



# **WEST WIMMERA SHIRE COUNCIL**

## **CORELLA MANAGEMENT PLAN**



**2020-2024**

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DRAFT

# 1 Introduction

Situated along the Victorian-South Australian border, West Wimmera Shire covers 9,200 square kilometres of predominantly agricultural land and includes the townships of Apsley, Edenhope, Harrow, Goroke, Kaniva and Serviceton.

Over recent years West Wimmera Shire, and in particular its townships, have experienced problems with large numbers of Corellas (*Cacatua tenuirostris* and *Cacatua sanguinea*) congregating into towns. In significant numbers, Corellas cause damage to trees, create noise issues, and can potentially damage buildings and infrastructure.

## Purpose of this plan

The purpose of this plan is to clearly identify the issues, understand the various management strategies available to Council and to outline a Corella action plan to be implemented within townships.

DRAFT

## 2 Background to Corella issue

### About the Corella

Long-billed Corellas (*Cacatua tenuirostris*) and Little Corellas (*Cacatua sanguinea*) are a part of the West Wimmera landscape. They are intelligent, social birds which flock and roost together. The birds mate for life and can live up to 50 years of age. Corellas' beaks grow constantly, and they chew items in their environment to maintain their beaks' length and condition. This occurs wherever they land and can result in damage to trees, turf and built infrastructure.

Corellas have long term memories and use regular flight paths to return to reliable feeding areas. During dry seasons, these areas are often in townships where they have good access to feed and water. Corellas are also very adaptable birds and quickly respond to changes in their environment. They can also quickly become used to various management techniques. Corella damage is seasonal and occurs from late September through to April depending on the season. During this time, thousands of Corellas migrate into West Wimmera Shire creating a challenge for Council to manage.



Long-Billed Corellas (*Cacatua Tenuirostris*)

## Community views

There is a range of opinions within the community around the migration of Corellas. Some residents see this as being a natural phenomenon which occurs each year and residents simply need to accept this. They see the thousands of birds flying in large flocks and roosting in trees turning them white as something impressive and to be appreciated and promoted.

Other residents within the Shire consider these birds to be a menace. They complain that they are noisy, messy and damage trees, lawns and recreation reserves. As such, expectations are placed on Council each year to manage Corella numbers within townships to reduce their impact.

Issues identified by complaints include:

- Noise associated with flocks of birds. This includes the inability of some residents to be able to relax at home due to the noise.
- Damage to trees. This includes native trees and ornamental exotic trees in gardens.
- Damage to ovals, turf and recreation areas.
- Litter such as pine cones, feathers and small branches on roads etc.
- Damage to buildings and infrastructure. Includes damage to TV antennas, window and solar panel seals, vehicles, roof tiles, fencing and park furniture.

## Economic Impacts

Corellas impact on the Shire's economy. This includes damage to crops and pastures, damage to built assets and infrastructure, destruction of recreation turf and sporting ovals, stripping leaves from trees and making significant mess in public and private open space areas, which incurs a maintenance cost.

Large flocks of Corellas can be noisy and unpleasant, and may influence the length of time visitors choose to stay in the Shire or whether to return in the future. However, it is not been explored whether the spectacle of the birds could be turned into a positive tourism asset.

Council has also spent considerable time and cost responding to the Corella issue through developing plans and procedures and implementing various control measures.

## Environmental impacts

The key environmental impacts associated with large Corella flocks include the stripping of leaves from native and exotic trees. This impacts on the appearance of towns and creates a large mess of leaves and sticks on the ground.

Turf (both synthetic and natural) is often targeted by Corellas. They use their long beaks to scratch and dig up the turf looking for food.

In addition, the noise created by the birds has significant amenity impacts on residents and visitors, impacting on their enjoyment of our towns, parks and reserves.

## Corella management

### Department of Environment, Land, Water and Planning (DELWP)

Currently in Victoria, the control of Corellas is being undertaken by local government in response to complaints from their residents, business owners and visitors.

To assist councils, in 2018 DELWP published the '*Guidelines for Reducing Cockatoo Damage – Wildlife Management Methods*'. These guidelines describe the ecological and behavioural traits of Corellas and explains why an integrated planned approach promises the best results in managing their impacts. DELWP also employs dedicated regional Wildlife Management Officers who assist councils in responding to the issue.

It is noted that no Corella control measures are implemented on land managed by DELWP.

### West Wimmera Shire Council

Over the past decade, there have been various attempts by Council to manage the issue. These include:

- Using hand held laser lights to disperse roosting Corellas.
- Firing non-lethal bird frightening cartridges to scare Corellas.
- Shooting with live ammunition to reduce Corella numbers.
- Advocating to the State Government to assist councils in the region to manage the issue in a coordinated way.

## Other regional councils

There are eight local government areas adjoining West Wimmera Shire. All of these councils are impacted by Corella flocks by varying degree and they respond to the issue in a variety of ways. Such interventions include:

- Flashing orange lights and tooting car horns
- Cracking whips
- Encouraging synthetic turf to be blue rather than green, which deters birds
- Distribution of 'clapping boards', which are left in open space areas and members of the public use them when necessary to create a loud noise to disperse birds
- Spraying ovals with water/chilli powder spray – Corellas do not like the taste
- Community education – developing and distribute brochures to inform the public
- Dividing open space areas with shade cloth
- Gas Scare Gun hire service
- Shooting birds with live ammunition

## Legislative framework

Wildlife control must be lawful, thoughtful and well planned. It must consider the needs of residents to protect their land, property and safety and it must also ensure animal welfare is protected.

All native wildlife is protected in Victoria. It is an offence to kill, take, control or harm wildlife under the Wildlife Act 1975. It is also an offence to use poisons to kill, destroy or take wildlife.

Anyone wishing to control wildlife must have an authorisation from DELWP. The most common authorisation is an Authority to Control Wildlife (ATCW). This authority is required when wildlife control activities occur on DELWP managed land. It is not required for a council to control wildlife on land owned or managed by a council.

### 3 Plan objectives

The objectives of Council's Corella Management Plan are:

- To be proactive in the management of Corellas.
- To lessen the impact of Corellas on West Wimmera Shire communities.
- To ensure Council's response is effective and proportionate to the impact of the issue.
- To have a suite of available options to Council when complaints are received.
- To work collaboratively with the community and relevant stakeholders including DELWP and the Victorian Police.

### 4 Review of management strategies

Although Council is not obliged by law to become involved in the management of Corellas, there is a prevailing community and business view that Council should proactively undertake Corella control measures given the economic, environmental and social costs associated with the birds.

Therefore, the discussion must turn to what management strategies are available to Council and what is the effectiveness, cost, and viability of each option. Some traditional strategies could be considered 'control' management techniques, focussed on direct impact on the birds (such as culling or dispersal). However, there are a range of additional strategies that Council can take to minimise the impact of the birds such as managing the environments that attract the birds.

Through applying the learnings from neighbouring councils, it is understood that no single management strategy alone will prove effective. A number of different techniques need to be utilised in different locations and at varying times. To be effective, the management strategies need to be:

- **Timely**, initially focussing on the scout birds at the commencement of the season.
- **Enduring**, to ensure that the issue remains managed throughout the season.
- **Diverse**, ensuring that one technique is not used to the point where it is no longer effective.



The following assessment is provided of the various strategies reasonably available to Council, being:

- Culling birds
- Dispersing birds
- Public education
- Asset design solutions
- Advocacy & partnerships

## **Strategy Option A: Culling birds**

### ***What is it?***

This option involves culling birds by shooting with live ammunition.

### ***How would this operate?***

Culling operations would be undertaken by a pest control contractor who would undertake shooting activities early in the season to deter scout birds.

### ***What are the benefits?***

Targeting scout birds is known to deter the Corella flocks that follow. From Council's own experience, this has been a reasonably effective control method undertaken in previous years. Using a contractor would reduce the operational risk to Council.

### ***What are the disadvantages?***

Destruction of wildlife is becoming increasingly less popular and culling operations may expose Council to negative publicity. It is also costly to engage a contractor to undertake culling operations. The disposal of birds would also need to be at an approval facility.

## **Strategy Option B: Dispersing birds**

### ***What is it?***

This option uses a number of different techniques to disperse Corella flocks.

### ***How would this operate?***

A variety of different methods would be used to disperse Corellas. These techniques may include:

- Hand held laser guns
- Hand held flare guns
- Stock whips
- Clapping boards
- Gas scare guns

These activities would occur at different times, in different locations within Council open space areas and recreation reserves where there are large roosting trees adjacent to townships. Additional techniques can be included and actioned once known.

***What are the benefits?***

No wildlife is injured or killed. Birds are dispersed away from Council township parks and reserves economically using existing Council resources. Council currently own scare and flare guns and ammunition. Council officers currently hold firearm licences. Deterring techniques have been successfully used by Council in the past.

***What are the disadvantages?***

Birds eventually become aware that deterring techniques do not hurt them. Therefore, techniques need to be varied in terms of method, location and time to be effective.

### **Strategy Option C: Public education**

***What is it?***

This option provides up to date information to residents and visitors about Corellas.

***How would this operate?***

Council would create an information brochure to be distributed at the commencement of each Corella season. This brochure would be available to all residents, visitors and clubs providing practical information on Corellas and how to live with them. The brochure would also be made available on Council's website and used to promote the species in a factual and positive way.

***What are the benefits?***

This strategy provides an opportunity for residents and visitors to have a greater understanding of Corellas and reconsider how they view them. The information provided can promote the birds as something to appreciate, being an identifiable part of living in the Wimmera.

***What are the disadvantages?***

There are no identified disadvantages to increasing public awareness of this issue.

### **Strategy Option D: Asset design solutions**

***What is it?***

This option examines public and private infrastructure assets and opportunities to increase their resilience to Corellas through appropriate materials and design.

***How would this operate?***

This option involves Council considering the design and maintenance of Council's infrastructure in view of limiting the destruction that can be caused by Corellas. There are many documented techniques available from the colour of synthetic turf being used to installing polyethylene pipe to prevent perching on aerials and communication cables.

***What are the benefits?***

This strategy encourages Council and residents to be proactive in protecting buildings and other infrastructure through Corella-friendly design techniques.

***What are the disadvantages?***

An initial additional cost may be incurred in relation to materials and works to ensure assets are protected from Corella damage. However, this would be offset by reducing ongoing maintenance costs in the future.

**Strategy Option E: Advocacy and partnerships*****What is it?***

This strategy supports opportunities for a coordinated approach to advocacy and the development of partnerships with relevant stakeholders.

***How would this operate?***

This strategy would involve distributing an adopted Corella Management Plan with councils throughout the region to share ideas around Corella control techniques. It would also provide an opportunity to advocate to the state government for a regional response to Corellas. Every Council is currently approaching the issue differently with varying outcomes. If one Council is effective, they simply disperse Corellas into the next municipality. The Corella Management Plan can also support coordinated external funding and grant applications.

***What are the benefits?***

An integrated regional response to the Corella issue working in conjunction with local and state governments would ensure an effective and cohesive response to Corella management within the region.

***What are the disadvantages?***

There are no identified disadvantages to everyone working together on this issue.

## SUMMARY OF MANAGEMENT STRATEGIES

The table below summaries the various management strategies outlined above.

| Strategy                | Technically possible? | Practically possible? | Effective?   | Economical? | Environmentally acceptable? | Socially acceptable? |
|-------------------------|-----------------------|-----------------------|--------------|-------------|-----------------------------|----------------------|
| Culling                 | Yes                   | Yes                   | For a period | Unknown     | Yes                         | Unknown              |
| Dispersing birds        | Yes                   | Yes                   | Dependent    | Yes         | Yes                         | Yes                  |
| Public education        | Yes                   | Yes                   | Yes          | Yes         | Yes                         | Yes                  |
| Asset design solutions  | Yes                   | Yes                   | Yes          | Dependent   | Yes                         | Yes                  |
| Advocacy & partnerships | Yes                   | Yes                   | Yes          | Yes         | Yes                         | Yes                  |

## 5 Corella action plan

The following Corella action plan identifies each of the five management strategies and their associated actions. The plan outlines when the actions are to occur and who is responsible for ensuring that they are implemented.

The plan also takes into account a small operating budget and limited staffing levels to implement strategies.

### **Plan objectives (restated):**

The objectives of the Plan are:

- To be proactive in the management of Corellas.
- To lessen the impact of Corellas on West Wimmera Shire communities.
- To ensure Council's response is effective and proportionate to the impact of the issue.
- To have a suite of available options to Council when complaints are received.
- To work collaboratively with the community and relevant stakeholders including DELWP and the Victorian Police.

| <b>Strategy</b>                                      | <b>Actions</b>  | <b>When</b>  | <b>Who</b>   |
|--|---|--|--|
| <b>A - Culling of birds</b>                          | <b>A1:</b> Engage pest controller to cull scout birds   | <b>September</b><br>(annually)   | Manager Planning and Environment   |
| <b>B - Dispersal of birds</b>                        | <b>B1:</b> Gas Scare guns<br><b>B2:</b> Flare Guns<br><b>B3:</b> Laser Guns<br><b>B4:</b> Stockwhips            | <b>Following culling operations when complaints are received</b><br>(NB: Response determined against nature of complaints) | Manager Planning and Environment<br><br>Ranger/Local Laws Officer        |
| <b>C - Asset management (design solutions)</b>       | <b>C1:</b> Incorporate into asset management plan   | <b>Review of Asset Management Plan</b>   | Council Assets Manager   |
| <b>D - Advocate and develop partnerships</b>         | <b>D1:</b> Distribute adopted Corella Management Plan to neighbouring Councils, DELWP and Victorian Police.     | <b>Ongoing</b>   | Manager Planning and Environment   |
| <b>E - Improve community awareness and education</b> | <b>E1:</b> Develop a brochure to improve community awareness<br><b>E2:</b> Place information on Council website | <b>Once Corella Management Plan is adopted by Council.</b>   | Council's Communications Officer<br><br>Manager Planning and Environment |

## 6 Monitoring and review

The plan is intended to be in place for a four year period. This timeframe allows time for the effectiveness and cost of management techniques to be evaluated and adjusted.

Each season, Corella management techniques will be documented and evaluated.

### How do we know if the plan is successful?

The success of the Corella Management Plan will be evaluated by:

- Decreasing number of complaints to Council.
- Less damage to built infrastructure parks and reserves.
- Increased community awareness.
- Greater advocacy and collaboration between stakeholders.

A mid-way review will take place in 2022 with a report prepared for Council to advice on outcomes and any other updates to the operating environment.

A full review of this Corella Management Plan is to be undertaken in 2024.



**Edenhope** 49 Elizabeth Street  
Phone: (03) 5585 9900

**Kaniva** 25 Baker Street  
Phone: (03) 5392 7700

PO Box 201 Edenhope, VIC 3318

[council@westwimmera.vic.gov.au](mailto:council@westwimmera.vic.gov.au)





## EDENHOPE GOLF CLUB INC

LIDLAW AVENUE  
PO BOX 87  
EDENHOPE VIC 3318  
ABN: 21 810 509 901

Phone: 03 55851139

Fax: 03 55851139

To  
Mr David Pietsch,  
West Wimmera Shire  
Edenhope  
3318

23.7.2020

Dear David,

The committee and members of the Edenhope Golf Club would like to put forward the following information response to Council's draft Corella Plan.

The Edenhope Golf Club has a full time employee who takes great pride in his work, especially maintaining and looking after our 18 hole Green's golf course.

Corella's have damaged some Greens which are mainly the ones next to the Edenhope Showgrounds, being the 2<sup>nd</sup> and also the 3<sup>rd</sup> green which is adjacent to Laidlaw Ave. These Greens can be destroyed beyond playability within 20 minutes. It then takes a huge amount of work to re-sand and get the Greens to a playing level, but they do not fully recover for nearly 6 months. The Corellas also attack the sprinklers on the edge of the greens and rip off the tops, rendering them useless

We use various techniques to scare the birds away including a gas scare gun and have used painted cats and rubber snakes placed on the ground to deter the birds.

It is disappointing that the efforts we go to to deter this destruction is then undone by the inaction of others who allow the birds to live next door to the golf course, roost and move about as they like.

It has also been noted by our Captain, Ian Freeman, that it is the short Billed Corella which is invading the area. These birds are native to Northern Victoria, above Mildura and NSW and Northern South Australia and have come south during the drought up north looking for food in 2014 (approx.)

As outlined in the draft plan, these birds are smart and if left to take refuge without deterrent they will stay here.

We believe the best plan to manage the Corellas is to get begin early, hit them hard which will move them on.

If you would like to discuss this further or need more information please don't hesitate to contact our Acting President Stephen Bull on 0402713864

Yours Sincerely

Therese Burgess

Secretary EGC

## David Pietsch

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**From:** info@edenhopelakeside.com.au  
**Sent:** Friday, 24 July 2020 12:54 PM  
**To:** David Pietsch  
**Subject:** FW: Draft Corella Management Plan - Attention Mr David Pietsch

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**From:** info@edenhopelakeside.com.au <info@edenhopelakeside.com.au>  
**Sent:** Friday, 24 July 2020 12:43 PM  
**To:** 'council@westwimmera.vic.gov.au' <council@westwimmera.vic.gov.au>  
**Subject:** Draft Corella Management Plan - Attention Mr David Pietsch

Hi David,

We would like to make a submission regarding the Draft Corella Management Plan advertised on Council's website.

Being in the hospitality industry, we receive a lot of complaints from tourists during the peak Corella season. Our guests comment on how peaceful and lovely our caravan park normally is however during Corella season they complain about the loud shrieking during the day, how noisy they are at dusk when they are going to roost for the evening which in the summer months is around 9pm and how they are awoken early by the early morning chatter from 5am. When holidaying, a lot of people want to sleep in and relax which is impossible to do so during the Corella season. We had a guest last year who requested a refund due to being awoken so early and he was not happy. They will never be returning to Edenhope for a relaxing break.

Now for the environmental and financial impact on the park:

- our large trees get stripped bare
- our new plants get broken and chewed
- everyday there is a lot of branches and broken sticks to be picked up off our sites
- our lawns which we weed and feed all year to try to maintain a green space for our guests is destroyed. The Corella's dig huge holes and eat all of the grass roots and actually dig out the rocks below the surface. We are then left with bare patches for the rest of the summer and spring until the rain comes and the grass can recover. We also have to rake up the rocks the Corella's have dug up so that when we mow the rocks don't become a hazard and go through somebody's window. They also sit on our roadways and chew through the tar surface.
- There are a number of sites we can no longer utilise during the Corella season as they perch up in the trees and their droppings cover cars and caravans. Numerous complaints received over the years. Option of either cutting down trees so the Corella's roost elsewhere or does Council reduce their numbers so that their impact is not so great?
- We have had to have our television antenna's repaired (both on our house and Council's building) as they perch on these and chew through the coaxial cable and cable ties.

Our past experience with Council employing gas guns is that it wasn't very successful. The ranger would come by between 8.30pm and 9.00pm and let off the gun. Yes all the birds took off further around the lake. The ranger would then follow the birds and let off the gun again and the birds would then return back to our trees. The guns are so loud that again we received complaints. As you mentioned not everybody dislikes the birds. Last year we had a guest stay who had a drone and he was able to chase the birds out of the park. It seemed to work however once they departed the birds were back. I wish there was an easy solution however as you have clearly stated in the Draft Corella Management Plan, there is no easy fix. I do like the idea of working collaboratively with other Council's as I believe if every Council area can assist in managing the number of Corella's then both birds and humans can live happily together.

Kind regards,  
Leanne & Paul



Ph: 03 5585 1659

E: [info@edenhopelakeside.com.au](mailto:info@edenhopelakeside.com.au)

W: [www.edenhopelakeside.com.au](http://www.edenhopelakeside.com.au)

## David Pietsch

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**From:** Council  
**Sent:** Monday, 27 July 2020 9:21 AM  
**To:** David Pietsch  
**Cc:** Records  
**Subject:** Attn David Pietsch - Long Billed Corellas - Andrew Cormack

**From:** Andrew Cormack [mailto:cormackac@gmail.com]  
**Sent:** Friday, 24 July 2020 10:00 AM  
**To:** Council <Council@westwimmera.vic.gov.au>  
**Subject:** Long Billed Corellas. Attn David Pietsch.

Good morning David  
My contribution to this issue. E&OE.  
Regards  
Andrew Cormack

After thinking about this issue over the last few weeks I have come to a very simple conclusion. This is a subject which pits self interest of humans over the existential rights of the environment including native birds and animals.

European agriculture and farming traditions introduced by the early settlers pushed native wild life aside. Today wildlife, in many instances, battles for survival.

This issue was studied in 2005 when a review titled CORELLA PROBLEMS IN WESTERN VICTORIA: CHRONOLOGY OF THE MANAGEMENT OF A NATIVE PEST SPECIES was published and no doubt the conclusions drawn then are equally valid today.

The conclusions noted that

- there are many different valid perceptions of the problem;
  - outcomes require solutions that are agreeable and practical to all stakeholders;
  - it is important to monitor conflict and to continuously adapt outcomes to changing situations and social climates; and
  - issues will continue to be contested and problematic as social landscapes expand and perceptions change.
- Acknowledgement of these points requires a shift towards greater understanding of the desirable social and economic outcomes for pest management issues and not just lethal control of the animal.

I would like to see a more conciliatory attitude towards our natural environment. As much as we may believe we have dominion over nature we are actually part of nature.

One of the joys of life is to wake up to the dawn chorus. We have the most wonderful and voluble bird population in the world. Australia is generally considered to be the origin of bird life.

Corellas wake us in the morning with din of their joyous calls as they and the other birds welcome the dawn before heading out for the day foraging for food and mischief. Like all larrikins they eventually come home to roost in the trees where they perch like large white magnolias. In the evenings they swirl around the evening skies before settling down for the night. They live with us, above us and around us and we love seeing them around the garden.

The reality is that we need to find ways to accommodate their presence in our lives. They appear to have become more numerous. I wonder. Has agriculture, in the quest for land development, triggered this this apparent population increase?

Recently I listened to an episode of the Science Show on RN celebrating the life of Robert May, Baron May of Oxford, who played a key role in the development of [theoretical ecology](#)

through the 1970s and 1980s and who was regarded as “the professor of everything”. He stated that the key to maintenance of life on earth is complexity. I wonder whether mono cultural agriculture is a significant threat to complexity.

Agriculture has become highly specialised. Remnant vegetation has been cleared which diminishes the complexity of the natural environment. Increasingly herbicides and genetic modification has stripped the agricultural domain of the complexity. The remaining natural vegetation struggles to survive and the natural foods for wildlife are eliminated. Grain is harvested and transported, somewhat wastefully. The birds feed in stubble and along roadsides. The population explodes accompanied by increasingly delinquent behaviour caused by over crowding.

So perhaps if we step back from confrontation with nature and explore how we can all live together in a world rapidly becoming incapable of providing the resources for endless growth required by the world economies we may see that the behaviour of these birds is but one small example of the destructive effect of our economy and lifestyle.

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Mobile: 0401228654

## David Pietsch

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**From:** Amanda K Ashton (DELWP) <amanda.ashton@delwp.vic.gov.au>  
**Sent:** Wednesday, 8 July 2020 3:06 PM  
**To:** David Pietsch  
**Subject:** Corella Management Plan

Dear David,  
Apologies for the delay in getting back to you on this.

Overall it is a great plan and we are particularly satisfied with the inclusion of a monitoring and review process. My only suggestion, which is not based on experience, in areas where roosting sites are the issue, then finding a place out of town where they can roost without disturbing the townships may help. If they can be scared out of town and left undisturbed in another stand of trees they may learn to roost in this area. If you are scaring them away from all the available roosting sites they have no choice but to go straight back.

Our OCR colleague Paul Ryan has provided the following comments:  
After looking at the West Wimmera Plan I feel that it all looks good from a management point of view. The use of laser lights/pointers would need to be cleared with aviation authorities. I am not sure of the success of these for the management of Corellas.  
Also the requirements for a public place permit through Vic Police will be required in some circumstances. The use of Hawks have been used with little success and a costly exercise.

Please let us know if you need more info, we are happy to work with the Shire on this.  
Best wishes  
Amanda

Amanda Ashton | Senior Wildlife Management Officer | Natural Environment Programs  
Forest, Fire and Regions | Department of Environment, Land, Water and Planning

Please note I work Monday – Wednesday

Level 1, 402 Mair Street, Ballarat, Victoria 3350  
M: 0409 022 243 | E: [amanda.ashton@delwp.vic.gov.au](mailto:amanda.ashton@delwp.vic.gov.au)

## Munganin Gadhaba 'Achieve Together'

Aboriginal Inclusion Plan 2016–2020



We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.



**LOCAL GOVERNMENT ACT 1989**

**DEVIATION OF ROAD PARISH OF BOOROOPKI**

Under Clause 2(2) of Schedule 10 of the Local Government Act 1989, I consent to partial discontinuance of the road in the Parish of Booroopki on the Crown land land shown by hatching on the attached plan 0206294, MEL-67308.

Corr: No: **0206294**

Dated: 17.4.2019



**Grant Hull**

Regional Manager

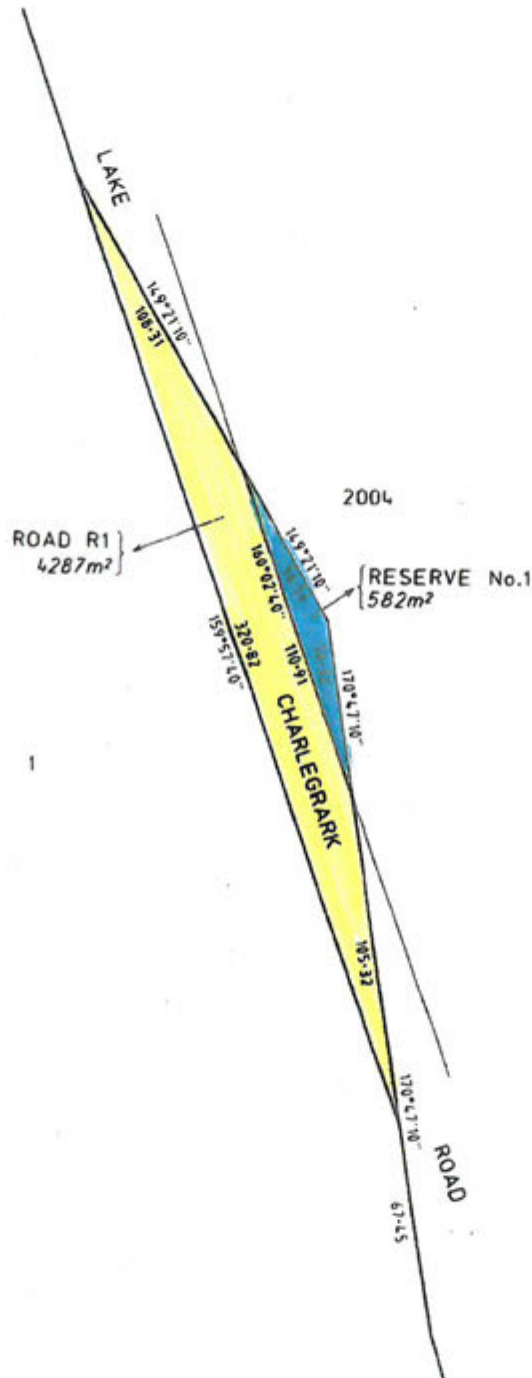
Land & Built Environment Programs

As delegate of the Minister for Energy, Environment and Climate Change



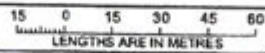


PS405700P



OFFICE OF  
SURVEYOR-GENERAL VICTORIA  
DEPARTMENT OF ENVIRONMENT,  
LAND, WATER AND PLANNING

SCALE  
1:1500



ORIGINAL SHEET  
SIZE: A3

Sheet 3

Digitally signed by: Colin Hill (Land Victoria - OSGV Surveyors).  
Surveyor's Plan Version (2).  
30/05/2017, SPEAR Ref: S100031H

Digitally signed by:  
West Wimmera Shire Council,  
19/06/2017,  
SPEAR Ref: S100031H



Victorian Government  
Solicitor's Office

**All correspondence to:**  
PO Box 4356  
Melbourne VIC 3001 Australia  
DX 300077 Melbourne

Your reference:

Our reference: 1854965

26 April 2019

**Contact details**

Anthony Leggiero  
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Mark Marzile  
Director of Infrastructure and Planning  
West Wimmera Shire Council  
PO Box 201  
Edenhope Vic 3318

**By email: [markmarzile@westwimmera.vic.gov.au](mailto:markmarzile@westwimmera.vic.gov.au)  
[council@westwimmera.vic.gov.au](mailto:council@westwimmera.vic.gov.au)**

Dear Mark

**Proposal to rectify anomaly in land holdings for Lake Charlegrark Road**

The Department of Environment Land Water and Planning (**DELWP**) has instructed us to request West Wimmera Shire Council's (**Council**) engagement in a proposal to rectify an anomaly identified in the current land holdings for Lake Charlegrark road (**Road**).

**Proposal**

1. DELWP has identified that the bitumen section of the Road identified by cross hatching on enclosed plan 0206294, MEL-67308 (**Plan**) is situated on freehold title volume 8542 folio 054 (**Title**), held in the name of Ambadis Pty Ltd (**Ambadis Land**), rather than the section of unreserved government road shown hatched on the Plan and held in Crown Folio Statement Volume 11791 Folio 849 (**Crown land**) (**the Anomaly**).
2. Following consultation with Land Use Victoria, the Office of Surveyor General has recommended implementation of the following (2) stage process to rectify the Anomaly:
  - 2.1 **First Stage** - A land exchange of the Crown land and Ambadis Land for no monetary consideration. This would be effected through the following process:
    - (a) Council's discontinuance of the road on the Crown land with the consent of the Minister for Energy, Environment and Climate

Change (**Minister**) under s 207B and clause 2 of Schedule 10 to the *Local Government Act 1989 (LG Act)*. Publication of the requisite notice in the Government Gazette will vest in Council the freehold title to both the Ambadis Land (under s 207B(1)(a) of the LG Act) and the Crown land (under s 207B(2A) of the LG Act).

- (b) A s 207E LG Act application is made by Ambadis Pty Ltd (as the owner of the land in the Title) to Land Use Victoria to amend the Titles Register to excise from the Title the Ambadis Land and include the Crown land in its place.

2.2 **Second Stage** - Council's closure of the road section coloured blue on enclosed plan PS405700P under clause 3 of Schedule 10 to the LG Act and its transfer to the Crown under s 207D of the LG Act for nominal consideration of \$1. DELWP will subsequently reserve this land under s 4 of the *Crown Land (Reserves) Act 1978* and include it in the adjoining Lake Charlegrark Recreation Reserve.

- 3. Whilst we inform you of the planned Second Stage of the Proposal now, DELWP instructs us that it will be progressed at a later time.

#### **Next Steps**

- 4. Assuming Council agrees to implement the Proposal, the First Stage will be a land exchange between Ambadis Pty Ltd and Council, that we envisage involving the following steps:
  - 4.1 The Minister consenting to the road deviation and vesting under clause 2(2) of Schedule 10 to the LG Act. This consent has been obtained and is enclosed.
  - 4.2 Council publishing notice of the proposed deviation and road discontinuance in accordance with s 223 of the LG Act.
  - 4.3 Council publishing notice in the Government Gazette:
    - (a) of the road deviation, land exchange and road declaration under clause 2(3) of Schedule 10 to the LG Act; and
    - (b) discontinuing the Crown land's road status.
  - 4.4 The legal representative for Ambadis lodging a s 207E LG Act application at Land Use Victoria to remove the Ambadis Land from the Title and include the Crown land in its place.

This application will need to be accompanied by:

- (a) The gazettal notice;
- (b) Minister's Consent;

- (c) Consent of the mortgagee (NAB) and caveator (Powercor) in connection with the land in the Title; and
- (d) Nomination and making available of the Title for lodging purposes.

**Request for response**

- 5. We would appreciate it if you could inform us of Council's position in response to the Proposal at your earliest convenience.
- 6. Assuming Council agrees to implement the Proposal, we provide you with the following contact details for Ambadis Pty Ltd to facilitate your discussions on the First Stage land exchange:

Ronald Hawkins  
348 Minimay Frances Road, Minimay 3413  
Phone 0428866265  
[bhfarms@optusnet.com.au](mailto:bhfarms@optusnet.com.au)

- 7. Whilst our client's direct involvement in implementation of the First Stage is limited to providing the Minister's consent enclosed, we are willing to assist with any enquiries that Council may have. For enquiries relating to the Proposal implementation process, please contact Jennifer McLean of our office on 9947 1429.
- 8. Enquiries that relate more generally to the Proposal should be directed to Aladdin Jamali, Program Officer, DELWP who can be contacted on 5336 6856 or by email at [Aladdin.Jamali@delwp.vic.gov.au](mailto:Aladdin.Jamali@delwp.vic.gov.au).

Yours faithfully  
Victorian Government Solicitor's Office



Jennifer McLean  
Senior Solicitor  
Enc

- 1. Plan No. 0206294, MEL-67308
- 2. Plan PS405700P
- 3. Minister's Consent dated 17 April 2019