

BURNS ROAD INDUSTRIAL ESTATE FREQUENTLY ASKED QUESTIONS

Native Vegetation

Why is the Burns Road Industrial Estate environmentally significant and how does that affect me?

The majority of the Burns Road Industrial Estate supports Kangaroo Grass (*Themeda Triandra*) dominated native grassland. The removal of native vegetation is administered at both a state and federal level; federally by the Department of Environment (DoE) and in Victoria by the Department of Environment, Land, Water and Planning (DELWP).

Native grassland at the estate is consistent with the definition of 'Heavier-soils Plains Grassland' under current state policy. At a federal level, native grassland at the estate meets the threshold criteria for the *Natural Temperate Grassland of the Victorian Volcanic Plain* under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). These native grasslands are listed as endangered under state legislation and critically endangered under federal legislation.

These areas support populations of the nationally significant Spiny Rice-flower *Pimelea spinescens* subsp. *spinescens* which is of state and federal significance. Spiny Rice-flower is listed as critically endangered under the EPBC Act, vulnerable by DELWP and is listed as a threatened species under the *Flora and Fauna Guarantee Act 1988* (FFG Act).



The estate provides suitable habitat for nationally significant fauna, including the EPBC listed Golden Sun Moth *Synemon plana* and Striped Legless Lizard *Delma impar*. These are also listed as threatened under the FFG Act.

Victorian Government legislation requires a planning permit to *remove, destroy or lop native vegetation* in Victoria. Additionally, targeted flora and fauna surveys in accordance with the federal DoE survey methods will be required to determine the presence or absence of EPBC listed species that are known to occur within five kilometres, and/or have a high likelihood of occurrence within the estate. Any action (i.e. a development) that may have a significant impact on a matter protected by the EPBC Act must be referred to the Commonwealth Minister of Environment for assessment and approval. More information is available at the following website. www.environment.gov.au

The process to refer an application to the Minister of Environment for assessment and approval may involve several steps. Land owners will need to work together to reach an agreed outcome that satisfies the Minister.

Although the native vegetation is important at both a state and federal level, some may be permitted for removal to make way for suitable development. Prior

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to removal of native vegetation, it must be demonstrated that vegetation loss has been avoided and minimised as much as possible. Once this is achieved an offset for vegetation losses can be sourced. An offset is an area of land to be set aside for conservation purposes often supporting the same species that is being impacted. Offsets can be located on the same site as the proposed clearance or purchased from a third party at another location.

Finding another area/s supporting the species found within the Burns Road Industrial Estate can be difficult. As more Spiny Rice-flowers are approved for removal, the rarer the species becomes and the more difficult it is to secure an alternative site. Sites supporting the species that are retained can become environmentally valuable and are sometimes sought after by development companies.

Municipal Rates

Why is the Burns Road Industrial Estate rated?

Under Section 154(1) of the *Local Government Act 1989* (the Act) all land is rateable. The Act does provide for some exemptions including Government owned land, land used for charitable, religious or mining purposes and land held in trust for and used exclusively for service men and women.

Under section 171 of the Act Council is permitted to waive whole or part of the rates for eligible recipients within the meaning of the *State Concession Act 2004* or for persons in financial hardship. An application on grounds of hardship will only be considered by Council if it relates to a principal place of residence.

How are rates determined?

Council has adopted a rating strategy which establishes how it will raise revenue from property owners within the municipality for 2015-16. It not only influences the total amount of money to be raised, but also the share of revenue contributed by each property owner.

Under the *Valuation of Land Act 1960* Council is required to undertake a general revaluation of all properties in the municipality every two years. The 2015-16 rates are based on 1 January 2014 valuations.

There is a common misconception that as property values increase, Council receives a 'windfall gain' of additional revenue. This is not so as the revaluation process results in a redistribution of the rate burden across all properties in the municipality. Total income from rates is determined by the Council during the budget process. In simple terms, as property values increase, the rate in the dollar is reduced.

More information about Council's Rating Strategy is available in [Rating Strategy 2015-16](#)

What rating system is used for the Burns Road Industrial Estate?

Hobsons Bay has adopted a differential rating system for the municipality. This is where a different rate in the dollar is set for different categories of rateable land such as residential, commercial, and industrial land.

Industrial land is any land which is used primarily for industrial purposes or on which no building is erected but which, by



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reason of its locality and zoning under the relevant Planning Scheme, would - if developed - be or be likely to be used primarily for industrial purposes. The Burns Road Industrial Estate is zoned Special Use Zone Schedule 4 (SUZ4) which falls within the industrial suite of zones. The estate is therefore rated as industrial land.

Do I pay a service charge?

Under section 158(1) of the Act Council can charge for the collection, disposal and processing of garbage, recycling, garden waste and hard waste. As this service is not provided for the Burns Road Industrial Estate, land owners are not charged a service fee.

Why am I charged a Fire Services Levy?

On 1 July 2013 the State Government introduced a Fire Services Levy for all properties within Victoria. There are no exemptions to payment of the Fire Services Levy.

The State Government requires that Local Governments collect the Fire Services Levy with Council rates, which means that all property owners contribute to funding Victoria's fire services. The Fire Service Levy is passed onto State Government and funds vital life saving equipment, firefighters, staff and volunteers, training, infrastructure and community education. All revenue collected through the Fire Services Levy goes to supporting the State's fire services.

Contact Council's Rates Department on 9932 1000 for more information about Council's rates notices, or

www.firelevy.vic.gov.au for more information about the fire levy.

Land Development Constraints

Why doesn't Council remove the minimum lot size requirement for development?

Most lots in the estate have an area of approximately 600 square metres, which is about the size of a house allotment.

Development of land for industrial use requires consideration of driveways, vehicle parking, loading areas, landscaping, external storage and waste treatment areas. Most of the lots in the Burns Road Industrial Estate are simply too small for industrial use.

How do Employee Population Density Guidelines affect my land?

The Employee Population Density Guidelines were introduced by the State Government in the early 1990's to protect the existing petrochemical complex which is of state significance. They were aimed at controlling group or societal risk in the area surrounding the petro-chemical complex. They do this by prescribing a minimum floor area requirement per person employed on the land. These range from one employee per 52 square metres of floor area to one employee per 105 square metres of floor area. Under the planning scheme, building coverage is restricted to a maximum of 60 percent of the site.



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Who is responsible for servicing the estate?

When land is developed, it is the responsibility of the developer to service the land. The estate was subdivided in the 1920's and predates the introduction of planning controls. Individual owners in the estate would be responsible for the cost of servicing their land.

Given that there is development surrounding the estate, it is expected that there is no impediment to servicing the land (with gas, water, electricity, etc).

Will residential development be permitted in the future?

Even though the subdivision pattern is reflective of a residential development, residential use of the estate will not be permitted in the future.

The estate is located in an area identified in the [Hobsons Bay Industrial Land Management Strategy 2008](#) as core industrial. Core Industrial Areas designate major concentrations of industry which are relatively unconstrained by residential or other sensitive uses.

These areas will be protected and provide opportunities for new growth and expansion of existing industries. Rezoning that allows non-industrial protrusions into these areas will not be supported as it will have a negative effect on surrounding industry such as the petrochemical complex.

Protecting this industrial area is supported by the Victorian Government's metropolitan planning strategy [Plan](#)

[Melbourne](#) which identifies the estate as part of a state significant industrial precinct. The purpose of the precinct is to ensure there is sufficient strategically located land available for major industrial development linked to the principal freight network and transport gateways. The precinct will be protected from inappropriate development to allow continual growth in freight, logistics and manufacturing investment



**HOBSONS BAY
LANGUAGE LINE**

9932 1212

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Your Council in your language


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