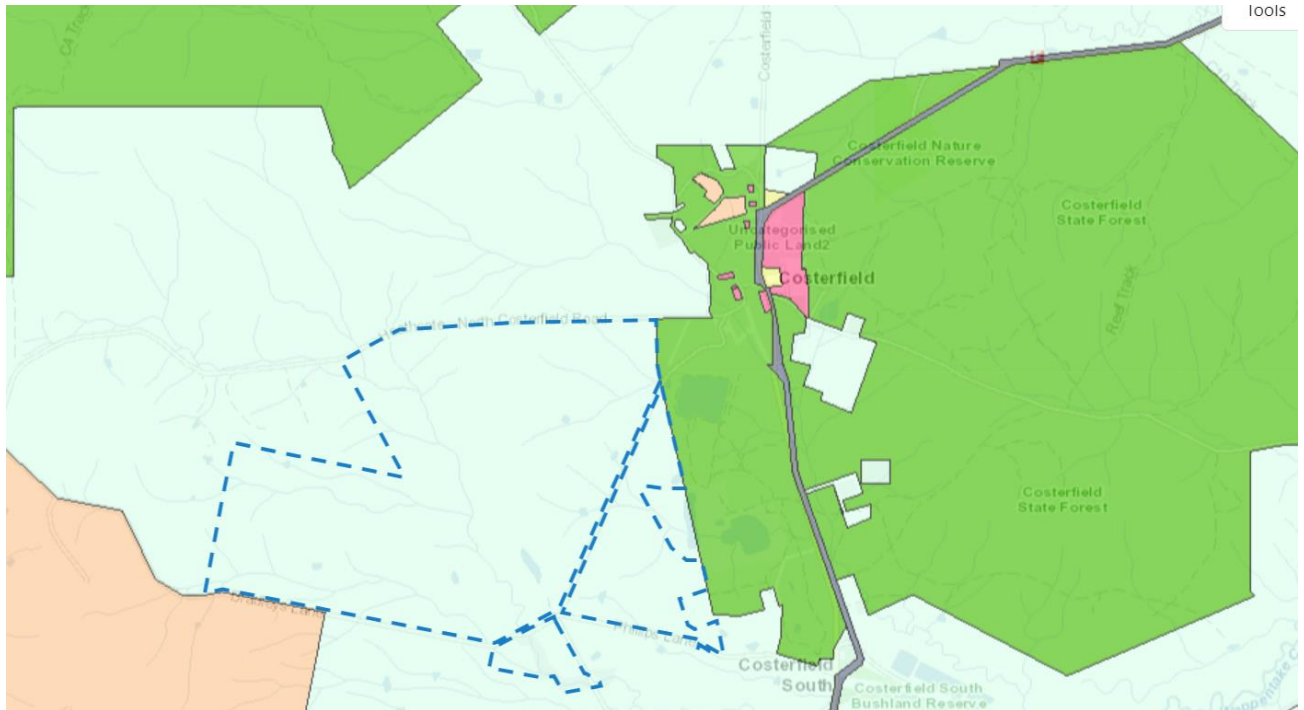
- buildings and works associated with a use in Section 2 of Clause 35.07-1; and
- earthworks which change the rate of flow or the discharge of water across a property boundary (as specified in the Schedule to the Farming Zone).

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4 Greater Bendigo Planning Scheme

Figure 4.2
Zone Plan

Source: VicPlan. February 2024



4.4 Overlays

The wider lots forming part of the site is partly affected by the following overlays:

- Bushfire Management Overlay
- Environmental Significance Overlay – Schedule 1
- Environmental Significance Overlay – Schedule 2
- Heritage Overlay – Schedule 722
- Heritage Overlay – Schedule 744

Based on a review of the planning scheme maps, the HO and ESO provisions do not impact the areas of the proposed works.

The BMO does apply to the area of proposed works, however Mining (nested within Earth and Energy Resources) is not a defined use in the Overlay and therefore does not trigger a planning permit.

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4 Greater Bendigo Planning Scheme

4.5 Particular Provisions

The relevant particular provisions are:

- Clause 52.08 Earth and Energy Resources Industry
- Clause 52.17 Native Vegetation
- Clause 53.22 Significant Economic Development

Clause 52.08 Earth and Energy Resources Industry

Application requirements include:

- *A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.*
- *The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.*
- *Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.*

As noted in Section 1, these items accompany this application.

Clause 52.17 Native Vegetation

Our client's legal advisers have confirmed that no planning permit is required for native vegetation removal:

Native vegetation removal is exempt from needing a planning permit because it is native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of a mining license issued under the Mineral Resources (Sustainable Development) Act 1990 in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.

It is proposed to remove 0.328ha of native vegetation as set out in the accompanying report prepared by Central Highlands Environmental Consultancy. The enclosed letter prepared by DEECA provides confirmation of the removal of the vegetation.

Clause 53.22 Significant Economic Development

The purpose of this Clause is:

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

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To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

This Clause enables an eligible application to be submitted to the Minister for Planning for consideration, including having regard to the following decision guidelines:

The application is eligible on the basis of the cost of development works being more than \$10m.

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5 Planning Assessment

5.1 Preamble

The key town planning considerations for this application are:

- The strategic justification of the proposal; and
- The suitability of the proposed works in the Zone.

The remainder of the report addresses these matters.

It is noted that the application is supported by a range of technical assessments which have informed the siting, layout and design of the proposed facility. It is not intended that this report summarises or duplicates the technical information however the detail is available for review and consideration as part of the application. Importantly, the work plan variation contemplating the Brunswick West TSF and associated works as been statutorily endorsed under the Mineral Resources (Sustainable Development) Act 1990 as having sufficient technical merit to support a planning permit application.

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5.2 Strategic Considerations

The proposal is considered to be appropriate on the following basis:

- The proposed development of the land for the Brunswick West TSF supports the existing lawful mining uses occurring on the land.
- Mining is a recognised use and economic contributor for the City in the Municipal Planning Strategy, where management of interfaces and buffers is required as well as protection of buffers to avoid encroachment.
- The mining operations at Costerfield are specifically designated in the Rural Strategic Framework Plan.
- At a State level, Clause 11 seeks to *manage and facilitate access* to resources.
- The proposal is consistent with the strategies in Clause 14.03-1S:

Provide for the long-term protection of natural resources in Victoria.

Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.

Recognise the possible need to provide infrastructure, including transport networks, for the exploration and extraction of natural resources.

Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the Mineral Resources (Sustainable Development) Act 1990, the Greenhouse Gas Geological Sequestration Act 2008, the

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5 Planning Assessment

Geothermal Energy Resources Act 2005, or the Petroleum Act 1998.

Following the completion of the works, the site will be returned to pastoral purposes as outlined in the accompanying rehabilitation plan which will support agricultural activities more broadly in the Farming Zone precinct, consistent with the Farming Zone purpose.

5.3 Suitability of the proposed works

A planning permit is required for the proposed works in the Farming Zone.

As noted in the accompanying technical assessments, the siting, layout and design of the proposed facility has been extensively documented with respect to matters such as safety, groundwater, surface water, seismic hazards and noise. The facility has overarching operational and regulatory requirements as well which have been addressed through Earth Resources Regulator.

In this context, the zone sets out decision guidelines for applications for the construction of works, and those that are relevant to this proposal are set out below with a response provided to each.

Agricultural issues and the impacts from non-agricultural uses:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*

Whilst the land has been informally used for agricultural purposes, the land is located within the Mining Licence 4644 area. Given its contiguous location with the existing operations to the east of the site, and the road alignment to the west, the location of the proposed works is appropriate. The location will not isolate agricultural land.

The application includes a copy of the statutorily endorsed Rehabilitation Plan under the MRSD Act, and the preferred post-closure land use is *pastoral land suitable for sheep grazing*, with the rehabilitation works designed with this in mind. The proposed TSF has a lifespan of 5 years, followed by rehabilitation works.

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5 Planning Assessment

The rehabilitation objectives for the site as set out by Accent Environmental in the Rehabilitation Plan (p. 60) are:

- *Disturbed pasture lands are restored to a landscape suitable for grazing land use as agreed with landowner*
- *Revegetation of disturbed lands does not introduce noxious weeds, new weed species or increase local weed densities*
- *Final TSF landform is geotechnically and erosionally stable*
- *Geochemistry of tailings is understood and TSF covers acceptably reduce the risk of impacts on surface water and groundwater quality*
- *Monitoring program records long term trends that demonstrate water quality does not exceed agreed criteria*

Having regard to the above, the shorter-term nature of the proposed works, and the capacity of the project to return the land for pastoral purposes, the proposed works are considered to be acceptable.

Environmental Issues:

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

It is proposed to remove 0.328ha of native vegetation from the land to facilitate the construction of the works.

The removal of the vegetation has been assessed by DEECA as part of the Work Plan process, and confirmation of DEECA consent to the application is contained in the Public Land Manager Consent letter. The removal of native vegetation does not trigger a planning permit given the approval under the MRSD Act.

With respect to water management, please refer to the enclosed Detailed Design Report prepared by ATC Williams.

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5 Planning Assessment

Design and siting issues:

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*

The enclosed Visualisations prepared by Hansen document the proposal in the context of the existing landform.

The Visualisations demonstrate that the proposed works, which are wholly contained inside the Mining Licence boundary, are not likely to generate any adverse visual amenity impacts when viewed from the vantage points shown, and that in many instances, views are filtered or screened by existing vegetation which is being retained at the boundaries.

Ultimately, as the rehabilitation plan advances, the final landform and use for pastoral purposes will integrate with the wider area.

As noted in the accompanying detailed design report, an existing powerline will be undergrounded as part of the proposed works.

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6 Conclusion

The proposal is appropriate having regard to the provisions of the Greater Bendigo Planning Scheme as follows:

- The land is included in a Mining Licence boundary and the mining operations are well-established;
- The proposed works are essential to the ongoing operation of the mine;
- The works have been sited so as to be contiguous with the existing mining works;
- The works will be screened through existing vegetation and the final landform in the rehabilitation plan will ensure integration with the surrounding area and objectives for the Farming Zone; and
- The proposal does not give rise to additional on-site car parking demands.

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