

# Planning Assessment Officer Report

PA2503724 – Dunnstown  
Boral Quarry



Planning Assessment Officer Report  
Development Assessment

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## Contents

<b>Executive Summary</b>	<b>2</b>
<b>Proposal</b>	<b>4</b>
<b>Existing Approvals &amp; Operations</b>	<b>4</b>
<b>Extractive Industry Approval Process</b>	<b>5</b>
<b>Planning Permit Application Process</b>	<b>6</b>
<b>Proposal Summary</b>	<b>7</b>
<b>Subject Site and Surrounds</b>	<b>9</b>
<b>Planning Provisions</b>	<b>16</b>
<b>Zoning and Overlays</b>	<b>17</b>
<b>Particular and General Provisions</b>	<b>18</b>
<b>Relevant Strategic Plan / Background Documents / Policy Documents</b>	<b>20</b>
<b>Referrals and Notice</b>	<b>23</b>
<b>Assessment</b>	<b>27</b>
<b>Recommendation</b>	<b>52</b>
<b>Appendix 1: Response to Moorabool Shire Council's submission</b>	<b>54</b>
<b>Appendix 2: Response to objections</b>	<b>58</b>

# Executive Summary



Key Information	Details																	
<b>Application No:</b>	PA2503724																	
<b>Received:</b>	11 June 2025																	
<b>Statutory Days:</b>	279																	
<b>Applicant:</b>	Boral Resources (Vic) Pty Ltd c/- EMM Consulting Pty Ltd																	
<b>Planning Scheme:</b>	Moorabool																	
<b>Land Address:</b>	<p>144 Dunnstown-Yendon Road, Dunnstown (primary address reference)</p> <ul style="list-style-type: none"> <li>- Lot 1, TP816280</li> <li>- Lot 1, TP816276</li> <li>- CP106846</li> </ul> <p>Navigator-Dunnstown Road, Dunnstown</p> <ul style="list-style-type: none"> <li>- Lots 1 &amp; 2, TP876980</li> <li>- Lot 2, PS124855</li> </ul> <p>222 Dunnstown-Yendon Road, Dunnstown</p> <ul style="list-style-type: none"> <li>- Lots 1, 2, 3 &amp; 4, TP534284</li> </ul> <p>89 Ditchfield Road North, Navigators</p> <ul style="list-style-type: none"> <li>- Crown Allotments 5, 5A, 5B, 5C &amp; 5D Section 17 Parish of Warrenheip</li> </ul> <p>Ditchfield Road North, Navigators</p> <ul style="list-style-type: none"> <li>- Lot 2, PS309289</li> </ul> <p>Howards Road, Navigators</p> <ul style="list-style-type: none"> <li>- Crown Allotments 4B &amp; 4C Section 17 Parish of Warrenheip</li> <li>- Crown Allotment 2050 Parish of Warrenheip</li> </ul>																	
<b>Proposal:</b>	Omnibus permit which includes the use and development of the land for extractive industry (basalt quarry) associated with existing Work Authority 82 (WA82)/Planning Permit A053/97, constructing and carrying out works within the existing WA82 license area associated with an extension to the existing quarry and extension of the use and development of the land for extractive industry to part of the land (Crown Allotments 4B & 4C, Section 17 Parish of Warrenheip & Howards Road on Plan of Crown Allotment 2050 Parish of Warrenheip) associated with an extension to the existing quarry.																	
<b>Development Value:</b>	\$514,404 (cost of works), \$416 million resource extraction value																	
<b>Why is the Minister responsible?</b>	<p>In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because:</p> <p>The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part of the Act.</p>																	
<b>Why is a permit required?</b>	<table border="1"> <thead> <tr> <th>Clause</th> <th>Control</th> <th>Trigger</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Zone:</td> <td rowspan="2">Clause 37.01 Special Use Zone Schedule 1 (SUZ1)</td> <td><i>Use the land for mineral, stone or soil extraction</i></td> </tr> <tr> <td><i>Construct a building or construct or carry out works</i></td> </tr> <tr> <td rowspan="2"></td> <td rowspan="2">Clause 35.07 Farming Zone</td> <td><i>Use the land for extractive industry</i></td> </tr> <tr> <td><i>Construct a building or construct or carry out works associated with a Section 2 use</i></td> </tr> <tr> <td>Overlays:</td> <td>Clause 43.02 Design and Development Overlay Schedule 2 (DDO2)</td> <td><i>Construct a building or construct or carry out works</i></td> </tr> <tr> <td>Particular Provisions:</td> <td>Clause Earth and Energy Resources</td> <td><i>Use and develop the land for earth and energy</i></td> </tr> </tbody> </table>	Clause	Control	Trigger	Zone:	Clause 37.01 Special Use Zone Schedule 1 (SUZ1)	<i>Use the land for mineral, stone or soil extraction</i>	<i>Construct a building or construct or carry out works</i>		Clause 35.07 Farming Zone	<i>Use the land for extractive industry</i>	<i>Construct a building or construct or carry out works associated with a Section 2 use</i>	Overlays:	Clause 43.02 Design and Development Overlay Schedule 2 (DDO2)	<i>Construct a building or construct or carry out works</i>	Particular Provisions:	Clause Earth and Energy Resources	<i>Use and develop the land for earth and energy</i>
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	52.08	Industry	<i>resources industry</i>
<b>Cultural Heritage:</b>	It has been determined a CHMP is not required for the proposal as the expansion of the activity is not within an area of cultural heritage sensitivity and the works proposed within the existing quarry area have been subject to significant ground disturbance.		
<b>Site Area:</b>	240 ha	existing quarry	
	261 ha	Proposed quarry	
<b>Extraction Area</b>	85 ha	In total (additional 36.5 ha extraction area proposed)	
<b>Referral Authorities:</b>	Moorabool Shire Council (s52 notice) Department of Environment, Energy and Climate Action (DEECA) – Earth Resources Regulator (ERR) – s55 determining		
<b>Public Notice:</b>	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning via direct mail notice to owner and occupiers of land adjoining and surrounding the site.		
	7 objections have been received as of <b>16 January 2026</b> .		
<b>Delegates List:</b>	Approval to determine under delegation received on <b>19 December 2025</b> .		



## Existing Approvals & Operations

1. Much of the subject site is already used and developed for bluestone quarrying, operated by Boral Resources (Vic) Pty Ltd and that this application seeks to expand the extraction area of the existing quarry pit as well as apply to the ongoing use of the existing quarry operations.

### Resource Extraction Approval

2. Extractive Industries License 923 (EIL-923) was originally granted to Dunnstown Quarries on 1 December 1977 for a ten-year term and was subsequently renewed on 13 September 1988 which extended its validity to 30 November 1997. Following the introduction of the *Extractive Industries Development Act 1995*, EIL-923 was transitioned into Work Authority 82 (WA82). Under the new legislative framework, fixed expiry dates were removed and the Work Authority remains valid to the life of the resource (subject to ongoing compliance with requirements).

### Planning Approval

3. Planning Permit No. A053/97 was issued on 4 November 1977 by the Shire of Buninyong (now forms part of Moorabool Shire) for 'Use and development of the land for the purposes of extractive industry subject to the following conditions'. This planning permit continues to remain in effect and govern the quarries operation and remains valid for the life of WA82. The planning permit includes several conditions that are generally linked to the requirements of the EIL-923/WA82.

### Existing Quarry Operations

4. The current extraction operations on-site can be summarised as follows:
  - The current excavated area is approximately 48.5 ha, extracting stone to a maximum depth of approximately 495 metres to AHD (approximately 17 metres below natural ground level).
  - 22 full-time, site-based employees and 15 permanent, full-time delivery drivers and approximately 25 more drivers not employed by Boral.
  - An average yearly yield of 1.0 to 1.2 tonnes of product each year, subject to fluctuations depending on market demand. It is estimated based on the current extraction area that there are fewer than two years of resource remaining. The quarry's basalt aggregate products are generally used for road and rail line construction as well as for the manufacturing of asphalt and concrete.
  - The quarry operates from 6 am to 6 pm Monday to Friday and on Saturdays as needed, in accordance with the existing Work Plan.

	Above Ground Operations	Sales	Processing
Monday – Friday	6 am – 6 pm	6 am – 6 pm	7 am – 6 pm
Saturday	6 am – 6 pm	6 am – 6 pm	7 am – 6 pm
Sunday	N/A	N/A	N/A
Public Holidays	N/A	N/A	N/A

- Blasting occurs once every three to four weeks (14 to 16 events each year), on weekdays between 10 am and 4 pm. Blasting is conducted by a licensed firer and monitored for air blast overpressure and ground vibration.
- All traffic movements to and from the site occur via the vehicle access leading south from Dunnstown-Yendon Road. The site generates an average of 299 vehicle movements per weekday, with 82% being heavy vehicles, with 80% of heavy vehicle movements bound for Ballarat via the Western Freeway.
- Electricity is supplied to the site via above ground wire mains supply to the onsite substation which powers the rest of the site via underground wiring. The site is not connected to reticulated sewerage, with effluent treated onsite via a septic system and removed offsite for dispersal.



- Lighting is provided through a combination of fixed and mobile lighting equipment that is baffled to avoid light pollution and only utilised at minimal levels out-of-hours for security purposes.

5. An overview of how stone is extracted and process on site is summarised as follows:

#### Pre-Processing (Blasting, Drilling, Transport and Unloading)

- Removal of vegetation and waste rock and removal of topsoil and overburden for extraction areas by earth-moving equipment.
- Extraction of rock by drilling and blasting using a multi-level open pit extraction method, with blasting undertaken to reduce the rock to a manageable size.
- Removal of extract rock onto dump trucks to transport to the primary crusher located on the existing quarry floor.

#### Processing (Crushing, Screening and Binning)

- The 'primary section' of the plant located centrally within the pit incorporates a jaw crusher and feed hooper which feeds into a conveyor system to transfer rock to tertiary section of the plant for further crushing and screening by size in the main screen house. The primary section of the plant is approaching the end of its expected life.
- A blending plant (pug mill) is used to produce a range of crushed rock products.

#### Post-processing (Material handling, stockpiling, transport and sales)

- Finished product is transferred to open-area stockpiles by truck.
- Materials are loaded from stockpiles by a sales load and transported to the weighbridge before being transported off-site for sale.

## Extractive Industry Approval Process

6. Extractive industry applications are subject to a multi-stage approval process that requires first obtaining a statutory endorsement of a draft work plan or work plan variation under the *Mineral Resources (Sustainable Development) Act 1999* (MRSD Act) via the Department of Environment, Energy and Climate Action (DEECA) Earth Resources Regulator (ERR).
7. Once statutory endorsement is achieved, the proponent is required to seek a planning permit in accordance with the *Planning and Environment Act 1987* (P&E Act) and ideally the applicant should demonstrate compliance with any conditions from this statutory endorsement process. Should a planning permit be granted, the statutorily endorsed work plan must be amended in accordance with any changes required by the planning permit process and submitted back to the ERR for final approval of the work plan and granting of a work authority.
8. The first stage in this process has been completed with statutory endorsement of the proposed Work Plan Variation to Work Plan WA82 (which regulates the existing quarry on site) granted by DEECA ERR on 11 February 2025 (Plan Number PLN-001807). The approval of the draft work plan included several conditions related to the removal, protection and required offsets for native vegetation, as well as conditions relating to requirements of Central Highlands Water, which included the installation of two additional monitoring bores and to include these and bore WRK046966 in the adjacent quarry to be monitored.
9. A summary of the key aspects of the quarry's expansion approved by the draft work plan variation that depart from the current work plan include:
  - The work plan variation allows for an extension of the pit footprint by 36.5 ha to increase the life of the project (no increase to production volume).



- Final depth of extraction to have a maximum terminal depth of 20 metres, to RL491 with terminal faces to vary between 12 and 15 metres high and backfilled with overburden to form a batter not exceeding 1V:4H.
  - The primary section of the processing plant is to be replaced with a new enclosed fixed plant by the fourth quarter of 2027 to reduce noise and dust generation.
10. The planning permit application does not seek anything to the contrary of the statutorily endorsed work plan variation.

## Planning Permit Application Process

11. The key milestones in the application process were as follows:

Milestone	Date
<b>DFP Pre-application Request Submitted</b>	<b>25 February 2025</b>
<b>DFP Eligibility Letter Issued</b>	<b>20 May 2025</b>
<b>Application lodgement</b>	<b>21 May 2025</b>
<b>Further information requested</b>	<b>27 June 2025</b>
<b>Further information received</b>	<b>8 August 2025</b>
<b>Informal plans for the preparation of permit conditions</b>	<b>31 March 2026</b>
<b>Decision Plans</b>	Site and Development Plans prepared by <b>GHD</b> , Revision A.
<b>Other Assessment Documents</b>	Air Quality Impact Assessment prepared by SLR Consulting dated 16 February 2024 Blast Impact Assessment prepared by Terrock dated September 2024 Community Engagement Plan prepared Boral dated 16 February 2024 Ecological Assessment prepared by Ecology & Heritage Partners dated September 2023 Geotechnical Assessment prepared by GHD dated 9 October 2024 Ground Control Management Plan prepared by GHD dated 9 October 2024 Groundwater Dependent Ecosystems Assessment prepared by SLR Consulting dated 8 April 2024 Groundwater Investigations Report prepared by GHD dated 15 October 2024 Groundwater Monitoring Plan dated 15 October 2024 Landscape & Visual Impact Assessment prepared by Tract dated 14 June 2024 Noise Impact Assessment prepared by SLR



Consulting dated 23 February 2024

Rehabilitation Plan prepared by GHD and dated 8 October 2024

Resource Statement Memo prepared by Boral dated 18 April 2024

Road Safety Assessment prepared by Ratio and dated 27 October 2022

Surface Water Assessment prepared by SLR and dated 26 August 2024

Documentation related to statutorily endorsed Work Plan Variation WA82 including:

- Referral Comments (Compiled)
- Schedule of General Conditions
- Statement of Reasons for Endorsement
- Statutory Endorsement information for Council
- Statutorily Endorsed Work Plan Variation (WA82) (endorsed 11 February 2025)

Submitted post-public notice to respond to submission/assist with drafting permit conditions:

Peer Review (Noise) Response prepared by SLR Consulting dated 2 December 2025

Petrographic Report prepared by Geochempet Services dated October 2022

Dunnstown Quarry Staging Plan prepared by GHD Revision A

Landscape Framework Plan prepared by Tract dated 2 September 2024

12. The subject of this report is the decision plans (as described above).

## Proposal Summary

### Proposal

13. The proposal seeks to expand the extraction area of the existing Dunnstown Boral Quarry in order to extend the life of the quarry. The total increase to the extraction area is 36.5 ha with a slightly increased extraction depth of 4 metres (491 metre to AHD compared to 495 metres to AHD). The expanded extraction area is comprised of a 24.3 ha pit extension to the south and an eastern pit extension of 11.2 ha.
14. While the eastern pit extension is located within the existing WA82 Work Plan area, the southern pit extension proposes to extend the Work Authority area to also include the land at:
- Crown Allotments 4B & 4C Section 17 Parish of Warrenheip
  - Crown Allotment 2050 Parish of Warrenheip (Howards Road).
15. While it is sought to close and acquire the Howards Road Government Road, a 20-metre wide buffer on either side of Howards Road will be maintained and in consultation with the council, be closed to traffic when blasting is to occur within 400 metres of the road.
16. The proposed development as a result of this application and expansion of the extraction area includes:



- Construction of a noise and visual amenity bund along the southern and eastern boundary of the proposed quarry extent, generally resembling the existing bunds along the current pits southern and eastern boundaries being approximately 25 metres wide and 6 metres high.
  - Construction of boundary fences around the new perimeter of the expanded quarry site, consistent with existing conditions of the planning permit which require fencing around the licensed areas of the site be mesh with barbed wire standing 1.8 metre high.
  - Constructing and carrying out works for the proposed primary processing plant upgrades, including the construction of an acoustic enclosure around the plant with a footprint of approximately 126.56 m<sup>2</sup> and 18 metres high.
17. In addition to the proposed expansion of the quarry pit area, staged rehabilitation of the redundant areas of the quarry will also be carried out in accordance with the rehabilitation plan submitted with the application. Rehabilitation entails progressively filling the extraction pit with overburden and topsoil stockpiles stored on site as the quarry has been progressively developed and removal of any plant and equipment or other ancillary structures within the various rehabilitation domains, as identified in the rehabilitation plan.

#### Omnibus Planning Permit

18. The expansion of the quarry has been applied for as a new application pursuant to Clause 53.22 (Significant Economic Development) rather than as an amendment to the existing planning permit A053/97. Planning Permit A053/97 has no expiry date, with Condition 1 of the planning permit stipulating that the use and development hereby authorised (by the permit) shall at all times be in accordance with the approved working proposal (WA82) attached to an Extractive Industries License (Work Authority). As the proposal would continue to be authorised under WA82, this would mean planning permit A053/97 would continue to apply to the site, despite not being amended to reflect the variation to WA82 proposed.
19. The proposed application is sought as an omnibus planning permit which includes planning authorisation for the existing quarry operations as well as the proposed expansion and variations to WA82 which once issued, would render A053/97 redundant though technically still active on the land. Per Schedule 1 of Clause 72.01 of the planning scheme, Moorabool Shire Council would continue to be the responsible authority for all matters pertaining to A053/97. The applicant has not explicitly sought to amend or delete this planning permit, as part of the current proposal.



## Site Description

20. The site is located approximately 1 km south of the small regional township of Dunnstown and approximately 15 km south-east of Ballarat. The existing site that is currently subject to both WA82 and Planning Permit A053/97 is 240 ha in area (landholdings in yellow below) while the proposed future site is 261 ha in area, as a result of the inclusion of three additional landholdings (outline in red below) which are formally described as follows:

- Crown Allotments 4B & 4C Section 17 Parish of Warrenheip
- Crown Allotment 2050 Parish of Warrenheip (Howards Road)

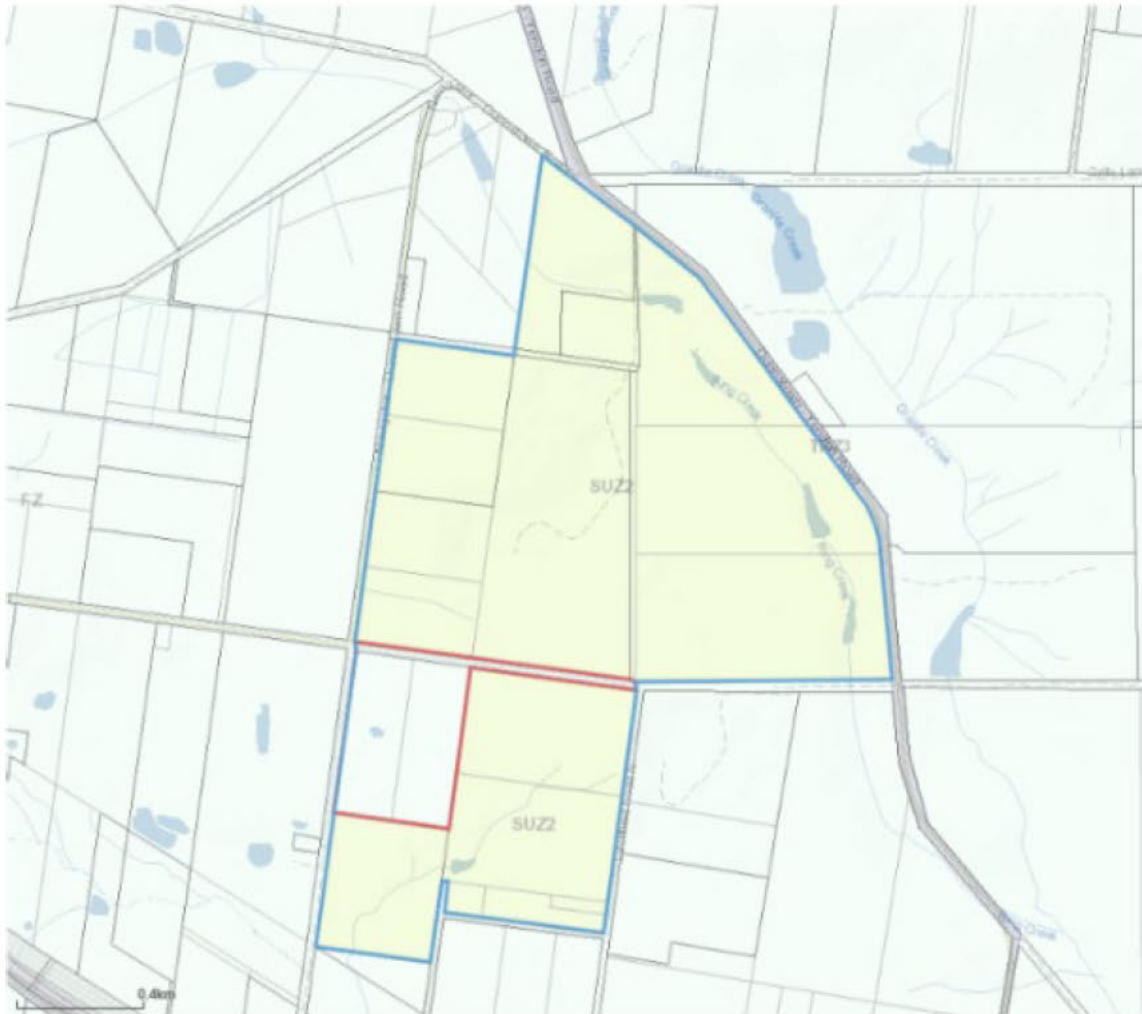


Figure 1 – Outline of the existing land within the WA82 Work Authority boundary (blue) and land proposed to be included as a result of the variation (red) (Source: Town Planning Report)

21. Though the site is referred to as '144 Dunnstown-Yendon Road', the existing site is comprised of a large number of landholdings with various street addresses and are known as follows:

- 144 Dunnstown-Yendon Road, Dunnstown (primary address reference)
  - Lot 1, TP816280
  - Lot 1, TP816276
  - Land in Plan of Consolidation 106846
- Navigator-Dunnstown Road, Dunnstown



- Lots 1 & 2, TP876980
  - Lot 2, PS124855
  - 222 Dunnstown-Yendon Road, Dunnstown
    - Lots 1, 2, 3 & 4, TP534284
  - 89 Ditchfield Road North, Navigators
    - Crown Allotments 5, 5A, 5B, 5C & 5D Section 17 Parish of Warrenheip
  - Ditchfield Road North, Navigators
    - Lot 2, PS309289
22. The existing areas of the site already used and developed as part of the existing quarry are primarily located within the 144 Dunnstown-Yendon Road and Navigator-Dunnstown Road landholdings. This includes the existing quarry pit and plant equipment and site office, noise and visual amenity bunds, the primary access road into the site via Dunnstown-Yendon Road and other various haul and access roads around the site. The remaining land not directly used for quarrying activities is primarily remnant farmland that is not significantly vegetated or developed and leased for grazing or agricultural purposes. Other notable features of the site include Ring Creek which runs north to south through the site along the eastern boundary adjacent to Dunnstown-Yendon Road, via a series of small farming dams.



Figure 2 – Image of the existing quarry pit on site (Source: LVIA report)



Figure 3 – Image of the existing primary processing plant on the quarry pit floor (Source: LVIA report)



Figure 4 – Image of Ring Creek in proximity to Dunnstown-Yendon Road (Source: Groundwater Investigations Report – Appendix A)

23. The landholdings proposed to be incorporated into the Work Authority area as part of this application are also similarly remnant farmland that are primarily cleared/not developed however Crown Allotment 2055 is a Government Road known as Howards Road, an unsealed local public road which runs east-west through the centre of the site between the intersection of Navigator-Dunnstown and Hewittsons Road to the west and Ditchfield Road North to the east. This road is proposed to be discontinued and transferred into Boral's ownership which has been previously supported in principle by Moorabool Shire Council (the coordinating road authority).
24. There are several easements, restrictions or reserves which affect various land holdings within the planning unit, as follows:
- Section 173 Agreement S005048M which applies to Lot 2 on Plan of Subdivision 309829U which creates a restriction of the land between the Shire of Buninyong (now Moorabool Shire Council), the landowner and the West Moorabool Water Board. The agreement created an ongoing restriction on the land (following its

subdivision) to acknowledge the landforms part of the Water Catchment of the Lal Lal Reservoir and therefore the owner agrees that the land will not be further subdivided and that no house or development requiring disposal of wastewater effluent will be constructed upon it. This agreement is not breached by the proposal, noting that the proposed development of the southern pit extension does not extend into the affected lot, nor is disposal of wastewater effluent onto this land proposed and no further subdivision of the site is proposed.

- Easement E-1 on Lot 2 on Plan of Subdivision 309829U and Easement 'BL' on Lot 2 on Title Plan 534284R which are in favour of the State Electric Commission for the purpose of powerlines. No works are proposed within either easement.

## Site Surrounds

25. The land surrounding the site is predominately a regional farming context with a low density of dwellings scattered throughout the surrounds. Other notable land uses in the site surrounds include the land use and developed for extractive industries by Walsh Ballarat Quarries to the south-east of the site.
26. Development surrounding the site can be described as follows:
  - To the **north** of the site:
    - Immediately to the north and north-east of the site is Dunnstown-Yendon Road, a collector road with a 7 metre wide carriageway which provides a connection from the Midland Highway further south and the Western Highway further north (which provides access to Ballarat).



Figure 5 – Entry to site access road (left) where it intersects with Dunnstown-Yendon Road (Source: Road Safety Assessment)

- Land north of the site is predominantly farmland used for agricultural purposes and a number of dwellings including 360 Navigator-Dunnstown Road (associated with the quarry and owned by Boral), 121 Dunnstown Yendon Road and 229 Dunnstown-Yendon Road.
- Further north (approximately 1.4km from existing quarry pit) is the township of Dunnstown, concentrated around the intersections of Dunnstown-Yendon Road, Ti Tree Road and Old Melbourne Road. The township is composed of a number of dwellings on residential allotments as well as local amenities like St Brendan's Primary School.



Figure 6 – Dunnstown township at Dunnstown-Yendon Road/Ti Tree Road/Old Melbourne Road intersection, looking south

- To the **south** of the site:
  - Immediately south of the eastern portion of the site at the corner of Howards Road and Ditchfield Road North is Walsh Ballarat Quarries, another bluestone quarry. This quarry also has road access via Dunnstown-Yendon Road, with its main plant equipment and site offices etc. located in the northern portion of the site.
  - To the south of the southern portion of the site is also predominantly farmland used for agricultural purposes and two dwellings being 57 Ditchfield Road North (associated with the quarry and owned by Boral) and 174 Ditchfield Road.
  - Further south of the site remains predominantly farmland with pockets of rural-residential development, including a number of properties along Navigators Road approximately 650 metres south-west of the site and within the township of Yendon, approximately 1.4 km south-east of the site.

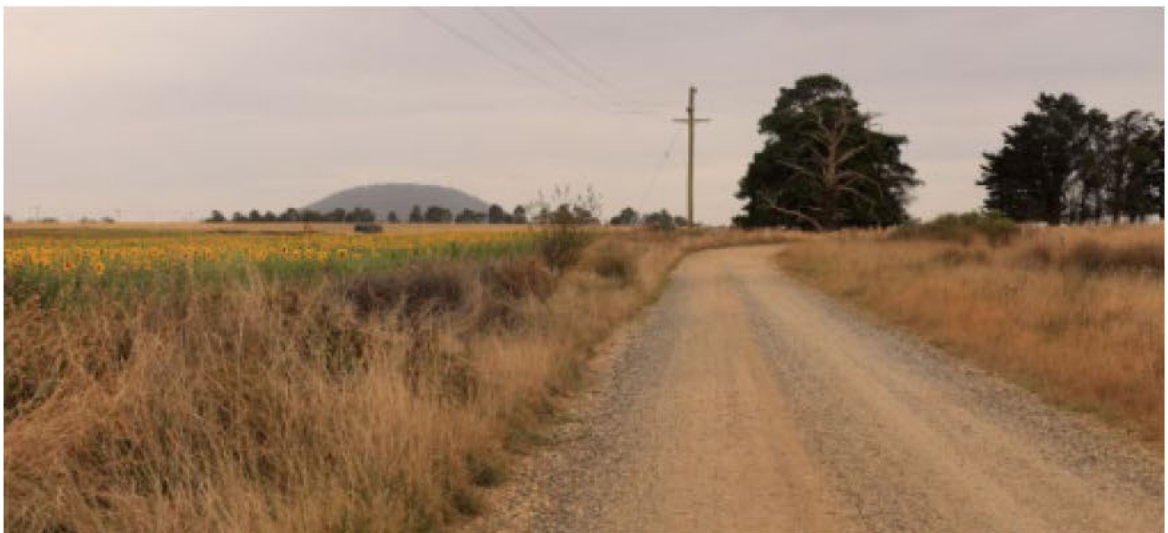


Figure 7 – Image of Ditchfield Road (looking north toward southern pit extension location) with land within the existing WA82 boundary to the left and Mount Warrenheip in the background (Source: LVIA report)



- To the east of the site:
  - To the east of the site is Dunnstown-Yendon Road, and a number of large agricultural landholdings which include a small number of dwellings including at 185, 229 and 277 Dunnstown-Yendon Road, with all three dwellings located at least 500m from the proposed eastern pit extension. Granite Creek also runs through these landholdings, generally parallel to Dunnstown-Yendon Road.



Figure 8 – Image of farmland east of Dunnstown-Yendon Road, with Granite Creek visible in the mid-ground (Source: Groundwater Investigations report – Appendix A)

- To the west of the site:
  - Immediately to the west of the site's boundary is Navigator-Dunnstown Road which becomes Hewittsons Road south of Howards Road. Hewittsons Road is rural access road that currently terminates at the access to 62 Hewittsons Road. As part of the proposed closure of Howards Road, the proponent proposes to upgrade and extend Hewittsons Road from Navigator-Dunnstown Road further south to connect into Ditchfield Road, to provide continued local accessibility.



Figure 9 – Hewittsons Road, looking north with Mount Warrenheip in the background (Source: LVIA report)

- To the west of the site is again also predominantly used and developed for agricultural purposes alongside a small number of dwellings including 62 Hewittsons Road and 200 Navigator-Dunnstown Road (associated with the quarry and owned by Boral) as well as 180 Navigator-Dunnstown Road, 42 Keilys Road and 50 Magees Road.



Figure 10 – Image of Navigator-Dunnstown Road, west of the intersection with Howards Road/proposed Work Authority extension area, with the dwelling at 200 Navigator-Dunnstown Road to the right (Source: LVIA report)



## Municipal Planning Strategy

27. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-2	Environmental and landscape values
02.03-4	Natural resource management
02.03-5	Built environment and heritage
02.03-7	Economic development
02.03-8	Transport
02.04	Strategic Framework Plan

## Planning Policy Framework

28. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

<b>Clause 11</b>	<b>Settlement</b>
11.01-1	Settlement
11.01-1R	Settlement-Central Highlands
11.01-1L-01	Settlement in Moorabool
11.01-1L-04	Small towns and settlements
<b>Clause 12</b>	<b>Environmental and Landscape Values</b>
12.01-1S	Protection of biodiversity
12.01-1L	Biodiversity
12.01-2S	Native vegetation management
12.03-1S	River and riparian corridors, waterways, lakes, wetlands and billabongs
12.05-2S	Landscapes
12.05-2R	Landscapes – Central highlands
12.05-2L	Landscapes in Moorabool
<b>Clause 13</b>	<b>Environmental Risks and Amenity</b>
13.02-1S	Bushfire Planning
13.04-2S	Erosion and landslip
13.05-1S	Noise management
13.06-1S	Air quality management
13.07-1S	Land use compatibility
<b>Clause 14</b>	<b>Natural Resource Management</b>
14.01-1S	Protection of agricultural land



14.01-1L	Agriculture, rural dwellings and subdivision
14.02-1L	Declared special water supply catchments
14.02-2S	Water quality
14.03-1S	Resource exploration and extraction
<b>Clause 15</b>	<b>Built Environment and Heritage</b>
15.01-2L-01	Building design
<b>Clause 18</b>	<b>Transport</b>
18.02-4S	Roads

## Zoning and Overlays

### Applicable Zones

#### Special Use Zone – Schedule 2 (SUZ2)

29. The existing WA82 site area is located in the SUZ2 which relates to Earth and Energy Resources Industry. A planning permit is required to use the land for extractive industries and to construct a building or construct or carry out works. The purpose of the SUZ2 is:

- To recognise or provide for the use and development of land for earth and energy resources industry.
- To encourage interim use of the land compatible with the use and development nearby land.
- To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

30. The following sections include a discussion of how the proposal responds to these requirements.

#### Farming Zone (FZ)

31. The proposed extension of the WA82 area is located within the Farming Zone. A planning permit is required to use the land for extractive industries as well as to construct a building or works associated with a Section 2 Use. The purpose of the Farming Zone includes:

- *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 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.*

32. The Farming Zone also includes a number of decision guidelines relevant for consideration, primarily concerned with the impact of non-agricultural uses on the ongoing viability of agricultural land on site and within the surrounds.

### Applicable Overlays

#### Environmental Significance Overlay – Schedule 1 (ESO1)



33. The ESO1 applies to the entire site area and relates to 'Special Water Supply Catchment Areas'. The schedule's state of environmental significance at Clause 1.0 states:

*'The Shire of Moorabool contains several special water catchment areas, which provide water to urban and rural development throughout the Shire. The protection of water catchments is essential to the health of all communities that rely on water for domestic and stock supply.'*

34. Clause 2.0 of the schedule also state the following environmental objectives to be achieved:

- To protect the quality and quantity of water produced within special water supply catchment areas.
- To provide for appropriate development of land within special water supply catchment areas.

35. Pursuant to Clause 42.01-2, planning permit is required to construct a building and to construct or carry out works. While a planning permit would also normally be required to remove, destroy or lop vegetation, Clause 3.0 of the schedule states that a planning permit is not required for 'the removal, destruction or lopping of vegetation necessary for extractive industry authorised by an approved work plan and in accordance with a work authority issued under the Extractive Industry Development Act 1995'.

36. As the proposed extent of vegetation removal within this overlay is proposed a result of the proposed quarry expansion and forms part of the statutorily endorsed work plan variation that will be approved under the MRSD Act (the successor to the EID Act), a planning permit is not required for the vegetation removal aspect of this overlay.

37. The schedule also contains a number of decision guidelines relevant to protecting the water supply catchment which will be discussed in further detail in the following sections of this report.

#### Design and Development Overlay – Schedule 2 (DDO2)

38. The DDO2 which relates to 'Visual Amenity and building design' applies to the entire site and broadly applies to much of the Moorabool Shire. Per Clause 43.02-2 of the Design and Development Overlay, a planning permit is required to construct a building or construct or carry out works, unless a schedule to the overlay specifically states that a permit is not required. Schedule 2 of the overlay states that a planning permit is not required construct a building or to construct or to carry out works where all external walls and roof area are clad with non-reflective materials. The details of the material finishes of the proposed plant enclosure structure confirms that non-reflective materials are proposed and therefore, a planning permit is not required under this overlay.

## Particular and General Provisions

### Provisions that Require, Enable or Exempt a Permit

#### Clause 52.06 – Car Parking

39. Clause 52.06 sets out the requirements for the provision and design of car parking. Per Clause 52.06-1, the clause applies to an increase in the site area of an existing use. Clause 52.06-3, states that a planning permit is required to reduce the minimum number of car parking spaces required under Table 1 of Clause 52.06-5, however the proposed use to be increased (extractive industries) is not a land use with a prescribed car parking rate in Table of Clause 52.06-5.

40. Despite this, Clause 52.06-6 states that where a use of land is not specific in Table 1, before the site of an existing use is increase, car parking spaces must be provided to the satisfaction of the responsible authority.

#### Clause 52.08 – Earth and Energy Resources Industry

41. Clause 52.08-1 states that a planning permit is required to use and develop land for earth and energy resources unless the table to the clause specifically states that a planning permit is not required. The table to the clause states that a planning permit is not required for the use and development for extractive industry if the proposal complies with Section 77T of the MRSD Act. This refers to extractive industry projects where an Environmental Effects



Statement was required to be prepared under the *Environment Effects Act 1978*. This is not relevant to the Dunnstown Quarry proposal and therefore, it is not exempt from a planning permit under this clause.

42. The purpose of the clause includes to:

- Encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.
- Ensure that planning controls for the use and development of land for exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

#### Clause 52.09 – Extractive industry and extractive industry interest areas

43. This clause applies to an application to use or develop land for extractive industry or with an extractive industry interest area, or within 500 metres of an existing or proposed extractive industry operation and therefore applies to this application.

44. The purpose of the clause includes to:

- Ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.
- To ensure that excavated areas can be appropriately rehabilitated.
- To ensure that stone resources which may be required by the community for future use are protected from inappropriate use and development.

45. Clause 52.09-2 outlines that following application requirements apply:

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

The application has been accompanied by these information requirements.

46. Clause 52.09-3 states that an application to use or develop land for extractive industry must be referred under Section 55 of the Act to the people or bodies specified as the referral authority in Clause 66 however it is also noted that with exception to referrals to the Head, Transport for Victoria, there referral requirement at Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the MRSD Act. As referral of the application was provided to all relevant referral authorities at Clause 66 under section 77TE of the MRSDA Act, this exemption applies to the application.

47. Clause 52.09 also contains requirements for conditions on planning permits and general requirements for application for extractive industry, as well as decision guidelines for consideration for applications to use and develop land for extractive industry. An assessment against these decision guidelines and requirements are discussed in the following sections of this report.

#### Clause 52.17 – Native Vegetation

48. Clause 52.17 relates to native vegetation and requires a planning permit to remove, destroy or lop native vegetation, except in particular circumstances outlined in the table of exemptions at Clause 52.17-7. These exemptions include native vegetation removal in relation to extractive industry where there is an approved Work Plan. As native vegetation removal forms part of the work plan variation that will be approved under the MRSD Act, a planning permit is therefore not required for the removal of native vegetation, with conditions relating to the removal and offset of native vegetations already provided in the statutorily endorsed conditions of the WA82 variation.

## General Requirements and Performance Standards

### Clause 53.22 – Significant Economic Development

49. Clause 53.22 seeks to facilitate the planning, assessment and delivery of project that will make a significant contribution to Victoria's economy and provide substantial public benefit. This includes use for extractive industry if the estimated value of the resource to be extracted is at least \$30 million and with the written advice confirming financial feasibility from Invest Victoria. The resources that the proposal would make available is estimated to be \$416 million, exceeding this amount and feasibility was confirmed by Invest Victoria on 8 May 2025.
50. The clause allows the responsible authority to waive or vary any building height or setback requirements and application requirements of the planning scheme and also exempts applications from the decision requirements of section 64(1), (2) and (3), and the review rights of section 82(1) of the *Act*.

## Relevant Strategic Plan / Background Documents / Policy Documents

### Plan for Victoria

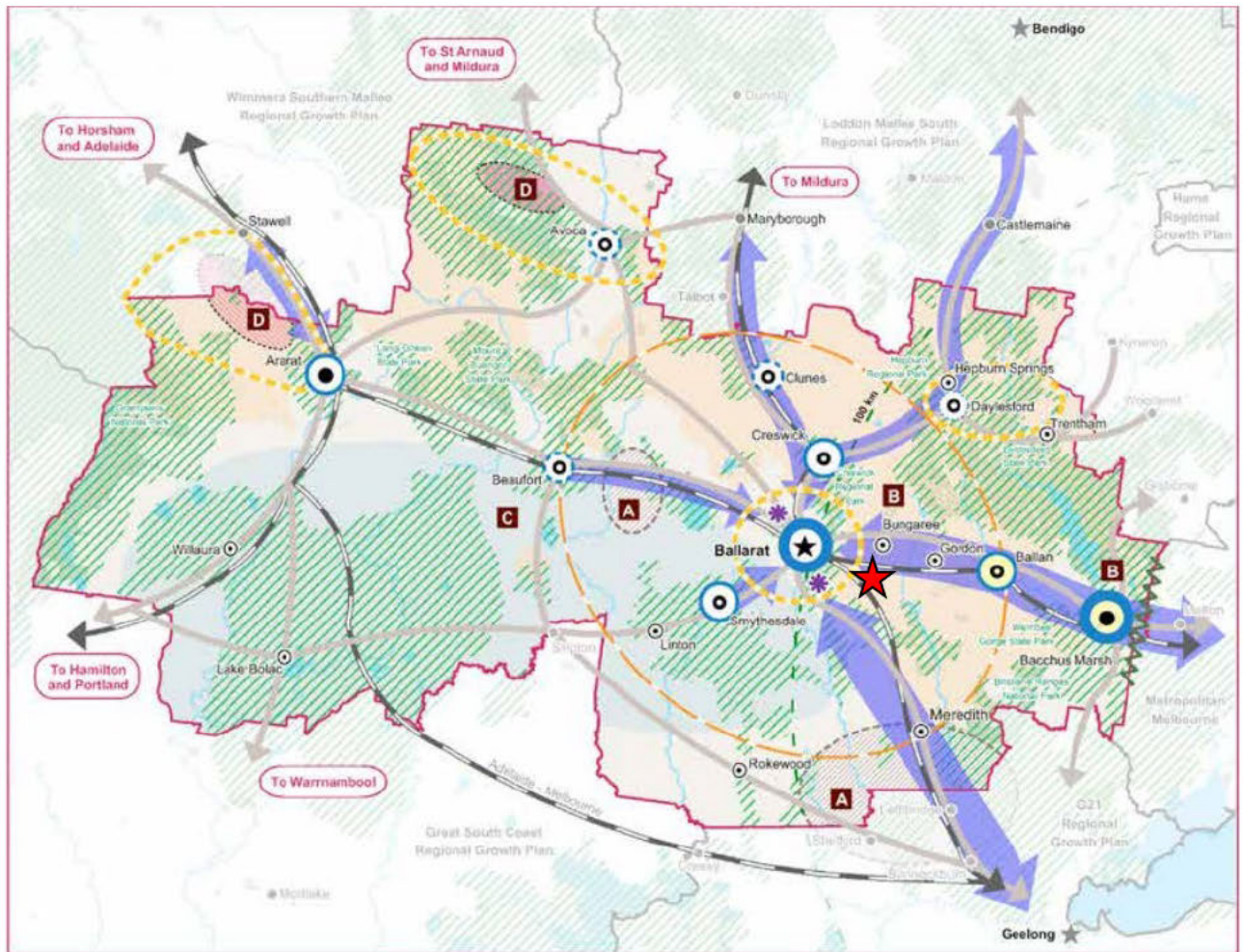
51. Plan for Victoria (the new strategic plan for Victoria) came into effect on 28 February 2026 to guide land use and development across Victoria until 2050 and is structured around five pillars for action. Amendment VC283 gazetted on 9 September 2025, modified the Victoria Planning Provisions of all planning schemes to implement some of the action points of Plan for Victoria. This also resulted in references to the now superseded Plan for Melbourne 2017-2050 being removed from the scheme. VC283 did not result in any significant changes to the planning scheme that are relevant to the application.

## Background Documents

52. Clause 72.08 identifies the following relevant background documents which may assist in assessing application against the planning scheme but do not form part of it:

### Central Highlands Regional Growth Plan (State of Victoria, 2014)

- This document establishes a framework for strategic land use and settlement planning that can sustainably accommodate growth and provide direction for accommodating growth and change including for residential, employment, industrial, commercial, agricultural and other rural activities. The plan identifies the importance of sourcing material like stone and sand products within peri-urban regions to reduce travel times and supply costs, strengthened where access to key regional connection routes like the Western Highway, while also noting the importance of protecting high quality agricultural land and other natural assets. The plan includes a strategic land use framework and strategic directions for managing these competing concerns.
- Section 12.6 of the plan's Regional Land Use Framework directs for sand and stone extraction resources to be protected from incompatible development and ensure they remain accessible for future generations and can be extracted and utilises affordably.



**SETTLEMENT NETWORK**



**ECONOMIC DEVELOPMENT**



**MELBOURNE AND BALLARAT HINTERLANDS**



**CONNECTIVITY**



**ENVIRONMENT**

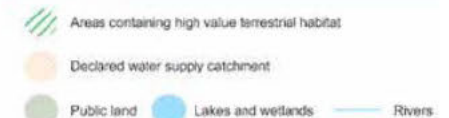



Figure 11 – Excerpt from the Central Highlands Regional Growth Plan with approximate site location (red star)

**Moorabool Shire Small Towns and Settlements Strategy (Moorabool Shire Council 2016)**

- This local strategy seeks to create a vision and strategic growth management framework for the Shire’s small towns and settlements which seeks a balance between accommodating future growth, while maintaining the



unique amenity of the Shire. Retention of a suitable buffer from Dunnstown and the Boral quarry to the south is identified in this strategy.

## **Relevant Policy Documents and Guidelines**

### Planning Practice Note 89: Extractive Industry and Resources (2023)

53. Planning Practice Note 89 provides guidance for planning practitioners on the approval process for extractive industry and neighbouring land use and development and describes the interaction of the clauses of the Victorian Planning Provisions most relevant to extractive industry and the MRSD Act.

### EPA Victoria Separate Distance Guideline (2024)

54. The EPA's *Separation Distance Guidelines* (publication 1949, August 2024) specifies a recommended buffer to sensitive receptors (dwellings, schools and hospitals) without mitigation of 500 m for quarries that involve blasting, which is intended to mitigate potential impacts associated with air emissions, including dust and air blast overpressure.

### Corangamite Regional Catchment Strategy 2021-2027

55. This strategy has been prepared for the Corangamite region in accordance with Part 4, Division 1 of the *Catchment and Land Protection Act 1994* which plans for the future of the catchment. The site is located within the Moorabool River basin of the Northern Uplands region of the catchment for which the strategy emphasises a need for sustainable land management practices that protect water quality, prevent erosion and support biodiversity.

### Helping Victoria Grow: Extractive Resources Strategy (2018)


56. This strategy prepared by the Department of Economic Development, Jobs, Transport and Resources in 2018 and seeks to strategically plan to secure affordable resources of quarried buildings materials to facilitate the construction of essential infrastructure. Moorabool Shire is identified as a 'Critical Supply Local Government Area', where there is significant scope for production of earth resources essential for built infrastructure. This strategy generally seeks to inform future strategic planning and approval processes for extractive resources but relevant to this application, identifies the need for readily available supplies of construction material in strategic locations that are well connected to the principal transport network.



## Referrals

57. The application was not referred to any external authorities as a result of the exemptions within the scheme discussed above and has been referred to the referral authorities specified under Clause 66 as a result of the WA82 work plan variation approval process. The various referrals and associated response carried out under that process are summarised as follows:

Referral Requirement	Referral authority and type	Reason why referral not required
<p><b>Clause 66.02-2</b> To remove, destroy or lop native vegetation in the Detailed Assessment Pathway.</p>	<p>Secretary to the Department of Energy, Environment and Climate Action (DEECA) (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>) (s55 – recommending).</p>	<p>The Work Plan Variation was referred to DEECA (PEA) under Section 77TE of the MRSD Act.</p> <p>DEECA (PEA) advised on 19 November 2024 that it did not object to the proposal but recommended conditions relating to the protection and offset of native vegetation removal be included in the work plan.</p> <p>The statutorily endorsed Work Plan Variation and conditions have included these recommended conditions. Therefore pursuant to Clause 52.09-3, no referral is required.</p>
<p><b>Clause 66.02-5</b> To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or to demolish a building or works that area within a declared Special Area classified as a Special Water Supply Catchment Area under the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply.  This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</p>	<p>The relevant water board or water supply authority (s55 – determining)</p>	<p>The Work Plan Variation was referred to Central Highlands Water and Southern Rural Water under Section 77TE the MRSD Act.</p> <p>Central Highlands Water advised on 16 January 2024 that it did not object to the Work Plan Variation subject to the implementation of measures recommended in the supporting technical reports.</p> <p>Southern Rural Water advised on 19 November 2024 that it did not object to the Work Plan Variation though recommended a number of actions to be undertaken before subsequently submitting an application for an increased Take and Use water allowance.</p> <p>The statutorily endorsed Work Plan Variation and conditions have included these recommended conditions Therefore, pursuant to clause 52.09-3, no referral is required to either organisation.</p>
<p><b>Clause 66.02-8</b> To use or develop land for extractive industry.</p>	<p>Secretary to the Department administering the <i>Heritage Act 2017</i> (s55 – determining)</p> <p>Secretary to the Department administering the MRSD Act (s55- determining)</p>	<p>The Work Plan Variation was referred to DEECA (ERR) and Heritage Victoria under the MRSD Act.</p> <p>Heritage Victoria advised on 23 December 2024 that it does not object to the Work Plan Variation.</p> <p>DEECA (ERR) advised on 11 February 2025 that the Work Plan Variation including work plan specific conditions was found to be satisfactory,</p>



subject to statutorily endorsed Work Plan Variation conditions.

Therefore, pursuant to clause 52.09-3, no referral is required to either organisation.

Notwithstanding this, informal referral of draft permit conditions were provided to DEECA (ERR) to ensure that there would be no conflict with future approval of the Work Plan Variation. ERR confirmed on 13 May 2026 that it did not have any concerns with the proposed permit conditions.

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### Municipal Council Comments

58. Notice of the application was provided to Moorabool Shire Council (the council) pursuant to s52(1)(b) of the Act.
59. The council provided a response on 14 November 2025 to advise that it objected to the planning permit application on the following grounds:
- The proposed development extends onto Farming Zone land and the use of the land for extractive industry does not support or maintain the agricultural productivity of the land.
  - The use and proposed development does not comply with Clause 14.01-1S of the Moorabool Planning Scheme which has a strategy to protect productive agricultural land from unplanned loss due to permanent changes in land use.
  - The proposed use and development does not comply with Clause 13.07-1S of the Moorabool Planning Scheme that seeks to avoid or otherwise minimise adverse off-site impact from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
  - The proposed use and development does not comply with Clause 18.01-1S that seeks to protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset due to the condition of existing roadways.
  - The proposed use and development does not represent orderly planning of the area.
  - The approval for the closure of Howards Road has expired on 1 March 2025 as the gazettal process following approval was not completed during the two year timeframe provided from the date the council approved the discontinuation. The application cannot be decided on/or appropriately conditioned in its current form as it is incorrect to base the proposal on the approved closeure of Howards Road.
60. Notwithstanding the above, the council also recommended a number of conditions be included on any planning permit issued, if the proposal were approved. This includes a number of conditions seeking to regulate matters already covered by the Work Plan Variation conditions such as noise emissions, dust emissions, sediment control, blasting and emergency management. Other conditions requested to be included seek to:
- Require the landowner to enter into an agreement to pay a monetary contribution to the provision of road maintenance on local roads used by Boral.
  - Require the submission of further plans regarding the proposed Hewitsons Road upgrade which is also to be completed prior to the use commencing.
  - Require the submission of a wastewater management report on wastewater treatment of the existing amenities block, prior to commencement of the use.

- Require the owner/occupier of the land to establish and convene a Community Reference Group which outlines the purpose and requirements to be achieved for the reference group.

61. A full response to the council's objection grounds and recommended conditions can be found at Appendix 1.

#### Advice sought from other agencies

62. DEECA's Energy Resources Regulator was informally consulted regarding submissions received during public notification and the recommended omnibus planning permit conditions to ensure compatibility with the statutorily endorsed WA82 Work Plan Variation.
63. DEECA ERR responded on 13 May 2025 advising the planning permit conditions would not conflict with the WA82 Work Plan Variation that is to be approved following the issue of this planning permit.

#### Notice

64. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d) of the *Planning and Environment Act 1987* pursuant to the following provisions:
- Schedule 2 of Clause 37.01 (Special Use Zone) does not specify any exemptions for notice requirements.
  - Clause 35.07 (Farming Zone) does not specify any exemptions for notice requirements.
  - Schedule 2 of Clause 42.01 (Environmental Significance Overlay) does not specify any exemptions for notice requirements.
  - Clause 52.09 (Extractive Industry and Extractive Industry Interest Areas) does not specify any relevant exemptions to notice provisions under section 52(1)(a), (b) and (d) of the Act.
65. The applicant was directed to give notice by way of directly notifying adjoining and surrounding owners and occupiers within a 1.5 km radius of the site by mail.
66. Seven objections were received, including one on behalf of the Community Reference Group (CRG). The objections raised the following issues and/or requested conditions:
- Concerns regarding the existing quarry operations and compliance with regulations with regards to noise, blasting impacts, dust emissions, operating out of hours, maintenance of site around boundaries (weeds, fences etc.) and truck driving behaviours.
  - Dust impacts, including health impact and insufficient dust monitoring and management.
  - Noise impact assessment and monitoring undertaken is inaccurate and the proposal will create unreasonable noise impacts at nearby sensitive receptors.
  - Impacts to neighbouring bores and stormwater run off to Spring Creek.
  - Concerns with suitability of bunds and screening and visibility of machinery following quarry expansion.
  - Requests for more information to be provided regarding the visual impacts and sightlines for neighbouring properties.
  - Requests for screen planting to be planted prior to expansion of use to maximise screening effect before quarry expansion begins.
  - Requests for regular community engagement events to advise community on matters such as noise impacts, blasting management, groundwater impacts and to maintain ongoing quarterly CRG meetings.
  - Requests for data regarding air quality, noise, blasting and truck speed monitoring to be shared with the CRG.



- Request for Boral to maintain a Community Benefit Fund operated in consultation with the CRG.
- The blast exclusion zone encroachment into the Ballarat Walsh Quarries site and other matters will impact operations at the neighbouring quarry.
- Opposition to monitoring the bore WRK046966 for groundwater impacts at Ballarat Walsh Quarries site.



## Key Considerations

67. The following are deemed the key considerations in assessing the acceptability of the proposal:

- Strategic Direction and Land Use (including response to the Farming Zone)
- Off-site amenity impacts
- Environmental considerations.

## Strategic Direction and Land Use

### MPS and PPF

68. The *Municipal Planning Strategy* and *Planning Policy Framework* have been considered in assessment of the application and broadly recognises the need to protect the long-term potential of stone and mineral resources in the region and encourage sustainable extraction practices, while balancing competing concerns with protecting agricultural land and sensitive uses, preventing impacts to Special Water Supply Catchments and native vegetation, in addition to impacts to air quality, noise emissions and groundwater.
69. Regarding the location of the site and associated expansion, clauses relevant to settlement planning at Clause 02.01, 02.03-1, 11.01-1S, 11.01-1R, 11.01-1L-01, 11.01-1I-04 generally support the proposed expansion of the existing quarry's extraction area and lifespan and discourage sensitive land uses that may be incompatible with extractive industries. Clause 11.01-1L-01 (Settlement in Moorabool) directs to limit urban development where it is likely to impact on the long-term sustainability of natural resources and Clause 11.01-1L-04 (Small towns and settlements) which references the Moorabool Small Towns and Settlements Strategy as a background document for consideration both identify that residential growth in this area is to be directed in Dunnstown, opposed to other nearby settlements closer to the proposed expansion area like Yendon. The strategy also notes this growth is partly contingent on retaining a suitable buffer from the Boral quarry to the south, noting that the proposed expansion of the quarry extends further south away from Dunnstown. Additionally, the *Central Highlands Regional Growth Strategy* identifies Moorabool Shire as a 'peri-urban' area and it is noted that Clause 11.03-3S (Peri-urban areas) seeks to manage growth in these areas to protect and enhance areas that are strategically important for a variety of reasons, including extractive and other natural resources.
70. Clause 02.03-7 (Strategic Directions – Economic Development) identifies that there are number of state-significant natural resources and export-based industries within the Shire. The *Regional Growth Strategy* identifies extractive industry for stone and sand products as peri-urban land assets important to Melbourne and Victoria as a whole, because sourcing construction material from local quarries within peri-urban regions enables cost-efficiencies and energy savings. Further, Clause 14.03-1S (Resource and exploration extraction) seeks to protect extractive industry resources within Strategic Extractive Resource Areas based on their current or potential contribution to state supply, access to supporting transport networks and proximity to demand markets and it is noted that the site is identified within the *Ballarat Supply Area – Extractive Industry Interest Areas*. With regards to these considerations, the site is strategically located 10km from the regional centre of Ballarat and its associated freight rail connections to Melbourne and under current operations, Ballarat receives 80% of the heavy vehicles taking bluestone product offsite for sale with convenient transport connections to Ballarat provided via the Western Highway. The proposal seeks to protect and enhance this existing strategically significant asset by extending the operational lifespan of the quarry (which would otherwise be exhausted in the next two years) for a further fifteen years, while largely making use of existing infrastructure and avoiding the need to establish new quarries to meet supply for construction materials.
71. The broad policy support for protecting and enhancing extractive industry resources must also be balanced against other strategically significant natural resources, including agricultural land which is a relevant consideration given the site partially includes and is predominantly surrounded by land used and zoned for agricultural purposes. Clause 02.03-4 (Natural resource management), Clause 14.01-1S (Protection of agricultural land) and Clause 14.01-1L (Agriculture, rural dwellings and subdivision) broadly seek the following strategies:



- Protect good quality agricultural land of strategic significance in the local or regional context and support the productivity and sustainability of existing and future agricultural activity and minimise the potential for farm production to be adversely affected by land use conflicts.
  - For land in the Farming Zone, maintain productive farm sizes by discouraging fragmentation of land for non-rural use and development.
  - Consider the desirability and impacts of removing the land from primary production and consider the impact on and compatibility with the continuation of primary production value on adjacent land.
72. The impacts of the proposal on the ongoing agricultural use of surrounding land is discussed further against the Farming Zone however regarding the area of the proposed expanded WA82 Work Plan Area and southern pit extension that is located within the Farming Zone it is noted that this land is a small portion of the overall Dunnstown Quarry operation that is surrounded on three sides by SUZ2 land and a road along the fourth side. It is already a fragmented agricultural parcel that is unlikely to be used as part of a larger agricultural enterprise and therefore the proposed use and development of part of this land for strategically significant resource extraction presents a suitable trade-off for the loss of agricultural land. The specifications of the remediation plan which forms part of the WA82 Work Plan Variation indicates that following the conclusion of the quarry, the land could suitably be returned for agricultural use and in the interim, as the proposed southern pit extension only occupies a portion of the FZ land, on the remaining southern portion of the land, existing agricultural operations (non-irrigated pasture-based agriculture) are able to be sustained, subject to adherence to the buffer zone on blast days.
73. Other relevant considerations for the location of the proposal per Clause 14.03-1S and Clause 13.07-1S (Land use compatibility) include developing and maintaining buffers around mining and extractive industry activities and avoiding off-site impacts from industrial and other uses through land use separation, siting and operational measures. It is also a strategy Clause 14.03-1S to ensure planning permit applications clearly define buffers area appropriate to the nature of the proposed extractive uses from sensitive land uses. While off-site amenity impact considerations are discussed in further detail in following sections of this report, for the separation of the proposed quarry expansion and surrounding sensitive land uses it is noted that the EPA's *Separation Distance Guidelines* (publication 1949, August 2024) specifies a recommended buffer to sensitive receptors (dwellings, schools and hospitals) of 500m for quarries that involve blasting, which is to be measured from the activity area where blasting will occur and the activity boundary of the sensitive use (ie. from a dwelling rather than the boundary of a property containing a dwelling). This 500 m buffer is met for the proposed expansion of the blasting activity area for all nearby dwellings on land not also owned by Boral, while other land within 500 m of the proposed extended activity area located in a Special Use Zone Schedule 2 (Earth and energy resources industry) where dwellings are prohibited or in a Farming Zone which as discussed below, discourages the proliferation of dwellings.

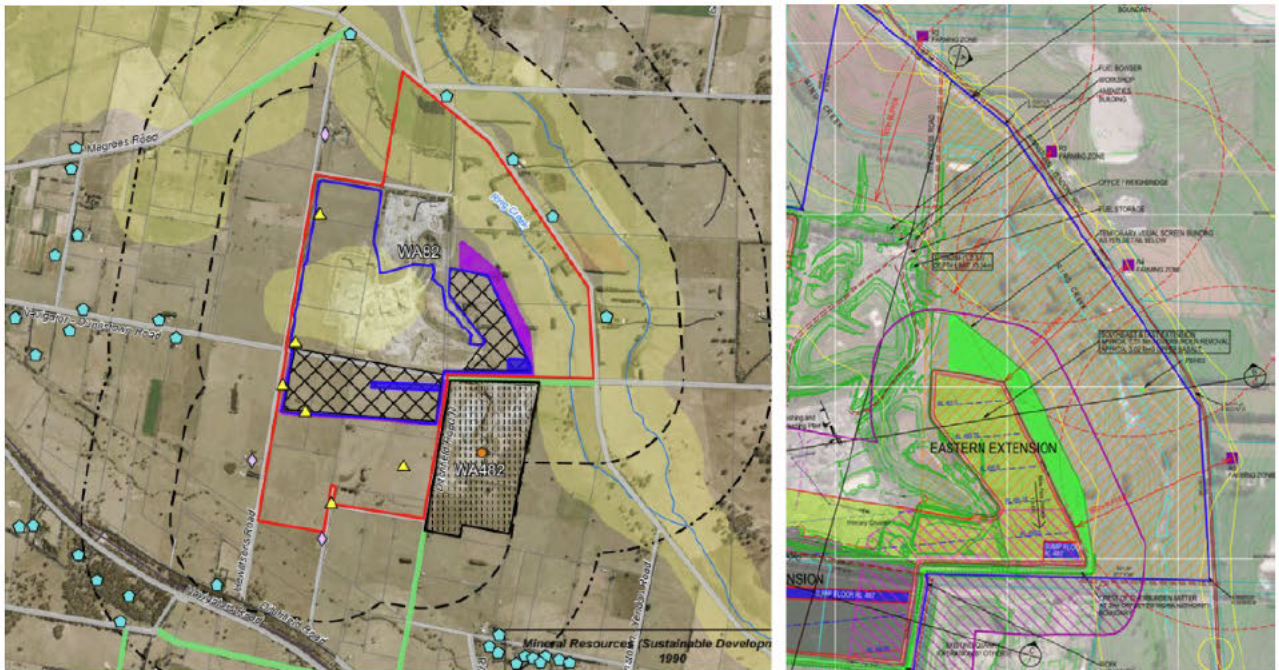


Figure 11 – Excerpts from the site and context plans showing the location of dwellings (blue being private dwellings, purple being Boral-owned) in proximity to the site (left) and the 500 metre buffer areas (in red) from the nearest privately owned dwellings to the proposed eastern pit extension (right)

74. Clause 14.03-1S (Resource and exploration and extraction) contains several other strategies in support of the proposal, with the clause's objective being to encourage extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practices, with these matters (including potential impacts to the Corangamite Special Water Supply Catchment) to be discussed in further detail in the following sections of the report.

### Zoning

75. The zoning of the existing and proposed site area also affirms support for the appropriateness of the expanding the existing quarry use.

### Special Use Zone – Schedule 2

76. The proposed eastern pit extension (11.2 ha) and approximately 11 ha of the overall 24.3 ha southern pit extension are proposed within the SUZ2 and the existing WA82 Work Plan boundary. The SUZ2's purpose is to provide for the use and development of land for earth and energy resources industry while encouraging land management practice and rehabilitation that minimises adverse impacts on the use and development of nearby land. Subject to conditions to ensure all potential adverse impacts to use and development on nearby land are appropriately mitigated, including through rehabilitation (as discussed in detail in following sections of this report), the proposed eastern pit extension aligns with the purpose of the zone.

### Farming Zone

77. The Farming Zone applies to just over half (13.3 ha approx.) of the overall 24.3 ha southern pit extension, to the lots that are proposed to be incorporated into the WA82 Work Plan area as a result of the expansion of the existing quarry. The purpose of the Farming Zone is broadly to encourage the continued use of land for agriculture whilst also ensuring that other land uses do not unreasonably impact on existing and future agricultural land uses and the zone contains a series of decision guidelines for consideration at Clause 35.07-6. An assessment of the proposed expansion of the quarry both in proximity to surrounding FZ land and inclusive of land in the FZ into the WA82 Work Plan area against these guidelines is as follows:

Decision Guideline	DTP Assessment/Comment
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## General Issues

*Any Regional Catchment Strategy and associated plan applying to the land.*

The proposed WA82 Work Plan Variation is generally consistent with the Corangamite Regional Catchment Strategy as discussed in further detail in following sections of this report. The Corangamite CMA reviewed the Work Plan Variation in its capacity as the referral authority responsible for managing the strategy and advised it did not object to the proposal.

*The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*

The site is capable of accommodating the proposed use as substantiated through the detailed technical assessment accompanying the application, subject to conditions to ensure future operations are carried out in accordance with the WA82 Work Plan Variation. As outlined in the submission, the existing septic system on site that is pumped and trucked offsite for disposal is proposed to continue, with no increase in wastewater demands anticipated by the proposal.

It is noted that the existing waste water system may not have all required approvals from the council (as outlined in the council's submission). A condition of the planning permit will require a waste treatment plan to be submitted to the council for approval, as this is omnibus planning permit that incorporates the existing site.

*How the use or development relates to sustainable land management.*

The Work Plan Variation outlines in the submitted Rehabilitation Plan measures that will be undertaken to support sustainable land use management, including both progressive rehabilitation and final rehabilitation of the site through fill and revegetation. Consideration for sustainable management of ground and surface water both during after cessation of the quarry is also considered by the rehabilitation plan, as well as ongoing monitoring and management of weeds. It is considered that subject to the requirements of the WA82 Work Plan Variation being carried out on site, the proposed quarry will not present an unsustainable long-term use of the site.

*How the use and development makes use of existing infrastructure and services.*

As discussed throughout this report, the proposal largely utilises existing quarry infrastructure including haul roads, plant equipment etc. to allow for continued operation. The proposal does not require an additional public infrastructure needs, proposing to utilise existing access routes on public roads for moving product off site, and does not propose to increase the quarry's current intensity of use on this infrastructure. The proposed upgrade of Hewittsons Road as a result of the proposed closure of Howards Road to enable the southern pit extension will ensure that ongoing local accessibility is unaffected.

## Agricultural issues and the impacts from non-agricultural uses

*Whether the use or development will support and enhance agricultural production.*

The proposal will not affect agricultural use on surrounding land which largely consists of pasture-based and crop agriculture, subject to the WA82 Work Plan Variation requirements addressing matters such as groundwater drawdown are adhered to.

*Whether the use or development will adversely affect soil quality of permanently remove the land from agricultural production.*

Though only part of the proposed quarry is proposed within the FZ, as outlined in the submitted rehabilitation plan, the soil profile of the land at the cessation of quarry operations is to be reconstructed in a manner that will support the use of the land



to be returned to agricultural uses, similar to those carried out on and surrounding the site currently. The proposal will therefore not result in a permanent net loss to agricultural land while still enable extraction of critical resources from the site in the interim.

*The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*

The proposal will generally not limit the operation and expansion of adjoining and nearby agricultural uses, including those which remain within the site area. It is noted that some of the blast exclusion zones associated with proposed quarry activities will extend into neighbouring agricultural land (which occurs under current quarry operations), local roads and neighbouring Walsh Quarry. This will require cooperation between Boral, adjoining landowners and Moorabool Shire Council regarding access during blast activities due to the low frequency of blasting required, this is not likely to significantly impact agricultural use of the surrounding impacted land.

*The capacity of the site to sustain the agricultural use.*

N/A – agricultural use is not proposed under this application

*The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*

The land on site not already used for quarry operations consists largely of modified agricultural land containing introduced pasture species. Per the submitted rehabilitation these qualities will be restored through post-closure rehabilitation. Similarly, the site's access to existing ground and surface water resources both onsite and in the surrounding catchment will, subject to adherence to the WA82 Work Plan Variations ground and surface water management requirements also remain intact for future agricultural use. It is noted that despite the agricultural qualities of the land, a more critical attribute is the basalt resources it contains.

*Any integrated land management plan prepared for the site.*

N/A

#### **Accommodation issues**

The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *MRSD Act*.

Several dwellings (not owned by Boral) are located within 500 metres from the nearest title boundary of the proposed land on which the WA82 Work Plan Variation has been applied for. The proposed expansion areas of the pit will ensure at least a 500 m buffer will be maintained between the edge of the activity areas and all dwellings (that are not owned by Boral), per the EPA's Separation Guidelines for blasting activities and as discussed further in this report with regards to amenity impacts, it is considered that subject to adherence with the recommendations of the various technical reports, risk management plan etc. submitted with the application that appropriate levels of amenity will be remain for both these dwellings and other dwellings within the wider surrounds of the proposal.

#### **Environmental issues**

The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

As discussed in further detail below regarding environmental considerations, the proposal is not considered to pose unreasonable impacts on soil and water quality, subject to the recommendations and/or requirements of the Surface Water Assessment, Groundwater Investigations Report and Groundwater Monitoring Plan being adhered to, as required by the WA82 Work Plan Variation.

The impact of the use or development on the flora and fauna of the site and its surrounds.

The ecological impacts of the proposal have been considered with in the Ecological Assessment report submitted with the application which considered the proposal would not have a significant impact on fauna species due to minimal natural habitat remaining onsite.



The proposal will result in removal of approximately 0.019 ha of native vegetation which is located in the area in which the resource is to be extracted, which has been appraised as having limited ecological value. The removal of the native vegetation will be suitably offset, per the conditions of the WA82 Work Plan Variation.

The proposal will therefore not create any unreasonable flora and fauna impacts.

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 are.

Valuable ecological features of the site have generally been avoided where possible (noting that the location of resources is the primary consideration for the location of the pit extensions) and as discussed above, the Ecological Assessment report did not find that any significant biodiversity impacts will occur.

The WA82 Work Plan Variation, consistent with DEECA's referral response also includes conditions ensuring appropriate protections for native vegetation on site that is not proposed to be removed.

The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Effluent is stored on-site in a septic tank and proposed to be trucked off site for disposal, in accordance with the existing operations on site.

#### 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 only new structure proposed under this application is for the primary processing plant enclosure which is appropriately located within the centre of the site within the existing quarry pit floor. No loss of productive agriculture land or impact on surrounding agricultural land will occur as a result of this structure.

The impact of the siting, design, height, bulk, colours and material 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 combined location and height of the primary processing plant enclosure relative to the pit floor, as well as the height and placement of the visual bunding and screening plantings will ensure that this structure is not visible from surrounding land. Notwithstanding the lack of visibility of this structure, the proposed design and materiality of the structure is consistent with the nature of outbuildings and sheds which are typical of the surrounding agricultural land and finished in muted, non-reflective surfaces. No adverse impacts to the surrounds will occur as a result.

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.

As outlined in the Landscape and Visual Amenity Impact Assessment submitted with the application, subject to the construction of visual amenity bunds and appropriate screen planting, the proposal will pose minimal impact on the existing character and appearance of the area. The level of visual change that may be experienced from public vantage points or sensitive land uses was found to be low or negligible, including longer range views from nearby Dunnstown township and Mount Buninyong.

The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

No new project-supporting infrastructure is proposed other than upgrades to Hewittsons Road to provide a local accessibility alternative once Howards Road is discontinued. While this is not required for the project itself, this was a condition of the Council previously consenting to the discontinuation of Howards Road, which is required to support the proposal.

Whether the use and development will require traffic management measures.

The proposed traffic operations and demands associated with existing operations will remain unchanged and therefore existing traffic management measures will remain in place. The Road Safety Impact Assessment submitted with the

application has considered these existing vehicle movements and traffic management within the existing road network and found the proposal would not have a material impact on the operation or safety of the surrounding road network.

78. Overall, the proposal will result in sustainable use of the agricultural land located within the FZ and on surrounding land subject to the proposal and will not negatively impact the agricultural and environmental qualities or long-term agricultural prospects of the land, subject to execution of the submitted Rehabilitation Plan. The proposal will also not create adverse impacts for the continued use of agricultural land on surrounding properties, or unreasonable impacts to dwellings in proximity to the site.

79. The purpose and decision guidelines of the Farming Zone are therefore considered to be met.

**Clause 52.09 – Extractive Industry and Extractive Industry Interest Area**

80. Clause 52.09 contains a range of decision guidelines that are required to be specifically address for the use of land for extractive industries. There are assessed within the table below:

Decision guideline	DTP Assessment/Comment
<p><i>The effect of the proposed extractive industry on any native flora and fauna on and near the land.</i></p>	<p>The ecological impacts of the proposal have been considered with in the Ecological Assessment report submitted with the application which considered the proposal would not have a significant impact on fauna species due to minimal natural habitat remaining onsite.</p> <p>The proposal will result in removal of approximately 0.019 ha of native vegetation which is located in the area in which the resource is to be extracted, which has been appraised as having limited ecological value. The removal of the native vegetation will be suitably offset, per the conditions of the WA82 Work Plan Variation.</p> <p>The proposal will therefore not create any unreasonable flora and fauna impacts.</p>
<p><i>The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.</i></p>	<p>There are no areas of undisturbed cultural heritage sensitivity that will be impacted by the proposed expansion of the quarry.</p> <p>There are no known Aboriginal places within the proposed quarry expansion area and review of the Victoria Aboriginal Heritage Register and CHMPs issued in surrounding land reveal that there is a low to moderate potential for previously unrecorded Aboriginal places to be found within the proposed activity area, depending on the degree of ground disturbance that has occurred in the past.</p>
<p><i>The effect of the proposed extractive industry on the natural and cultural landscape of surrounding land and the locality generally.</i></p>	<p>As outlined in the Landscape and Visual Amenity Impact Assessment submitted with the application, subject to the construction of visual amenity bunds and appropriate screen planting, the proposal will pose minimal impact on the existing character and appearance of the area. The level of visual change that may be experienced from public vantage points or sensitive land uses was found to be low or negligible, including longer range views from nearby Dunnstown township, Mount Warrenheip and Mount Buninyong.</p>
<p><i>The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.</i></p>	<p>Per the technical reports submitted with the application with respect to noise and air quality and as a result of EPA recommended separation distances being observed, the proposal will appropriately contain any excessive emissions such as noise and dust within the site. This is subject to adherence to the recommended monitoring and management measures to suppress the transmission of dust and noise, as</p>



required by the WA82 Work Plan Variation.

*The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.*

As discussed throughout this report, vehicular traffic associated with the proposal is to remain unchanged from existing operations.

The technical reports submitted with the application confirm that the impacts of noise, dust and vibration associated with the quarry operations, including blasting will not exceed the relevant limits and requirements such as the ERR's *Ground vibration and airblast limits for mines and quarries* and the EPA's *Guideline for Assessing and Minimising Air Pollution in Victoria* and Environment Protection Regulation 2021, as discussed further in this report.

*The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.*

As outlined in the submitted rehabilitation plan it is considered that progressive and final rehabilitation of the site can be carried out in order to restore the land to a condition and visual appearance generally consistent with the surrounding area (ie. pasture/fields). Subject to the recommended ongoing monitoring of rehabilitation measures, natural systems such as groundwater will not be impacted by the rehabilitated form of the proposal.

*The impact of the proposed extractive industry on surface drainage and surface water quality.*

As discussed in further detail regarding environmental considerations, the proposal will present limited impacts to surface drainage patterns or the quality of surface water, with the undeveloped areas of the site to continue to drain naturally into surrounding watercourses, with run off diverted by bunding from entering the pit.

Excess surface water that may accumulate within the pit and need to be pumped out is likely to be managed on site through evaporation and irrigation. If discharge is required into surrounding watercourses, this will be subject to further licensing (EPA discharge license) to ensure this can be carried out without any negative water quality impacts, which is stipulated in the WA82 Work Plan Variation.

*Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the MRSD Act.*

The statutorily endorsed WA82 Work Plan Variation submitted with the application, inclusive of conditions will become binding once the Work Plan Variation is formally approved. The submitted application is in alignment with the Work Plan Variation that has been statutorily endorsed and a condition of the planning permit will require that the use and development be carried out at all times in compliance with the WA82 Work Plan Variation.

Where matters have already been addressed by Work Plan conditions, these have not been further addressed by conditions on the planning permit.

## Buildings and Works

81. As discussed above, the proposal includes the construction of buildings and works associated with the upgrade of the primary processing plant, including the construction of an open-roof plant enclosure with 12.665 metre high walls that is approx. 208 m<sup>2</sup> in area. The enclosure walls are externally clad in non-reflective Colorbond corrugate steel, with acoustic curtains on tracks installed inside the enclosure walls. There are limited relevant policy considerations for buildings and works associated with extractive industries or within the SUZ9 however Clause 15.01-2L-01 (Building Design) includes general building design strategies including minimising the removal and disturbance of native vegetation, avoid protruding above ridgelines, hill tops and tree canopies, avoiding the use of reflective building materials and ensuring external colours, materials and finishes are of subdued tones that blend with the surrounding landscape and vegetation. These strategies are reinforced by Schedule 2 to the Design and



Development Overlay which seeks to encourage the use of external cladding that is non-reflective for building construction.

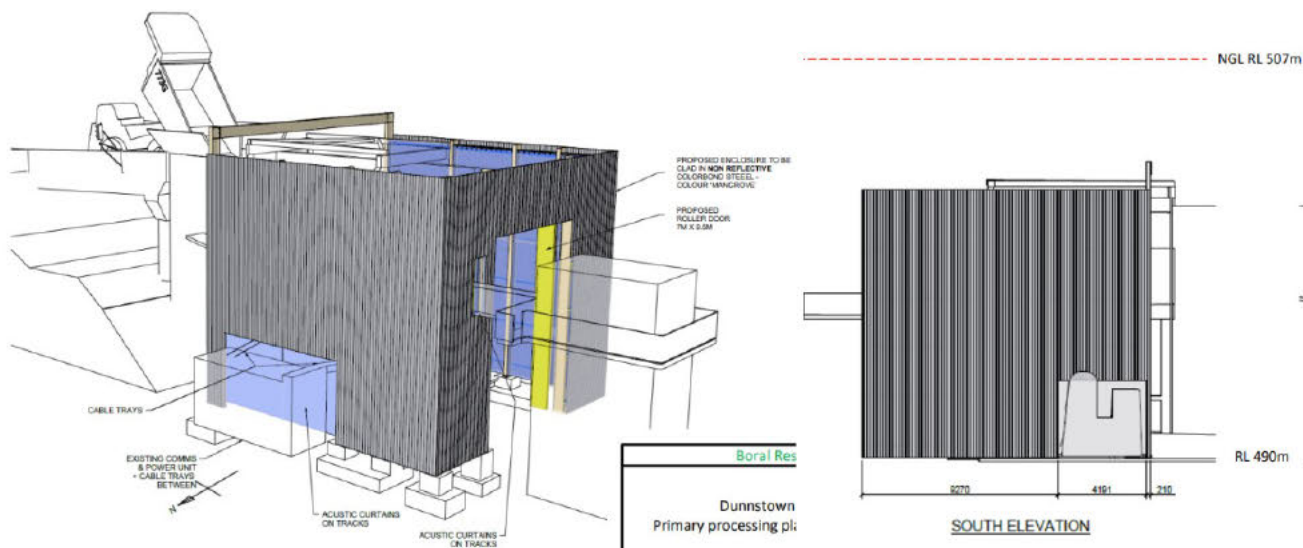


Figure 12 – The proposed plant enclosure structure (left) and enclosure shown in context with the height of the top of the quarry pit RL 507m (right)

82. The proposed buildings and works are responsive to these considerations. The buildings and works are to be located on the quarry pit floor in the location of the existing primary processing plant and will not protrude above the edge of the quarry pit and associated overburden and visual screening bund which around the perimeter of the pit which will have a combined height of 20 – 26 metres. The structure is also subordinate in size compared to the overall quarry pit area. The proposed external cladding is proposed to be finished in Colorbond Mangrove, a muted non-reflective finish that is responsive to the surrounds. For these reasons, it is not anticipated that the proposed buildings and works will have any negative impact on the character or appearance of the surrounds.

## Amenity Impacts

### Visual Impacts

83. In addition to the visual impacts of the proposed building works on site, the visual impacts of the quarry pit expansion on the surrounding landscape has also been considered. The Landscape and Visual Impact assessment prepared in support of the Work Plan Variation request found that actual views of the quarry pit from surrounding public realm or private land would be extremely negligible, including from areas of higher elevation or significant vistas such as Mount Buninyong to the north of the quarry. This is as a result of screening offered by existing vegetation and road corridor plantings, boundary setbacks of the quarry pit extensions as well as the proposed vegetated bunds to be constructed along the edge of each quarry pit and progressive vegetation/rehabilitation of the site.



Figure 13 – Visualisation of the eastern pit extension’s visibility (red) from Dunnstown-Yendon Road. Dashed lines indicate the pit cutouts beyond that are not visible for the existing pit (green), eastern pit extension (red) and southern pit extension (blue) (Source: LVIA report)



Figure 14 – Visualisation of the southern (solid blue) and eastern pit (solid red) extension’s visibility from elevated views from private properties south of the site (Buchanans Road). Dashed lines indicate the pit cutouts beyond that are not visible for the existing pit (green), eastern pit extension (red) and southern pit extension (blue) (Source: LVIA report)

84. The primary aspect of the proposed expansion which would be visible from surrounding land will be the proposed screening bunds which will be vegetated to soften their appearance where marginally visible. A condition of the planning permit will require a Landscape Plan which further details the proposed planting on around screening bunds, including their staging relative to the expansion to be submitted for endorsement. As a result it is considered that the relevant policy considerations at Clauses 02.03-2 (Environmental and landscape values), Clause 12.05-2S (Landscapes) and Clause 12.05-2L (Landscapes in Moorabool) which seek to protect and enhance significant landscapes and ensure development on hilltops minimises visual impacts on the landscape will be met.

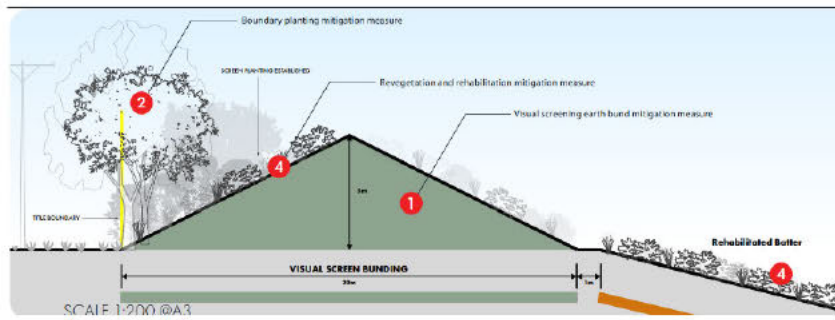


Figure 14 – Typical vegetation for proposed visual screen bunds in cross-section view (Source: Landscape Framework Plan)

## Noise

85. Planning policy (Clause 13.05-1S – Noise management and Clause 52.09 decision guidelines) requires the consideration of impacts associated with noise generating uses and seeks the management of noise effects on surrounding sensitive land uses and receptors to minimise impacts on community amenity and human health. It is noted that the proposed quarry extension will result in quarrying activities occurring closer to surrounding sensitive noise receptors to the south and east of the Work Authority area.
86. The proposed quarry expansion is supported by a Noise Impact Assessment (SLR, 2024) which considers that subject to recommended noise attenuation measures being incorporated into the design of the quarry extension and associated plant equipment, the noise emissions from the expanded quarry are predicted to comply with the EPA's Environmental Reference Standard, EPA Regulations 2021 and EPA Publication 1826: Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises (EPA Publication 1826) at all noise-sensitive receptors in proximity to the site. This includes the continuation of current features of the quarry operations including upgrades to existing perimeter bunding, upgrades to existing plant equipment (acoustic curtains to the secondary processing plant), rigid haul trucks equipped with noise reduction exhausts, broadband alarms for mobile plant equipment.
87. As part of the Noise Impact Assessment, extensive monitoring of background noise levels were carried out both at the source of noise emissions associated with the existing quarry and sensitive receptors in proximity to the site was undertaken, in order to determine the predicted dBA noise level in relation to the various sensitive receptors and where the Daytime compliance criterion (46 dBA) is met. Determining the predicted noise level modelling included consideration of the influence of adverse weather and atmospheric conditions on the transmission of noise.



Figure 15 – Excerpts from the Noise Impact Assessment showing noise level contours in relation to surrounding dwellings from the southern pit extension (left) and eastern pit extension (right).

88. The various components of the quarry operation throughout the proposed staged expansion and the sound power levels emitted from various quarry activities have been considered with respect to the noise levelling modelling to determine the likely noise emissions as a result of the proposal and any noise attenuation measures required to ensure the applicable noise limits are not exceeded at any sensitive receptor. The key noise mitigation measures (in addition to continuing existing operational measures) for the proposal include the planned upgrade to the primary processing plant which includes the construction of an enclosure around the primary crusher which will reduce noise emissions compared to existing conditions associated with this process. The construction of 3 to 6 metre high bunding along the perimeter of the eastern and southern quarry pit extensions will in addition to visually obscuring the quarry pit, also further attenuate noise.
89. It is noted that noise levels as a result soil removal required to construct the noise and amenity bunds around the southern and eastern pit extensions will result in marginal noise level increases compared to existing operations by 3 to 6 dBA at the closest sensitive receptors at some points of this construction stage, conservatively modelled assuming soil removal and construction occurred in the south and east simultaneously at 100% construction capacity. It is noted that as these are temporary construction works, they are not regulated under the relevant EPA Protocol and that in reality the noise emitting plant equipment required to remove soil and construct the bund will be shared across the south and east expansion areas and operate in a small area of the overall larger work area at any given time, meaning the noise level increases will not be uniform across all receptors. Once the bunds have been constructed, shielding will be increased and noise impacts at receptors decreased.
90. A Risk Assessment for the various quarry activities was also prepared as part of this Noise Impact Assessment the catalogues the various potential risks for noise impacts and the recommended controls, monitoring and management measures to be implemented to effectively manage these risks to ensure noise impacts are mitigated and ongoing compliance with noise limits met.
91. In addition, the Noise Impact Assessment was referred to EPA Victoria as part of the MRSD Act referral process, with the agency finding the baseline noise studies had been appropriately determined and that the Noise Impact



Assessment/Work Plan Variation appropriately addressed noise impacts associated with the proposal provided the suggested controls per the assessment's executive summary are implemented. The EPA did however recommend that the Risk Management Plan prepared for the Work Plan Variation include a regular, proactive monitoring program rather than waiting for complaints to arise. It is noted that the Risk Management Plan which forms part of the statutorily endorsed Work Plan Variation (prepared by Grounded and dated 11 April 2024) only specifies noise monitoring to occur in response to changes to plant operations or stringency of noise limits changing or in receipt of noise complaints, rather than routine ongoing monitoring of normal operations. A condition of the planning permit will therefore require that at a minimum, proactive noise monitoring of business-as-usual should be carried out every 24 months, in addition to the trigger events already captured in the Risk Management Plan. This requirement can be addressed in any future Risk Management Plan to be endorsed under the Work Plan.

92. It is considered that subject to the above noise mitigation measures being appropriately implemented and monitored, the proposal will not result in unreasonable noise impacts to sensitive receptors surrounding the site.

### Blasting & Vibration Impacts

93. Clause 52.09-4 requires consideration of the impact of blasting and vibration on the amenity of the surrounding area, while Clause 13.07-1S (Land use compatibility) includes strategies to ensure off-site impacts of industrial or other uses are avoided or minimised through land use separation, siting and operational measures and ensuring industrial or other employment generating uses are not encroached on by use of development that would compromise the ability of those uses to function safely and effectively. In addition, a variety of other state and federal legislation and standards control the use of explosives, including the ERR Guidelines and Codes of Practice which sets ground vibration and airblast limits for extensions of existing operations and defines the sensitive receptors for which impacts must be measured as follows:
- Ground Vibration: peak particle velocity of 5 mm/s (95% of blasts within a 12-month period) and 10 mm/s (all blasts)
  - Air blast: 115 dBL (95% of blasts within a 12-month period) and 120 dBL (all blasts)
  - Sensitive receptors:
94. The Blast Impact Assessment prepared by Terrock and dated September 2024 has considered the ground vibration and air blast (sub-audible overpressure) levels and flyrock risks based on modelling of blast impacts as a result of the proposed extension to blasting activities on site in the eastern and southern pit extensions, as well as the associated effects of these matters on local amenity and domestic animals and native fauna. Impacts from blasting such as audible noise and blast dust have been considered in other consultant reports.
95. The BIA's modelling found that the ground vibration requirements would be met for all 6 sensitive receptors (houses) identified in proximity to blast impact radius for the quarry pit extensions, though the House 1, (62 Hewittsons Road, owned by Boral) would exceed 5mm/s at maximum peak particle velocity as a result of blasting in the southern extension pit at 7.7 mm/s. The BIA considers that PPV above 5 mm/s is limited to the closest few blasts and on average PPV's would remain below 5 mm/s so the requirement for 5 mm/s to not be exceeded for 95% of blasts would be achievable.
96. The BIA's modelling also found that the 120 dBL and 115 dBL airblast overpressure limits would also be exceeded within approx. 700 metres of blast sites however this was mostly attributed to the low stemming height relative to the front row burden and that adjusting minimum stemming heights could control air blast overpressure within the required limits. Ultimately this will need to be determined at the precise locations of any blasting and it is the responsibility of the shotfirer/blast crew to ensure the requirements are met.

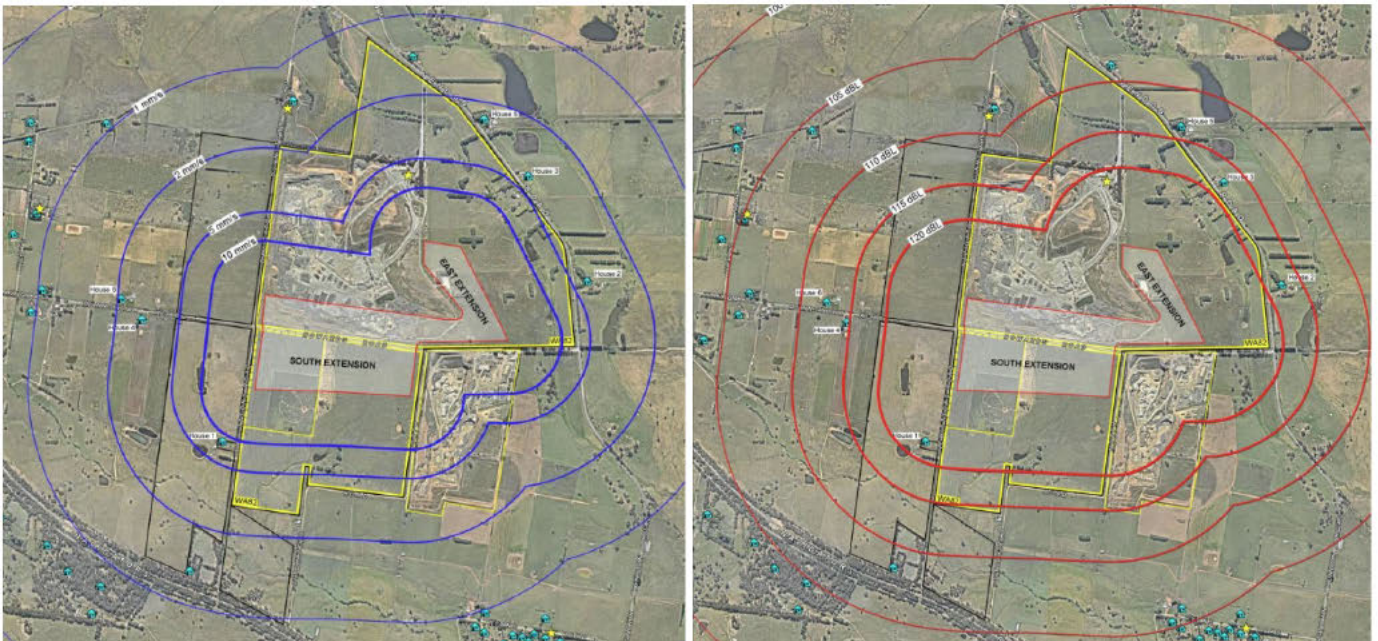


Figure 16 – Excerpts from the Blast Impact Assessment showing ground vibration contours (left) airblast overpressure limit contours (right) as a result of the proposed pit extensions and required blasting.

The BIA also finds that the impacts on the amenity of surrounding sensitive receptors as a result of ground vibration and airblast overpressure would not be unreasonably impacted. The limits set for quarries for both ground vibration and airblast overpressure are set as 'human comfort' limits and are therefore well below levels of when blasting may pose potential threat to human health, though they may be perceptible to closely sited sensitive receptors. They are also below well-established levels in Australian Standards and other international standards for when the possibility of building damage from blasting (such as cracks in plaster or window breakage) begins to occur at thresholds above approx. 18mm/s for ground vibration and 140 dBL for air blast overpressure (for window damage). The risk of building damage as result of the proposed changes to blasting impacts are therefore extremely negligible.

97. For these reasons, the ground vibration and airblast overpressure impacts of blasting on both domestic animals and native fauna would not be considered notable. Based on Terrock's observations, while blasting impacts may temporarily disturb grazing livestock or native fauna such as birds or kangaroos these would at their worst in very close proximity to blast sites, have the similar effect to a brief thunderclap. This potential disturbance from blasting is too infrequent and brief in duration to prevent native animals residing in or visiting habitat areas near quarries.
98. Blasting associated with quarrying activities occurs infrequently (approximately 1 to 2 times per month) and per conditions to be imposed on the Work Authority, blasting will only be able to occur during less sensitive time periods where homes are less likely to be occupied between 10 am to 4 pm, Monday to Friday, with no blasting permitted on weekends or public holidays. To further reduced impacts, to surrounding properties, Boral will continue to notify residents who have subscribed to receiving notifications in advance of blasting events. While Boral provides the service to currently opted-in residents, the Risk Management Plan and Community Engagement Plan prepared as part of the Work Plan Variation do not outline how residents will be notified of changes to blasting to ensure any new occupiers impacted are provided the opportunity to opt-in to receiving notifications. A condition of the planning permit will therefore require all occupiers and operators of land within 500 metres of the proposed extension blast sites to be notified of the proposed changes to blasting activity at the quarry and to advise how to opt-in to receiving notifications on blasting activity
99. Further to the above, the BIA makes several other recommendations which have been adopted into the statutorily endorsed Work Plan Variation and associated Risk Management Plan to ensure that ground vibration and air blast limits will be met such as blast monitoring at the closest sensitive receptors (this information will also assist in modelling the blasting profile in the eastern extension pit) and how to respond to complaints regarding blasting impacts to both amenity and building damage.



100. In addition to ground vibration and air blast overpressure, flyrock risks (ie. rock fragments thrown beyond anticipated distances) have also been considered for the extension pits and blast clearance zones established accordingly. The BIA recommends a blast clearance are (ie. the area that must be clear of people before a blast can be fired) of 400 m in front of blast and 200 m behind and to the sides of the blasts which would provide a high level of safety for the proposed blast hole sizes to be utilised for the quarry, which are modelled to generate maximum throws of 107 metres behind blasts. These clearance zones largely occur within the site or other Boral-owned properties to the west however also externally encroach upon Navigator-Dunnstown Road, Hewittsons Road, Howards Road, Ditchfield Road North and the Walsh Ballarat Quarry and its access road (see below area in solid blue).
101. As a result, any blasting which occurs within the hatched blue areas below will require control of people within the blast clearance areas. This will require the operator to liaise with Moorabool Shire Council for temporary road closures on days where blasting will occur in these areas in order for exclusion areas on public roads to be enforced, as identified in the BIA and Risk Management Plan. Due to the limited frequency and duration (5-10 minute closure during blasts) of blasts impacting these roads, as well as prior notification to surrounding properties prior to blast events, this is not anticipated to have a notable impact on local access and vehicle movements.
102. The potential impacts to Walsh's Quarry are slightly more considerable as though the occurrences of exclusion zones on this property needing to be enforced to allow the proposed blasting extent and meet Worksafe requirements at Walsh's Quarry will be infrequent and therefore unlikely to jeopardise the continued viability of the quarry, it does pose an ongoing imposition on Walsh Quarry's operations. Walsh's Quarry made a submission indicating it would not consent to blast exclusion zones being enforced on its property and raised concerns regarding the potential of damage to quarry infrastructure including plant equipment and its site office as a result of flyrock risk.

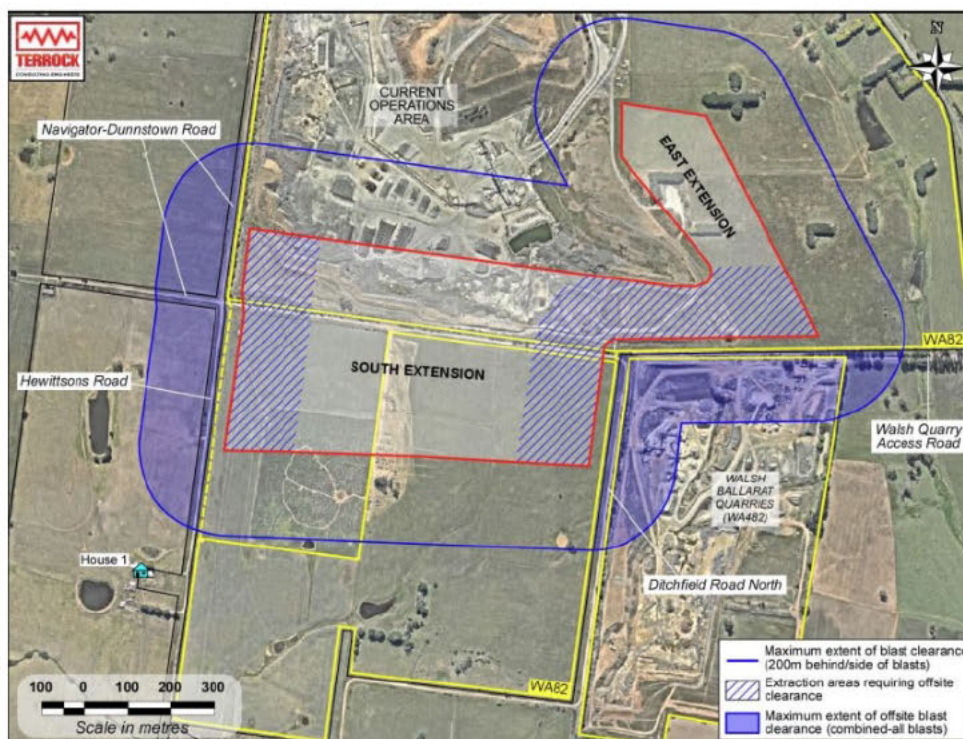


Figure 17 – Excerpt from Blast Impact Assessment of the extraction areas within the proposed pit extensions would require any external clearance (hatched blue) and the maximum extent of clearance needed off-site to enable this blasting (solid blue)

103. Noting this submission and that the quarry's site office (where personnel would most safely be able to gather) is located within the blast exclusion zone, it is acknowledged that the blast exclusion zones proposed may detrimentally impact the operation of Walsh's Quarry on days where blasting will occur and this would occur frequently enough to cause inconvenience. A condition of the planning permit will therefore require flyrock risks to be adaptively managed to ensure that no flyrock could enter the neighbouring quarry or the public land between the subject site and this land (ie. the access road). The BIA indicates that this can generally be achieved by adjusting stemming heights for the



majority of required blasting. Ultimately, in the instance that a clearance zone needs to be established within the Walsh Quarry, this is to be subject to a formal agreement between both operators to achieve a solution amenable to both parties and no blasting may occur unless the required blast clearance zones can be secured.

#### Air quality

104. Policy requires the consideration, protection and improvement of air quality to minimise air pollutant exposure to sensitive land uses (Clause 13.06-1S – Air quality Management and Clause 52.09 decision guidelines). An Air Quality Impact Assessment (AQIA) prepared by SLR dated 16 February 2024 has been prepared in support of the application and Work Plan Variation, informed by 12 months of ambient air quality monitoring between July 2022 and July 2023, to establish appropriate background concentrations with which to predict cumulative (project plus background) pollutant concentrations.
105. In addition to maintaining the recommended 500 m separation distance buffer (as discussed above regarding blast impacts) from nearby sensitive receptors, the AQIA includes modelling for the construction and operation of the expanded quarry that demonstrates that the 24-hour air pollution assessment criteria (APAC) for particle sizes PM<sub>2.5</sub> and PM<sub>10</sub> set by *Minimising Air Pollution in Victoria (for air pollution managers and specialists)*, EPA Victoria, Publication 1961, February 2022 (EPA Publication 1961) will not be exceeded. The impacts in all scenarios have been modelled assuming operations at the peak hourly rate, 365 days per year.
106. The AQIA found that the 24-hour average PM<sub>2.5</sub> APACs and the annual average APACs for both PM<sub>10</sub> and PM<sub>2.5</sub> are met when considering the cumulative impacts for all phases of the expansion. Some short-term increases to air pollution PM<sub>10</sub> 24-hour APACs are expected to the nearest sensitive receptors during the construction phase (which will involve the excavation and movement of soil) and there is also a potential risk of marginal increases to PM<sub>10</sub> APACs during the expanded quarry operations. The AQIA acknowledges that the risk of these exceedances would only occur occasionally, where the background 24-hour average PM<sub>10</sub> conditions (ie. before the project's cumulative impacts are included) approach or exceed the APAC criteria. The background conditions were found to be unrelated to the current operations and generally attributed to particles from dirt roads and agricultural sources in the surrounds and some influence from the nearby Walsh Ballarat Quarry.
107. The project-specific increases to 24-hour average PM<sub>10</sub> levels during the construction phases are identified as presenting a *minor* residual impact as defined by the ERR guided Impact Assessment Significance Criteria, while the project-specific increases to 24-hour average PM<sub>10</sub> levels during the expanded quarry operational phases are identified as presenting an *insignificant* residual impact as defined by the Impact Assessment Significance Criteria. The impacts during the operational phases are also expected to be less than those of existing quarry operations given the expansion of the quarry will include the enclosure of the primary processing plant, mitigating dust emissions associated with this activity.
108. In addition to the PM<sub>2.5</sub> and PM<sub>10</sub> levels, the AQIA also included assessment of Respirable Crystalline Silica (RCS) levels, a hazardous substance that can create long-term, potentially fatal health impacts and more generally associated with hard-rock or pure sand quarries. Petrographic analysis of material from the quarry indicates that free silica content is essentially nil, however a conservative assumption that the RCS emission rates for all activities are equal to 100% of the PM<sub>2.5</sub> emissions was adopted for the AQIA. The assessment found that there is no residual RCS impact as a result of any scenario associated with the quarry expansion and there the severity is deemed *insignificant* as defined by the Impact Assessment Significance Criteria.
109. In addition to the minor to insignificant impacts to cumulative air quality as a result of the proposed expansion, the AQIA recommends a variety of mitigation and contingency measures to be carried out for all aspects of the proposal's operations, particularly regarding wheel generated dust from haul roads which is identified as the primary potential source of dust emissions. These measures include preparing and maintaining level and well-finished haul road surfaces, potential reduction of truck speeds during periods of hot dry weather, and the use of water trucks for dust suppression. In addition, real time continuous monitoring for management purposes will be implemented to minimise the potential risks of impacts at downwind sensitive receptors. These mitigation and contingency measures and monitoring requirements are identified in the Risk Management Plan which forms part of the statutorily endorsed Work Plan Variation.



110. EPA Victoria provided comment on the air quality impact aspects of the proposal as part of the MRSD Act referral process and considered that the AQIA and Risk Management Plan provide a thorough assessment of sources of nuisance dust with appropriate mitigation measures.
111. Despite the above, it is noted that the Risk Management Plan endorsed under the Work Plan Variation only identifies one real time air quality monitoring station for the quarry, at 57 Ditchfield Road, Navigators (existing) whereas the proponent has indicated that four air quality monitoring stations will be established across the site, in part to respond to submissions raising concern regarding dust impacts. A condition of the planning permit will therefore require a Dust Management Plan to be submitted for endorsement under this planning permit which addresses the proposed location of air quality monitoring stations across the sites and incorporate a Trigger Action Response Plan to outline how to respond in the event dust levels detected would have an adverse impact on the surrounding area.

### **Access, Traffic Movement and Circulation**

112. As mentioned in earlier section of the reports, the access and traffic considerations associated with the proposed expansion of the quarry are relatively minimal as a result of the no changes being proposed to the proposed vehicle access to the site and the anticipated traffic volumes and nature of vehicles accessing the site remaining unchanged from existing arrangements. Despite this, a Road Safety Assessment was prepared in support of the Work Plan Variation request, which notes that Dunnstown-Yendon Road (the primary access route) is a designated B-double route per the National Heavy Vehicle Regulator (NHVR) that remains suitable to cater to the size of vehicles currently and proposed to continue using this road in associated with the quarry. In addition, no local access roads that may also be used to access the site are prohibited from heavy vehicle use by the NHVR and any permits required by the NHVR to access local roads will continue to be required to be obtained by any heavy vehicle operators in association with the quarry.
113. Other matters such as the existing site access's site distances, surround road network crash history and existing speed limits have also been considered, finding that the surrounding road network is relatively safe with mitigation measures already implemented in areas which may have been previously identified as high risk. The relevant considerations of Clause 18.01-2S (Land use and transport integration) and Clause 18.02-4S (Roads) to ensure that use of land adjacent to the transport system has regard to the current and future operation of the transport system and ensure people are safe on and around roads will therefore be met.
114. It is noted that the proposed quarry expansion will result in impacts to the local road network and circulation in the area as a result of closing Howards Road to enable the expansion of the southern quarry pit. Howards Road is an unsealed, little-used road and there are a number of existing alternative routes that are not significantly longer for road users to utilise. The closure of this road has previously been deemed acceptable by Moorabool Shire Council (the responsible road authority) on the condition that the proponent upgrade Hewittsons Road to ensure that the small number of road users who use Howards Road for access between Navigators-Dunnstown Road and Dunnstown-Yendon Road south of the site are still provided with a convenient path of travel through the local area, noting that Hewittsons Road presents a more convenient route for residents south of Ditchfield Road, which is where the largest concentration of local road users are sited. A condition of the planning permit will require that the Hewittsons Road upgrade be carried out at the proponent's expense and to Moorabool Shire Council's satisfaction.





117. The application was accompanied by a Geotechnical Assessment prepared by GHD and dated 9 October 2024 to consider both the stability of the proposed pit designs as well as the proposed final rehabilitated landform, as well as the erosion risks presented by rainfall both within the quarry site and surrounding land. The assessment found that a number of hazards of varying risk were present with regards to existing pit walls, new pit walls, stockpiles and overall scale slope stability, and provides recommendations in Table 42 for managing these risks as well as ongoing monitoring, which have been incorporated into the statutorily endorsed Work Plan Variation and associated Risk Management Plan.
118. Subject to these recommendations being followed (as required by the Work Plan), the pit designs and blasting techniques will ensure a stable landform within the quarry to minimise risks during extraction and the separate stockpiling of topsoil and overburden during pit excavation will allow for progressive re-vegetation and slope stabilisation during extraction. Further, while further and progressive geotechnical assessment will be required to inform the ultimate requirements for rehabilitation of the site to mitigate instability of backfilled slopes to fill extraction pits and potential soil loss from erosion, modelling suggests the large scale slope instability is unlikely to manifest at the site and the pit designs are not considered to present any notable difficulties for rehabilitating slopes per the site's rehabilitation plan and allow the land to be reinstated for future agricultural use.

### Ground and Surface Water

119. Potential groundwater impacts have been well considered for the proposal and the proposed expansion is expected to pose only minor impacts or risks to nearby groundwater dependent ecosystems within nearby Spring and Granite Creeks, nor to the viability of bores on neighbouring land and will achieve the objectives of Clause 12.03-1S (River and riparian corridors, waterways, lakes, wetlands and billabongs) of protecting and enhancing waterway systems and Clause 14.02-2S (Water quality) to avoid detrimental impacts on groundwater resources and minimise risk of harm to human health and the environment from the proposed land use and development. In addition, the Environmental Significance Overlay (ESO1) which applies to the site relates to 'Special Water Supply Catchment Areas' and seeks to protect the quality and quantity of water produced within this area and ensure development of land within these areas is appropriate.
120. Consistent with the strategies of Clause 12.03-1S, the Groundwater Dependent Ecosystems (GDE) assessment which supports the Work Plan variation addresses the impacts of the use and development on ecological and hydrological systems, including the impacts of excavation and additional groundwater drawdown as a result of the expansion on the geomorphology and water quality of the groundwater dependent ecosystems and impacts on the riparian or aquatic health of these areas. The GDE found that Spring and Granite Creeks would experience less than 0.2% reduction in baseflows due to the modelled drawdowns on the water table during the expanded quarry's operation, which would not impact on the aquatic or riparian ecosystems. Meanwhile, while modelled drawdowns in the vicinity of Ring Creek of up to 0.5 metres could occur and potentially impact baseflows, the nature of Ring Creek being ephemeral and already subject to seasonal variations of up to 2 metres, the drawdowns resulting from the quarry expansion poses proportionately minor potential to result in minor adverse impacts to GDEs associated with Ring Creek. In addition the Ground Water Investigations report considered that Ring Creek is unlikely to be groundwater fed and therefore unlikely to be affected by any changes to groundwater drawdowns. The potential for groundwater to pollute groundwater surrounding the site has also been considered and has been deemed unlikely based on sampling from bores surrounding the existing quarry operations exposed to blasting and in the unlikely event of pollution, this would accumulate within the quarry pit rather than distribute more broadly.



Figure 19 – Excerpt from Groundwater Dependent Ecosystems report show the anticipated increased groundwater drawdown as a result of the proposed quarry expansion in proximity to groundwater dependent ecosystems near the site.

121. The potential impacts to groundwater within the broader water catchment area has also been considered. The Groundwater Investigations Report notes that the proposed quarry pit expansion could result in up to a 10% increase in groundwater 'lost' to the site, which would need to be managed through use on the site. This must be subject to an additional take and use entitlement to be granted through Southern Rural Water, who was referred the Work Plan variation under the MRSD Act. The impact of increases to groundwater drawdowns on site as a result of the expanded quarry would not affect neighbouring groundwater users, with only one neighbouring groundwater user having a bore located within the modelled drawdown area. Walsh's Quarry's bore WRK046966 (used for domestic and stock purposes) is located within the modelled drawdown increase area of less than 0.5 metres. As WRK046966 has an existing depth of 30 metres, this minor potential increase to drawdown would not compromise operational capacity of the bore.

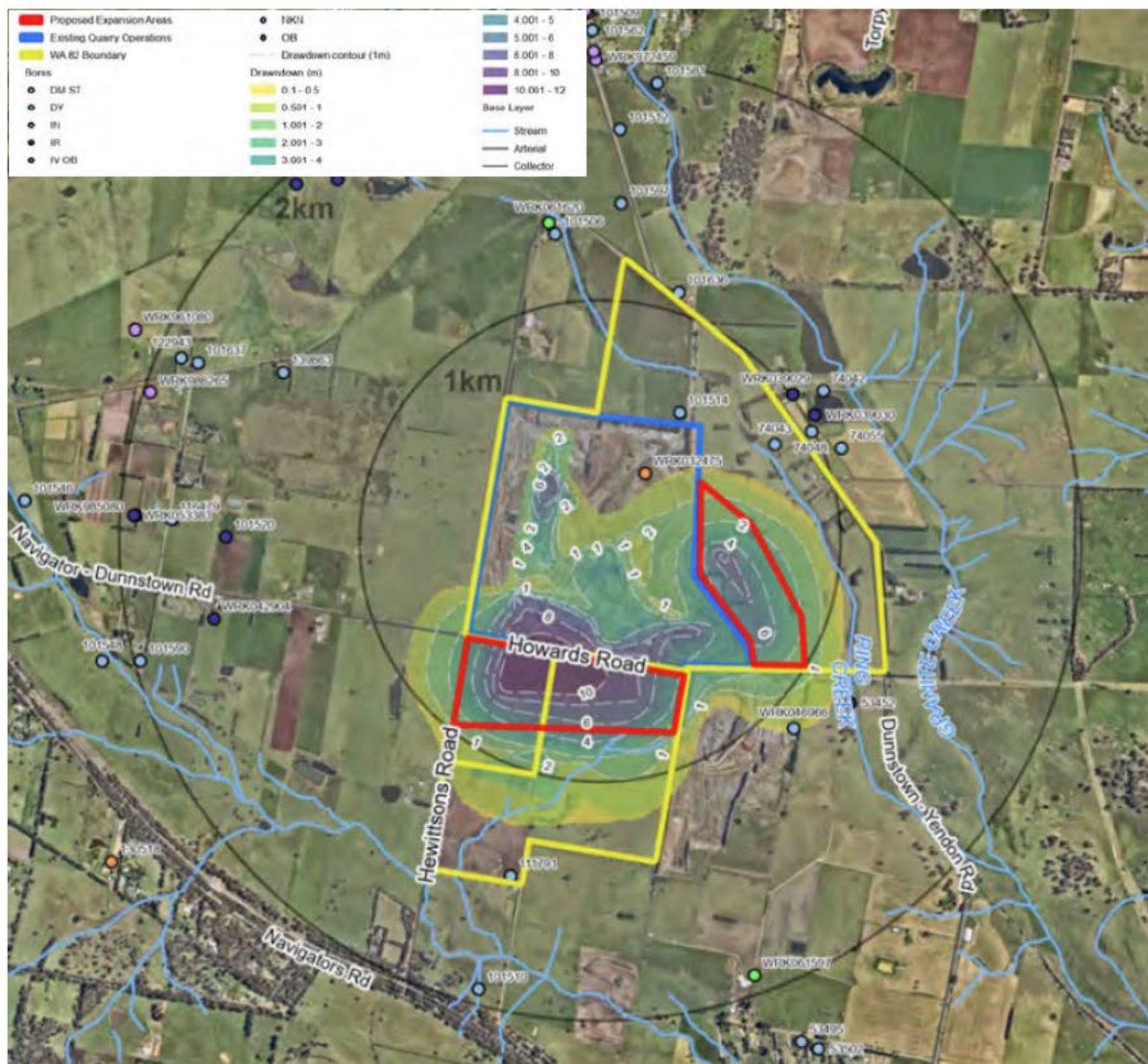


Figure 121 – Excerpt from Groundwater Investigations Report showing the simulated water table drawdown as a result of the proposed quarry expansion, in context with bores surrounding the site.

122. Despite the potential groundwater impacts to groundwater users and dependent ecosystems being assessed as minor, per the recommendations of the GDE assessment and GIR, a Groundwater Monitoring Plan inclusive of a Trigger Action Response Plan (TARP) has been prepared to outline the requirements for ongoing groundwater monitoring, with triggers for action to be taken linked to groundwater levels dropping below a specific level, quality levels not meeting specific parameters or groundwater being pumped from the pit risking exceeding the quarries take and use entitlements. These monitoring and intervention measures have also been incorporated into the Risk Management Plan of the statutorily endorsed Work Plan. Monitoring measures includes the establishment of two additional monitoring bores, including one to monitor groundwater impacts at Ring Creek and the ongoing monitoring of bore WRK046966 within the neighbouring Walsh’s Quarry land. These monitoring requirements are imposed as conditions on the Work Plan per Central Highlands Water (a MRSD Act referral authority’s) request.
123. As submissions from the Walsh’s Quarry indicate they would not provide consent to access this bore for monitoring purposes, the applicant has indicated that a new bore (WRK151753) has been constructed in the south-east of the quarry (within WRK046966’s drawdown area) in order to monitor the impacts on Walsh’s Quarry’s bore and the south-eastern area of the quarry more broadly. As this is not included in the current Groundwater Monitoring Plan, a condition of the planning permit will include a condition specifying that WRK151753 must be used to monitor the impacts to WRK046966 and the relevant supporting documentation and risk management plan of the Work Plan



Variation will be updated accordingly to reflect this and make any necessary changes to trigger action points etc. as a result.

124. Surface water impacts as result of the quarry expansion have also been considered, in accordance with Clause 14.02-1S (Catchment Planning and Management) to ensure the objective protection and restoration of catchments and waterways etc. is achieved. Strategies to achieve this include considering any regional catchment strategies, ensuring that polluted surface runoff is diverted from waterways and ensuring the development near waterways provides for protection of the environmental qualities of waterways and their instream uses. These considerations are generally echoed in the decision guidelines of the ESO1, in addition to a number of requirements for land that is not connected to reticulated sewerage, with regards to onsite wastewater management.
125. The Surface Water Assessment (SWA) prepared in support of the Work Plan Variation found that the proposed expansion of the quarry pit would significantly increase excess surface water present on the site which would need to be mitigated through irrigating undisturbed areas within the wider site during dry weather. Other than this consideration, overland flows from the expanded quarry areas to surrounding areas are anticipated to be minimal and all stormwater and surface water runoff will continue to be captured internally within the quarry and directed to on-site drainage infrastructure for retention and potential reuse on site. Erosion and sediment-laden surface water are also proposed to be prevented through the ongoing rehabilitation and revegetation of the quarry land, to prevent development of any erosion channels, as outlined in the Ground Control Management Plan. As a result of these strategies for dealing with surface water and stormwater run off as a result of the proposal, along with the quarry pit expansion's siting away from nearby waterways, the surrounding water catchment will be appropriately protected.
126. It is acknowledged that due to the anticipated quality of excess surface water that will need to be pumped from the quarry pits, excess surface water will generally be managed via evaporation or irrigation of soil on site. In the event that this is insufficient and discharge of excess surface water into waterways becomes necessary, the SWA recommends further assessment of water quality of the water to be discharged from the pit or the manner in which it may be discharged into surrounding waterways. This is reiterated in Central Highlands Water's conditions for the Work Plan Variation, requiring this assessment to support any application for a water release license. This will ensure that in the event any discharge of excess surface water into surrounding waterways is necessary, it will not pose any unreasonable impacts to the health of surrounding waterways and will be appropriately overseen by the relevant catchment management authority.
127. It is noted that the site is not connected to reticulated sewerage however, further detailed assessment of wastewater management was not required as this is consistent with the existing arrangements on site and no changes are proposed to the number of staff on site (ie. no increase to effluent generated on site) or the management arrangements (septic systems that is transport off-site). It is acknowledged that Moorabool Shire Council raised potential issues with the information on file for the existing on-site wastewater management system and requested conditions be imposed requiring details to be submitted to the council regarding the amenities block. Conditions to this effect will be imposed on the planning permit to ensure that the existing wastewater management is appropriate.

## Flora and Fauna Impacts

128. Other ecological considerations for the proposal include the impacts on flora and fauna on and surrounding the site, in accordance with Clause 02.03-2, 12.01 (Biodiversity) and Clause 12.05 (Significant Environments and Landscapes) of the planning scheme. The proposed expansion of the quarry has been designed to generally limit impacts on flora and fauna by maintain buffers to faunal and ecologically significant habitats associated with riparian vegetation and waterways and minimising the amount of native vegetation required to be removed on site, with only 0.032 hectares of native vegetation proposed to be removed on site. Per the Ecological Assessment submitted in support of the Work Plan Variation, there are no confirmed records of species or ecological communities listed as threatened or protected under the Flora and Fauna Guarantee Act 1988 within the proposed expansion area, nor any nationally significant flora and fauna recorded of National Environmental Significance that would warrant referral to the Commonwealth Environment Minister under the Environment Protection and Biodiversity Conservation Act 1999.



129. As noted above, a minor amount of native vegetation is required to be removed. While this native vegetation removal is exempt from a planning permit under Clause 52.17 (Native vegetation) as it is necessary to enable carrying out of extractive industry, the proposed removal was referred to DEECA through the MRSD Act as part of the Work Plan Variation request and was deemed appropriate, subject to the imposition of conditions on the Work Plan Variation regarding protection measures requires during works and operation to areas of native vegetation proposed to be retained as well as for native vegetation offsets to be secured.

## Other Matters

### Cultural Heritage

130. Part of the land currently subject to the WA82 Work Plan is in an area of legislated cultural heritage sensitivity as defined in the *Aboriginal Heritage Regulations 2018* however as the area of land proposed to be added to the WA82 work area is not within a legislated area of cultural heritage and only already highly disturbed places of cultural heritage sensitivity are to be affected by the proposed expansion of the worked area of the quarry, a CHMP has not been deemed necessary for the proposed activity. Recorded Aboriginal artefacts on the site have generally been located along Ring Creek, outside of the proposed expanded quarry operations area. Further, a Preliminary Aboriginal Heritage Test (PAHT) application was submitted to the Department of Premier and Cabinet outlining why a CHMP was not required, which was certified by the Secretary of the Department Premier and Cabinet on 19 June 2024. The PAHT also outlined the measures the operator would undertake in the event that any artefacts of aboriginal heritage significance were found during construction/operation.

### Omnibus Planning Permit

131. As noted in earlier sections of this report, the current quarry and WA82 Work Authority area is already subject to a planning permit (A053-97) issued by Moorabool Shire Council which per the wording of the conditions of that planning permit, will not expire and remains active until the use in accordance with the WA82 Work Authority ceases (inclusive of rehabilitation). Therefore to ensure the orderly planning and administration of planning permission for the overall use and development, that PA2503724 be in the form of an omnibus planning permit that would apply to the entire new WA82 Work Authority area.

132. In considering the creation of an omnibus permit, conditions (or the intended outcomes sought by condition)s of A053-97 which continue to be relevant have been carried across to the proposed omnibus planning permit with any conditions that have been modified or not carried over discussed in further detail in the below table. A condition of the planning permit will also require an application to cancel A053-97 to be made in accordance with s89 of the Act within 12 months of the issue of this planning permit. This will enable the proponent sufficient time to activate commencement of works associated with the quarry expansion (and therefore take benefit of the new planning permit) prior to cancelling the existing planning permit, ensuring that at no point would the quarry operations in accordance with the WA82 Work Authority be without an active planning permit.

133. In addition to these matters, conditions will ensure that all plans to be endorsed under PA2503724 will be clear on the extent of new works proposed, while the extent of the existing quarry pit and existing buildings on site shown on the new site plans for WA82 remain generally consistent with the plans endorsed under the original planning permit on 4 February 1995.

Planning Permit A053/97 Conditions	DTP Response
<p>1. <i>The use and development hereby authorised shall at all times be in accordance with the approved working proposal attached to an Extractive Industries License issued by the Department of Natural Resources and Environment and in compliance with all requirements of the conditions attached to that licence. Any breach of this permit and any substantial failure to comply with any condition imposed by the license whether such condition is explicitly included in this permit or not, shall be deemed to</i></p>	<p>Condition 5 is proposed as an equivalent to this condition, requiring all use and development to be in accordance with the approved WA82 Work Plan at all times.</p>



be a failure to comply with this condition.

2. <i>The landscaping of the site including screen bundings shall be carried out and maintained to the requirement and satisfaction of the Responsible Authority and shall be generally in accordance with the endorsed plans, and any work Authority approved by the department of Natural Resources and Environment.</i>	The requirements for screen bundings is outlined in the Work Plan WA82 and accompanying documents and therefore Condition 5 would already require these to be carried out and maintained to the satisfaction of the responsible authority. Conditions 10-12 will also be included on the planning permit to require the submission of a dedicated Landscape Plan for endorsement which will both include details of proposed landscaping and bund profiles (Condition 10) as well as confirm when landscaping must be completed on site and that it must be maintained at all times (Condition 11).
3. <i>The licensed areas of the site must be enclosed with a combination of mesh with barbed wire fencing standing 1.8 metres high and all other boundaries to be enclosed with farm type fencing 1.2m high.</i>	As the whole of the site will now be a licensed area, the latter requirement is now redundant. While it is indicated that 1.8m high mesh with barbed wire fencing will be erected along the new boundaries, Condition 8a) will require this to be clearly detailed on site and development plans to be submitted for endorsement.
4. <i>The use hereby permitted must be conducted such that noise generated does not exceed permissible noise levels established in accordance with the state Environment Protection Policy N-1 under the Environment Protection Act, 1970 and the E.P.A Interim Guidelines for controls of noise from industry or such other relevant E.P.A policy or guidelines as applicable from time to time.</i>	Condition 19 generally to this effect but updated to reflect current legislation has been included.
5. <i>Erosion</i> 5.1. <i>Erosion of the subject land must not be caused through any operations on the subject land, including the stockpiling of material.</i> 5.2. <i>All driveways and access roads, drains, banks, batter slopes, excavations and any other earthworks or structures associated with the development must be constructed and maintained so as not to create or increase soil erosion, to the satisfaction of the Responsible Authority.</i>	Management of erosion and land stability for both existing and expanded areas of the quarry is addressed in great detail in the Work Plan Variation. It is not considered necessary for a condition of the permit to require additional performance requirements be met to the satisfaction of the responsible authority when the Work Plan WA82 will enforce these matters.
6. <i>All dams must be designed and constructed to the satisfaction of the Responsible Authority and in a manner which is structurally sound and fill batters must be of such slopes that they remain stable at all times. All distributed soil must be sown down with an approved grass mixture or other suitable ground cover and maintained thereafter.</i>	As above, it is not considered necessary to separately address this matter in conditions of the planning permit as the Work Plan Variation and associated geotechnical considerations will ensure these matters are attended to for existing and proposed dams.
7. <i>Any changes or amendments to the approved working proposal plans attached to the Extractive Industries Licence must be approved by the Responsible Authority prior to being acted upon.</i>	Condition 1 of the planning permit generally ensure this is attended to for any changes to requirements of documents approved under this permit. It is not considered necessary to require that any and all changes to the Work Plan WA82 seek the responsible authority's approval before being acted upon, in the event those matters do not relate to aspects of the proposal approved by the planning permit.
8. <i>On completion of the use hereby permitted and prior to the expiry of this permit or any extension of the period in which the use can be carried on, rehabilitation works in accordance with the plan referred to in Condition 2 shall be carried out to the requirements and satisfaction of the Responsible Authority and without limiting those requirements shall include the following:</i> i. <i>All batters shall be properly stabilised and made safe;</i> ii. <i>All exposed areas shall be covered with overburden and topsoil and sown with suitable pasture mixture grasses and trees indigenous to the area.</i>	Condition 29 of the planning permit will ensure that rehabilitation works will be carried out to the responsible authority's satisfaction. Rather than outlining the requirements for rehabilitation within the condition, deference has been given to rehabilitation being carried out in accordance with the approved Closure Plan detailed in the Work Plan and its specific conditions, as in force at the time of rehabilitation. It is not necessary to specify the timing for when this must occur, as land may be progressively rehabilitated and this will be outlined in the closure plan. The permit will also not expire



	until the Work Authority is cancelled, which cannot occur until satisfactory rehabilitation is complete.
9. <i>The hours of operation of the extractive industry must only be undertaken in accordance with the hours stipulated in the Work Authority Approval of any deviation from those approved hours must be obtained in writing from the Responsible Authority prior to the change.</i>	Condition 13 of the planning permit outlines operation for the various operations on site that are consistent with the Work Plan Variation while Condition 14 ensures that the quarry may only operate within these hours with exception for unforeseen circumstances.
10. <i>Wastewater and polluted drainage must be wholly contained within the subject lot, and must be dissipated within the subject lot to the satisfaction of the Responsible Authority.</i>	Condition 25 is included on the planning permit which ensures in a greater level of detail that the site is development and managed to prevent pollution from the site while Condition 28 ensures that wastewater generated on site must be appropriately managed to the satisfaction of Moorabool Shire Council.

### Staging

134. The proposed quarry expansion is proposed to be carried out in two stages, with the first stage being the eastern extension pit and the second stage being the southern extension pit. The staging of the expansion has generally been considered in logical sequence that will allow the site to be progressively rehabilitated and vegetated and allow time for enabling works such as the closure of Howards Road/upgrade of Hewittsons Road to occur without impacting continued operation of the site.
135. The conditions of the planning permit will require a staging plan to be submitted for endorsement which clearly outlines the extent of each stage and is clear regarding all works to occur within each stage, including the proposed upgrade of the plant equipment that is located within the existing quarry pit.

# Recommendation



136. It is **recommended** that Planning Permit No. **PA2503724** for the use and development of the land for extractive industry (basalt quarry) associated with an extension to an existing quarry (WA82 Work Authority) and buildings and works within the existing licensed area at 144 Dunnstown-Yendon Road, Dunnstown (primary address) be issued, subject to conditions.
137. It is **recommended** that the applicant, the council and all submitters be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
  - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [Redacted]

Title: Senior Planner, Development Assessment

Signed:

[Redacted Signature]

Phone: [Redacted]

Dated: 19 May 2026

Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
  - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [Redacted]

Title: Manager, Development Assessment

Signed:

[Redacted Signature]

Phone: [Redacted]

Dated: 19/05/2026

# Appendix 1: Response to Moorabool Shire Council's submission



Council Grounds of Objection	DTP Response
<p>The proposed development extends onto Farming Zone land and the use of the land for extractive industry does not support or maintain the agricultural productivity of the land; and</p> <p>The use and propose development does not comply with Clause 14.01-1S (Protection of Agricultural Land) which has a strategy to protect productive agricultural land from unplanned loss due to permanent changes in land use.</p>	<p>As discussed at length throughout the report, the proposed extension of the extractive industry use into land in the Farming Zone will not unreasonably impact on the agricultural productivity of the land or result in permanent loss of agricultural land.</p> <p>The Farming Zone land is surrounded by land zoned for extractive industry to the north, east and south and a road to the west meaning it is already fragmented from surrounding agricultural land and not high quality or strategically significant farmland. Extractive Industry uses are anticipated in rural settings and not prohibited within the Farming Zone and the quarry's proposed expansion into Farming Zone land must be balanced against other strategic objectives of the Moorabool Planning Scheme to prioritise securing extractive resources close to existing markets and resources which are essential for infrastructure and economic development, which the proposed expansion will enable.</p> <p>Per the proposed rehabilitation plan for the WA82 Work Plan, it is proposed to restore the whole wider site back to farmland suitable for grazing etc. once the resource extraction is depleted and therefore it will not be permanently lost.</p>
<p>The proposed use and development does not comply with Clause 13.07-1S (Land use compatibility) of the Moorabool Planning Scheme that seeks to avoid or otherwise minimise adverse off-site impacts of commercial industrial and other uses through land use separation, siting, building design and operation measures.</p>	<p>The potential adverse impacts on surrounding land uses as a result of the proposed expansion of the quarry have been comprehensively assessed and discussed throughout this report with regards to matters such as noise and vibration, air quality, groundwater and surface water, visual impact etc. These matters have been considered by the Energy Resources Regulator and relevant referral agencies as part of the MRSD Act and were also found to be generally acceptable, subject to conditions to be imposed on the approved Work Plan.</p> <p>It has been determined that subject to the monitoring and mitigation measures required to be carried out by the statutorily endorsed WA82 Work Plan Variation and further conditions on this planning permit, the proposed quarry expansion's operations will ensure adverse off-site impacts are appropriately managed.</p>
<p>The proposed use and development does not comply with Clause 18.01-1S that seeks to protect existing transport infrastructure from encroachment or detriment on the current or future function of the asset due to the condition of existing roadways.</p>	<p>As discussed in the body of this report, the proposed expansion of the quarry does not result in any increase in the type or number of vehicle movements anticipated for the quarry, as the expansion of the quarry does not create any net increase in permitted extraction from the site and the proposal's impacts on the surrounding transport network are considered acceptable (subject to conditions for Hewittsons Road upgrade).</p> <p>It is acknowledged that the Council has raised concerns with the current condition of the roads surrounding the site and how their condition will further deteriorate as a result of the quarry's lifespan being extended. The Council's submission fails to substantiate a clear nexus between the proposed change in duration of the use and the condition of the road network as a result, in order to support its requested conditions to secure financial contributions for road maintenance. Per the Road Safety Assessment prepared in support of the application, Dunnstown-Yendon Road currently experiences a high level of heavy vehicle movements (31% of all vehicle movements or 442 per day during the traffic count) with only a portion of these being attributable to the quarry. Therefore, any concerns about the ongoing maintenance or condition of local roads which are the responsibility of the coordinating road authority to attend to, must be considered in the context of all heavy vehicle movements occurring on these roads.</p>
<p>The proposed use and development</p>	<p>As discussed throughout this report, the proposal, subject to the</p>



<p>does not represent the orderly planning of the area.</p>	<p>recommended conditions of the planning permit including with regards to omnibus planning permit and staging considerations, will not prevent the orderly planning of the area.</p>
<p>The application cannot be decided and/or appropriately conditioned in its current form as it relies on the discontinuation of Howards Road which despite being previously approved was never gazetted and this approval has now expired on 1 March 2025.</p>	<p>It is noted that this previous approval to discontinue the road granted by the Council on 1 March 2023 has now expired and that the proponent must undertake this process again.</p> <p>While Stage 2 of the expansion into the southern quarry pit relies on the road being discontinued in order to commence, this is not sufficient reason to not issue a planning permit, noting that no objection to the discontinuation in itself has been raised by the Council nor has any reason or change in circumstance been raised to suggest approval would not be granted again.</p> <p>It is therefore not considered unreasonable to issue a planning permit pending this approval being granted again per the relevant considerations of s60, 61 and 62 of the Act, noting that s48 of the Act also expressly allows for an application to grant a planning permit to be made on land for which the permit holder lacks the material right to use or develop.</p>
<p><b>Council Recommended Condition</b></p>	<p><b>DTP Response</b></p>
<p><u>Consolidation</u> Prior to the use commencing, all lots as part of this approval are to be consolidated in accordance with the provision of the Subdivision Act 1988.</p>	<p>This is not considered necessary, noting the existing quarry's Work Authority area is comprised of multiple titles and that the intended final state of the land is to be restored as farmland, making the creation of one large allotment undesirable for future disposal of the land.</p>
<p><u>Road Maintenance – s173 Agreement</u> The owner enter into an agreement under Section 173 of the Planning &amp; Environment Act 1987 that requires the owner to pay a monetary contribution per tonne of extract material for the provision of road maintenance on local roads used by the owner within Moorabool Shire Council.</p> <p>Before the use and/or development commences, application must be made to the Register of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act and the owner must provided evidence of that registration of the Agreement to the Responsible Authority. The owner must be the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.</p>	<p>As noted above in the response to objection grounds, the Council has not demonstrated any clear nexus between the proposed change to the use of the local road network as a result of the proposed expansion of the quarry's extraction area and the need for financial contributions towards road maintenance to local roads across Moorabool Shire which may be used by trucks associated with the quarry. Though the extended lifespan of the quarry will continue to contribute to heavy vehicle use on local roads in Moorabool and associated degradation of the road conditions as a result, this impact cannot solely be attributed to the quarry and it is noted that the primary roads to be used by vehicles to attend the quarry are on the principal road network and therefore are not maintained or funded by the Council.</p> <p>There was also no requirement under the existing quarry's permit that required financial contributions towards road maintenance or any other similar obligation as a condition of operating a quarry and associated creation of heavy vehicle movements on the road.</p> <p>This condition does not provide any detail of the proposed rate per tonne of extracted material requested, the duration of this arrangement or how it will be determined which roads will require maintenance as a result of the proposal in order to determine that this requirement is proportionate to the potential impacts to be mitigated. It is noted that per Moorabool Shire's rating categories for property rates, the landowner already pays significantly higher rates (312% of the general rate) compared to residential or farming land, reflective of a cost-recovery principle for industries that impose greater regulatory, environmental and infrastructure burdens on the community to ensure Council's are appropriately compensated for these impacts.</p>
<p><u>Road Upgrade Plans</u> Hewitson Road upgrade must be accompanied with plans and specifications to the satisfaction of the Responsible Authority.</p>	<p>A condition to this effect has been included on the planning permit though this is to be to satisfaction of Moorabool Shire Council, as the coordinating road authority.</p>



<p><u>Road Upgrade Completion</u> Prior to the use commencing, all road works required by this permit must be completed to the satisfaction of the Responsible Authority in accordance with the approved plans or any subsequent approved variations to these plans.</p>	<p>A condition to this effect has been include on the planning permit although it will not be required for the road upgrade to be completed until before the discontinuation of Howards Road (ie. the nexus for requiring Hewittsons Road upgrades) has occurred.</p>
<p><u>Wastewater Management</u> Prior to commencement of any works and as part of the approvals process, provide a report from a certified plumber that outlines specific details of the current wastewater treatment connected to the amenities block. This includes tank type and method of disposal. If the disposal method is a pump out system, include holding tank capacity and frequency of pump out.</p>	<p>A condition requiring all wastewater treatment to be to the satisfaction of the Council has been included on the planning permit (generally consistent with the existing planning permit), noting that no proposed changes to the wastewater management on site is proposed as a result of the quarry expansion.</p> <p>Until the existing planning permit is cancelled, Condition 10 of that planning permit affords Moorabool Shire Council with the ability to carry out enforcement action it sees fit regarding existing wastewater management of the site.</p>
<p><u>Noise emissions</u> All recommendations outlined in the noise impact assessment conducted by SLR dated 23 February 2024, are followed to the satisfaction of the responsible authority.</p>	<p>The recommendations of this report have been incorporated into the Work Plan Variation and its Risk Management Plan, therefore the general condition of the planning permit that requires the use to be conducted in accordance with the WA82 Work Authority will in effect require the recommendations of this report to be met.</p>
<p><u>Noise exceedance</u> Noise emissions must comply with EPA requirements including early morning operations. If noise levels exceed acceptable limits, corrective actions must be taken immediately to the satisfaction of the responsible authority.</p>	<p>A condition to this effect will be included on the planning permit.</p>
<p><u>Dust emissions</u> Appropriate dust suppression techniques must be employed at all times to ensure that dust emissions are minimised to the satisfaction of the responsible authority and in accordance with EPA requirements.</p>	<p>Per the response above regarding the noise emissions, this is already attended to under the WA82 Work Plan Variation and a general condition will require that all of these requirements are adhered to.</p>
<p><u>Truck movement dust</u> Trucks carrying product from the quarry must be suitably covered prior to leaving the site to prevent dust or stone coming off the load to the satisfaction of the responsible authority whilst traversing public roads.</p>	<p>This addresses matters which are already regulated by heavy vehicle/road safety legislation and it is already a requirement that all drivers must cover loads prior to leaving the site.</p> <p>A general amenity condition will also be included on the planning permit which requires that the amenity of the area is not detrimentally affected through the transport of materials, goods or commodities to or from the land.</p>
<p><u>Truck Parking</u> Hard stand areas must be provided within the property for truck parking and truck queueing, to the satisfaction of the responsible authority.</p>	<p>No changes are proposed to the existing arrangements on site for truck parking, nor the type or number of trucks accessing the site. No conditions on the existing planning permit required hard stand areas for the truck parking areas on site either.</p> <p>A condition requiring that all car parking and loading and unloading of vehicles must take place within the boundaries of the site will be included on the planning permit, which would address the requirement for truck parking/queueing to occur within the property.</p>
<p><u>Sediment Control</u> Measures to prevent contaminated</p>	<p>A condition to this effect will be included on the planning permit.</p>



<p>water or sediment leaving the site or entering nearby waterways must be implemented before any excavation authorised by the permit commences.</p>	
<p><b><u>Blasting</u></b> The quarry operator must, to the satisfaction of the responsible authority, provide notification of any proposed explosives blast to all occupiers of adjoining land and to any other nearby occupiers who have requested notification. This notification must be given at least 34 hours before each scheduled blast.</p>	<p>The requirement to provide notification of blasting activities is already required by the Work Plan WA82.</p> <p>A condition of the planning permit will also require all occupiers/operators of land within 500m of the near blasting zones to be notified of changes to blasting on site and provide details of how to opt into receiving notifications, prior to any changes to blasting operations on site occurring.</p>
<p><b><u>Landscaping maintenance</u></b> Landscaping vegetation planted in accordance with the endorsed plans must be planted and maintained for the operational life of the quarry to the satisfaction of the Responsible Authority.</p>	<p>A condition to this effect will be included on the planning permit.</p>
<p><b><u>Emergency Management</u></b> Submission of an Emergency Management Plan to the satisfaction of the Responsible Authority detailing how fire and flood risk emergencies will be managed. Once endorsed, the operator of the quarry must comply with the direction of the emergency management plan.</p>	<p>The applicant has indicated an existing site specific Emergency Manage Plan has been prepared and will be updated to reflect the current operations on site as the quarry expansion evolves.</p> <p>As this is a working document that must be kept current and up to date (ie. identifying wardens, contact details, site map) it is burdensome to require this to be an endorsement item of the planning permit that will need to be frequently updated.</p> <p>General conditions of the work plan outline general requirements to be met with regards to fire risks, hazardous material, slope failure events etc.</p>
<p><b><u>Community Engagement Plan/Reference Group</u></b> Before the use commences, the owner and/or occupier of the land must establish and convene a Community Reference Group, to the satisfaction of the responsible authority.</p>	<p>A Community Reference Group has already been convened, as required by the WA82 Work Plan and therefore does not need to be required as a condition/is ensured through the general condition on the planning permit that the use must be in accordance with the requirements of the Work Plan.</p>

# Appendix 2: Response to objections



Objection	DTP Response
<p>Community Reference Group Submission – this submission requested that a number of conditions be imposed on the planning permit and/or Work Plan, to regulate the proposed use and development</p>	
<p><u>Operating Hours</u> Recommended that permit conditions restrict sales to commence after 6am and crushing after 7am.</p>	<p>Conditions to this effect are included on the planning permit (consistent with operation hours proposed within the WA82 Work Plan Variation and existing operations on site.</p>
<p><u>Dust</u> Boral should provide information to the community on the risks posed by dust from the quarry and run an appropriately resourced community engagement event to give the community opportunity to ask questions about dust levels.</p>	<p>Under the MRSD Act, Boral has a duty to consult with the community throughout the life of the quarry and has prepared a Community Engagement Plan to respond to this requirement. The CEP already outlines a number of mechanisms such as community drop-in sessions, fact sheets and site open days to engage with and educate the community on this issue.</p> <p>Further conditions on the planning permit regarding Boral's requirements to engage on this issue are not considered necessary in this instance.</p>
<p><u>Other dust issues:</u></p> <ul style="list-style-type: none"> <li>- Sprinkler capacity to be enhanced.</li> <li>- Operating procedures to be established to activate sprinklers well before works that cause dust commence.</li> <li>- Real time dust monitoring stations be established to the south and south east.</li> <li>- Works must stop or be appropriately reduced if dust escapes the site.</li> <li>- Dust monitoring results should be provided to CRG meetings in a manner that is comprehensible and provide the bases for the CRG to reassure the community.</li> </ul>	<p>These requests generally already addressed by the existing WA82 Work Plan Variation and associated risk management plan regarding the mitigation and monitoring of dust.</p> <p>The exception to this is the current requirements for real time air quality monitoring stations, with only one proposed on site. Conditions of the planning permit will require four monitoring stations to be installed across the site to increase coverage of real time air quality monitoring, including to the south/south-east of the site.</p> <p>Dust monitoring results can be provided to the regulator (Resources Victoria) upon request while the Work Plan conditions prohibit the release of dust has an adverse impact on the surrounding area and resident and require reporting of any event or complaint regarding air quality to Resources Victoria.</p>
<p><u>Traffic Impact Assessment</u></p> <ul style="list-style-type: none"> <li>- Boral to maintain data loggers in all Boral owned or managed trucks.</li> <li>- Boral to provide truck speed data to CRG meetings.</li> <li>- Boral to maintain a truck driver information and education program on the need to comply with speed restrictions.</li> </ul>	<p>While Boral has indicated it already has driver telematics installed into Boral operated vehicles and carries out detailed driver compliance training programs, conditions requiring adherence to, or monitoring and publishing data of adherence to road safety laws is beyond the reasonable scope of consideration for this application under the <i>Planning and Environment Act 1987</i>.</p> <p>Community feedback of driving behaviour can also be raised to Boral at CRG meetings.</p>
<p><u>Noise</u></p> <ul style="list-style-type: none"> <li>- Before expansion is approved, noise models must be revised, testing repeated a new report prepared with satisfactory noise levels at sensitive receptor sites.</li> <li>- Boral to provided information to the community on the new report and ren an appropriate resourced community engagement event to the give the community opportunity to ask questions about noise levels.</li> <li>- Boral must undertake ongoing noise monitoring throughout the year and provide the date to CRG</li> </ul>	<p>The Noise Impact Assessment prepared in support of the application has been reviewed the EPA Victoria, who did not raise any concern with the methodology of the modelling of noise impacts used to determine whether they were appropriate. This assessment is accepted and an amended noise impact assessment will not be required by condition of the planning permit, nor will any changes to recommended noise mitigation measures such as perimeter bund heights be required. More general concerns about future noise impacts from the community can continue to be expressed and managed through the CRG's engagement.</p> <p>Further, while the noise monitoring obligations outlined in the Work Plan's Risk Management Plan require Boral to undertake additional monitoring in response to certain trigger events, a condition of the planning permit will also require a regular, proactive monitoring schedule to be undertaken every two years to ensure consistent points of reference for operating conditions are captured (in addition to trigger events, which includes complaints regarding</p>



<p>meetings and neighbour impacted by noise.</p> <ul style="list-style-type: none"> <li>- The height of existing bunds to be substantially increased.</li> <li>- Movement alarms on mobile plant and vehicles to be a type that minimised noise.</li> </ul>	<p>noise).</p> <p>A condition of the planning permit will also require the reversing alarms on all movable plant and equipment to be broadband reverse alarms which ensure noise fades quickly outside the immediate hazard area where the sound is required for safety purposes.</p>
<p><b>Blasting</b></p> <ul style="list-style-type: none"> <li>- Boral must provide information to the community about blasting and run an appropriately resourced community engagement event to give the community opportunity to ask questions about noise levels.</li> <li>- The blasting data should be shared with the CRG.</li> <li>- Boral should expand the number of neighbours being notified of impending blasts.</li> <li>- Additionally blasts are already more severe than what is allowed by regulations and are damaging neighbouring buildings.</li> </ul>	<p>As noted above on other similar matters, the CEP prepared as part of the Work Plan allows for the possibility of different engagement mechanisms to be utilised to provide the community with information about quarrying activities and it is not necessary for conditions of the planning permit to dictate which mechanism be used for providing general information to the community.</p> <p>Blasting data is shared with Resources Victoria which can be requested by CRG.</p> <p>While the CEP already requires Boral to give neighbours and residents notification alerts prior to blasting, a condition of the planning permit will require Boral to contact all occupiers and operators of land within 500 metre radius of the new blast zone notification of the changes to blasting and re-notify them of how they can opt-in to receiving notifications if they don't already otherwise receive them. It is not considered necessary to require additional notification outside of the extent already indicated by the CEP due to the effects of blasting not being discernible beyond this range.</p> <p>Boral is required to notify Resources Victoria of any event of blasts breaching the air blast overpressure and ground vibration limits set by the conditions of the Work Plan and the Work Plan also requires every blast to be monitored for air blast overpressure and ground vibration. These limits seek to prevent cosmetic/structural damage and nuisance during blast events.</p> <p>The Work Plan's Risk Management Plan in addition to outlining how blasting will be managed to ensure the required limits are not exceeded, also notes that any damage claims will be investigated to confirm this is not caused as a result of blasting limits being exceeded.</p>
<p><b>Lighting</b></p> <p>Any new lighting must be design so that it does not cause a nuisance to neighbours (with regards to modified lighting in the existing quarry)</p>	<p>A condition of the planning permit will require light spill from all external lighting to be designed, baffled and located to prevent any adverse effect on adjoining land.</p>
<p><b>Water Management</b></p> <ul style="list-style-type: none"> <li>- Boral must provide information to the community about the impacts of the extended quarrying activity on the water table and water quality through an appropriate resourced community engagement event to the give the community opportunity to ask questions and assure neighbouring landholder's bores and catchment water quality will not be impacted.</li> <li>- Viability of bores serving farming will be impacted.</li> <li>- Stormwater discharge into Spring Creek will degrade surface water</li> </ul>	<p>Groundwater impacts have been assessed in the Groundwater Investigations report submitted in support of the Work Plan Variation and the anticipated additional groundwater drawdown as a result of the quarry will not impact neighbouring bores (including those relied upon for farmland), other than at Walsh's Quarry. The Groundwater Management Plan has been developed to ensure appropriate long-term groundwater level changes within the vicinity of the project are monitored and provides a clear trigger action response plan to mitigate impacts in the event of groundwater level changes that have not been anticipated.</p> <p>As discussed above, further engagement on this matter between Boral and the CRG can be carried out per the requirements of the CEP and does not need to be further stipulated via permit conditions.</p> <p>Additionally, the Surface Water Assessment prepared in support of the Work Plan Variation confirms that stormwater run off is to be appropriately drained</p>



<p>quality.</p>	<p>within the site and that the excess surface water anticipated to be generated will be managed on site through evaporation or irrigation, rather than discharging into any surrounding water bodies.</p> <p>As there is potential for excess surface water quality to not meet required standards, Central Highlands Water has requested further assessment of the quality of water in the event excess surface water from the quarry pit is proposed to be discharged into surrounding water ways and that this discharge cannot occur without Central Highlands Water approving an application for a water release license. The measures will ensure that water quality in Spring Creek is not degraded.</p>
<p><u>Visual Amenity</u></p> <ul style="list-style-type: none"> <li>- Boral must commission a detailed visual impact assessment of the extended quarry including review of sightlines to neighbouring quarry.</li> <li>- Boral must provide information to the community about the visibility of the extended quarry adjacent to neighbours and run an appropriate resources community engagement event to give the community opportunity to ask questions.</li> <li>- The screening plantation should be planted immediately following a permit being issued. Plants must be watered regularly and dead plants replaced giving trees an opportunity to reach maturity and maximise screen before the quarry earthworks begin.</li> </ul>	<p>A detailed Landscape Visual Impact Assessment has already been prepared in support of the work plan variation/planning permit, which includes detailed views of which elements of the proposal may be visible from the public realm and neighbouring properties. While this does not account for any and all potential view lines from all properties, it has been generally confirmed that the visibility of the quarry will remain apparent but by no means a dominant element of the existing landform, subject to the proposed screening bunds and vegetation being carried out on site.</p> <p>See above responses regarding conditions to require specific community engagement on issues raised.</p> <p>Screen planting largely cannot occur until the screen bunds are established as planting will be located on or directly adjacent to the bunds and the bunds are proposed to be constructed at least in part from topsoil and overburden excavated to create the stage 1 and 2 quarry pits. Until bund construction is completed, any advanced screen planting risks being damaged. Additionally, planting is scheduled for spring when conditions are most favourable for plant establishment and survival so the timing requested cannot be achieved at the time of issuing this planning permit.</p> <p>A condition of the planning permit will require a landscaping management plan to be provided as part of the landscape plan to ensure the ongoing viability of the vegetation planted and require landscaping to be maintained in good condition or replaced when necessary. All landscaping for each respective stage of the expansion to be carried out within 12 months of construction of each expansion pit, to allow flexibility for planting to occur at the most optimum time for ongoing success.</p>
<p><u>Community Benefit Fund</u></p> <p>Boral must maintain a Community Benefit Fund, operated in consultation with the CRG, with funding levels, decision processes and structure similar to the Lal Lal Wind Farm.</p>	<p>A community benefit sharing strategy has been developed for the Dunnstown quarry site tailored to local circumstances, as set out in the CEP that forms part of the Work Plan and engagement on the community benefits sharing will continue throughout the life of the quarry.</p> <p>A fund as requested by the CRG does not have a nexus to any requirement within the planning scheme and is therefore outside of the scope of what can reasonably be conditioned on the planning permit.</p>
<p><u>Biodiversity and Wildlife Corridors</u></p> <p>Boral is required to revegetate the closed area of the quarry and in the long term revegetate the whole of the site with locally indigenous trees, shrubs and grasses to re-establish the relevant original Ecological Vegetation Class.</p>	<p>The Rehabilitation Plan which forms part of the approved Work Plan states that the final land use once the site is rehabilitated is to be agricultural land, consistent with the original use of the land and the land surrounding the site. The Rehabilitation Plan notes that grasses, shrubs and trees from the relevant EVC Plains Grassy Woodland are to be used in addition to pasture grasses for agricultural areas of the site.</p> <p>There is no relevant nexus within the planning scheme to require the whole of the rehabilitated site to be revegetated beyond a level necessary to restore the site to its original use/state prior to quarrying activities occurring.</p>



<p><u>Post Quarrying Land Use</u> Boral must not be permitted to use any part of the quarry for waste disposal.</p>	<p>See above for the proposed use of the quarry following rehabilitation (agricultural) as identified in the Work Plan's Rehabilitation Plan.</p> <p>Any other future use of the land following rehabilitation and the associated ending of the Work Authority, including relevant planning permission to be obtained, would be subject to the requirements of Moorabool Planning Scheme as in force at that time.</p>
<p><u>Community Reference Groups</u> Boral must maintain an ongoing CRG with quarterly meetings while the expansion project is underway and meetings at least half yearly once the expansion is completed.</p>	<p>The CEP required by the Work Plan notes Boral is committed to maintaining the CRG and Boral has an ongoing duty to consult with the community under the MRSD Act which will provide sufficient requirement for ongoing community consultation to occur.</p>
<p><u>Other submissions</u></p>	
<p>The 'Blast Exclusion Zones' shown on the site context plan at Appendix A of the Work Plan encroach approx. 200m into the Walsh Quarry property including its access road. Personnel needs to be evacuated from these areas and operations will need to stop when blasting is in progress- this could cause a week's lost work annually. Walsh Quarry does not intend to enter into an agreement regarding blasting and flyrock clearance.</p>	<p>See discussion under blasting impacts in the body of the report.</p> <p>As outlined in the Blast Impact Assessment, blast designs can be modified to reduce disruption to Walsh Quarry operations. A condition will be included on the planning permit requiring that any blasting undertaken within 200m of the boundary with adjoining Walsh Quarry to be adaptively managed to ensure no flyrock enters that land or public land between the site and this land (ie. its access road). This should address concerns regarding potential disruption impacts for maintaining blast exclusion areas, in addition to any further arrangements that may be established between the two operators – ultimately no blasting can go ahead unless the blast shotfirer is assured that all blast exclusion areas are cleared so it is incumbent on the operator (Boral) to resolve an acceptable approach to managing blast exclusion zones for all parties.</p>
<p>The Risk Treatment Plan for blast vibration and fly rock in the Work Plan does not include all recommendations of the BIA or ground vibration/air blast impacts at Walsh Quarry offices, amenities or other infrastructure.</p>	<p>The Blast Impact Assessment and its recommendations forms part of the approved Work Plan and its controls and recommendations are a binding part of the Work Plan approval.</p> <p>Discussions of ground vibration/air blast impacts at Walsh Quarry is not included in the BIA as these areas are not considered 'sensitive sites' as defined in Resource Victoria's 'Ground vibration and airblast limits for mines and quarries' guidelines. Blasting already occurs at the Walsh Quarry site and therefore it can't be considered a site in which 'people could reasonable expect to be free from undue annoyance and nuisance caused by blasting'. Despite this, the BIA notes that the most vulnerable building elements subject to damage for airblast over pressure being window panes and that AS2187.2-2006 recommends a limit of 133dB(L) to prevent damage to window panes and that damage at levels below 140dB(L) is improbable. Appendix 2 indicates that at worst, a 120dB(L) airblast overpressure level will occur within the Walsh Quarry land as a result of blasting on site, indicating that despite not being subject to RV's relevant ground vibration or airblast limits for quarries, the risk to infrastructure or building damage is likely to be low.</p>
<p>The impact of the work plan-specific conditions relating to protection of native vegetation and from Central Highlands Water would impact the Walsh Quarry.</p>	<p>It is unclear how the work-plan specific conditions relating to the protection of native vegetation would impact upon Walsh Quarry's operation. The No Go protection zones to be fenced will all occur within the subject site, with no native vegetation identified for protection in the area of the site where it shares a boundary to the north of the Walsh Quarry (see below location of trees 46-48 well within the subject site that will require protection, with no native vegetation identified in the land abutting the shared boundary with Walsh Quarry).</p>



Additionally, while it is noted the Central Highlands Water conditions require monitoring of WRK046966 on the Walsh Quarry property, this condition can still be met without access to the bore being granted, provided the bore can be monitored by other means. Conditions of the planning permit will require that a new bore constructed on the Boral quarry site within the drawdown area of WRK046966 be used to monitor groundwater levels and impacts to WRK046966, in accordance with the Work Plan's Groundwater Monitoring plan.

Submissions raising concerns with existing noise levels as a result of onsite operations and sale truck movements from 6am.

The Noise Impact Assessment which carried out noise monitoring of existing noise levels during quarry operations at five different properties closest to the site which did not find any non-compliance with the EPA's day time noise limits for those dwellings.

Additionally, the existing approved Work Plan allows normal quarry operations including loadout and cartage of product to occur from 6am onwards on Monday to Saturday.

Noise monitoring and modelling carried out in the Noise Impact Assessment prepared by SRL Consulting for the Work Plan Variation is inaccurate or was not undertaken to best practice standards.

The various claims of noise levels recorded during noise monitoring to be inaccurate or that the modelled projected noise levels as a result of the proposed expansion (in conjunction with the recommended noise mitigation strategies like bund construction, acoustic enclosures) have been considered and a response prepared by SLR Consulting dated 2 December 2025.

This response confirms that various matters such as the correct calculation of noise limits under the rural area method, application of noise limits for topsoil/overburden removal, the height of the bunds, calculations to account for concave ground, the characterisation of ground surfaces for noise modelling and other calculations made for noise modelling and assessment have been appropriately considered and responsive to relevant legislation and best practice guidelines for measuring and modelling noise impacts.

Further, the NIA has been prepared by a suitably qualified professional and was reviewed by the Environment Protection Authority as part of the MRSD Act referral process, who were accepting of the contents of the NIA and did not object to the modelled noise impacts presented by the proposal as a result. The findings and recommendations of the NIA are therefore accepted. It should also be noted that regardless of the noise modelling prepared under the NIA, the quarry has an ongoing obligation to meet its environmental duty



	<p>and comply. with the relevant requirements of the Environment Protection Act 2017 and subordinate legislation and continue to adjust its operations accordingly to comply.</p>
<p>Submissions concerned that existing blasting is causing damage to houses and is not being undertaken in accordance with regulations, as well as concerns blasting frequency will increase.</p>	<p>As outlined in the Blast Impact Assessment, no dwellings external to the quarry currently are or will in the future be subject to ground vibration which exceeds the permissible levels set by the Resources Victoria which presents only an extremely low change of cosmetic cracking under usual conditions.</p> <p>Concerns regarding building damage due to blasting activity on site should be reported to Boral management or Resources Victoria to ensure that suitable investigation or future blast monitoring is carried out to substantiate these claims and/or adjust blasting accordingly.</p> <p>Blasting frequency is not proposed to increase as a result of the proposal.</p>
<p>Submissions raised concern with existing levels of dust from the quarry accumulating inside and outside of their homes, the coverage of air quality monitoring for the quarry and the prospect of dust impacts worsening as a result of the expansion.</p>	<p>The existing quarry and proposed expansion of the quarry is subject to a range of dust management measures to reduce the risk of nuisance dust escaping the site.</p> <p>The Air Quality Impact Assessment prepared in support of the proposed expansion was informed by 12 months of ambient air quality monitoring, which revealed that the air particle concentrations detected were well below the Environmental Reference Standard and air pollution assessment criteria and modelling suggests compliance will continue to be maintained as result of the expansion (subject to mitigation measures be carried out appropriately).</p> <p>The AQIA also found that airborne dust detected in the surrounds were often elevated for reasons other than the existing quarry including agricultural activities and prevalence of unsealed roads in the area.</p> <p>The proposal will result in a number of measures which will reduce existing sources of airborne dust (sealing Hewittsons Road, enclosing the primary crusher plant) and conditions of the planning permit will require additional air quality monitoring stations to be established across the site, to ensure dust levels emanating from the site can be accurately measured and more proactively mitigated, further protecting surrounding residents from airborne dust risks.</p>
<p>Health concerns associated with dust impacts, including from Respiratory Crystalline Silica (RCS)</p>	<p>An independent petrology assessment was prepared by Geochempet Services (dated 17 October 2022) to inform the AQIA which confirmed the free silica content of the material to be quarried at the site is essentially nil and therefore so is the risk of exposure to RCS under normal operating conditions.</p> <p>Despite this, given the serious health implications of RCS, the potential RCS impacts as a result of the proposed expansion have been considered within the AQIA and were found to be insignificant.</p>
<p>Impacts on quality of life.</p>	<p>As discussed throughout this report, it has been demonstrated that subject to adherence with the conditions of the planning permit and requirements of the WA82 Workplan, the expansion of the quarry can be facilitated while ensuring the various legislative requirements which regulate off-site impacts from quarrying can be met. The WA82 Workplan contains a comprehensive suite of mitigation and monitoring measures to ensure that the requirements will be met, across the life of the quarry.</p> <p>The land has been historically used for basalt quarrying and much of the expansion of the quarry is proposed within an existing Special Use Zone designated for Earth and Energy Resources where it should be expected that the land be used for this purpose. Additionally, extractive industry, along with</p>



	<p>many other land uses with potential for adverse impacts to residential properties are permissible under the Farming Zone which applies to the remainder of the expansion land, with discussion in the body of this report outlining that the proposal appropriately responds to the considerations for extractive industry within Farming Zone land.</p>
Negative impacts to biodiversity and natural water systems.	<p>See discussion in the body of the report regarding these matters. No unreasonable adverse impacts to biodiversity or natural water systems are anticipated, subject to compliance with the various requirements of the Work Plan and its conditions.</p>
Concerns with the drainage of water from the land and potential to contribute to flooding impacts.	<p>See discussion in the body of the report regarding Surface Water impacts as a result of the proposed expansion. It is considered that the proposed detention and discharge of excess surface water can be appropriately managed and that all other surface water drainage can be contained and managed within the site.</p>
Concerns regarding the visibility of the proposed quarry expansion from private properties, especially to the south of the site which are at a higher elevation. Submissions suggest the proposed screening bunds and planting are insufficient to limit visibility.	<p>As discussed in the body of the report, incidental views of the quarry expansion from long range views will be possible from a number of private properties, including to the south of the site. However, as demonstrated in the LVIA report, the visibility will largely be of the proposed screening bunds and even these views would minor, at a significant distance and not a dominant element within the surrounding landform.</p> <p>The proposed height and location of the bunds are considered sufficient per the recommendations of the LVIA for mitigating visibility of the quarry extension pits, noting that these screening devices are intended to mitigate and soften views from surrounding land, not completely obscure the quarry pits from any and all vantage points. Proposed tree planting along the base of the bunds and screen planting on the bunds will further contribute to softening or obscuring views of the quarry.</p> <p>Requests for increasing screen planting or carrying out advanced planting is addressed in response to the CRG's similar request above.</p>
Impacts on property value	<p>This is not a relevant planning consideration.</p>