

Planning Permit Application – Proposed Sand Quarry Extension

60 Valley Road & 150
Quarry Road, Langwarrin

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Report for Heidelberg Materials
Australia Pty Ltd

July 2025



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Executive Summary

Heidelberg Materials Australia Pty Ltd (Heidelberg Materials) operates sand extraction and processing operations at 150 Quarry Road, Langwarrin. The site is operated under the existing Work Authority (WA13). The site's sand reserves are now exhausted, and Heidelberg Materials is proposing to extend extraction into their adjoining site at 60 Valley Road, Langwarrin and extract the sand from the buffer area along the shared border.

Heidelberg Materials is an Australian leader in building and construction materials with an extensive production and distribution network across the country, supplying a comprehensive range of standard, premium, high performance and decorative concrete. Heidelberg Materials supply aggregates including stone and rock in addition to a wide variety of standard and specialty sands for concrete, mortar, plaster, fill and specialised dried sands for glass manufacture, used in foundries, sports surfaces and many other manufacturing uses. The Langwarrin Quarry's proximity to market provides affordable extractive resources and minimises transport costs which is consistent with the *Victorian Government's 'Big Build' infrastructure program* and the *Joint Ministerial Statement on Extractive Resources*. The site's proximity to market also supports carbon emissions reduction by reducing heavy transport distances associated with trucking sand into the metropolitan area from regional quarries.

The proposed expansion of sand extraction operations into 60 Valley Road, Langwarrin is a logical extension of the existing Heidelberg Materials quarry operations which will make efficient use of existing approved processing facilities and will ensure that appropriate resources are available for the development planned for key infrastructure projects in Metropolitan Melbourne. The proposal would enable the land to be used for extractive industry which is consistent with the purpose and objectives of planning policy and net community benefit and should it be supported. The proposal does not provide heavy vehicle access to, and from Valley Road. All heavy vehicle access to the proposed quarry expansion area will be via 150 Quarry Road and the existing quarry site. Sand resources are expected to be exhausted approximately 5 to 6 years after the commencement of extraction, followed by commencement of rehabilitation works.

The importance of the extractive industry is further reinforced by the zoning of the land which clearly contemplates extractive industry, otherwise it would be prohibited. This is further supported by the Planning Provisions that exempt vegetation removal on sites with an approved Work Authority. In this case, no planning permit is required for vegetation removal under the zone provisions, the Environmental Significance Overlay, or Clause 52.17. We consider these exemptions to carry substantial weight towards explicitly acknowledges the strategic importance of the sand resource and its role in the construction industry.

The application also meets the provisions of Clause 53.22 Significant Economic Development as the resource has an estimated value of over \$30 million.

The approval process through the ERR has had consideration of the impacts associated with the proposed quarry and there are no objections from the relevant referral authorities subject to conditions relating to amenity impacts, vegetation removal and Boggy Creek rehabilitation.

This application demonstrates that any external amenity impacts associated with vehicle traffic, noise and air quality can be appropriately mitigated through operational requirements (truck traffic to access the site via Quarry Road only), the earth bund and acoustic wall and monitoring / reporting requirements.

Preapplication Meeting

A preapplication meeting was held online on the 16th July, 2025 with Adam Williams and Catherine Sherwin.

Key details

Subject Site	60 Valley Road (extension)& 150 Quarry Road (access), Langwarrin VIC 3910
Proposal	Extractive industry (sand quarry) – with an estimated value of the resource to be extracted over \$30 million
Planning controls	Rural Conservation Zone Schedule 2 Bushfire Management Overlay Environmental Significance Overlay Schedule 1
Permit triggers	Use of land (35.06 RCZ) Buildings and works (35.06 RCZ) Earth and Energy Resources Industry (52.09)

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1.0 Introduction

ESA2 Pty Ltd act on behalf of Heidelberg Materials, owner of the land at 60 Valley Road, Langwarrin (the subject site), in relation to this planning permit application for the use and development of land for extractive industry.

Heidelberg Materials commenced quarry operations on adjacent land at 150 Quarry Road, Langwarrin after purchasing the site from Rocla in 2016, under Works Authority 13 (WA13). Heidelberg Materials is currently rehabilitating the land at 150 Quarry Road following the conclusion of extraction. This application proposes the expansion of the extraction area into the adjoining site to the north at 60 Valley Road, Langwarrin.

The subject land is approximately 7.876 hectare in area which includes a dwelling, sheds, a former private motocross track, tennis court and native and exotic vegetation.

The site is located within the Rural Conservation Zone - Schedule 2 (RCZ2) and affected by the Environmental Significance Overlay 1 (ESO1), Bushfire Management Overlay (BMO), and located within an area of Aboriginal Cultural Heritage Sensitivity.

Under the provisions of the RCRZ, a planning permit is required for the use and earthworks to allow for extractive industry. A permit is also triggered under the ESO1 to carry out works. A permit is not required for native vegetation removal on this site as Heidelberg Materials can rely on the exemption contained in the table to Clause 52.17-1 and Clause 42.01-3 of the Frankston Planning Scheme.

The proposal to extend the extraction footprint into the adjoining site at 60 Valley Road has many advantages including the ability to utilise the existing quarry plant equipment, internal access roads, amenities, and utilities. The link with the existing quarry at 150 Quarry Road is also a significant benefit in that the operation utilises the existing truck access onto Valley Road. These locational benefits are discussed further in the report and accompanying specialist studies.

The Victorian Government has developed the *Helping Victoria Grow: Extractive Resources Strategy* to help secure access to critical materials to build infrastructure affordably and provide more certainty for industry and communities. The strategy highlights the importance of the extractive resource sector to the building and construction economy:

'The extractive resource sector underpins our \$23 billion building and construction industry. Maintaining cost competitiveness for construction is critically important for Victoria's future economic growth.pg 5'

The proposed quarry extension offers an opportunity to access a sand resource to support construction of infrastructure projects in Victoria.

From a planning perspective, the proposed quarry extension is entirely appropriate in the context of the relevant Planning Policy Framework (PPF) directions, local policy directions

of the Frankston Planning Scheme, relevant zone and overlay controls, and the relevant provisions - including those of Clause 52.08 Earth and Energy Resources Industry.

The requirements of all these various policies and clauses have been addressed in the preparation of this application report, including a detailed assessment of cultural heritage impacts, biodiversity impacts, traffic matters, hydrogeological/hydrological and geotechnical assessment which are included in the Work Plan Variation (WPV) application. Separate to this planning permit application, a Cultural Heritage Management Plan (CHMP) 16166 has been prepared in accordance with the *Aboriginal Heritage Act 2006*.

The work that has been undertaken demonstrates the Project's compliance with the objectives and application requirements of the Frankston Planning Scheme.

Clause 71.02-3 of the Planning Scheme 'Integrated Decision Making' requires Responsible Authorities to '*integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations*'. This Planning Report, in conjunction with and utilising the findings of the supporting reports, clearly demonstrates that this objective is achieved in the case of the proposed quarry extension and will, based on a balanced assessment of relevant planning matters, result in a net community benefit both to the local community but also at a broader regional and State level.

The preparation of this application follows a detailed review of the site and surrounds, review of the requirements of the Frankston Planning Scheme and liaison with relevant agencies.

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2.0 Proposal History

2.1 Work Plan Variation

On 10 November 2021, Heidelberg Materials (formerly Hanson) submitted to Earth Resources Regulation (ERR), an application to vary its approved work plan for Work Authority 13 (PLN-001130) for the purpose of facilitating the Proposal (Work Plan Variation). The Work Plan Variation was statutorily endorsed by ERR on 10 March 2022 (Appendix A) following the referral of the Work Plan Variation to the then Department of Environment, Land, Water and Planning (DELWP) in addition to the Environment Protection Authority, Heritage Victoria and Melbourne Water.

DELWP did not object to statutory endorsement of the Work Plan Variation subject to the following conditions being placed on the Work Plan (among others):

"9. To offset the proposed clearing under this Work Authority in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the holder must

- a. secure general offset of 3.341 general habitat units;*
- b. located within the Port Phillip and Westernport Catchment Management boundary or Frankston City Council municipal area*
- c. with a minimum strategic biodiversity score of at least 0.719*

13. A suitably qualified wildlife handler or zoologist is to be present when felling trees/removing native vegetation, and when removing constructed dams/wetlands to ensure affected wildlife is not harmed. If displaced wildlife that cannot be relocated on site to an appropriate location away from the construction footprint, or injured wildlife is captured, please contact DELWP on 136 186 for further advice.

14. Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- a. Any vehicle or pedestrian access, trenching or soil excavation, and*
- b. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products, and*
- c. Entry or exit pits for underground services, and*
- d. Any other actions or activities that may result in adverse impacts to retained native vegetation.*

15. Prior to commencement of rehabilitation of Domain E, the authority holder must prepare a Southern Brown Bandicoot and Dwarf galaxias habitat restoration / re-establishment plan to the satisfaction of DELWP."

2.2 Council Planning Application

On 12 April 2022, Heidelberg Materials lodged a planning permit application with Frankston City Council which was accompanied by the statutorily endorsed Work Plan

Variation. The planning permit application (Permit Application No. 754/2022/P) is for the use and development of the Site for 'Extractive Industry – Sand Extraction'.

The Council advised that notice of the planning permit application had been given to properties within a one-kilometre radius of the land proposed for extraction.

On 3 October 2023, Council refused the Permit Application on the following grounds:

1. The proposal is inconsistent with and contrary to the objectives of, and outcomes sought by the Frankston Planning Scheme, including:

a)The strategic directions of:

a. Clause 02.03-2 Environmental and landscape values

b. Clause 02.03-4 Natural resource management

b)The vision, strategies, and objectives for Precinct 3 in the Green Wedge Management Plan.

c)The objectives and strategies of:

i. Clause 11 Settlement

ii. Clause 12 Environmental and Landscape Values

iii. Clause 13 Environmental Risks and Amenity

iv. Clause 14.03 Earth and Energy Resources

d)the purpose and decision guidelines of the Rural Conservation Zone Schedule 2.

e)the purpose and decision guidelines of Clause 52.09 Extractive Industry and Extractive Industry Interest Areas.

2.The proposal will create new land use conflicts, inconsistent with orderly planning.

3.The proposed vegetation removal and impacts on neighbouring trees will unacceptably impact the natural environment, resources, and the biodiversity of the area, contrary to planning policy.

It is Heidelberg Material's position that as there is no permit required for the removal of vegetation (including native vegetation), the impact of that removal is not a relevant consideration when assessing the proposed use and development of the Extension Land for 'extractive industry' against the relevant provisions in the Planning Scheme.

From a policy perspective the Scheme Exemptions exist to avoid a duplication in the assessment of vegetation removal under both the MRSD Act and the Planning Scheme. DELWP publication *Exemptions from requiring a planning permit to remove, destroy or lop native vegetation - Guidance (2017)* (DELWP Guidance) provides guidance on the interpretation and application of the exemptions contained in Clause 52.17.

While the DELWP Guidance seeks to address each exemption in Clause 52.17, it doesn't specifically address the 'extractive industry' exemption. It does, however provide the following guidance on the 'Mineral exploration and extraction' exemption which, in our view is applicable to the 'extractive industry' exemption given the similarities between the provisions of the MRSD Act which relate to the statutory endorsement of work plans for mining licences and the statutory endorsement of work plans for work authorities:

The purpose of this exemption is to avoid duplicative approval processes by not requiring a planning permit for native vegetation removal that occurs with approval under the Mineral Resources (Sustainable Development) Act 1990. To rely on this exemption to remove native vegetation for mineral extraction the removal of native vegetation must be part of a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 (MRSD Act 1990). An agreement between Department of Economic Development, Jobs, Transport and Resources, the department responsible for administering the MRSD Act 1990, and DELWP requires that the approval process for a work plan involve assessment and offsetting of native vegetation removal in accordance with the Guidelines for the 3 APAC-#308209929-v1 14 March 2024 removal, destruction and lopping of native vegetation. To rely on this exemption to remove native vegetation for mineral exploration the removal of native vegetation must be in accordance with low impact exploration as defined in Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990.1

2.3 VCAT Hearing

On 5 October 2023, an application was lodged pursuant to section 77 of the Planning and Environment Act 1987 (Act) with the Major Cases List of the Victorian Civil and Administrative Tribunal (Tribunal) for a review of Council's refusal to issue a permit in relation to the Permit Application (Application for Review).

2.3.1 Preliminary VCAT Hearing

A preliminary VCAT hearing has held on the 8&9 April 2024.

It was common ground between Council and Heidelberg Materials that the following three permissions were the only permissions required for the proposal under the planning scheme

- use of the land for extractive industry (sand extraction) under Clause 35.06-1 (being an innominate, unspecified use in Table 2 of this provision);
- to carry out works associated with a section 2 use of Clause 35.06-1 (including earthworks that change the rate of flow or the discharge point of water across a property boundary); and
- to use and develop land for Earth and energy resources industry under Clause 52.08-1, since the table does not specifically state that a permit is not required.

The preliminary question was whether the removal of vegetation (including native vegetation) and the impacts of that removal are still relevant considerations when assessing a proposal for extractive industry on land within a Rural Conservation Zone, given that:

- No permit is required to remove vegetation under the Environmental Significance Overlay due to the extractive industry exemption;
- No permit is required to remove native vegetation under clause 52.17, again due to the extractive industry exemption; and
- There are no other permit triggers in the planning scheme for vegetation removal on the site.

The Tribunal's finding was that even though no permits are required to remove vegetation, the question is whether consideration can be given to the environmental impacts of vegetation removal when deciding on the use and development for extractive industry.

The Tribunal determined that while permission to remove vegetation is not required and not part of the application being assessed by the Tribunal, the impacts of vegetation removal may still be relevant to the Tribunal's consideration of whether the proposed sand extraction use and development is appropriate under the Rural Conservation Zone (Schedule 2).

On the 15th of July 2024 Heidelberg Materials withdrew the application for VCAT review.

2.4 Current Proposal

The proposal has been amended since the 2022 application was submitted to Council. The revised application addresses previous non-compliance with the Noise Protocol and resolves issues related to encroachment into the Tree Protection Zones of neighbouring trees.

The Clause 53.22 application pathway is now also available to progress the planning application as the resource to be extracted is over \$30million. This pathway was not available to Heidelberg Materials at the time the Council Application was made.

2.4.1 Amended Plans

This current application before DTP, introduces the following changes to the plans considered by Frankston City Council (P754/2022) which improves the proposal:

1. relocation of the northern drainage line further south to reduce encroachment into the tree protection zones (**TPZ**) of trees on neighbouring properties to the north of the Site;
2. relocation of the eastern drainage line further west to reduce encroachment into the tree protection zones of trees on neighbouring properties to the east of the Site; and
3. inclusion of a three (3) metre noise wall on top of the northern three (3) metre earth bund to reduce noise emissions to neighbouring properties to the north of the Site.

These changes represent minor variations to the Statutory endorsed Work Plan, introduced to improve the proposal in response to issues raised during the VCAT proceeding and through stakeholder engagement. As the changes are minor in nature, we consider there to be no impediment to ERR approving the proposed amendments.

Since it has been 3 years since the initial application to Council, specialist reports have been updated for the purpose of this planning application.

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3.0 Site and Surrounds

3.1 Subject Land

The subject site is approximately 40 kilometres south-east of Melbourne's Central Business District, and 8 kilometres from Frankston City Centre. The site is approximately 4 km from the Skye Road exit of the Peninsula Link Freeway.

The subject land for the quarry extension is located at 60 Valley Road, Langwarrin. It has an irregular, battle axe shape, with the 'axe handle' part of the lot which provides vehicle access fronting the Valley Road. The site is approximately 7.876 hectares in area and is formally identified as Lot 1 on Title Plan 759169L.

Figure 1 provides an overview of the site features of the property. The site contains a residence fronting Valley Road which is currently tenanted and fenced to separate it from the remainder of the land as shown in Figure 2. The balance of the site includes an access driveway along the west of the 'axe handle' Figure 4, sheds Figure 3, a former tennis court Figure 5 and disused moto cross track. Domestic stock enclosures are located to the south of the existing dwelling which were formerly used for containing horses.

Parts of the property have been used for recreational vehicle use which has created an extensive network of tracks through the site.

The site has one access point to Valley Road and is fenced on all sides. The Valley Road entry includes a brick fence and security gate as shown in Figure 2.

The subject site contains two dams which are connected by an ephemeral drain from the easterly adjoining property into the subject site in the vicinity of the former residence.

The subject land also includes 150 Quarry Road, Langwarrin, which is the existing Langwarrin Quarry site to the south. This site will be used as vehicular ingress and egress.

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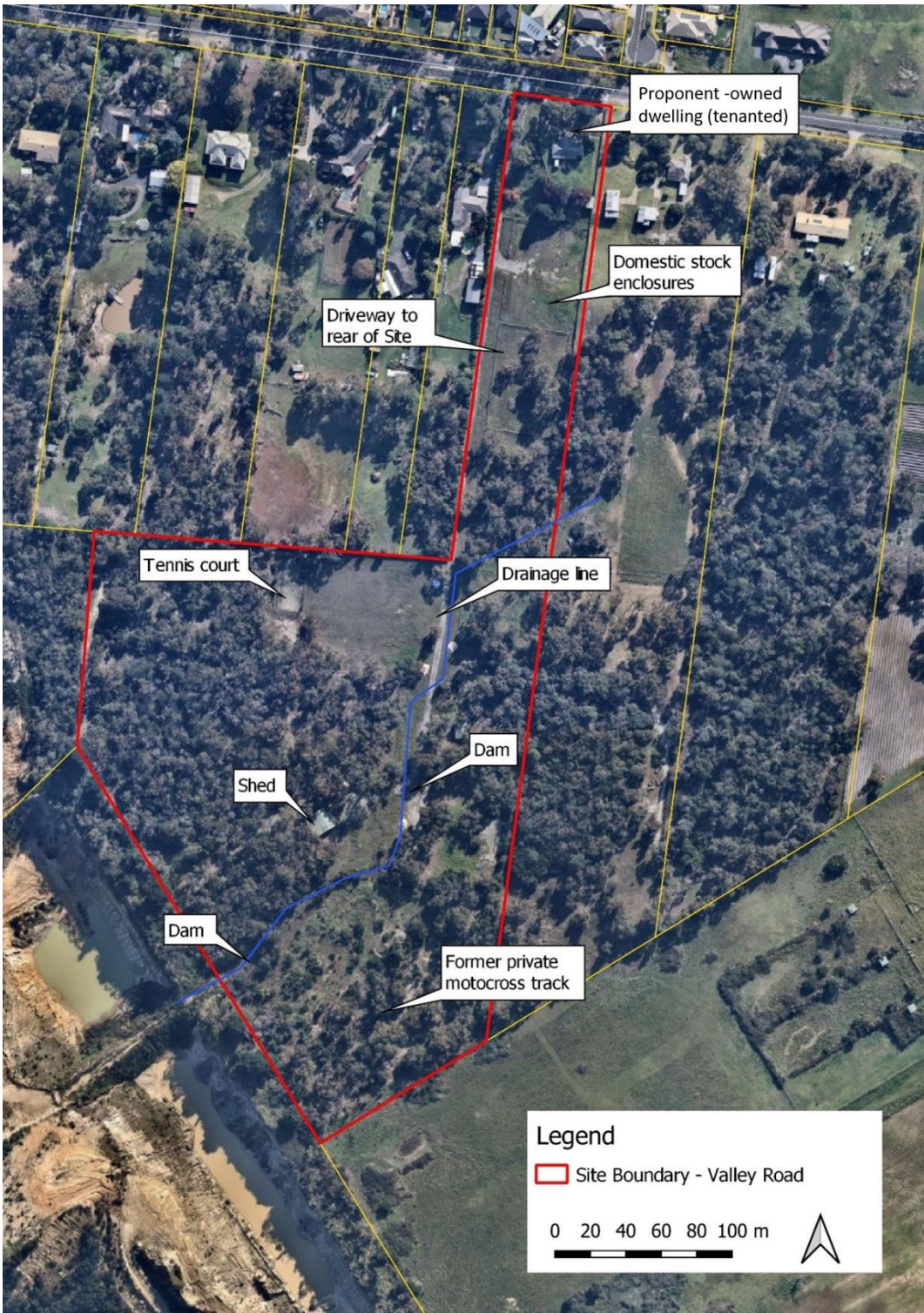


Figure 1 Subject Site Features

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Figure 2 60 Valley Road Site Frontage and tenanted dwelling



Figure 3 Shed on the Subject Site

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Figure 4 Driveway



Figure 5 Tennis Court



Figure 6 Chain wire fence adjoining existing quarry

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Figure 7 Dam to rear of the subject site

3.1.1 Ecology

3.1.1.1 Flora

The Ecology and Heritage Partners Pty Ltd (EHP) Biodiversity Assessment report quantifies the native vegetation removal to allow for the quarry extension to be 4.570 hectares of the Ecological Vegetation Class (EVC) Heathy Woodlands, comprising 4.393 hectares of native vegetation patches, 77 Large Trees in patches and four scattered trees. The findings of the ecological survey work are discussed in greater detail in the EHP Report included in Section 9.3.

3.1.1.2 Fauna

Targeted fauna assessments were carried out on the site for the Dwarf Galaxias, Growling Grass Frog and Southern Brown Bandicoot. No fauna species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or *Flora and Fauna Guarantee Act 1988* (FFG) were observed during field investigations.

Based on the modified nature of the site, landscape context and the proximity of previous records, no nationally significant fauna species are considered likely to rely on habitat within the study area for foraging or breeding purposes due to the lack of suitable habitat.

The findings of the ecological survey work are discussed in greater detail in Section 9.3.

3.1.2 Cultural Heritage

The site is located within the area managed by the Bunurong Land Council Aboriginal Corporation (BLCAC) Registered Aboriginal Party (RAP). The occurrence of Quaternary aged sand dunes and sand sheet landform on the site trigger the need for a CHMP. The

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Cultural Heritage assessment was conducted to the level of complex assessment by Heritage Insight in October 2019.

The complex assessment comprised excavation of one 1m² test pit and 27 machine trenches. The complex assessment resulted in the discovery of 91 stone artefacts collected from eleven machine trenches. Artefacts were recovered from trenches located along the western edge of the activity area, with the highest density of stone artefacts located at the highest point and lower densities noted at lower elevations.

The CHMP including the approval notice from BLCAC is included in Appendix A1.

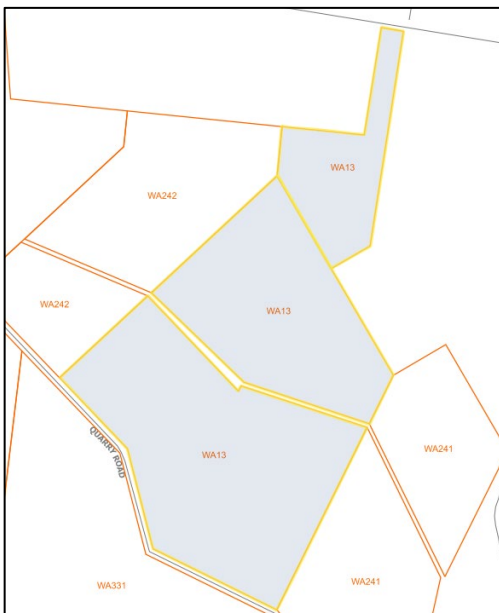
3.1.3 Land Tenure

A review of the certificate of title of the land at 60 Valley Road and 150 Quarry Road found there are no Section 173 Agreements, covenants, caveats, easements, or other encumbrances that would otherwise prohibit the use and development of land.

A copy of the Certificate of Title is included in Appendix B.

3.1.4 Work Authority

ERR has endorsed a Work Plan Variation to extend the existing Heidelberg Materials Langwarrin Quarry Work Authority 13 boundary to include the Valley Road site as shown in Figure 8. The amended Work Authority will give Heidelberg Materials the right to extract sand subject to planning approval and a Work Plan and Work Authority approved by ERR.



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Figure 8 Extent of WA13

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3.2 Surrounding Site Context

3.2.1 Surrounding Dwelling Locations

As illustrated in Figure 9 and Figure 10, land to the east, west and north-west is located within the Rural Conservation Zone Schedule 2 and comprises a mixture of rural residential and low-density residential allotments generally between 10,000m² to 15,000m² in size. Land on the north side of Valley Road, to the north and north-west of the site, is contained within a Residential 1 Zone, with smaller sized residential allotments around 500m² to 600m².

The closest dwelling other than the Heidelberg Materials owned tenanted house (refer to Figure 2) is located at 50 Valley Road approximately 150 metres north of the proposed extraction limit.

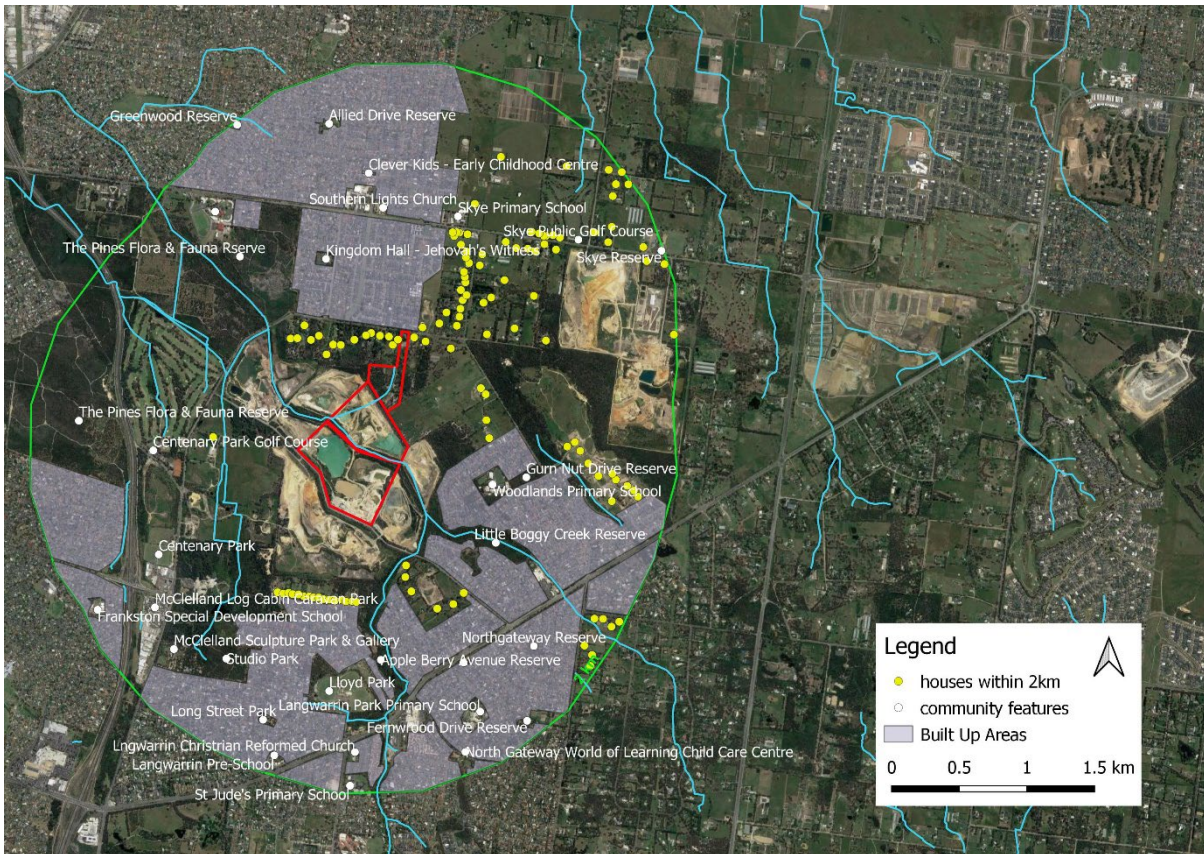


Figure 9 Site and Surrounds

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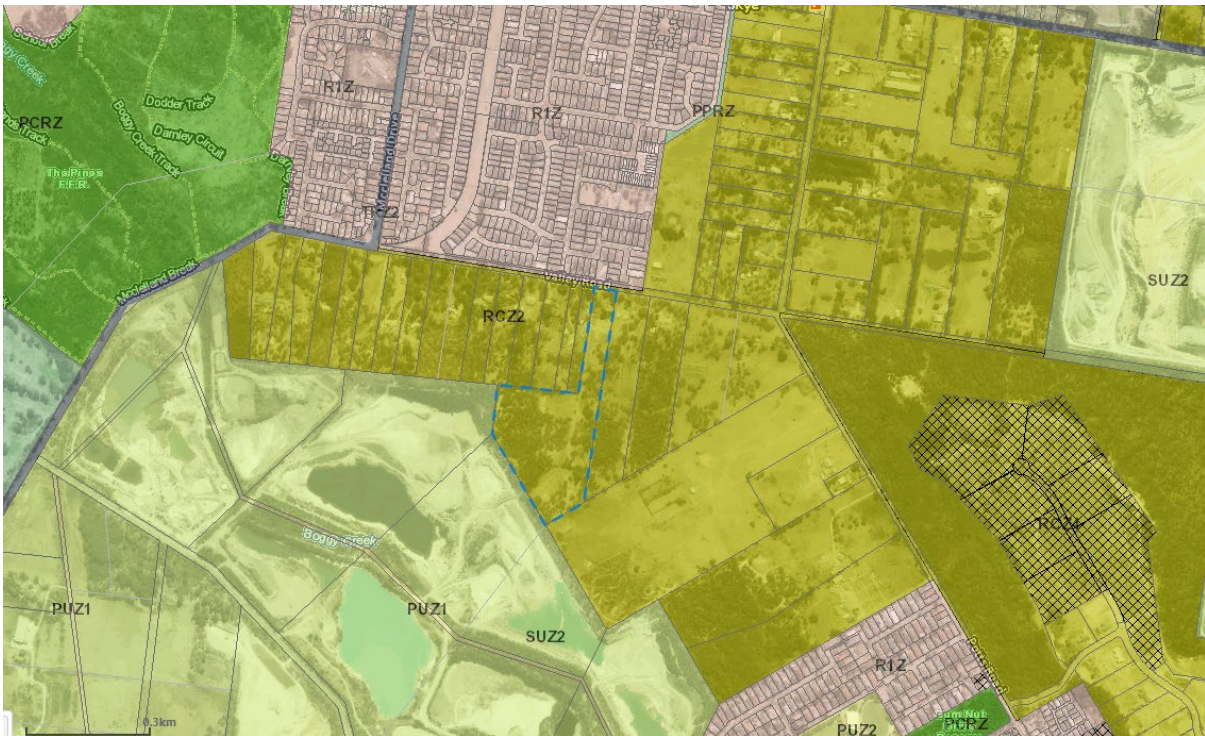


Figure 10 Zoning Provisions (quarry extension outlined in blue)

3.2.2 Extractive Industry

As shown in Figure 11, extractive industry operations occur surrounding the site as follows:

- QRD occupy the quarry to the south-west of the site, followed by Burdett Sands further west;
- Monk Quarries is located adjoining the existing Heidelberg Materials Langwarrin Quarry to the east on Quarry Road;
- Aiden Graham Quarry is located to the south of Quarry Road.

Surrounding quarry operations are zoned Special Use Zone Schedule 2 (SUZ2).

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Figure 11 Extractive Industry in the Locality

3.2.3 Heidelberg Materials Operation WA13

Heidelberg Materials Langwarrin quarry is located to the south of the proposed quarry extension, and contains processing plant, equipment, and access onto the public road network via Quarry Road as shown in Figure 12. A small processing plant for sand is currently in operation.

The quarry is also in the process of rehabilitation with clean fill being brought into the site to fill the quarry void. This operation is being undertaken by a third party contractor who are responsible for the operations and environmental compliance.

The elements of the existing Heidelberg Materials operation will be relied upon for the Valley Road quarry extension project and will be further explained in Section 4.3.

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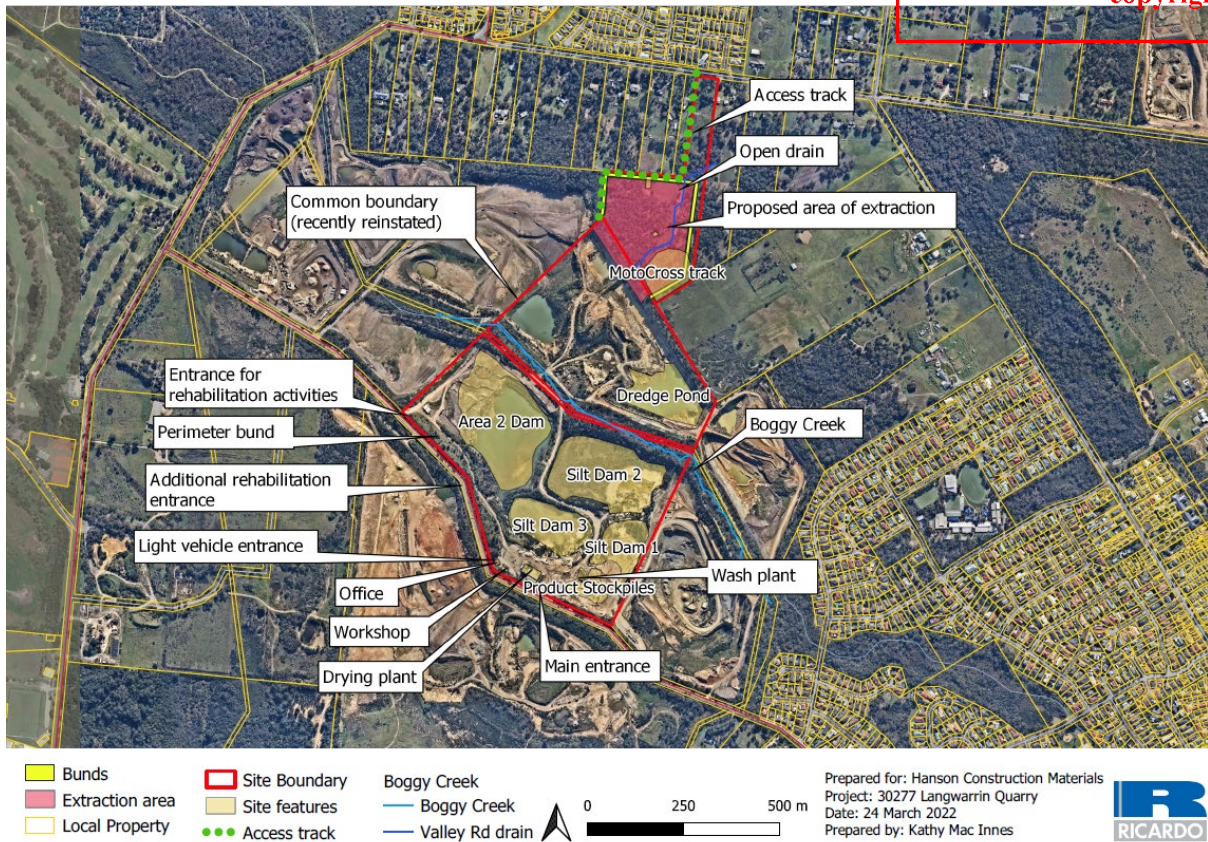


Figure 12 Existing WA13 Operational Layout

3.2.3.1.1 Langwarrin Quarry Existing Approvals

The Heidelberg Materials Langwarrin quarry at 150 Quarry Road to the south of the proposed quarry extension site has the following existing permits and approvals as shown in Table 1 Existing Approvals WA13.

Table 1 Existing Approvals WA13

Agency	Licence/Permit	Description
1 Earth Resources Regulation	WA13	Work Authority – transferred to Heidelberg Materials on 14/9/2017
2 Frankston City Council (FCC)	0005	Planning Permit for Quarry Operations
3 FCC	00460	Planning Permit for Sand Drying Plant and Storage Shed
4 Southern Rural Water (SRW)	BEE024907	Take and Use Licence for 102.4 ML of water per year from WRK039045 (Groundwater)

	Agency	Licence/Permit	Description
5	SRW	WLE038553	Authorises operation of pumps for BEE024907
6	SRW	BEE022840	Take and Use Licence for 30 ML per year from WRK039042 and WRK041820 (Bores)
7	SRW	WLE041517	Authorises use of bores for BEE022840
8	SRW	BEE026611	Take and use Licence for 400 ML from dam WRK035273. Previous Registration Licence for this was 9035570
9	SRW	WLE033076	Authorises use of dam for BEE026611
10	Environment Protection Authority (EPA)	3307	Allows discharges of treated wastewater to Boggy Creek

3.2.3.1.2 Existing Planning Approval – 150 Quarry Road

Planning Permit 005 was issued on 8 May 2000 for the Heidelberg Materials sand extraction operation at 150-190 Quarry Road Langwarrin. This permit allows for the land to be used and developed for extractive industry generally in accordance with Work Authority 13.

A copy of this permit is included in Appendix C.

Condition 1 of this permit is relevant to the current application:

1. The natural condition and topography of the land within 20 metres of the boundary of the land must not be altered except for driveways, drains, bund walls and landscaping. This does not apply where adjoining land is used for extractive industry and the Work Authority allows extraction to the common boundary.

Note: If there is any inconsistency between the requirements of this permit condition and the Work Authority this permit condition prevails.

The current application proposes extraction of the northern common boundary between the 150-190 Quarry Road property and the southern boundary of the Valley Road site. Both land parcels are owned by Heidelberg Materials.

Planning approval is not required to extract the common boundary subject to the Work Plan Variation approval in accordance with condition 1 of P005.

3.2.4 Topographic Features

There is one main drainage line on the subject site which extends from Valley Road down to the existing quarry, discharging into the existing Heidelberg Materials quarry void at 150 Quarry Road as shown in Figure 13. Historically this drainage line connected with Boggy Creek, however extraction on the existing quarry site has intercepted this connection.

Flows are currently directed into the quarry void under Southern Rural Water Licence BEE026611.

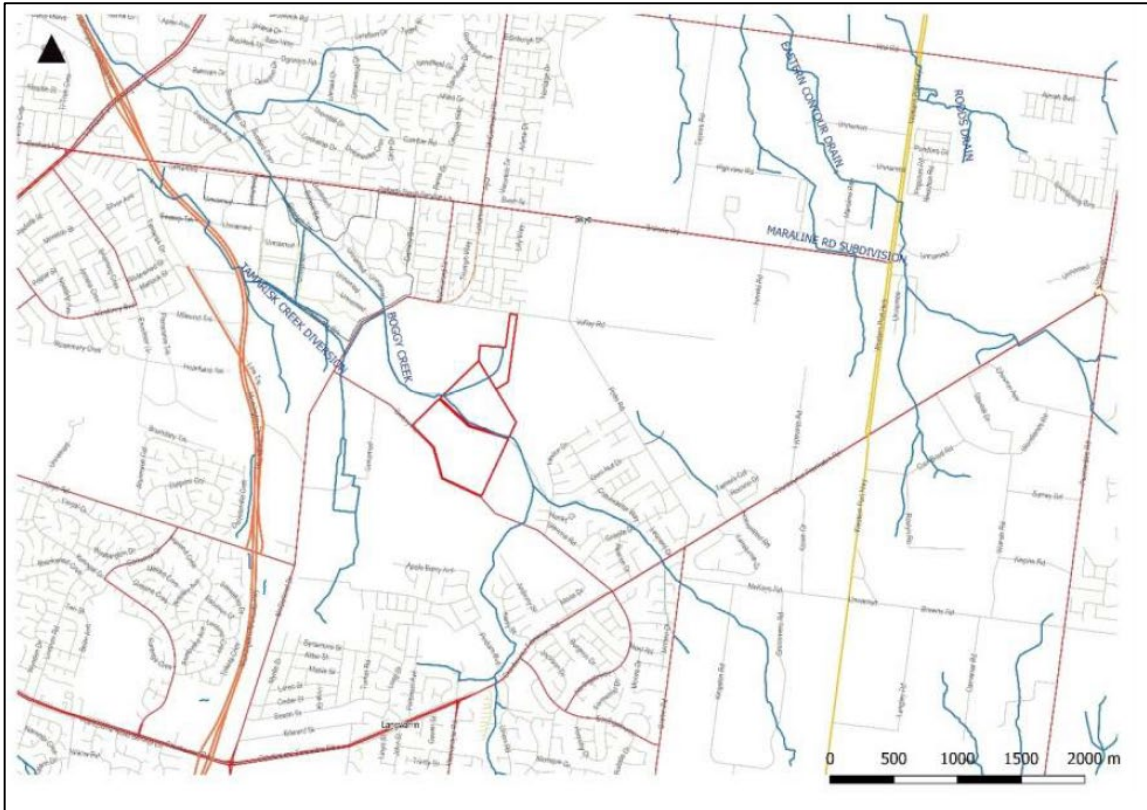


Figure 13 Regional Drainage

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4.0 The Proposal

4.1 General Description

It is proposed to use the subject land for the purposes of sand extraction (extractive industry).

The proposal includes extension of the existing quarry operations at 150 Quarry Road, Langwarrin, into the subject site together with associated works, and removal of native vegetation.

The location of the proposed quarry (including drains, bund walls, and the pit) is on the southern portion of the land, (battle axe head). The long 'battle axe handle' of the site, which adjoins other residential properties contained within the RCZ2, will remain largely unchanged. The existing house at the Valley Road entrance will remain, this is currently leased, and it is envisaged this arrangement will continue through the operational phase and post rehabilitation. Existing sheds and tennis court in the main part of the site will be removed during the pre-quarry operations.

A summary of the estimated extraction resource is included in Table 2.

Table 2 Summary of Extractive Resource and Operation

Item	Description
Sand Reserve	2.1-2.4 million tonnes
Estimated Maximum Depth	35 metres
Estimated Volume of Topsoil	55,000 cubic metres at 1 metre depth
Estimated Volume of Overburden	10,000 cubic metres at 2 metres depth
Estimated Depth of Overburden	2.00 metres
Average Tonnage	400ktpa
Area of Disturbance	53.80 hectares
Quarry Lifespan	Between 5-6 years depending on final depth and prevailing market conditions
Operation Type	Dry Open Pit, Wet Open pit, Dredging

4.1.1 Project Stages

The Quarry Plan for the proposal is shown in Figure 14 with a full size plan included in Appendix D.

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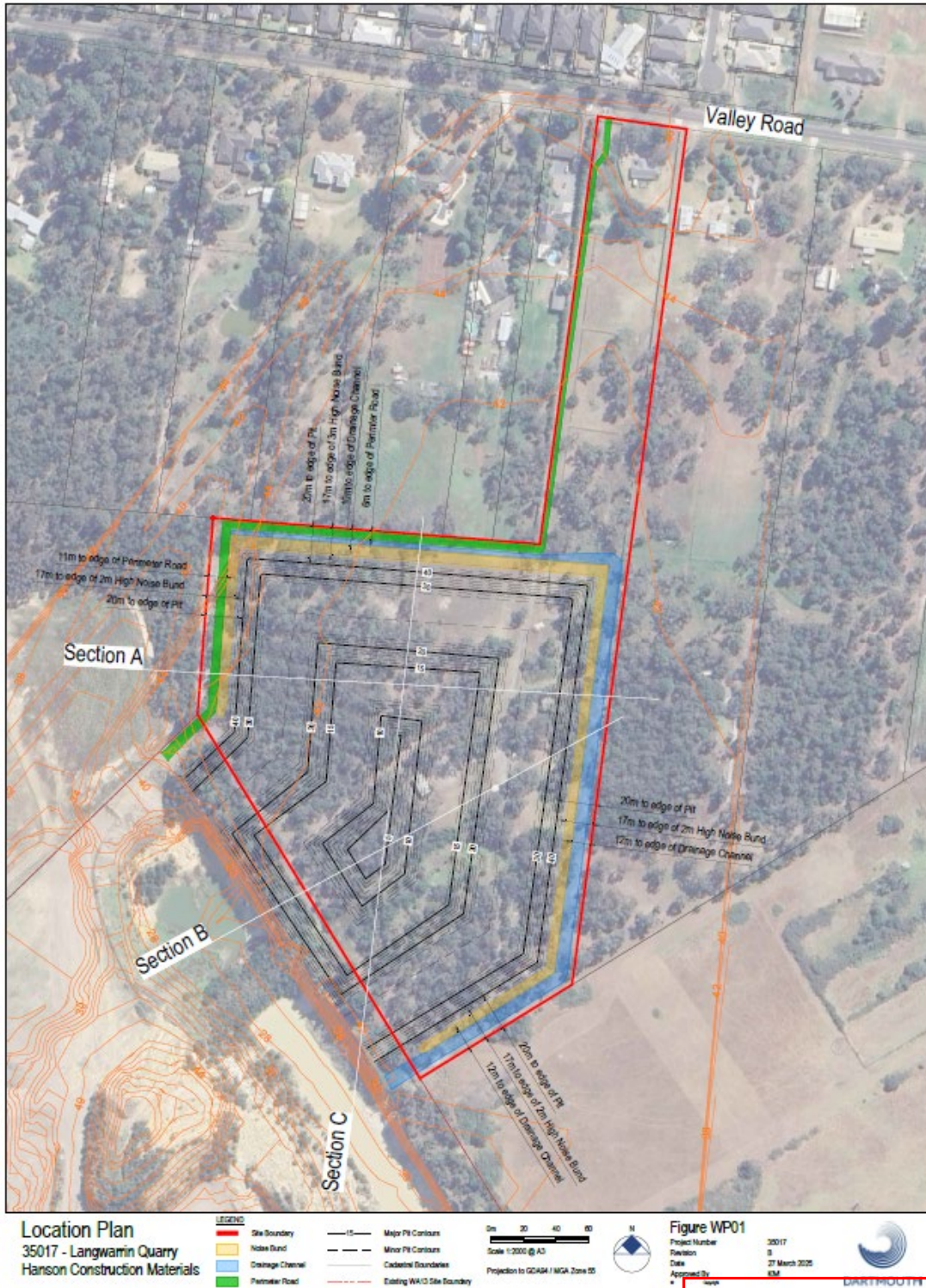


Figure 14 Quarry Plan

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The development of the quarry will have three major stages:

- **Pre-quarrying** – fence repair/ installation as necessary, vegetation removal, overburden placement in strategic positions;
- **Quarrying (or operation)** – development of the quarry, benching in the deep part of the deposit and some rehabilitation works; and
- **Rehabilitation (or reclamation)** – removal of plant and preparation for any other end use.

4.1.1.1 Pre-Quarrying

Part of the identified Cultural Heritage Place lies within the north-western perimeter buffer. The natural ground surface within this part of the Place will not be disturbed. A marker layer will be placed over the natural surface. Bunds and roadways will be constructed over the top of the marker layer.

Within the area of extraction within the area of Cultural Heritage Sensitivity topsoil will be removed and sieved in accordance with the requirements of the CHMP as described in Section 9.5. Potential artefactual material will be used to construct the noise bund. Any stone artefacts (or other cultural material) located during excavation works will be managed in accordance with the approved CHMP.

The visual and acoustic bunds will be placed around the western, northern, and eastern edges of the proposed excavation. A secondary function of the bunds is to protect cultural heritage artefacts which have been identified on the north-western and western perimeters of the pit.

Topsoil in the remaining areas to a depth of at least 150 mm below the natural surface will be removed and placed in stockpiles in noise bunds around the pit perimeter. The northern bund is proposed to be 3m high. The bunds will be vegetated to enhance visual amenity and reduce dust and prevent erosion. Following completion of quarrying the material contained in the bunds will be used for rehabilitation of the quarried areas.

Quarrying (or operation) Pits and trenches excavated on the Valley Road site indicate on average the thickness of topsoil and overburden is approximately 1m thick. The topsoil and overburden are slightly thicker in the north-western corner of the site thinning to the southeast.

During the pre-quarrying stage the visual and noise protection bunds will be constructed, and perimeter roadways and drainage installed.

The dredge will be positioned at the base of the existing pit, and quarry materials will be 'fed' from above using dry quarry methods. This will continue until the water table is encountered at a depth expected to be between 22 and 24 mAHD. At this point the site will transition to a wet operation and the dredge will move into the Valley Road property occasionally being fed from the sides. Below water table excavation will be undertaken by dredging.

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4.1.1.2 Rehabilitation

Following completion of quarrying, EPA approved materials / clean fill will be brought into the site to fill the void, and the material contained in the bunds will be used for rehabilitation of the quarried areas. The site will be landscaped in accordance with a landscape plan. A concept of the landscape plan is set out in Figure 18.

4.1.2 Buffers

The border between the existing 150 Quarry Road site and the proposed Valley Road site features a 20m buffer which is intended to be quarried. A buffer to the title boundary of 20m will extend between the pit crest and the site boundary on the eastern, northern and western sides.

The 20m buffers around the pit will contain visual and noise bunds, access tracks (light vehicles only) and drainage infrastructure as shown in Figure 15.

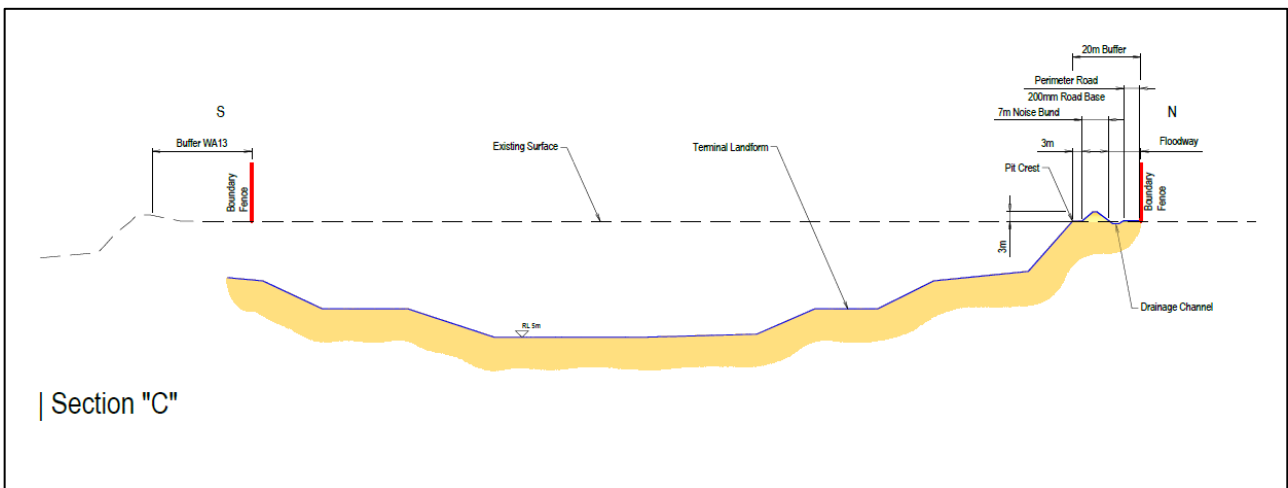


Figure 15 Cross Section 'C' of proposed quarry

4.2 Operational Hours

The proposed hour of operation of extraction works are proposed as follows:

Table 3 Operational Hours

Period	Time
Monday-Friday start	7 am
Monday-Friday end	6 pm
Saturday start	7 am
Saturday end	6 pm
Sunday start	None
Sunday end	None
Public Holiday activity	None

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4.3 Plant, Access and Movement

4.3.1 Mobile Plant

The following plant equipment is proposed to operate on the site:

Initial Stripping and Dry Extraction Ground Crew- Heavy Earthmoving Machinery:

- Caterpillar D6T Dozer – initial stripping, forming bunds and then dredge feed.
- Caterpillar 336D 36 Tonne Excavator - initial stripping, forming bunds and then dredge feed.
- Volvo A35D Dump Truck - initial stripping, forming bunds and then dredge feed.

Dredge and Second Stage Pump:

- Dredge powered by Caterpillar 3406B stationery engine coupled to a Warman 10/8 Mining Pump, Hydraulic Pump and 4-inch TKL water pump – pumping slurry to wash plant.
- Second Stage Pump powered by Caterpillar 3406B stationery engine coupled to a Warman 10/8 Mining Pump – booster for pumping slurry to wash plant.

Other Mobile Plant:

- FUSO Fighter Water Truck with fire hose and water cannon.
- Toyota Hi-lux Ute – Supervisor/ Pit ute.
- Toyota Prado Landcruiser – Manager.

4.3.2 Site Access

The site will be accessed from the public road network through the existing quarry entrance on 150 Quarry Road which services the existing Heidelberg Materials quarry. This access is a sealed single carriageway road intersecting McClelland Drive to the west and Cranbourne-Frankston Road to the east. Internal roads will link the Quarry Road and Valley Road sites. Adequate provision is made for loading and manoeuvring of trucks to, from and within the site, allowing all vehicles to enter and leave the site safely using the existing access points on Quarry Road.

The current Work Authority for the Heidelberg Materials Langwarrin quarry site permits six trucks be despatched from the site between 10 pm and 6 am. The number of vehicles accessing the site, and the access point is not proposed to change from current operations due to the quarry extension into the Valley Road site.

4.3.3 Valley Road Access

As shown in Figure 16, no heavy vehicle traffic is proposed to use the Valley Road site entry. The existing vehicle access from the subject site to Valley Road will be retained, but will only be utilised by light vehicles, and emergency use.

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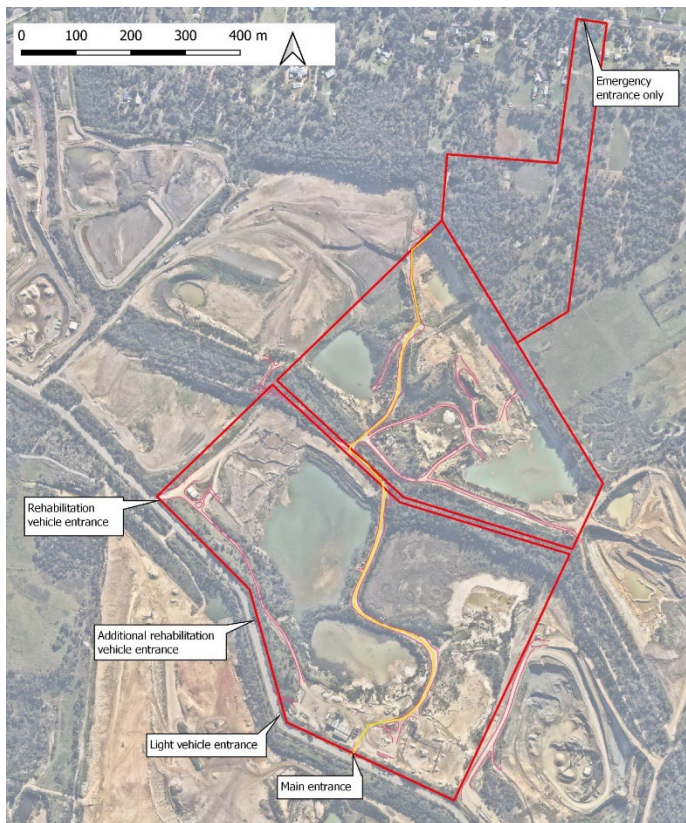


Figure 16 Site Access Plan

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4.4 Native Vegetation Removal

The EHP report quantifies the native vegetation removal required for the quarry extension to be 4.570 hectares of the Ecological Vegetation Class (EVC) Heathy Woodlands, comprising 4.393 hectares of native vegetation patches, 77 Large Trees in patches and four scattered trees. The findings of the ecological survey work are discussed in greater detail in Section 9.3.

It is proposed to remove all vegetation from the 'battle axe head' portion of the 60 Valley Road site to access the sand resource and install bunds, drainage and access tracks. There are no feasible opportunities to avoid and minimise the impacts of the vegetation removal. Vegetation removal is not proposed in the "battle axe handle" portion of the 60 Valley Road site.

4.5 Surface Water Management System

The 1 % Annual Exceedance Probability (AEP) flows from the upstream catchments are proposed to be diverted around the proposed quarry excavation and discharged into the existing Heidelberg Materials pit excavation to the south of the site.

Direct rainfall within the site, as well as external catchment flow entering the excavation will be managed onsite by the quarry operations.

A schematic of the flow management provided by the proposed surface water management system is included at Figure 17.



Figure 17 Proposed Surface Water Management Flow paths

4.6 Landscape Concept Plan

4.6.1 Landscape Management During Extraction

Axe Handle Section of Site

During the site preparation and extraction phase of the project, the 'axe handle' part of the site will be maintained in good order to protect existing mature trees and control weed species. A 2.5m bio-link is proposed to be established of locally indigenous tube stock along the east of the site boundary up to the proposed extraction area. Existing vegetation along the west of the 'axe handle' is proposed to be protected to assist with visual screening.

Extraction Area

A chain link fence is proposed to surround the extraction area to the west, north and east, with an access gate included for access to Valley Road by light vehicles.

As outlined in the Work Plan, an intercept swale and drainage line will surround the north and east of the extraction area and a noise bund will surround the entire extraction area.

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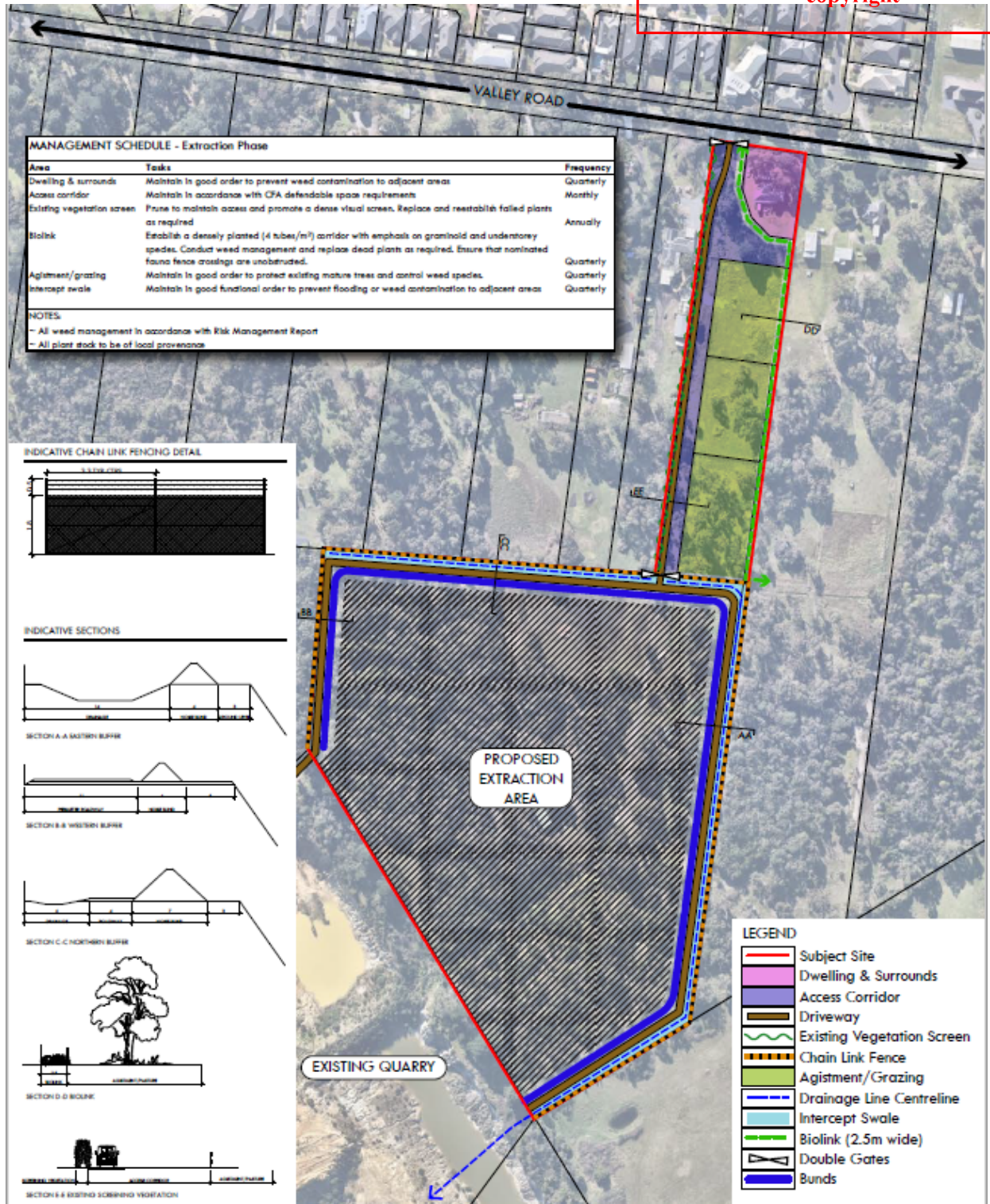


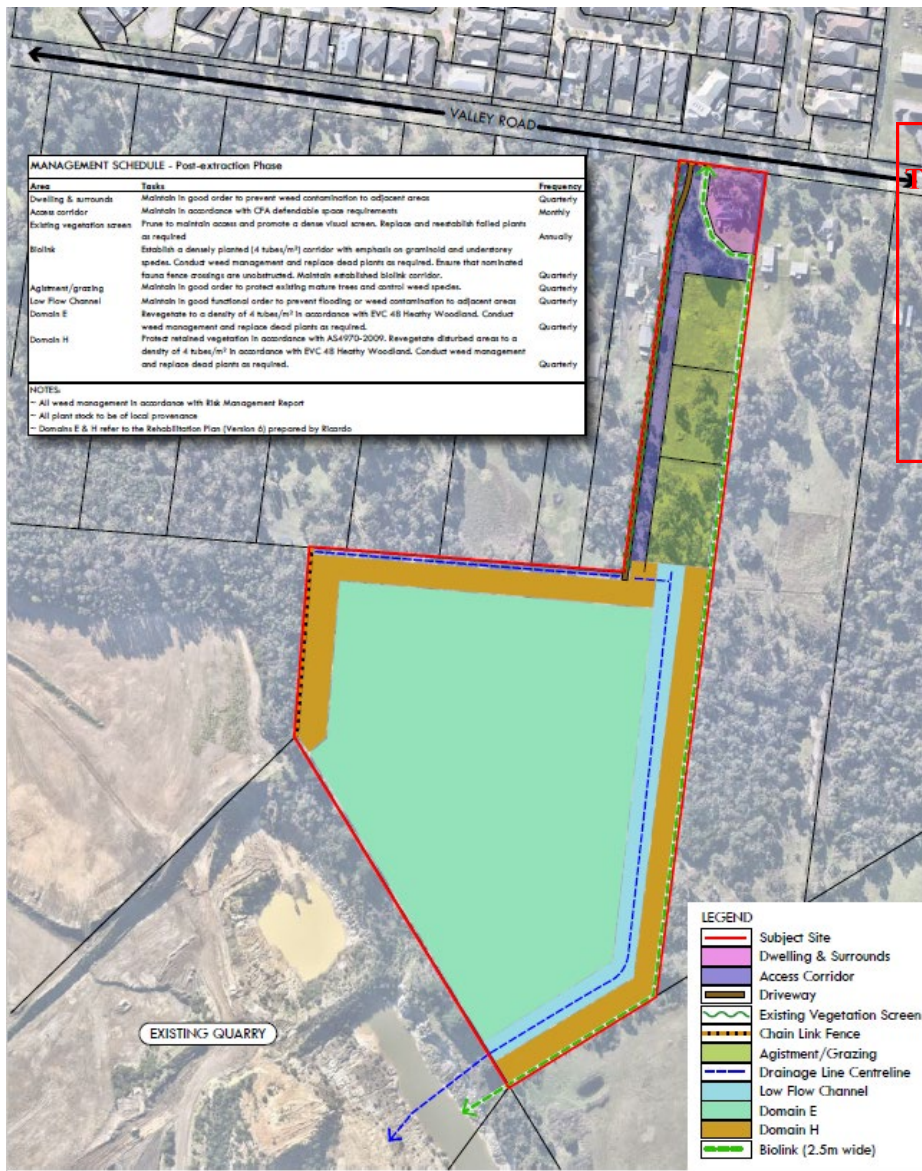
Figure 18 Landscape Concept Plan During Extraction

4.6.2 Landscape Management Post Extraction

In accordance with the Statutorily Endorsed Work Plan (Appendix A), post extraction Domain E and H are proposed to be revegetated with EVC 48 Heathy Woodland. The site

will be managed and maintained through weed management and replacement planting as required.

Following extraction, the drainage line along the eastern boundary of the extraction area is proposed to be relocated to connect with the existing Langwarrin quarry site to the south and Boggy Creek. A full copy of the Landscape Concept plan is included in Appendix E.



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Figure 19 Landscape Concept Plan Post Extraction

A landscape plan was not identified as a plan required as part of the planning application in the pre-application meeting with Council, however Heidelberg Materials has prepared this plan to demonstrate how the project can minimise vegetation loss on the site to the greatest extent possible for an extractive industry project.

4.6.3 Connection to Boggy Creek

The Valley Road site has five potential flow paths for stormwater ingress around its boundaries.

These inflow points are marked J, O, P, Q and R in Figure 20. Flows draining to the subject site from all sub catchments are proposed to be captured by a proposed open drain on the northern and eastern boundary and discharged directly to the existing excavation during the operational phase of the quarry.

Melbourne Water expressed a desire to connect the catchment upstream of the site into Boggy Creek, to restore the previous natural flow patterns of the catchment.

Heidelberg Materials has agreed that the upstream catchment will be reconnected to Boggy Creek via an open channel during rehabilitation, which is estimated to commence 5 to 6 years after commencement of the extraction of 60 Valley Road.



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Figure 20 Recorded flow locations

4.7 Fencing and Security

The site of the proposed extraction area is fully fenced around its entire perimeter up to Valley Road. The existing brick fence and gate which fronts Valley Road is proposed to be maintained for site security. The existing chain wire fence on the southern boundary of the site would be removed to allow access to the existing Quarry Road operation. Additional fencing maybe required as part of the WPV requirements.

4.8 Employment

Four additional employees are proposed to facilitate the quarry extension.

4.9 Carparking

Car parking demands from the quarry extension will be accommodated within those existing hardstand areas adjacent to the site offices located on 150 Quarry Road as shown in Figure 21.

The plan identifies three car parking areas near the site offices that will accommodate a total of 15 car parking spaces are available, including:

- Car parking South of Office – Area 1 – 8 car parking spaces,
- Car parking South of Office – Area 2 – 2 car parking spaces, and
- Car parking North of Office – Area 3 – 5 car parking spaces

The dimensions of car parking spaces will include minimum car space dimensions of 4.9m long and 2.6m wide with clear access aisle of 6.4m. This arrangement accords with the requirements of Clause 52.06-9.

Vehicle access to the car parking will be provided via a single width driveway that connects to Quarry Road via the Central LV crossover.

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Figure 21 On-site Parking Opportunities

4.10 Site Amenities

The site will rely on the amenities located within the Quarry Road site. Four additional employees are proposed to be employed at the Heidelberg Materials operation to move into the extraction area on the Valley Road site, and therefore the current amenities provided at the Quarry Road site will provide adequate supply.

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5.0 Work Plan Variation

Ricardo prepared a Work Plan Variation Application which has been statutorily endorsed by the ERR branch of Department of Jobs, Precincts and Regions (DJPR) for the site at 60 Valley Road, Langwarrin. A copy is included in Appendix A.

The Work Plan contains more detailed information on the proposal as required by the MRSD Act including:

- Geology and Hydrogeology information
- Geotechnical Risk Assessment
- Processing methods
- Noise, Dust, Groundwater, and Surface Water studies
- Bushfire Management Plan
- Slimes Management Plan
- Community Engagement Plan
- Rehabilitation Plan
- Details of Regulatory Engagement
- Technical Information of the current operations of the Quarry Road operation.

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5.1.1 Referrals

Table 4 sets out the statutory referral agencies that were referred the WPV and the trigger for each referral.

Table 4 Statutory Referral Triggers

STATUTORY REFERRAL AUTHORITY	REFERRAL TRIGGER
Environment Protection Authority	Use or development requiring any of the following: Works approval Section 19A of EPA 1970 A licence to discharge or emit waste Section 20 EPA 1970 Amendment of a licence under Section 20A EPA 1970
Department of Environment, Land Water and Planning (DELWP)	Native Vegetation – (Refer to parameters provided in cl66.02-2 of the Victorian Planning Provisions (VPP). To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)- includes clearing of 0.5 hectare or more To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.
Heritage Victoria	Extractive Industry – <i>Heritage Act 1995</i> – (Not CHMP issues)

STATUTORY REFERRAL AUTHORITY	REFERRAL TRIGGER
Frankston City Council	SUZ2 – Special Use Zone - Schedule 2 (existing WA13 area) RCZ2 – Rural Conservation Zone - Schedule 2 ESO1 - Environmental Significance Overlay - Schedule 1 New Lot to north only, except northern parts BMO - Bushfire Management Overlay Extends over entire site, except centres of open pits
Southern Rural Water	Surface Water / Groundwater Management The site is within the Frankston Groundwater Management Area Groundwater is potentially being intercepted in this quarry The site is currently operating under EPA Licence 3307, which allows discharge of water to Boggy Creek
Melbourne Water	Surface Water / Catchment Management A minor, unnamed tributary of Boggy Creek flows through the new Lot into the quarry and is to be diverted and water collected in onsite dams The site is currently operating under EPA Licence 3307, which allows discharge of water to Boggy Creek
First Peoples State Relations	Aboriginal Cultural Heritage The existing WA13 and the new Lot to the north are almost entirely covered by areas of Aboriginal Cultural Heritage Sensitivity

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6.0 Consultation

The WPV provides a summary of the community engagement undertaken as part of the application process. Part 4 of the WPV includes the full Community Engagement Plan (CEP).

Community engagement included activities such as:

- Door knocking and one-to-one discussions
- Site tour and information sharing day
- Ongoing notifications of site investigations

Involvement in community planning forums such as the Green Wedge Planning

The following is a summary of key engagement activities and issues recorded in the CEP:

- Heidelberg Materials took ownership of the existing quarry site at Quarry Road in 2016.
- Heidelberg Materials conducted a door knock campaign of all neighbouring Valley Road residents on 25 October 2018 to discuss their concerns and invite them to a tour of the Heidelberg Materials Langwarrin Quarry.
- A site tour was conducted on 10 November 2018, included a presentation of Hanson's plan for the Valley Road property and an opportunity for community members to meet Heidelberg Materials and an Earth Resources Regulation representatives. The site tour was attended by 12 residents of Valley Road.
- Community members were also offered the opportunity to register with the Heidelberg Materials Langwarrin Quarry Community Contact Database.
- The key issues raised by community members during consultation were predominantly zoning and end use, and distrust in both government and corporate planning processes.
- The community submitted concern regarding how the quarry will be left and what would be the end use of the property, including its benefits to the community and the environment.
- Heidelberg Materials has hand delivered two notices to Valley Road residents:
- 7 February 2019, residents were advised of surface soil investigation works to be undertaken,
- 5 October 2020, residents were notified of drilling works to be undertaken the following week.
- There has been no further formal engagement with community members since October 2020.

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7.0 Relevant Legislation

7.1 State Legislation

7.1.1 Planning and Environment Act 1987

The purpose of the Planning and Environment Act 1987 (PE Act) is to establish a framework for planning the use, development, and protection of land in Victoria in the present and long-term interests of all Victorians. The key objectives for planning in Victoria, identified in the PE Act are as follows:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*
- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;*
- *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
- *To facilitate the provision of affordable housing in Victoria; and*
- *To balance the present and future interests of all Victorians'.*

The PE Act requires the preparation and application of Planning Schemes, to set out objectives, policies and provisions relating to the use, development, protection and conservation in the area to which it applies.

As previously noted, Frankston Planning Scheme applies to this Project and the relevant provisions of each are highlighted in the following chapter.

7.1.2 Mineral Resources (Sustainable Development) Act 1990

The WPV Application documentation has been endorsed by the Earth Resources Regulation (ERR) branch of DJPR for the site at 60 Valley Road, Langwarrin.

The Work Plan has been given statutory endorsement by ERR (Appendix A), following responses by referral authorities under section 77TD of the MRSD Act 1990.

Following issue of planning approval for the proposal, the Work Plan will be amended to be consistent with the planning permit and approved by ERR with conditions. Subsequently, the Work Authority will be granted and the extractive industry can commence.

7.1.3 Aboriginal Heritage Act 2006

The Project also requires the preparation and approval of a CHMP pursuant to the Aboriginal Heritage Act 2006. As previously noted, CHMP 16166 has been approved and included in Appendix A1.

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8.0 Planning Scheme and Policy

The following controls within the Frankston Planning Scheme are applicable to the proposal.

8.1 Municipal Planning Strategy

The Municipal Planning Strategy (MPS) introduces Frankston City by describing its context and setting out the vision and strategic directions for planning. It sets the foundation for the local policies in the planning scheme and is based on *Plan Melbourne 2017-2050: Metropolitan Planning Strategy (2017)*, updated data, further strategic work and adopted council strategies.

The relevant policies in the consideration of the Project are listed below, with a brief description of those elements of the policies that are relevant to quarry extension project.

Clause 02.3-1 Settlement

Green Wedge

'Frankston's green wedge comprises of 4,500 hectares and is partly located within the South East Green Wedge and Mornington Peninsula Green Wedge. The green wedges accommodate several different environmental, economic and social values including wetlands, Eastern Treatment Plant, sand resources and land fill sites.

The green wedge plays an important role in protecting and preserving land for agricultural and horticultural activities as well as the protection and conservation of flora and fauna within the area.

There is a need to ensure the ongoing protection and management of the green wedge from unplanned urban land use and development. Management of bushfire risk is an ongoing issue and priority within each Green Wedge Precinct.

It is important to note, that although the quarry is discussed in the Green Wedge Management Plan, the subject site is not zoned Green Wedge.

Clause 02.03-2 Environmental and Landscape Values

Waterways and wetlands

'The Seaford Wetlands are RAMSAR listed and of international significance and provides a resting place for a variety of migratory water birds. A network of major nature conservation reserves, smaller natural bushland reserves and vegetated creek valleys, including the Sweetwater and Kananook Creek watercourses, provide a refuge for local plants and animals as well as passive recreation opportunities.

Strategic direction:

- Protect waterways, coastal foreshore, wetlands and other habitats and ecosystems from inappropriate development or environmental degradation.'

Biodiversity and indigenous vegetation

'A number of areas of remnant indigenous vegetation, on both public and private land, have been identified as having significance for flora and fauna conservation e.g. the Langwarrin and Pines Flora and Fauna Reserves, Frankston Nature Conservation Reserve. Frankston's bushlands provide refuge for several plant and animal species at risk of extinction. Arresting vegetation loss and the consequent decline in biodiversity is a significant challenge facing the municipality.

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Strategic directions:

- Manage the loss and fragmentation of indigenous vegetation and Australian native vegetation to avoid loss of biodiversity.
- Secure and enhance habitat corridors to sustain the health of indigenous flora and fauna communities.'

Clause 02.03-4 Natural Resource Management

Land fill sites

'Land filling with solid waste is also a means of rehabilitating quarry sites by filling large holes and reinstating the landscape to relatively natural surface levels. Rehabilitated land fill sites are usually used for public open space.

Strategic directions:

- Protect existing quarry sites from the encroachment of sensitive uses.
- Plan for open spaces and high priority conservation corridors to replace redundant extractive and landfill activities.
- Maintain a non-urban zoning for land adjacent to existing extractive industry sites that have been identified for potential land fill sites.'

Clause 02.4 Strategic Framework Plans

The subject site is discussed in the Green Wedge and an Environmentally Sensitive Area is as shown on the Municipal Strategic Framework Plan, but the subject site is not zoned Green Wedge.

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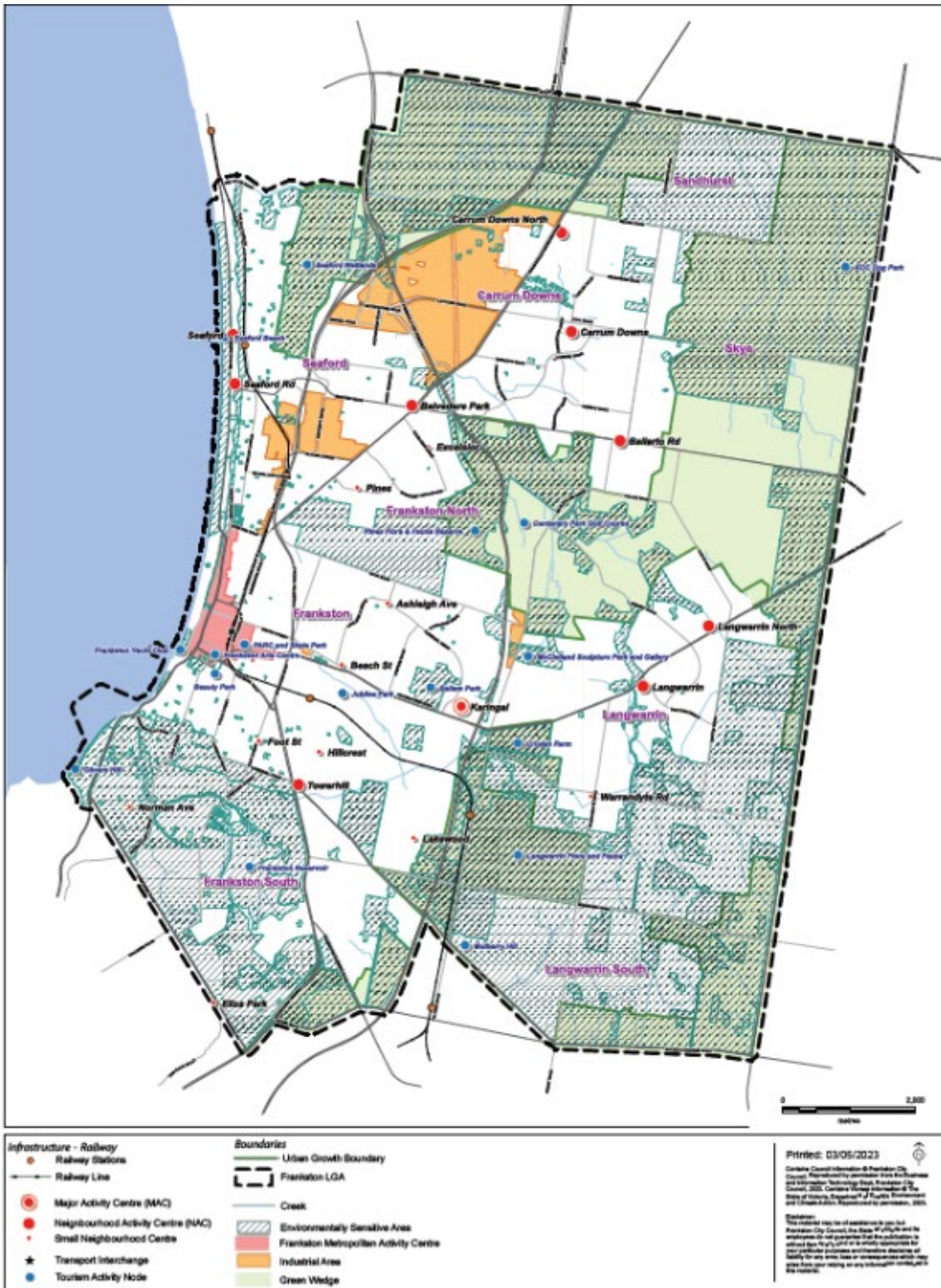


Figure 22 Municipal Strategic Framework Plan

The site is in a Fire Risk Area as shown at Clause 02.4-3 Environmental Risk Map.

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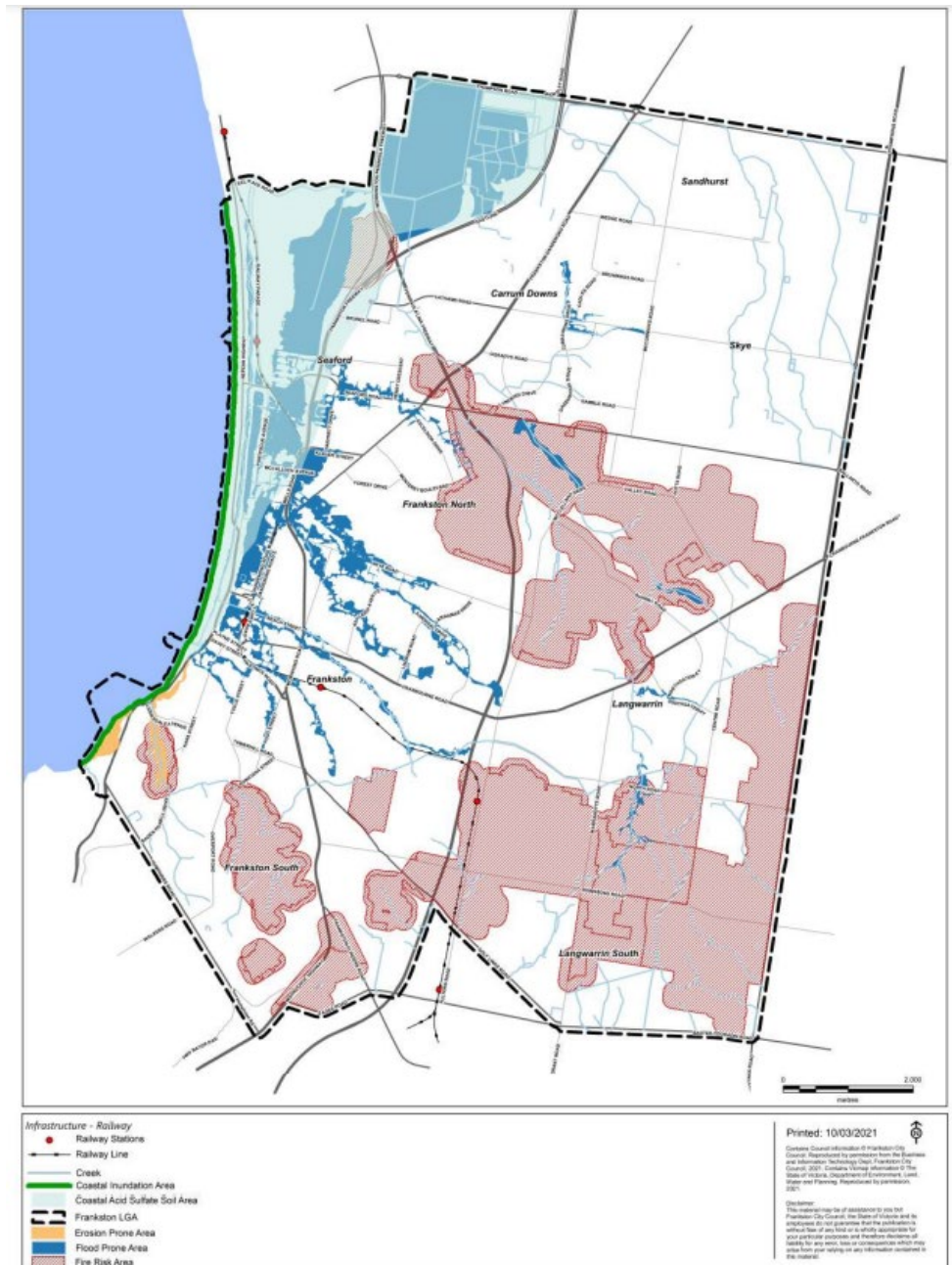


Figure 23 Environmental Risk Map

The site is located in an Existing Habitat Corridor as shown at Clause 02.4-4 Environmental & Landscape Values Map.

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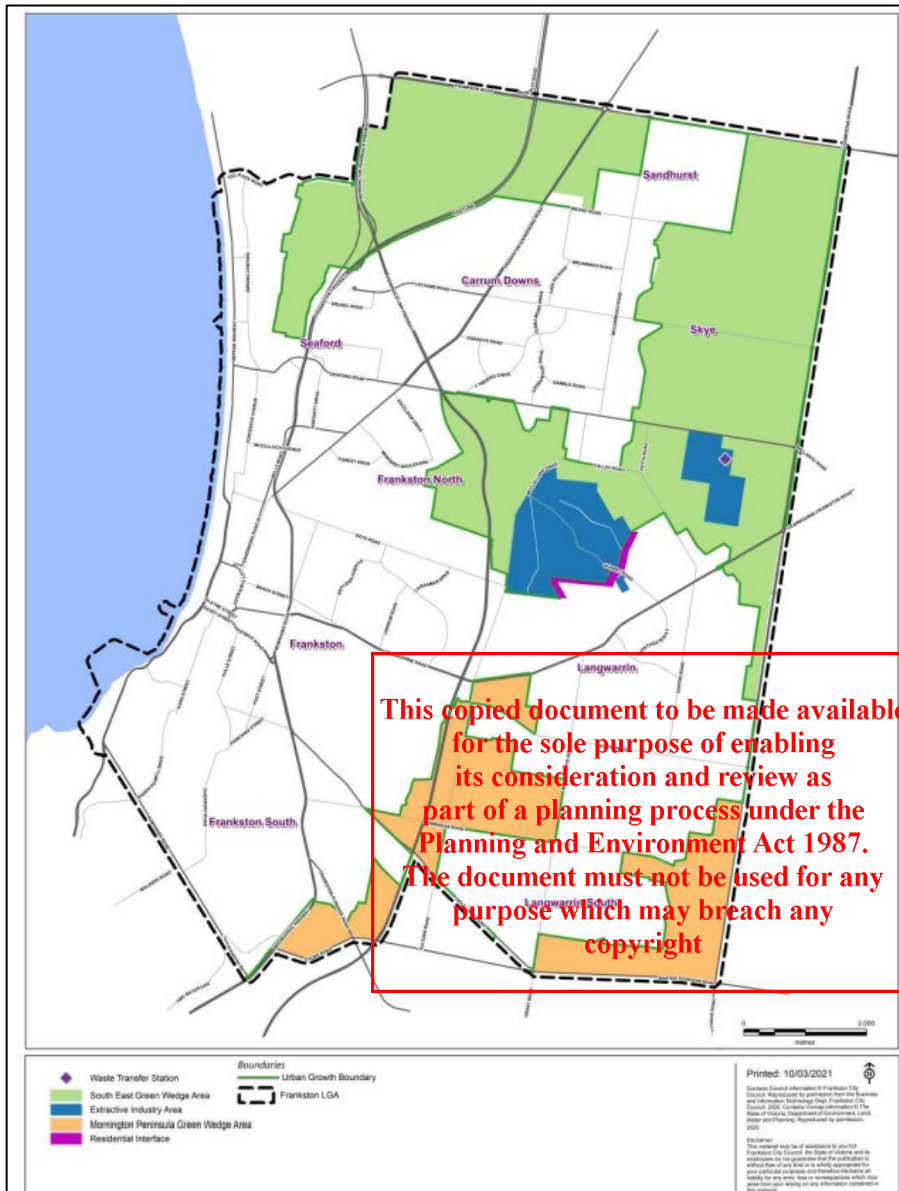
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Figure 24 Environmental & Landscape Values

The site is located in the Southeast Green Wedge Management Plan Area as shown at Clause 02.4-6 Resource Management Map, but the subject site is not zoned Green Wedge.

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Figure 25 Resource Management Map

8.2 Planning Policy Framework

The PPF seeks to achieve the objectives of Planning in Victoria as set out in Section 4 of the PE Act, by providing fair, orderly, economic and sustainable use and development of land, to secure a pleasant, efficient and safe place to live and visit, and to facilitate development in accordance with the relevant objectives whilst balancing the present and future interests of all Victorians.

Clause 14.03-1S and Clause 14.03-1L Resource Exploration and Extraction are the most directly relevant policies at a State and Local level to this proposal. Clause 14.03-1S seeks to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards, whilst Clause 14.03-1L seeks to protect opportunities

to utilise extractive resources and encourage the rehabilitation of sites once extraction is completed

Relevant strategies at Clause 14.03-1S Resource Exploration and Extraction include the following:

- 'Provide for the long-term protection of natural resources in Victoria.
- Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.
- *Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the Mineral Resources (Sustainable Development) Act 1990, the Greenhouse Gas Geological Sequestration Act 2008, the Geothermal Energy Resources Act 2005, or the Petroleum Act 1998.*
- Develop and maintain buffers around mining and extractive industry activities.
- Ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry.
- Determine buffer areas between extractive activities and sensitive land uses on the following considerations:
 - Appropriate limits on effects can be met at the sensitive locations using practical and available technology.
 - Whether a change of land use in the vicinity of the extractive industry is proposed.
 - Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.
 - Performance standards identified under the relevant legislation.
 - Types of activities within land zoned for public use.
- Identify and 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.
- Facilitate the use and development of Strategic Extractive Resource Areas for extractive industries and other compatible land uses.'

Relevant strategies at Clause 14.03-1L Resource Exploration and Extraction include the following:

- Manage the operation of quarry and subsequent landfill activities to avoid conflict with surrounding uses.
- Maintain rural and semi-rural uses on sites adjoining an extractive industry site until the extraction is completed and the site is rehabilitated.
- Plan for alternative uses to replace redundant extractive resource sites, ensuring the uses are properly integrated with surrounding use

Given the nature of extractive industry, there are a range of potential environmental and amenity impacts to be considered. Accordingly, there are several additional State level policies that are relevance in the consideration of the Project and that cover a broad range of issues. These are listed below, with a brief description of those elements of the policies that are relevant to Project.

Clause 11.01-1R – Green Wedges – Metropolitan Melbourne

Seeks to protect the green wedges of Metropolitan Melbourne from inappropriate development.

Clause 12 – Environmental and Landscape Values

Clause 12.01-1S – Protection of Biodiversity seeks to protect and enhance Victoria's biodiversity.

Clause 12.01-1L – Protection of Biodiversity seeks to encourage retention of remnant indigenous vegetation on extractive sites.

Clause 12.01-2S – Native Vegetation Management seeks to ensure that there is no net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation.

Clause 12.05-2L – Frankston Landscapes which includes strategies to protect remnant bushland areas, protect canopy trees, support proposals that retain and enhance vegetation and contribute to the visual quality of significant landscapes and protect significant landscapes, views and vistas within the municipality's green wedge areas.

Clause 13 – Environmental Risks and Amenity

Clause 13.01-1S – Natural Hazards and Climate Change seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Clause 13.02-1S – Bushfire Planning seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.04-2S – Erosion and Landslip seeks to protect areas prone to erosion, landslip or other land degradation processes.

Clause 13.04-3S – Salinity seeks to minimise the impact of salinity and rising water tables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt load in rivers.

Clause 13.05-1S – Noise Management seeks to assist the control of noise effects on sensitive land uses.

Clause 13.06-1S – Air Quality Management seeks to assist the protection and improvement of air quality.

Clause 13.07-1S – Land Use Compatibility seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Clause 14 – Natural Resource Management

Clause 14.02-1S – Catchment planning and management seeks to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Clause 15 – Built Environment and Heritage

Clause 15.03-2S – Aboriginal Cultural Heritage seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 17 – Economic Development

Clause 17 – Economic Development outlines that planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity. Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Clause 17.03-2S – Sustainable industry seeks to facilitate the sustainable operation of industry. Strategies include minimising inter-industry conflict and encouraging like industries to locate within the same area, and provision of adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Clause 18 – Transport

Clause 18.01-2S Transport System seeks to plan or regulate for new land uses to avoid detriment to and where possible enhance the service, safety and amenity desirable for that transport route.

8.3 Planning Zones and Overlays

The subject site is affected by the RCZ2, ES01 and the BMO. This section provides an overview of each of these controls, their purpose and relevant permit triggers.

8.3.1 Rural Conservation Zone (RCZ2)

The site is located in the RCZ2 as in Figure 26.

In accordance with Clause 35.06 of the Frankston Planning Scheme the purpose of this zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve the values specified in a schedule to this zone.
- To protect and enhance the natural environment and natural processes for their historic, archaeological, and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.

- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
- To conserve and enhance the cultural significance and character of open rural and scenic nonurban landscapes.

Schedule 2 to Clause 35.06 RCZ adds the following:

'To maintain and enhance the mosaic of low-key rural uses and remnant vegetation on small to medium size rural holdings in the Skye and Langwarrin areas.'

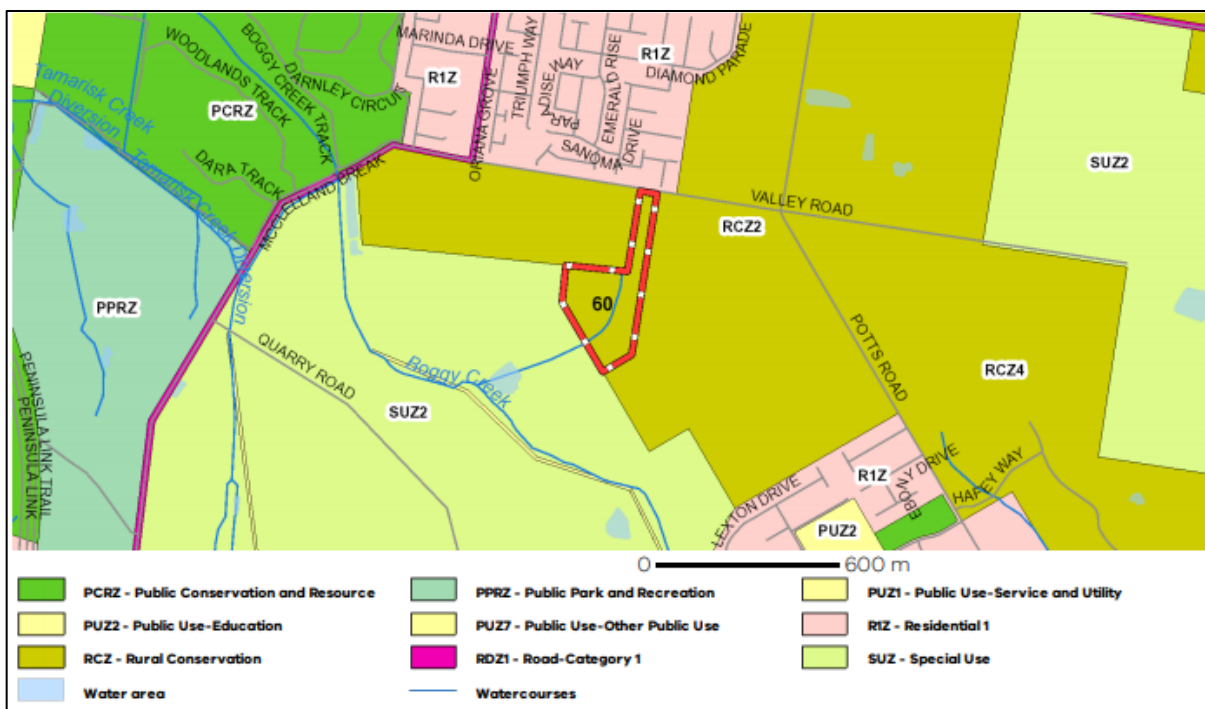


Figure 26 Current Site Zoning

Use of the land for extractive industry is not specifically referred to in the land use table to Clause 35.06-1, and as such, is a Section 2 – Permit Required use.

Clause 35.06-5 states a permit is required to construct a building or carry out works associated with use in Section 2 of Clause 35.06-1 (extractive industry). This includes earthworks specified in a schedule to this zone. Schedule 2 of the RCZ states that a permit is required for: *'earthworks which change the rate of flow or the discharge point of water across a property boundary.'*

8.3.2 Environmental Significance Overlay (ESO1)

The majority of the area proposed for extraction is covered by the ESO1 as shown in Figure 27.

The key objectives of the ESO head clause as outlined at Clause 42.01 are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

The schedule to Clause 42.01 ESO1 outlines the following Environmental Objectives to be achieved:

- Protect national, state, regional and locally significant vegetation and biodiversity within Frankston City Council.
- Protect populations or communities of indigenous flora and fauna.
- To protect and enhance bio links across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.
- Ensure that the development and management of land within areas of native vegetation and fauna habitat as specified in Table 1 and shown on Map 1 to this schedule is compatible with the long-term protection and enhancement of their botanical and zoological values.
- Avoid and minimise the impacts of buildings and works and subdivision, on areas of native vegetation and fauna habitat specified in Table 1 and shown on Map 1 to this schedule.
- To ensure that development and management of land demonstrates the 'avoidance hierarchy':
 - To avoid adverse impacts, particularly through vegetation clearance.
 - If impacts cannot be avoided, to minimise impacts through appropriate consideration and expert input to project design or management.
 - Identify appropriate mitigation options. Only after avoidance and minimisation actions are thoroughly investigated should mitigation be considered.

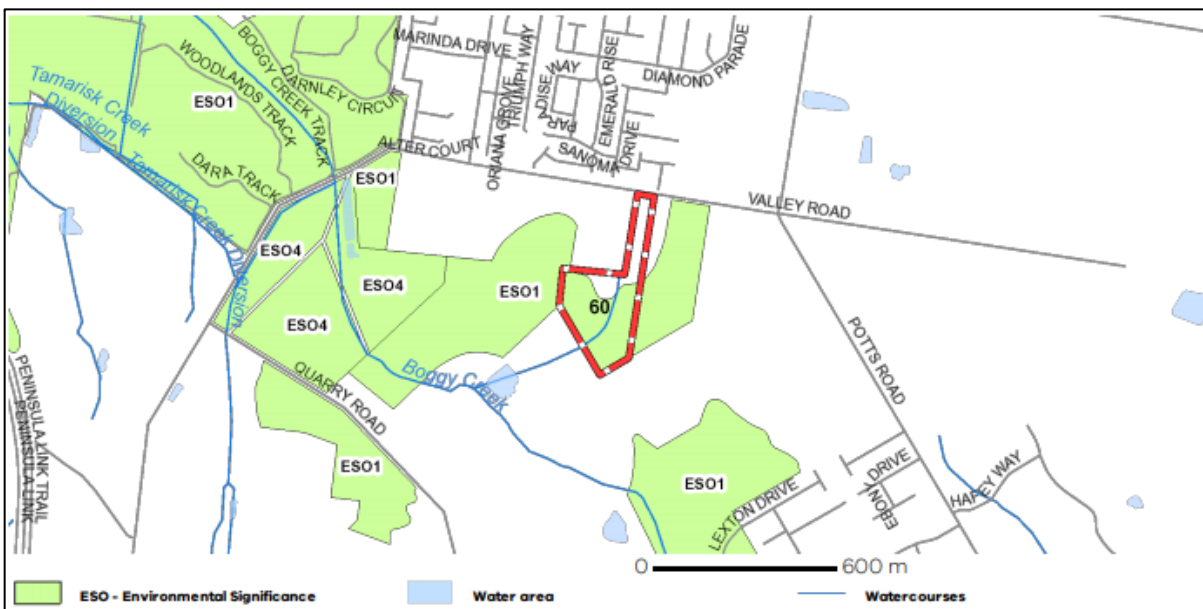


Figure 27 Environmental Significance Overlay

Source: VicPlan, State Government of Victoria

Clause 42.01-2 states a permit is required to carry out works, and to remove, destroy or lop any vegetation, including dead vegetation.

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Vegetation Removal Exemption

However, *Clause 42.01-3 Table of Exemptions*, states that requirement to obtain a permit does not apply to:

'Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.'

Whilst Heidelberg Materials does not hold an approved Work Plan now for the proposed quarry extension, it will hold an approved Work Plan when it comes to remove the vegetation located on the Site. As such, no permit is required for vegetation removal.

Works Exemption

Clause 3 of the ESO1 provides that:

'A permit is not required.....

'To construct buildings or works associated with the extractive industry that has a current Work Authority'

As explained in Section 5.0, the site of the quarry extension area is with WA13 and therefore the works exemption applies, this was also confirmed by VCAT.

A copy of the VCAT order (Appendix F) confirms our interpretation of this clause.

8.3.3 Bushfire Management Overlay (BMO)

The subject site is covered entirely by the BMO as shown in Figure 28.

The key objectives for the BMO are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

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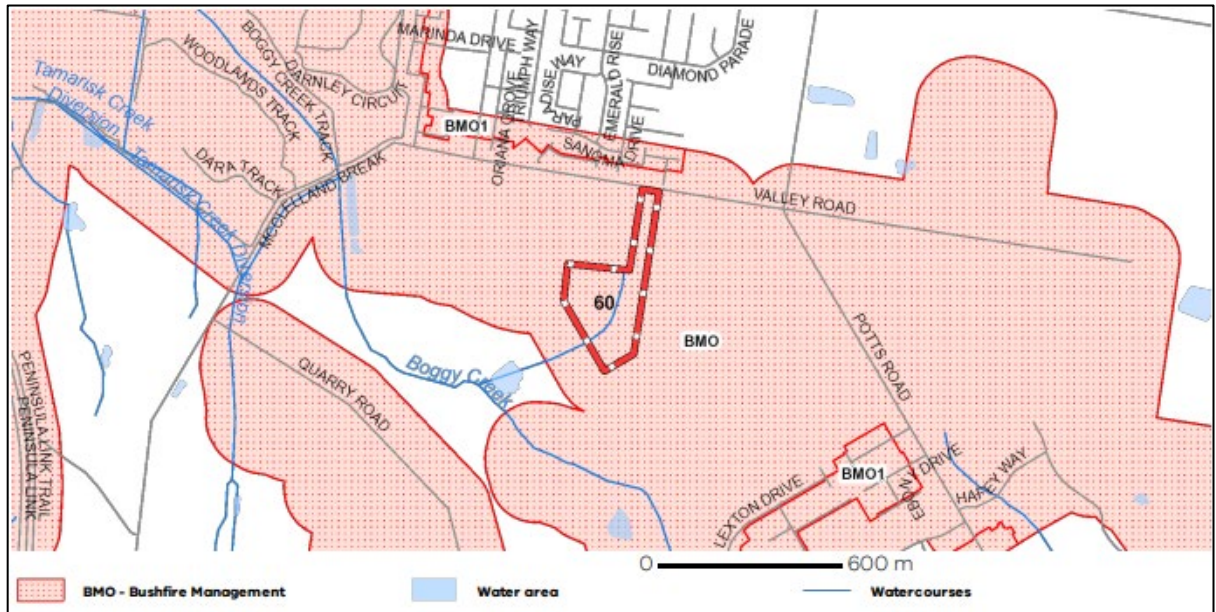


Figure 28 Bushfire Management Overlay

In accordance with Clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with a list of identified uses. Extractive Industry is not an identified use, and therefore a permit is not required.

8.4 Areas of Cultural Heritage Sensitivity

The subject site has been identified as an 'area of cultural heritage sensitivity' as shown in Figure 27. Under the *Aboriginal Heritage Regulations 2018* an 'area of cultural heritage sensitivity' includes registered Aboriginal cultural heritage places and landform types and land categories that are generally regarded as more likely to contain Aboriginal cultural heritage.

Planning permits, licences, and work authorities can't be issued unless a CHMP has been approved for the activity.

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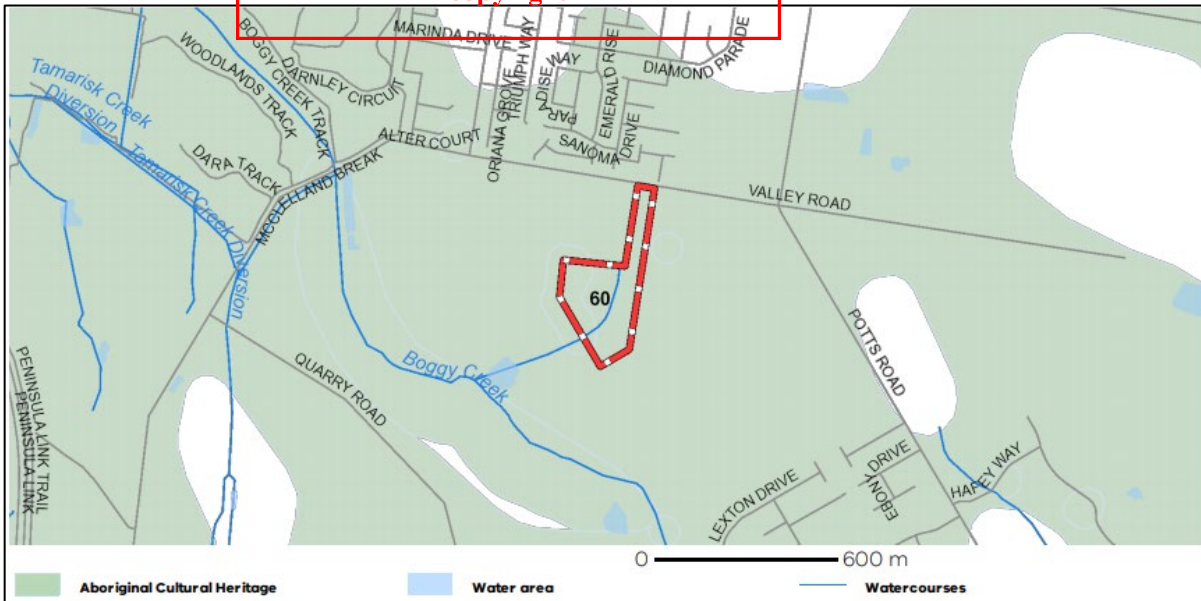


Figure 29 Areas of Aboriginal Cultural Heritage Sensitivity

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two-part trigger which require a CHMP be prepared where a listed 'high impact activity' is proposed. Significant ground disturbance classifies a use and development as a high impact activity.

The site falls within the area managed by the BLCAC which is the RAP. A CHMP has been prepared by Heritage Insight. The assessment was conducted to the level of complex assessment, and results are discussed in Section 9.5.

8.5 Particular Provisions

8.5.1 Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions

The purpose of this clause is:

- To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.
- To protect productive agricultural land from incompatible uses and development.
- To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.
- To encourage the location of urban activities in urban areas.
- To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.
- To provide deeming provisions for metropolitan green wedge land.

The provisions of this Clause apply to land in Metropolitan Melbourne that is outside the Urban Growth Boundary (UGB), within the RCZ. As shown in Figure 30 the Subject Site is outside of the UGB.

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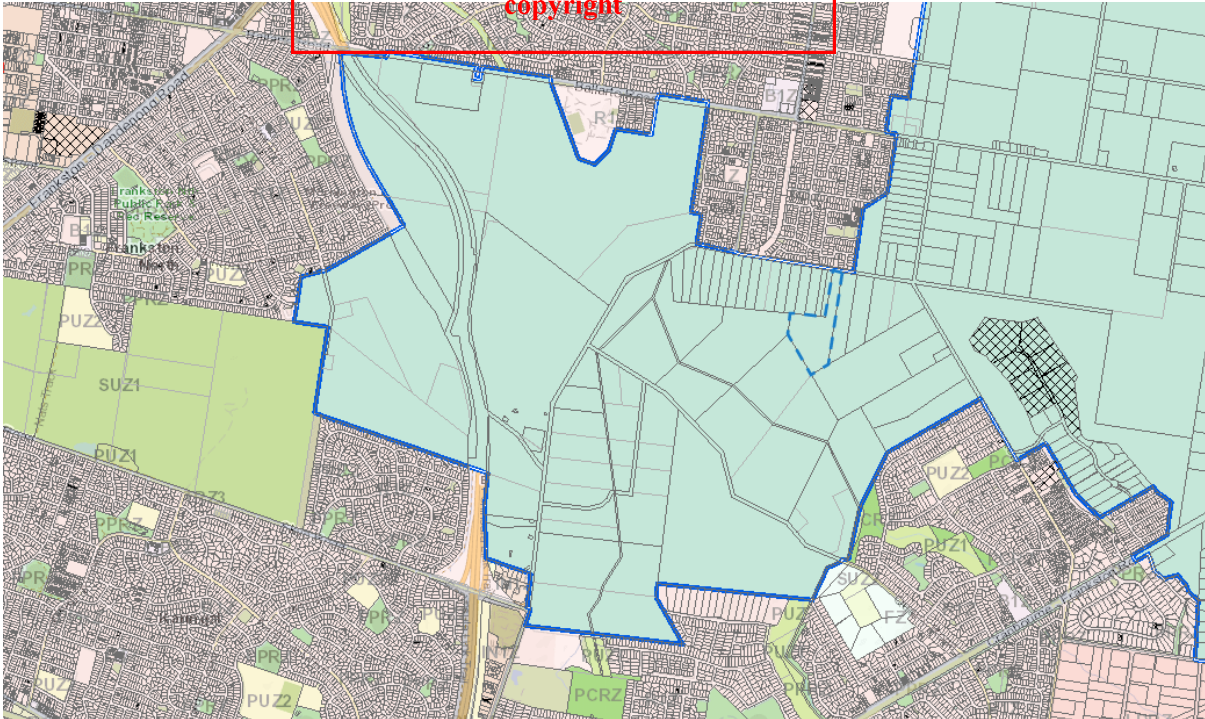


Figure 30 Land outside the UGB (Shaded Green)

Clause 51.02-2 provides a table which lists prohibited land uses. Earth and Energy Resources Industry group and extractive industry is not listed in this table and therefore the use of the site for extractive industry is permitted.

8.5.2 Clause 52.06 Car Parking

The key objectives pursuant to Clause 52.06 Car Parking of the Frankston Planning Scheme are:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-5 includes a table that specifies the number of carparking spaces for land uses. Extractive Industry is not listed. Clause 52.06-6 states that where a car parking requirement for a use isn't listed in the table then car parking must be provided to the satisfaction of the responsible authority.

Accordingly, car parking is required to be provided to the satisfaction of Frankston City Council for the Project.

8.5.3

Clause 52.08 Earth and Energy Resources Industry

The purpose of Clause 52.08 Earth and Energy resources industry is:

- To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.
- To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.
- To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

In accordance with Clause 52.08-1, a permit is required to use and develop land for Earth and Energy Resources industry, unless the table to this clause specifically states that a permit is not required. The Table of exemptions at Clause 52.08-1 states:

'No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:

Complies with Section 77T of the MRSD Act'

Section 77T of the MRSD Act states:

'Environment Effects Statement

If under a planning scheme a permit is required to be obtained for carrying out an extractive industry on the land covered by an extractive industry work authority in accordance with that work authority, the holder of the work authority is not required to obtain a permit if—

- an Environment Effects Statement has been prepared under the Environment Effects Act 1978 on the work proposed to be done under the work authority; and*
- an assessment of that Statement by the Minister administering the Environment Effects Act 1978 has been submitted to the Minister; and*
- the work authority was granted by the Minister following the Minister's consideration of that assessment.'*

An Environment Effects Statement has not been prepared for carrying out the extractive Industry at the Subject Site, and therefore this exemption does not apply, and a planning permit is required.

8.5.4 **Clause 52.09 Extractive Industry and Extractive Industry Interest Areas**

This clause applies to an application to use or develop land for extractive industry. The purpose of Clause 52.09 is:

- 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.

Clause 52.09-1 states this clause applies to an application to use or develop land for extractive industry.

An application to use and develop land for extractive industry must be accompanied by:

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- 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. (Included in Appendix A).
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990* (included in Appendix D).
- Any conditions specified under section 77TD(3) of *Mineral Resources (Sustainable Development) Act 1990*.

Requirements for extractive industry

In accordance with Clause 52.09-6, the use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

Response to these requirements is included in Section 10.

8.5.5 Clause 52.17 Native Vegetation

The purpose of Clause 52.17 is as follows:

'To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.'

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.

The table to Clause 52.17-7 provides that the requirement to obtain a permit does not apply to:

'Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act.'

Whilst Heidelberg Materials does not hold an approved Work Plan for the quarry extension at this time, it will hold an approved Work Plan when it comes to remove the vegetation. As such, no permit is required.

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8.5.6 Clause 53.22 Significant Economic Development

The purpose of Clause 53.22 is to prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

This application meets the requirements of Clause 53.22 as the resource to be extracted has an estimated value of over \$30 million.

8.6 General Provisions

8.6.1 Clause 65.01 Approval of an Application or Plan

Clause 65 (Decision Guidelines) is of relevance to the Project and are as follows.

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

Clause 66 (Referral and Notice Provisions) is also of relevance as it outlines the various authorities that the application will be referred.

8.7 Operational Provisions

8.7.1 Clause 71.01 Operation of the Municipal Planning Strategy

Clause 71.01-1 states 'A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.'

8.7.2 Clause 71.02 Operation of the Planning Policy Framework

Clause 71.02-1 of the Frankston Planning Schemes states:

'The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development'.

Clause 71.02-2 refers to the operation of the Planning Policy Framework and states that the Responsible Authority must consider relevant policy guidelines when it decides on the application.

Clause 72.02-3 Integrated Decision-Making states:

'The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations'.

8.7.3 Clause 73.03 Land Use Terms

Clause 73.03 Land Use Terms is also of relevance to the Project. Relevant Planning Scheme definitions included in Figure 31 :

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Land use term	Definition	Includes	Included in
Earth and energy resources industry	Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.	<ul style="list-style-type: none"> Extractive industry Greenhouse gas sequestration Greenhouse gas sequestration exploration Geothermal energy exploration Geothermal energy extraction Mining Mineral exploration Petroleum exploration Petroleum production Stone exploration 	
Extractive industry	<p>Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works.</p> <p>It includes:</p> <ul style="list-style-type: none"> the rehabilitation of the land; and the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the land from which the stone is extracted or removed. 		Earth and energy resources industry

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Figure 31 Clause 73.03 Land Use Terms

8.8 Relevant Planning Documents

There are several policy documents and incorporated documents in the Frankston Planning Schemes, which are of relevance to the planning considerations of the Project. These include:

- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the Catchment and Land Protection Act 1994)

- Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013)
- Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)
- Protecting Victoria's Environment – Biodiversity 2037 (Department of Environment, Land, Water and Planning, 2017)
- Assessor's handbook – applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, 2017)
- Environment Protection Regulations under the Environment Protection Act 2017
- Recommended separation distances for industrial residual air emissions (Publication 1518, Environment Protection Authority, March 2013)
- Melbourne Supply Area - Extractive Industry Interest Areas Review (Geological Survey of Victoria Technical Record, 2003/2)
- Strategic Extractive Resource Areas Pilot Project Report (Victorian Government, 2020)
- Principal Freight Network (Department of Transport, 2021)
- Principal Transport Gateways (Department of Transport, 2021)
- Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan (Department of Economic Development, Jobs, Transport and Resources, July 2018)
- Frankston Green Wedge Management Plan (October 2019)

In addition, there are several other policy documents of relevance to the Project, however these documents are not reference or incorporated documents within the Frankston Planning Schemes. These documents include:

- Helping Victoria Grow: Extractive Resources Strategy
- Joint Ministerial Statement on Extractive Resources (July 2018)

Extractive Industry and Resources Planning Practice Notes 89

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8.9 Summary of Permit Triggers

The relevant permit triggers can be summarised as follows:

Control	Permit Requirement
Clause 35.06 – Rural Conservation Zone Schedule 2	Use of the land for extractive industry. Works associated with the use of the land for extractive industry.
Clause 35.06 – Rural Conservation Zone Schedule 2	Earthworks which change the rate of flow or the discharge point of water across a property boundary.
Clause 52.09 – Earth and Energy Resources Industry	Use and develop land for earth and energy resources industry

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9.0 Specialist Report Findings

9.1 Introduction

This Chapter provides an overview of the key findings of each of the specialist reports that have been prepared. The full reports are included as Appendices to this application.

9.2 Town Planning Report

Ratio Consultants, undertook a Town Planning Report to support this application for the proposed quarry extension. A copy of the report is included in Appendix G.

Their assessment concluded the proposal should be supported. The following is a summary of the report conclusions:

- The application is one in which the competing objectives of planning policy must be finely balanced to achieve a net community benefit.
- There is a desire to protect and enhance the natural environment and the conservation value/biodiversity of the land as well as the need to protect extractive industry to ensure ready access to valuable resources.
- Whilst the proposal seeks to remove all the vegetation in the 'axe-head' portion of the subject site, Ratio are satisfied that this vegetation does not represent a local or state significant habitat for flora and fauna and that an alternative biolink corridor can be established during the extraction phase of the project which contains similar quality vegetation to that on the subject site.
- The location of sand resources proximate to where they will be used (i.e. within the South-East Growth Corridor) is supported by State policy and will assist in keeping construction costs down. This is an important consideration given the housing crisis and increased cost of living facing Victorians.
- The provision of an extended quarry in this location is supported by the zoning of the land which clearly contemplates extractive industry, otherwise it would be prohibited. This is further buoyed by the exemptions for vegetation removal if there is an approved Work Plan in place, which is the case in this instance.
- The approval process through the ERR has had consideration of the impacts associated with the proposed quarry and there are no objectives from the relevant referral authorities subject to conditions relating to amenity impacts, vegetation removal and Boggy Creek rehabilitation.
- Ratio are also satisfied that any external amenity impacts associated with vehicle traffic, noise and air quality can be appropriately mitigated through operational requirements, the earth bund and acoustic wall and monitoring / reporting requirements.

9.3 Biodiversity

Ecological and Heritage Partners Pty Ltd (EHP), undertook a Biodiversity Assessment for the proposed quarry extension. A copy of the report is included in Appendix H.

To assist EHP with their assessment of the impacts from project, Galbraith & Associates undertook an arborist assessment of the trees outside the boundary of the proposed extraction area to assess likely impact to trees on neighbouring land. This report is included in Appendix I. The conclusions of this report were *'there will be no adverse impacts on any of the neighbouring trees.'* (p13)

9.3.1 Flora Assessment Findings

Vegetation Condition

Three large patches of native vegetation Heathy Woodland (EVC 48) and four scattered native trees were recorded within the study as shown in Figure 32 Ecological Features.

The remainder of the study area comprised introduced and planted vegetation, present as largely exotic open grassy areas.

One hundred and forty-nine flora species have been recorded within the study area, including 84 indigenous and 65 non-indigenous species.

No national or State significant flora listed as threatened under the FFG Act were recorded during the EHP field assessment. Abzeco Pty Ltd (2023) located one small population of Veined Spear-grass, which is listed as Endangered under the FFG Act (DEECA 2025e).

Abzeco Pty Ltd (2023) previously recorded 13 species listed as Protected under the FFG Act within the study area, being Rosy Hyacinth-orchid, Slender Onion-orchid, Cedar Wattle, Prickly Moses, Black Wattle, Spike Wattle, Hedge Wattle, Common Correa, Common Heath, Prickly Broom-heath, Cranberry Heath and Small Grass-tree.

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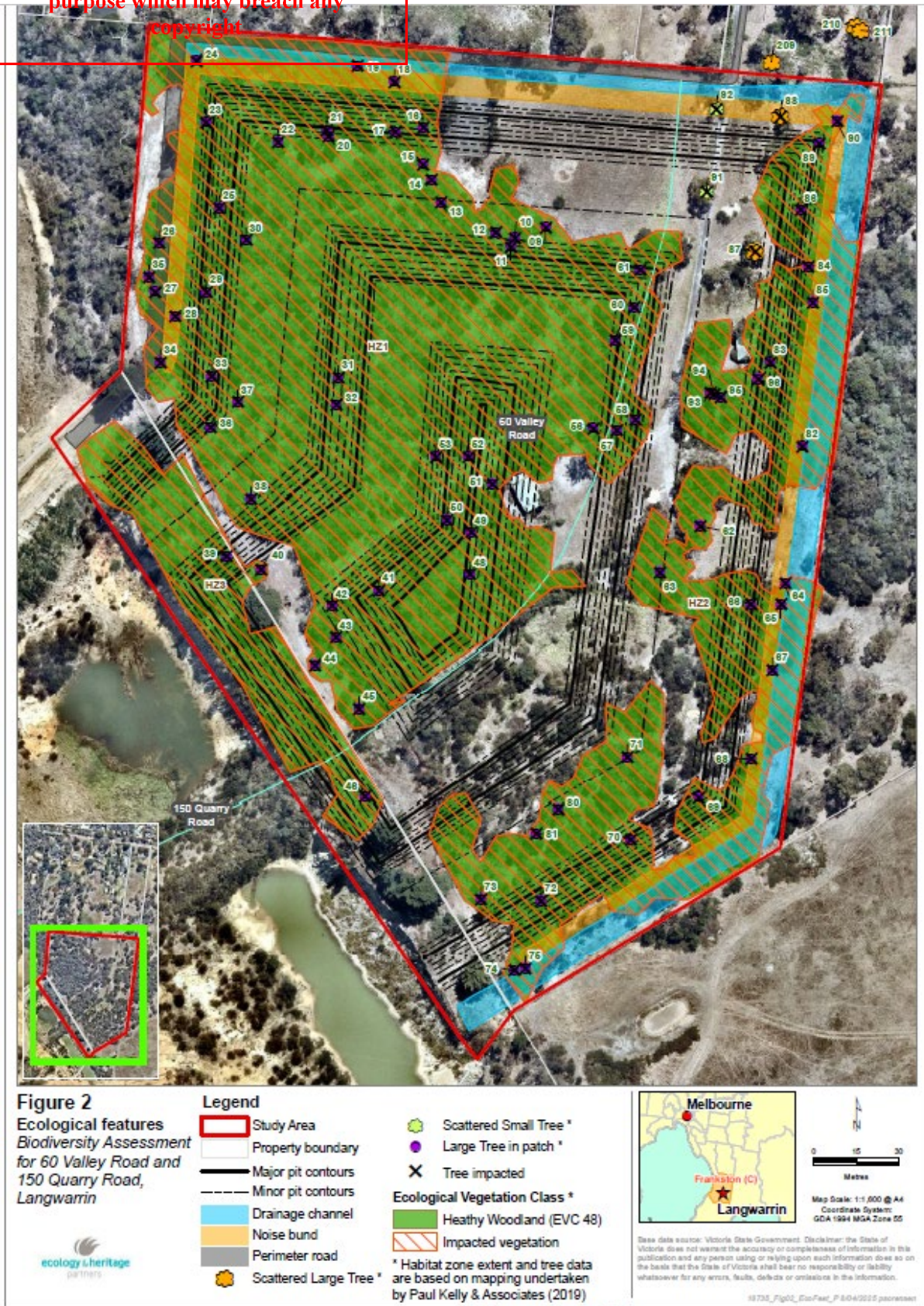


Figure 32 Ecological Features

Vegetation Proposed for Removal

The study area comprises 4.570 hectares of native vegetation proposed to be removed, including 4.393 hectares of native vegetation patches, 77 large trees in patches and four scattered trees (two large and two small). The proposed vegetation removal falls under the Detailed assessment pathway in accordance with the *DELWP Guidelines for the Removal, Destruction or Lopping of Native Vegetation (2017)*.

The clearing of native vegetation for mining and extractive industries is exempt from requiring a planning permit under the 'Extractive Industry' exemption detailed in Clause 52.17-7 of the Frankston Planning Scheme subject to an assessment as part of the Work Plan approval process (MRSD Act). The removal of native vegetation is only exempt if the removal is carried out in accordance with the approved Work Plan. Furthermore, the Work Plan can only be approved once the planning permit has been issued. A planning permit to remove native vegetation under ESO1 is not required due to the 'Extractive industry' exemption detailed in Clause 42.01-3 of the Frankston Planning Scheme.

The site is privately owned, and as such a permit under the FFG Act is not required for native vegetation removal.

Offsets

The offset requirement for native vegetation removal is 3.754 General Habitat Units and 79 Large Trees. According to DELWP's Native Vegetation Offset Register (DELWP 2022), there are offset sites within the Port Phillip and Westernport CMA that can be used to satisfy the General Habitat Unit offset requirements generated by the proposal. The General Offsets will be purchased from an approved Native Vegetation Offset broker and provided as an extract from the Native Vegetation Credits register. The availability of these offsets has been confirmed. No species-specific offsets are required.

9.3.2 Fauna Assessment Findings

The study area contained a range of habitat qualities suitable for various fauna species, including open grassy areas, forests and tree hollows. From a strategic perspective, the study area also forms part of a biolink identified by Frankston City Council.

The study area is identified to form part of a 'linkage corridor' referred to as 'C1', recommended to be implemented within the Frankston Fauna Linkages Study (Practical Ecology Pty Ltd 2012). C1 is proposed to be established to provide a biolink between the Pines Flora and Fauna Reserve in the west, and the Cranbourne Botanic Gardens to the east.

Powerful Owl

Active searching within the study area and adjacent parks did not result in any visual sightings of the species, nor confirm the presence of a nesting site. Several Large Trees within the broader landscape contain small to medium sized hollows that are not likely to be suitable for use by Powerful Owl, and several trees have the potential to support larger

hollows that may provide nesting/roosting habitat for the species (i.e. Little Boggy Creek Reserve, The Pines). However, none were observed within the study area.

Southern Brown Bandicoot

Targeted surveys for Southern Brown Bandicoot were undertaken in 2019 using two camera traps, which did not detect the species within the study area.

Although the study area contains the species preferred habitat type (Heathy Woodland), the ground and understorey layers are highly disturbed and dominated by environmental weeds. The study area and immediate surrounds (i.e. areas connected to the study area) are not likely to support a resident population of the species given the absence of the species in the local area.

Swamp Skink

There is potential for Swamp Skink to occur along areas of Boggy Creek that contain suitable habitat, however the waterbodies within the study area are functionally disconnected from the nearby areas of habitat. The waterbodies and the surrounding understorey vegetation within the study area highly degraded and unlikely to support suitable habitat for the species.

Glossy Grass Skink

Based on the habitat conditions present and the absence of key habitat features for the species, the study area is unlikely to support suitable habitat for this species. Glossy Grass Skink may persist in suitable habitats along Boggy Creek to the south of the study area, which will not be impacted by the proposed works.

Growling Grass Frog

Targeted surveys for Growling Grass Frog were undertaken in 2019 and the species was not detected within the study area during these surveys. There is no suitable habitat within the study area for the species, with the only permanent waterbody being a small farm dam with low percentage cover of emergent vegetation. The remaining waterbodies within the study area include an ephemeral drainage line, and shallow ephemeral wetlands created by previous disturbances. As such it is highly unlikely that the study area (and the immediate surrounds within the species' dispersal capabilities) supports a resident population of the species.

The proposed development will not impact Growling Grass Frog.

Southern Toadlet

Southern Toadlet survey was undertaken by EHP in April/ May 2025. Despite targeted surveys being undertaken at a suitable time of year when the species was confirmed to be calling at nearby reference sites, no Southern Toadlet were recorded within the study area.

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Given the small home range of the species and lack of habitat connectivity into the study area, as well as the results of the targeted surveys, a population of Southern Toadlet is not considered to be present within the study area.

BioLinks

It is not considered that the integrity of C1 Biolink would be compromised if the study area was used for extractive industry purposes, as the biolink will still be maintained via an alternative corridor alignment through the study area and immediately adjacent land parcels.

Vegetation within the alternative corridor is of similar quality and extent to that within other areas of C1 that fall within low density residential lots adjacent to the east and west of the study area, and supports a moderate cover of canopy vegetation, as well as mid and ground-story vegetation. The connectivity between The Pines and Cranbourne Botanic Gardens will be maintained, and the connectivity provisions for fauna listed in will not be compromised by the project.

It is understood that the study area would be rehabilitated and revegetated within 10 years of extraction, and as such, the C1 linkage would ultimately be re-established within the study area, and result in the long-term integrity of the biolink being maintained within this section.

9.4 Bushfire

A Bushfire Planning Assessment was undertaken by Bushfire Planning in February 2019. A copy of this report is included in Appendix A2.

The following conclusions were made through this assessment:

- The subject site is within a declared bushfire prone area under the Building Regulations 2018.
- Planning considerations for bushfire are not required under the Clause 13.02-1S as the proposal is not a listed use.
- The bushfire risk is low to moderate based on the exposure benchmarks in planning schemes. There is no site-scale bushfire feature or risk that impacts on the use of the subject site for sand extraction.
- An assessment against *Clause 13.02-1S Bushfire* and other relevant bushfire provisions of the planning scheme found there is no bushfire factor that would warrant the proposal not proceeding.

Two recommendations were made by Bushfire Planning to incorporate into the proposal:

- Recommendation 1: Fuel management on the subject site -The northern narrow strip of land on 60 Valley Road, Langwarrin which is not proposed for sand extraction should be managed in a low fuel condition. The vegetation management requirements to achieve a low fuel outcome is specified in Table 6 to

c53.02 Bushfire of the planning scheme and included in Figure 13 of the Bushfire Management report in Appendix 6.

- Recommendation 2: Access to areas of BAL:Low - Site operational arrangements should be established to formalise the movement of people from the subject site to areas of enhanced safety in the event of a bushfire, including to the urban area to the north of Valley Road and to the adjoining sand extraction area to the south.

9.5 Cultural Heritage

The site falls within the area managed by the Bunurong Land Council Aboriginal Corporation (BLCAC). The occurrence of landforms of Aboriginal Cultural Heritage Sensitivity triggered the need for a CHMP, which was prepared by Heritage Insight. The assessment was conducted to the level of complex assessment and is included in Appendix A1.

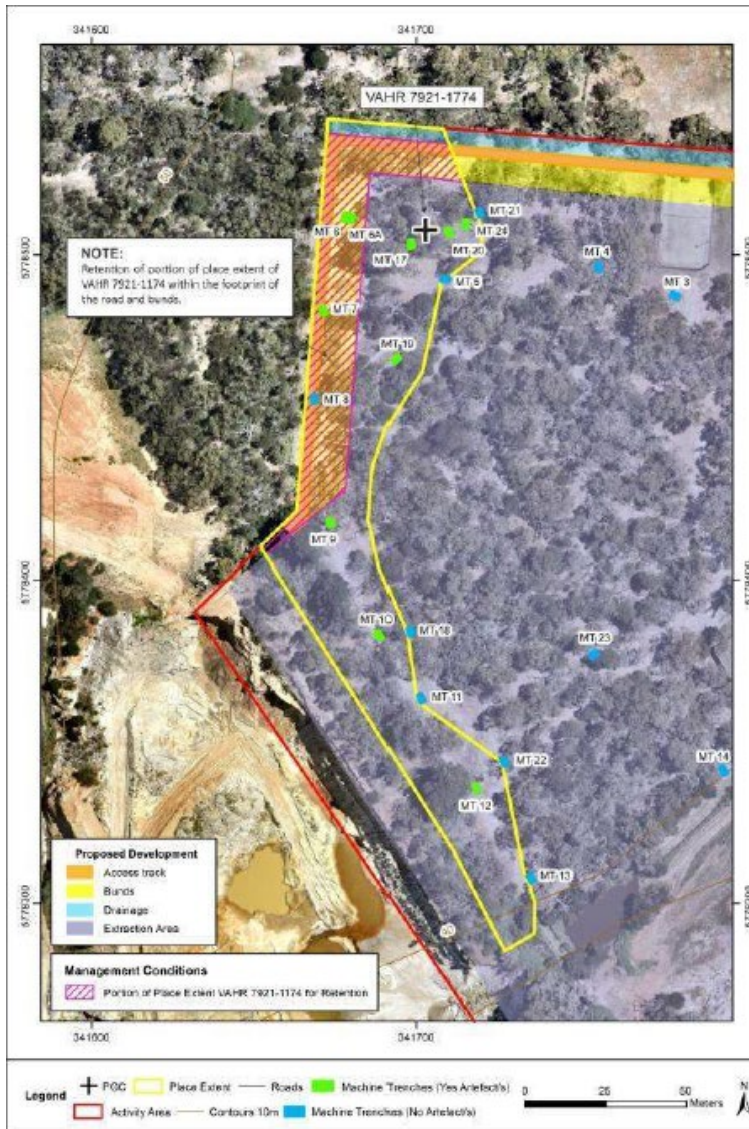
The desktop assessment concluded the site contains archaeological potential. A field survey was undertaken which noted that no rock outcrops or caves exist within the activity area. The standard assessment did not locate Aboriginal cultural material at surface; however, ground surface visibility was variable across the activity area and it was considered that the activity area had the potential for subsurface deposits, and recommended a complex assessment be undertaken.

The complex assessment resulted in the discovery of 91 stone artefacts registered as 60 Valley Road Langwarrin AS 1 VAHR 7921-1774. Artefacts were recovered from trenches located along the western edge of the activity area, with the highest density of stone artefacts located at the highest point and lower densities noted at lower elevations as shown in Figure 31.

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Figure 33 Condition Map 2 from CHMP

The CHMP was approved by the BLCAC on the 19 December 2019 (page 2 of Appendix A1) subject to the conditions set out in the CHMP and compliance requirements.

Management conditions in the CHMP include:

- Induction requirements for staff – including historic appreciation, details of artefact locations, management requirements and contingencies
- Contingency plans – system for reporting possible Aboriginal cultural heritage material
- Compliance inspections – to be undertaken by BLCAC at points in the site's development
- Surface Inspection – to be conducted following vegetation removal by heritage advisor and BLCAC representative. This may trigger further cataloguing or investigation works

- Salvage works – to be undertaken prior to the commencement of pre-quarrying works
- Preparation of salvage report
- Protection of Aboriginal Place
- Construction requirements for bunds including compliance inspections
- Custody and management of Artefacts – artefacts to be retained and catalogued by Heritage Advisor, reburial requirements for artefacts
- Dispute resolution processes
- Processes for unexpected discovery of cultural heritage material
- Reporting and compliance assessment requirements.

9.6 Air Quality

An Air Quality Assessment was undertaken by Zephyr Environmental for the purpose of this planning application to provide understanding to the potential dust impacts using atmospheric dispersion modelling to determine the impacts of the proposed Work Plan variation on the surrounding land use and compare it to current permitted activities.

A copy of the Report is contained in Appendix J.

The objectives of the report were to:

- Complete a review to assess compliance with Victoria's Environment Protection Act 2017 General Environmental Duty (GED) and EPA Publication 1961.2 Air-Pollution Assessment Criteria (APAC);
- Demonstrate whether the expansion can support a variation of the 500 m default separation distance applied to quarries handling under EPA Publication 1949;
- Provide evidence base for planning approval under the Development Facilitation program.
- Provide predicted ground level concentration results of the dispersion modelling to support a human health Impact Assessment (HHIA).

9.6.1 Assessment Findings

The following is a summary of conclusions:

- The proposed expansion is expected to reduce predicted concentrations of particulates and metals—such as PM10, PM2.5, and respirable crystalline silica (RCS) compared to the current operations due to the additional dust control measures which would result in an improvement in air quality at sensitive receptors.
- Given the predicted reductions in ground level concentrations, it is anticipated that the change in predicted contribution from the proposed operations will likely fall below this 4% threshold for many receptors, signifying a non-significant, but environmentally beneficial, alteration to baseline air quality.
- Air quality impacts from the proposed quarry extension meet the relevant APAC criteria and residual impacts are likely: very low to negligible.

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- Based on the findings of this Air Quality Impact Assessment (AQIA) and the positive risk outcomes in the Human Health Impact Assessment (HHIA), a reduction in the standard 500 m separation distance (as outlined in EPA Separation Distance Guidelines, Publication 1949; August 2024) is considered appropriate. A reduced buffer—extending from the site boundary to the nearest sensitive receptors—is therefore supported.
- The following management and mitigation measures are recommended:
 - Air quality monitoring for PM10 and RCS should be undertaken along with on-site meteorology measurements.
 - Development of a robust trigger-action-response plan for air quality is warranted, which, when combined with a dust monitoring network, enables proactive dust prevention and timely responses to visible dust or levels that may risk APAC exceedances.

9.7 Human Health and Risk Assessment

SAGE Environmental Services Pty Ltd (SAGE) were engaged to undertake a Human Health Impact Assessment (HHIA) for the proposed extension project. A copy of their report is included in Appendix K.

The HHIA was conducted in accordance with the requirements of the Environmental Health Standing Committee (enHealth) (2012a) *Environmental health risk assessment guidelines and enHealth (2017) Health Impact Assessment Guidelines* per Victorian Environment Protection Agency (EPA) Guidance 1961: *Guideline for assessing and minimising air pollution (2022)*.

Receptor locations were determined in consultation with Zephyr Environmental (Zephyr) who conducted the Air Quality Impact Assessment (AQIA). The assessment considered exposures from existing conditions and the proposed quarrying expansion.

Modelling of exposures to residents, commercial and recreational receptors was undertaken using maximum estimated ground level air concentrations and deposition rates provided by Zephyr (2025).

9.7.1 Assessment Findings

The assessment provided the following conclusions:

- Air and particulate emissions from current operations and the proposed project, including quarrying activities and rehabilitation/decommissioning works.
- Inhalation of airborne emissions and particulates is the primary exposure pathway for both the current (baseline) and proposed project. Secondary exposure may occur through particulate deposition on soil, leading to potential uptake by homegrown fruits and vegetables, contamination of backyard chicken eggs, and direct contact with affected soil.

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- Potentially affected groups assessed for human health impacts include nearby residents, commercial workers at adjacent quarry operations and businesses, as well as community members using recreational facilities such as the golf course and tennis club to the west of the project area.
- The assessment found that potential risks to human health from the project are low and within acceptable limits. Although a cumulative assessment of emissions from nearby quarry operations was not possible due to limited data, a qualitative margin of safety analysis indicated there is a sufficient buffer to account for any potential combined impacts from neighbouring facilities.
- An assessment of potential health risks to residents, assuming a worst-case scenario where 100% of fruit and vegetable intake comes from backyard produce, found that the risks remain low and within acceptable limits.

9.8 Groundwater

Ricardo undertook a Hydrogeological Review of the site to document the geology and hydrogeology of the site and quantify the groundwater and surface water exported with sand to confirm the adequacy of the existing water licence. A copy of the Ricardo report is included in Appendix A3.

9.8.1 Assessment Findings

The hydrogeological assessment made the following conclusions:

- Limited information is available regarding the current groundwater environment at the site.
- Groundwater levels on the Valley Road site varied from 21.04 mAHD in bore location BH02 to 23.45mAHD at bore location BH01 as shown in Figure 34.

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Figure 34 Groundwater Levels from Ricardo Report Feb 2021

- Limited data on groundwater concludes an inwards hydraulic gradient towards the pits on the 150 Quarry Road site and groundwater levels were recovering.
- The Hydrogeological Assessment has confirmed the existing groundwater licences are more than adequate to cover water lost in sand product.
- The Quarry Road site has a groundwater licence (BEE024907) for 102.4 ML with an operating Licence WLE038553.
- SRW have advised that existing licences will need to be amended to include the Valley Road site. This will be undertaken once the Work Plan Variation is approved.

9.9 Surface Water

Engny Water Management prepared the *Langwarrin Quarry Extension Surface Water Management* report in October, 2021 which was further revised for the updated design and the purpose of this application in June 2025. A copy is included in Appendix L.

9.9.1 Assessment Findings

The Engny report made the following conclusions:

- The external catchment flow will be diverted around the perimeter of the site via a proposed open channel.
- Surface water flows are proposed to be discharged into the existing quarry excavation at 150 Quarry Road, away from the operation location of extraction works, where it will be used for quarry operations.

- A gabion wall structure is proposed to convey the surface water flow from the diversion drains to the base of the existing excavation at 150 Quarry Road.
- The location of the proposed extraction works will be protected from direct external flows up to and including the 1 % AEP event.
- Water balance modelling has been undertaken using the software program MUSIC for all external catchments draining through the proposed site. Water balance modelling has also been carried out for the existing quarry site and its operations within the hydrogeological assessment review.
- The waterway has the capacity to convey the 1 % AEP peak flow to Boggy Creek and contains a meandering low flow channel, along with multiple rock chutes have been proposed to improve aesthetic, maintain plant growth and reduce erosion impacts.

9.10 Traffic

Traffic Group prepared a Traffic Engineering Assessment Report to assess the impacts of the project on the surrounding road network and carparking. A copy of the report is included in Appendix M.

The impact assessment relied on data obtained from Heidelberg Materials on the existing volumes of traffic generated by the adjoining site at 150 Quarry Road which is included in an Appendix to the traffic report.

9.10.1 Assessment Findings

The traffic impact assessment provided the following conclusions:

- Under the requirements of Clause 52.06, car parking for the proposed use is to be provided on-site to the satisfaction of the Responsible Authority,
- A maximum car parking demand of 12 car spaces associated with 10 staff and 2 visitors will occur, this level of demand will be accommodated within the existing car parking areas adjacent to the site offices within 150 Quarry Road,
- Figure 22 'Onsite Parking Opportunities' demonstrate how suitable car parking areas will be accommodated on the site with dimensions that accord with the requirements of Clause 52.06-9
- Loading and waste collection arrangements will be fully accommodated on-site, in accordance with the objectives of Clause 65.01 of the Planning Scheme and the existing Work Authority,
- The traffic impacts from the proposed expanded sand extraction activity can be accommodated by the nearby road network with acceptable impacts on the existing traffic conditions, this is demonstrated in the Sidra analysis
- Quarry Road and McClelland Drive carry high levels of truck traffic under existing conditions due to extensive commercial land uses that are accessed from Quarry Road. The additional truck traffic generated as a result of the sand extraction activities will not result in significant variation in these existing truck volumes,

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- While some of the relevant larger design vehicles overhang kerb at the intersection between Quarry Road and McClelland Drive, this arrangement has existed for an extensive period and the sand extraction will not result in any variation in the types of trucks that negotiate this intersection,
- There is no specific crash history at the intersection between McClelland Drive and Quarry Road that relates to the types of design vehicles that will be required to access the site, and
- There are no traffic engineering reasons why the proposed quarry expansion should be refused subject to appropriate conditions.

9.11 Noise

Enfield Acoustics was been engaged to assess potential noise impacts from the proposed sand quarry. A copy of their assessment is included in Appendix N.

The quarry extension was statutorily endorsed under Work Authority WA13 on 10 March 2022 with the following Work Plan Specific Conditions related to noise:

Noise

5. Prior to commencement of works approved under Work Plan Variation PLN001130, the authority holder must assess compliance with the relevant noise limits in accordance with the Environment Protection Regulations 2021 and Noise Protocol and consistent with the Technical guide: Measuring and analysing industry noise and music noise (EPA Publication 1997); and
6. Within 3 months of completion of the assessment required under Condition 5, the authority holders must provide ERR with a report, including risk treatment plan (as applicable), demonstrating (in consultation with the EPA) that noise levels are in line with relevant standards and that the risks have been eliminated or minimised as far as reasonably practicable.

The Enfield acoustic report to support this planning permit application, however it will also serve to satisfy Condition 5 of the WPV.

9.11.1 Assessment Findings

Enfield Acoustics is satisfied that the proposed sand quarry expansion can be supported based on the assessed plans. The proposed operations are expected to comply with the Noise Protocol, with a reasonable margin to accommodate cumulative noise contributions from other industrial activities in the area during permitted hours (7am–6pm, Monday to Saturday).

Enfield noted that the statutorily endorsed Work Plan permits extraction from 7am to 7pm on Saturdays. However, previous noise consultants recommended limiting extraction to 7am to 6pm, reducing Saturday operations by one hour. Enfield supported this recommendation, as restricting extraction to 7am–6pm is necessary to comply with regulated noise limits.

Additional measures to meet the General Environmental Duty (GED) suggested in the Enfield report, however, given the open-air nature of the operation, restricted hours of activity, and the substantial acoustic screening incorporated into the design, it is uncertain whether any further mitigation would be reasonable or practicable.

Enfield endorsed the approval of the proposal subject to the following:

- Excavation and dredging within the Extension Site is Permitted to occur between 7.00am and 6.00pm, Monday to Saturday.
- Earth bunds and acoustic screening to be installed in accordance prior to excavation and dredging works.

9.12 Economic Context

An Economic Context report for the project was undertaken by Urbis in 2025 (See Appendix O).

The report found the following key factors supporting the expansion of Langwarrin Quarry:

Demand and Supply Outlook

- Demand for sand and gravel in Victoria is projected to rise by 41% by 2029–30.
- Increased demand will require either new quarry developments or significant expansion of existing quarries.
- Annual sand and gravel production has grown by 3% last year and 18% over the past five years.
- Growth in extractive supply is linked to a 61% increase in construction activity (roads, highways, subdivisions) since 2020–21, driven by major projects like Victoria's Big Build and Big Housing Build.

Population and Urban Development Drivers

- Victoria's population is projected to grow to 10.3 million by 2051, with annual growth averaging 1.5% (2021–2051).
- The Housing Big Build program aims to deliver 12,000 new homes statewide by 2026, increasing pressure on local extractive resources.

Economic Benefits of Quarry Expansion

- Expansion will create 4 direct jobs on-site and support 7 additional full-time equivalent (FTE) jobs locally.
- Estimated \$8.7 million annual economic output from the expansion, with \$4 million added value to the economy each year.
- Positive flow-on effects for sectors such as equipment servicing, administration, and logistics.

Efficiency and Cost Savings

- Local sourcing of quarry materials could save around \$5 per tonne in transport costs—over 25% of the current average sale price.

- Approving quarries closer to urban centres (e.g., Melbourne's south-east) reduces overall project costs and supports regional development.
- Shorter transport distances reduce carbon emissions, road maintenance needs, and safety risks.

Market and Strategic Planning Implications

- Strategic investment and planning are needed to secure sustainable extractive resource supply.
- Local resource sourcing fosters competitive markets, contains price rises, and ensures service quality in a largely consolidated industry.

9.13 Landscape and Visual Assessment

Landform Architects Pty Ltd undertook a Landscape and Visual Impact Assessment to assess the impacts of the proposed extension (Appendix P).

9.13.1 Assessment Findings

The assessment found whilst the proposal involves the removal of vegetation and some alteration to landscape features, there are no significant or sensitive public realm locations nearby where these changes would be visible. As such, there are no landscape or visual impacts that would warrant refusal of the permit. This is supported by the following conclusions:

- There are no significant or sensitive public viewing locations in the vicinity where the site, existing vegetation, or quarrying activities would be a prominent visual element.
- Most views toward the quarry and the proposed extension area are obscured by natural topography, existing vegetation, or a combination of both.
- The surrounding landform significantly limits both nearby and more distant viewing opportunities.
- The proposed extension area will be largely screened from view along main, secondary, and local roads, resulting in limited to no visibility from public road networks.
- Potential views from adjacent dwellings are limited to a small number of properties that share the site's northern boundary. These dwellings are set back, slightly elevated, and surrounded by native vegetation, which collectively filters or partially screens views of the site.
- Landscaping proposed along the northern boundary of the site will enhance visual screening until quarrying activities conclude.
- The proposed rehabilitation landscaping plan incorporates native species consistent with the local Ecological Vegetation Classes (EVCs), already present on-site and well-suited to disturbed soils or lower quality ground conditions.

- Views from residences along the northern side of Valley Road and those to the east would be distant and either screened or include the development as a minor background element within a broader context of existing quarrying activities. From these locations, the proposed expansion would not result in any discernible change to the current visual landscape.

9.14 Rehabilitation Plan

The Rehabilitation Plan for the site was developed by Ricardo and is included the Work Plan Variation Application.

The rehabilitation plan sets out the site rehabilitation obligations and commitments and proposed end use.

Figure 35 illustrates the rehabilitation concept for the site. Site rehabilitation is proposed to include filling of the excavated areas with EPA approved materials / clean fill and rehabilitated to bushland. Re-establishing bushland on the is proposed as it is consistent with land uses east and west of the subject site.

The drainage line that currently flows through channels on the Valley Road site will be restructured into a defined engineered watercourse designed to accommodate large flood events to reconnect the site with Boggy Creek.

The Landscape Concept Plan as included in Appendix E further illustrates the proposed rehabilitation of the site and planting.

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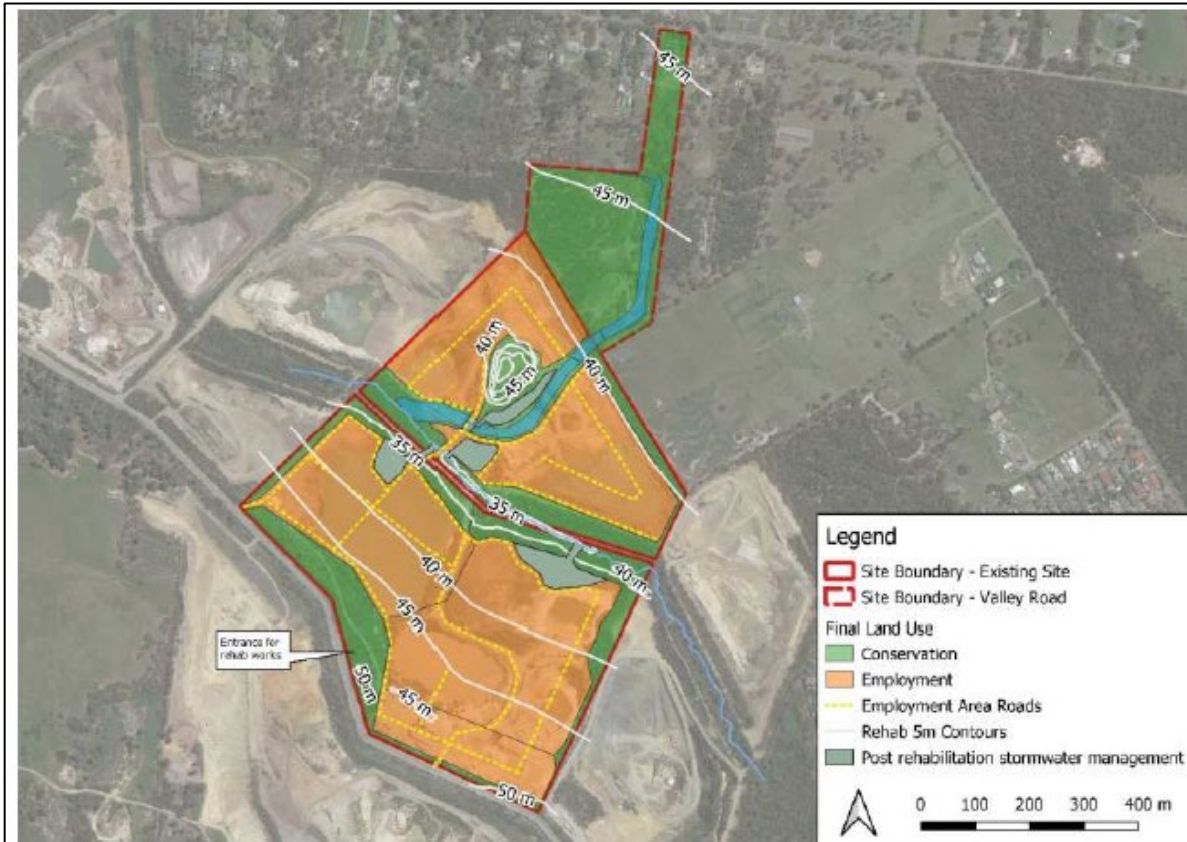


Figure 35 Rehabilitation Concept

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10.0 Planning Assessment

10.1 Introduction

This Chapter provides an assessment of the Project against the relevant planning policies and controls outlined in Section 7. The Assessment utilises and relies upon the findings of the range of specialist reports as summarised in Section 9 and included in full in the Appendices to this application.

10.2 Is the proposal consistent with the Municipal Planning Strategy

The proposal responds to the MPS as follows:

- Clause 02.3-1 acknowledges 'sand resources' as accommodated within the Green Wedge. The proposal is consistent with neighbouring sand quarry uses within the Green Wedge. At the conclusion of the extraction period the site is proposed to be rehabilitated and returned to its current use consistent with the Green Wedge strategic direction and Clause 02.4- Strategic Framework Plans.
- Due to the nature of the extractive industry proposal, there is no opportunity for vegetation within the quarry footprint to be retained without impact on the viability of the project. However, consistent with Clause 02.03-2 Environment and Landscape Values, the native vegetation within the 'axe handle' of the subject site has been proposed for retention and improvement during extraction activities. Habitat corridors will be maintained through this section of the site as shown in the Landscape Concept Plan included in Appendix E. At the conclusion of extractive activities, the quarry site will be rehabilitated using native indigenous species.
- Rehabilitation of the site is proposed to include linkage to Boggy Creek which will assist in achieving the potential habitat corridor through the locality consistent with the Environment and Landscape Values Strategic Framework Plan at Clause 02.4.

10.3 Is the proposal consistent with the Planning Policy Framework

Considering the findings of the specialist reports and based on a balanced assessment of the key state and regional planning policies contained in the PPF, it is considered that the Project will result in an appropriate planning and land use outcome that will provide for the fair, orderly, economic, and sustainable use and development of land as required by the PE Act.

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The key most directly relevant policies when considering the proposal in the context of the PPF are Clauses 14.03-1S and Clause 14.03-1L (Resource Exploration and Extraction). The proposal is entirely consistent with and supports the desired outcomes of these policies as follows:

- The quarry extension has been selected based on its sand resource and link to the existing quarry to take advantage of access to the existing plant equipment, the road network and setbacks from residents afforded by the existing plant and sales operation.
- The project provides economic benefits at the local, regional and State level including supplying sand for Victoria's Big Build projects.
- The potential impacts on the surrounding properties can be appropriately managed and mitigated through quarry design, bund walls and operational requirements.
- Although there is limited opportunity to control the buffer between the proposed extraction area and the neighbouring sensitive land uses, the proposed quarry operation has been shown to meet acceptable EPA noise and air impacts through the design of the quarry including use of bund walls, hours of operation and short-term nature of the extraction campaign. The proposal has also been shown not to result in impact to health of established trees on neighbouring properties.
- The dwelling which fronts Valley Road is owned by Heidelberg Materials and is proposed to remain intact and tenanted to maintain the streetscape and neighbourhood character of the Valley Road locality. The 'axe handle' of the block on which the dwelling is located is proposed to be enhanced through landscaping to maintain the semi-rural feel to the locality consistent with Clause 14.03-L.
- The end use of the site is proposed to be semi-rural bushland consistent with surrounding land uses.

Aside from the Resource Exploration and Extraction policy, there are also a range of other policies of relevance to the Project, which have been considered as part of this policy assessment. The Project considers the range of outcomes sought by these various policies, as outlined below:

- The proposal is supported by the strategy to Clause 11.01-1R – Green Wedges – Metropolitan Melbourne which is to 'Protect significant resources of stone, sand and other mineral resources for extraction purposes'. The proposal has balanced this strategy with the strategy of protecting the biodiversity assets in the 'axe' handle of the site.
- Due to the nature of the extractive industry proposal, there is no opportunity for vegetation within the quarry footprint to be retained without impact on the viability of the project. The accompanying ecology assessments prepared by EHP outlines the native vegetation required to be removed for the project and recommends

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offsets which are confirmed to be available. Consistent with *Clause 12.01-1S – Protection of Biodiversity and Clause 12.01-2S – Native Vegetation Management* and local policy at *Clause 12.01-1L – Protection of Biodiversity and Clause 12.05-2L- Frankston Landscapes*, the design of the project is such that the native vegetation within the 'axe handle' of the subject site has been proposed for retention and improvement during the extractive operation. At the conclusion of extractive activities, the quarry pit will be rehabilitated with EPA approved materials / clean fill and planted using native indigenous species as demonstrated in the attached Landscape Concept Plan.

- The location of the quarry extension is approximately 150 metres from the nearest dwelling to the north. The land between the nearest dwelling and the site of extraction is relevantly flat with substantial mature vegetation at the rear of adjoining RCZ2 properties which will assist in screening views towards the extraction area. The proposed 3 metre vegetated bund to the north of the extraction site will further buffer views to the north. The landscape and vistas will be enhanced following the period of extraction through planting and restoration of the Biolink with Boggy Creek consistent with *Clause 12.05-2L Frankston Landscapes*.
- The location and design of the quarry has considered natural hazards and climate change. The Surface Water Management Plan and Bushfire Assessment have concluded that the development will not increase bushfire risk and are consistent with policy directions of *Clause 13.01-1S – Natural Hazards and Climate Change*.
- The accompanying Geotechnical Assessment concludes erosion of the batters during the operational phase will not result in unacceptable risk. Once the landform has been reinstated during the rehabilitation stage the surface will reflect the current land surface being essentially flat. The conceptual waterway design for the reinstated waterway has been undertaken in accordance with Melbourne Water guidance and has been reviewed by Melbourne Water.
- The Hydrogeology Assessment included in the WPV has identified the water table has been lowered by extraction of the existing quarry activity in the location. The operational period for the proposed Valley Road quarry is likely to be relatively short as the site is small. Subsequent reinstatement of the original ground surface during rehabilitation will allow the water table to return to pre-quarry levels shortly thereafter, subject to the filling of nearby quarries. Salinisation of exposed waterbodies occurs through evaporative concentration. The water table will only be exposed briefly during the latter parts of the operational phase and the early parts of the rehabilitation phase which will be too short to result in salinisation of the water table. (*Clause 13.04-2S – Erosion and Landslip and Clause 13.04-3S - Salinity*)
- An assessment against *Clause 13.02-1S Bushfire* and other relevant bushfire provisions concluded there is no bushfire factor that would warrant the proposal not proceeding.
- Noise modelling has concluded that with the provisions of a noise bund wall around the quarry, and management of plant equipment the project is consistent

with *Clause 13.05-1S – Noise Management* in the control of noise effects on sensitive land uses.

- Air Quality assessment has concluded it is unlikely that Air quality impacts from the proposed quarry extension meet the relevant APAC criteria and residual impacts are likely: very low to negligible, consistent with *Clause 13.06-1S – Air Quality Management*.
- The quarry plan and operations are proposed to connect with the existing quarry operation at 150 Quarry Road and utilise internal haul road connections to the existing plant equipment, access and carparking. The use of the existing quarry operations equipment and access to the road network and the proposal to maintain the frontage to Valley Road is consistent with *Clause 13.07-1S – Land Use Compatibility* in protecting community amenity, human health and safety while facilitating the extractive operation.
- The proposal seeks to maintain remnant vegetation on the 'axe handle' of the site and restore the site through replanting and landscaping with locally indigenous species. The rehabilitation plan for the quarry site includes restoration of the link between the site and Boggay Creek consistent with *Clause 14.02-1S – Catchment planning and management*.
- A CHMP has been prepared and approved for the site consistent with *Clause 15.03-2S – Aboriginal Cultural Heritage*.
- The Project will continue to provide most going and for many benefits to the local area, broader region and the State consistent with *Clause 17.01-1S – Diversified Economy*.
- The proposal connects with the existing Heidelberg Materials quarry at 150 Quarry Road and is within an area of several sand quarries. By linking with and utilising the existing operations without the need to introduce new processing or sales equipment the project is consistent with *Clause 17.03-2S – Sustainable industry*.
- The proposal utilises the existing quarry's connections with the road network and will not result in an increase in trucks utilising Quarry Road as demonstrated in the Traffic Impact Assessment. The proposal is therefore consistent with *Clause 18.01-2S Transport System*.

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10.4 Is the proposed Use and Development appropriate having regard to the Rural Conservation Zone – Schedule 2?

The RCZ contemplates that the land can be used for extractive industry, otherwise the use would be prohibited. The fact that the land use is a Section 2 – permit required – use is an acknowledgment that the land could contain valuable natural resources.

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The proposed use and works are consistent with the RCZ2 as demonstrated in the following response to the relevant Decision Guidelines and further provided in the Ratio Town Planning Report – Appendix G pg 46:

Table 5 RCZ2 Response to Decision Guidelines

Decision Guideline	Project Response
<p><i>The Municipal Planning Strategy and the Planning Policy Framework.</i></p>	<p>It is important to acknowledge the State Government policy that seeks to protect extractive industry, and which identifies that there is a growing demand for sand resources (amongst other natural resources) which are critical to the construction industry including residential, non-residential and transport infrastructure. It is important to be able to supply these resources close to where they are being used to ensure that costs are not increased through the transporting of these materials.</p> <p>As discussed in Section 8.2 there is strategic support for the proposal. Whilst the proposal includes the removal of all the vegetation on the southern portion of the site, this is a short- to medium-term impact on conservation values and biodiversity that will be rectified through the rehabilitation of the site at the completion of extractive activities.</p>
<p><i>Any Regional Catchment Strategy and associated plan applying to the land.</i></p>	<p>Through the WPV process, Melbourne Water expressed a desire to connect the catchment upstream of the site into Boggy Creek, to restore the previous natural flow patterns of the catchment. Heidelberg Materials is committed to the reconnection of Boggy Creek during rehabilitation, which is estimated to take place 5 to 6 years after commencement of the excavation of 60 Valley Road</p>
<p><i>The capability of the land to accommodate the proposed use or development.</i></p> <p><i>Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.</i></p>	<p>The WPV has received statutory endorsements which demonstrates that land is capable for the proposed extractive industry use.</p> <p>Further, there are existing dwellings that are located proximate to existing quarry operations and, whilst the proposal will bring the extraction area in closer proximity to the dwellings at Nos. 34, 40, 44, 50 and 54 Valley Road, this is no closer than the quarries at Nos. 230 and 260-280 Quarry Road to other dwellings along the western end of Valley Road. This quarry extension is a compatible land use.</p> <p>This application and specialists' reports have demonstrated that the impacts from noise and air quality, are within regulatory limits. Traffic impacts have been assessed and found to be negligible. There is not expected to be unacceptable impacts beyond reasonable management on adjoining land uses.</p>
<p><i>How the use or development conserves the values identified for the land in a schedule.</i></p> <p><i>Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.</i></p>	<p>The proposed quarry extension will ensure that the dwelling which fronts 60 Valley Road is maintained which will give the appearance of no change in land use from Valley Road. Although remnant vegetation on the quarry site will be lost, the vegetation within the 'axe handle' of the site will be maintained, protected and enhanced. The quarry site will be rehabilitated and replanted following extraction.</p>
<p>Environmental issues</p>	

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Project Response

An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.

An assessment of the likely environmental impact on the biodiversity of the area has already been undertaken as part of the approval of the Work Plan variation. Additionally, the biodiversity impact assessment prepared by EHP indicates that whilst the land at 60 Valley Road sits within the identified Biolink corridor between the Pines Flora and Fauna Reserve and the Cranbourne Botanic Gardens, the integrity of this link would not be compromised through the use of the site for extractive industry.

An alternative corridor alignment is possible through adjoining properties and the review site further to the north, closer to Valley Road. The alternative corridor alignment supports vegetation of similar quality and extent to that within other areas of C1. Further, the rehabilitation of the site and ultimate revegetation would occur within 10 years of extraction which would re-establish the C1 biolink and broaden its reach.

The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.

Due to the nature of the extractive industry proposal, there is no opportunity for vegetation within the quarry extension to be retained without impact on the viability of the project. The project is such that extraction must occur where the sand resource is located. The design of the project has protected the native vegetation within the 'axe handle' of the subject site and proposed enhancement works to this area during the extractive operation as shown in the Landscape Concept Plan.

How the use and development relate to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.

The proposal will remove all vegetation in the southern portion of the subject site, however, the impact of this loss will be short to medium-term.

At the conclusion of extractive activities on the site, the quarry pit will be rehabilitated with EPA approved materials / clean fill and planted using indigenous species and the connection to Boggy Creek restored to provide a biolink and enhance the habitat corridor of the locality.

The rehabilitation for the site includes management measures to control pest plants and animals.

Design and siting issues

The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.

A Landscape and Visual Assessment has assessed the impacts of the project on landscape values.

The report has concluded the visual impact of the proposed quarry extension is expected to be minimal. Due to surrounding landforms, existing vegetation, and the site's topography, views of the quarry and extension area are largely obscured from public roads and key vantage points. There are no significant public viewing locations where the quarry would be a dominant visual feature.

The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic, or scientific significance or of natural scenic beauty or importance

Views from nearby dwellings are limited to a few properties along the northern boundary, which are already partly screened by vegetation and distance. Additional landscaping, including native species aligned with local vegetation classes, is planned to further enhance visual screening. For more distant residences, such as those along Valley Road and to the east, the extension would appear as a minor element in the broader landscape and is unlikely to change the current visual character.

Decision Guideline	Project Response
<p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> <p><i>The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.</i></p>	<p>The extraction area is set back from shared boundaries by a minimum of 20 metres. A 3-metre noise wall will be constructed on top of the 3-metre earth bund which will assist in reducing noise emissions to neighbouring properties to the north, including the dwelling within the northern portion of the subject site.</p> <p>The land has been identified as a sand resource and will extend an existing quarry without creating an entirely new quarry location, and will rely on Infrastructure associated with the existing quarry.</p> <p>All truck access to the site at 60 Valley Road will be through the adjacent Heidelberg Materials quarry site at 150 Quarry Road, using the existing access to Quarry Road. There will be no truck access to Valley Road. Consequently, the proposed development at 60 Valley Road is expected to have negligible impact on the safety, appearance, and operation of the road network.</p>

10.5 Does the proposal comply Clause 52.09 Extractive Industry and Extractive Industry Interest Areas Requirements?

This section provides an assessment of how the proposal complies with this clause.

10.5.1 Have the Application Requirements of Clause 52.09-2 been met?

Yes, the application requirements have been met.

In accordance with Clause 52.09-2 the following information is provided with this application (Appendix A):

- 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*.
- The statutorily endorsed Work Plan under section 77TD(1) of *MRSD Act*.
- Conditions specified under section 77TD(3) of the *MRSD Act*.

10.5.2 Does the proposal respond appropriately to the Decision Guidelines of Clause 52.09-4?

Decision Guideline: The effect of the proposed extractive industry on any native flora and fauna on and near the land.

Yes. Discussed in 9.3.

- The site is partially constrained by vegetation, particularly within the 'axe-head' area covered by Environmental Significance Overlay 1 (ESO1), which aims to ensure development considers environmental constraints and is compatible with environmental outcomes. While extractive industries are exempt from needing a permit

for vegetation removal under this overlay, biodiversity and sustainable land management remain relevant considerations.

- The proposed vegetation removal will impact local biodiversity, though this impact is considered limited. The vegetation to be cleared is classified as 'least concern' under the EVC Conservation Status, and no nationally or state significant flora or fauna were found on the site. Offset requirements will be met through the purchase of 3.754 General Habitat Units and 79 Large Trees via the Native Vegetation Credit Register.
- Notably, DELWP did not object to statutory endorsement of the WPV which specifies the extent of native vegetation loss.

Decision Guideline: The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.

Yes. Discussed in Section 9.5

Decision Guideline:

The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally

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.

- The effect of the proposal on the cultural landscape is discussed in Section 9.5. A CHMP has been approved for this proposal and therefore the cultural effects can be concluded to have been assessed and managed through management measures in the CHMP.
- The topography and drainage plan included in the Rehabilitation Plan for the site demonstrates that the site is relevantly flat with approximately five metres of fall from west to east. The site is well screened by well-established trees at the rear of neighbouring properties along Valley Road. The proposed quarry is not out of character in the context of the quarries surrounding in the site.
- It is considered that due to the location of established vegetation that will be retained on the subject site, the topography of the landscape and the addition of bund walls, the proposed operations will be predominantly screened from view from land outside of the subject site.

Decision Guideline:

The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.

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

Noise

- Given the site's proximity to residential dwellings, noise impacts from the proposed quarry extension are a key amenity concern. An updated acoustic assessment by

Enfield Acoustics, reflecting changes under the Environment Protection Act 2017, outlines several mitigation measures to manage noise. These include restricting extraction to 7am–6pm Monday to Saturday (with no activity on Sundays or public holidays), eliminating blasting, and constructing 2m high earth bunds along the eastern and western boundaries and a 3m high bund with an additional 3m acoustic screen along the northern boundary.

- Further noise control recommendations include using broadband squawker alarms on mobile equipment, turning off machinery when not in use, and selecting quieter machinery where possible. Construction of the bunds and acoustic wall is advised before any excavation begins to minimise early-stage noise. Additionally, the approved Work Plan Variation contains EPA-mandated conditions requiring noise compliance assessments prior to commencement. Overall, the proposed measures are considered sufficient to mitigate potential noise impacts on nearby residents.
- EPA did not object to statutory endorsement of the WPV subject to noise related conditions.

Air Emissions

- The Air Quality Assessment has evaluated the potential dust and air quality impacts of the proposed quarry expansion in two stages: the removal of topsoil and overburden (Stage 1), and sand extraction and site rehabilitation (Stage 2). While Stage 1 presents a high risk of dust impacts due to proximity to sensitive receptors, the risk is temporary, as topsoil removal will occur over a short 2–3 month period rather than continuously. Real-time monitoring of particulate matter (PM) is recommended during this time. Stage 2, which involves ongoing sand extraction, required a more detailed Level 3 assessment under EPA guidelines due to the scale of extraction and nearby residences. This included dispersion modelling, a Human Health Risk Assessment, and mitigation planning.
- Under the expansion scenario (Scenario 2), modelling shows a significant reduction in dust exposure for nearby receptors—more than 75% improvement compared to current operations. There are no predicted exceedances of relevant air quality standards for PM10 or PM2.5. Key mitigation measures include upgrading from Level 1 to Level 2 road watering, installing venturi scrubbers on equipment, using low-dust dredging methods, and continuous dust suppression during dry or windy conditions. The assessment recommends ongoing PM10 and respirable crystalline silica monitoring, as well as a robust air quality response plan. These measures, along with conditions in the approved Work Plan Variation, demonstrate that amenity impacts from dust can be effectively managed.
- EPA did not object to statutory endorsement of the WPV subject to conditions including in their referral response.
- The proposed quarry is extracting a sand resource and as such a 250-metre separation distance is recommended. However, as identified in the Air Quality Assessment the

sand being quarried is known to contain RCS and therefore a 500-metre separation distance may be most appropriate.

- There are several sensitive receptors located within a 500m of the proposed quarry expansion site. However, the modelled particulate matter (PM) concentrations associated with the expansion are significantly lower than the background health effect benchmarks. In relation to respirable crystalline silica (RCS), the Human Health Risk Assessment concludes that the air quality impacts of the proposed expansion pose a low risk to residential and recreational receptors.

Vehicle Traffic

The Traffic Engineering Assessment by Traffix Group, has determined that the proposed expansion will not result in any adverse traffic-related amenity impacts. Truck access to the new extraction area will occur via the existing quarry at 150 Quarry Road, using an internal road network, while Valley Road access will be limited to emergency and light vehicles.

Currently, the site experiences an average of 48 truck movements per day, peaking between 6am and 10am. Rehabilitation activities may increase this to an average of 180 trucks per day, with peak times between 8am and 3pm. However, all truck movements will continue to use the existing Quarry Road access, which is already a common route for heavy vehicles servicing nearby quarries. The surrounding road network is considered capable of accommodating the additional traffic with acceptable impacts.

Decision Guideline: The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the Community

- As part of the WPV application, a Rehabilitation Plan has been prepared which proposes to reinstate the land back to natural levels and recreate indigenous vegetation communities on the site.
- A key aspect of the rehabilitation plan is the reconstruction of the Valley Road drainage line with Boggy Creek.

Decision Guideline: The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.

- A hydrogeological review was undertaken as part of the WPV application and is summarised in Section 9.8.
- There are few groundwater users in the area. The water table is currently at approximately 24 mAHD however this has been lowered by adjacent quarrying operations. Groundwater quality is variable from less than 1000 mg/L to greater than 5000 mg/L. The hydrogeological report concludes that groundwater extraction for processing is within Heidelberg Material's licensed allocation.

Decision Guideline: The impact of the proposed extractive industry on surface drainage and surface water quality

- A surface water management plan was undertaken as part of the WPV application and is summarised in Section 9.9.
- The external catchment flow through the site is proposed to be diverted via swales around the perimeter of the site during the quarry operational phase. Flows will run east, along the northern boundary. A proposed access track to Valley Road will be crossed via 3 x 525 mm diameter culverts. The flows will be discharged into the existing quarry excavation, away from the extraction operations, where it will be used for quarry operations.
- Once the quarrying operation has ceased, and the excavations have been filled, a new drainage line will be constructed re-connecting this drainage line with Boggy Creek.
- Melbourne Water did not object to statutory endorsement of the WPV subject to conditions which demonstrates acceptance of the proposal.

Decision Guideline: Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the Mineral Resources (Sustainable Development) Act 1990.

A copy of the statutorily endorsed Work Plan which includes Work Plan Specific Conditions and responses from referral authorities is included in Appendix A.

10.6 Does the proposal respond appropriately to the relevant Particular and General Provisions of the Frankston Planning Scheme?

This section of the report provides an assessment of how the proposal responds to the Particular and General Provisions of the Frankston Planning Scheme.

10.6.1 Clause 52.06 - Car Parking

Traffix Group prepared a Traffic Impact Assessment Report to assess the impacts of the project on the surrounding road network and carparking. A summary of the *Traffic Impact Assessment* is included in Section 9.10.

Extractive industry is not specified in Table 1 to Clause 52.06 and therefore car parking must be provided to the satisfaction of the Responsible Authority.

Traffix Group determined there would be an anticipated car parking demand of 12 car spaces. The assessment found that these spaces can be accommodated on site within car parking areas available near the site offices located at the existing quarry at 150 Quarry Road.

10.6.2 Clause 52.17 - Native Vegetation

As summarised in Section 9.3 of this application, EHP have identified the ecological features and constraints for the quarry extension area. The study also identified offsets

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required for the removal of native vegetation associated with the quarry extension in accordance with *Vegetation Removal Guidelines (DELWP 2017)*.

The site inspection confirmed that the study area supported remnants of Heathy Woodland, and 4.570 hectares of native vegetation is proposed to be removed.

Due to the nature of the extractive industry proposal, there is no opportunity for vegetation within the quarry extension to be retained without impact on the viability of the project. However, the native vegetation within the 'axe handle' of the subject site has been proposed for protection and rehabilitation during extraction activities. Habitat corridors will be maintained through this section of the site as shown in the Landscape Concept Plan included in Appendix E. At the conclusion of extractive activities, the quarry site will be rehabilitated using native indigenous species.

The offset requirement for native vegetation removal is 3.754 General Habitat Units and 79 Large Trees. According to *DELWP's Native Vegetation Offset Register (DELWP 2022)*, and the availability of these offsets has been confirmed. No species-specific offsets are required.

DELWP Response to Referral of the WPV

DELWP Planning and Approvals were referred the WPV as determining authority under Clause 66.02-2 of the Frankston Planning Scheme for applications to remove, destroy or lop native vegetation in accordance with the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (the Guidelines) (DELWP 2017).

DELWP provided a response that they did not object to the granting of a Work Plan which included the proposed removal of 4.570 hectares of native vegetation. A copy of the Statutorily Endorsed Work Plan which includes the Work Plan specific conditions from DELWP are included in Appendix A.

Conclusion

There is no permit trigger for vegetation removal under the zone, under the ESO or under Clause 52.17, and these exemptions hold significant weight.

Whilst Clause 52.17 is a statewide planning control, the ESO1 has been placed over the site and the local area (including nearby adjoining quarries), specifically seeking to protect national, state, regional and locally significant vegetation and biodiversity as well as protecting and enhancing bio links across the landscape.

With the planning controls specific to the site, the planning scheme clearly anticipates (through the zone, ESO and Clause 52.17) a scenario where the extraction of a natural resource from the site is permissible, and that the removal of vegetation will be exempt.

This is largely due to the legislative framework set out in the MRSD Act which ultimately seeks to reduce duplications in the approvals process as set out earlier in this report.

The MRSD Act requires applicants to seek a statutory endorsement of a Work Plan prior to seeking a planning permit. This process entails several considerations under the Act and

requires the same referrals to authorities as in a planning permit application. Clause 66 provides that referrals for a proposal are not required if they have already been done under the work plan approval process.

Importantly, the approval of the Work Plan under the MRSD Act does not supersede or shortcut the planning approvals process, but it is designed to streamline the process.

10.6.3 Clause 65 – Decision Guidelines

Clause 65 outlines a series of matters the Responsible Authority must take into consideration when assessing a proposal. These matters have been addressed in this Planning application report, and in the accompanying Specialist Reports, through the preceding text and the response to the relevant policies, zones, overlays, and particular provisions.

10.7 Response to Key Policies and Guidelines

This section of the report provides an assessment of how the proposal responds to key policies and guidelines.

10.7.1 Plan Melbourne 2017-2050: Addendum 2019

Direction 1.4 - Support the productive use of land and resources in Melbourne's non-urban areas

The key directive of Plan Melbourne relevant to this application is Direction 1.4 of 'Support the *productive use of land and resources in Melbourne's non-urban areas*'.

Policy 1.4.2 seeks to '*Identify and protect extractive resources (such as stone and sand) important for Melbourne's future needs.*'

The following points from this policy are relevant:

- Melbourne's demand for extractive resources is expected to almost double by 2051. This demand will be driven largely by sustained growth in the residential sector—including Melbourne's growth corridors—and strategic projects such as Fisherman's Bend, the Metro Tunnel and major road upgrades.
- Extractive industry resources in green wedges and peri-urban areas need to be protected and carefully planned to provide for Melbourne's needs without impacting on local amenity.
- If not managed, urban encroachment, rural residential expansion and other incompatible development will constrain the operations of existing quarries and curtail future supplies of extractive resources – impacting Melbourne's medium to long-term growth prospects.'

Desired Planning Outcomes for Green Wedges and Peri-Urban Areas

The Desired Planning Outcome for Green Wedges and Peri-Urban Areas for sand resources as stated at page 91 is as follows:

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'Protect sand and stone resources for future extraction to ensure a continuous supply of construction material'

The proposed quarry extension is consistent with Plan Melbourne as it proposes the extraction of sand resource which will contribute to the continuous supply of construction material to meet Melbourne's demand without impacting on local amenity.

10.7.2 Helping Victoria Grow: Extractive Resources Strategy

The Victorian Government has developed the *Helping Victoria Grow: Extractive Resources Strategy* to secure access to critical materials to build infrastructure affordably and provide more certainty for industry and communities.

The strategy highlights the importance of the extractive resource sector to the buildings and construction economy:

'The extractive resource sector underpins our \$23 billion building and construction industry. Maintaining cost competitiveness for construction is critically important for Victoria's future economic growth. Currently, our 535 quarries produce around 50 million tonnes of stone, limestone, sand and gravel each year, generating \$786 million at the 'quarry gate'. pg 5

The objectives of this Strategy include:

- Take immediate short-term action to ensure a sufficient supply of extractive resources is available to meet Victoria's immediate infrastructure construction requirements
- Provide secure and long-term access to extractive resource areas of strategic importance to the State
- Maintain and improve Victoria's competitiveness and provide greater certainty for investors in the extractives sector
- Prioritise and implement improvements to streamline regulatory approval processes in the short-term
- Raise community understanding about the role of extractive resources in supporting Victoria's growing population and build confidence in the regulatory performance of the sector
- Encourage leading-practice approaches to sustainability, environmental management and community engagement
- Encourage and support innovation in exploration, extraction and the end use of landforms after quarrying.

This Strategy includes priority actions for implementation in the short, medium and longer term under six broad themes.

The proposed quarry extension is consistent with this strategy as it proposes the extraction of sand resource which will contribute to the supply of construction material which is critically important for Victoria's future economic growth.

10.7.3 Joint Ministerial Statement - Extractive Resources

The purpose of the Joint Ministerial Statement - Extractive Resources (July 2018) is to deliver a better approach for land use planning and regulation that will secure the quarries needed to meet the states growing needs. The statement includes 6 commitments to assist quarries to keep operating and new sites to develop alongside growing suburbs and communities

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The statement provides commitment from Government which supports future extraction sites such as the proposed Heidelberg Materials quarry extension to supply resource needs for infrastructure in Victoria.

10.7.4 Frankston Green Wedge Management Plan

The Frankston Green Wedge Management Plan (FGWMP) 2019 has been prepared to provide a strategic framework for the ongoing protection and management of the green wedge within the City of Frankston. The FGWMP provides a 20-year vision for the whole of the green wedge. The FGWMP categories the Frankston Green Wedge into six precincts to reflect the uniqueness of each area.

The subject site is in Precinct 3, *Skye South/Langwarrin*. The FGWMP identifies that several extractive industries are in Precinct 3 and identifies the subject site as an expansion to Hanson's existing quarry at 150 Quarry Road subject to approval.

The Vision for the precinct as relevant to this proposal is as follows:

'The Skye South – Langwarrin Precinct will continue to accommodate extractive industries and associated activities, while recognising and planning for the eventual exhaustion of the resources. Alternative uses will be found for the remediated land that add to the economic and environmental value of the area. Any future related activities will be managed to minimise visual, physical and other amenity impacts on the Green Wedge, and create an open green landscape. The environmental values of the Pines Flora and Fauna Reserve, Little Boggy Creek, Swampy Riparian and Heathy Woodlands will be protected and enhanced over time.'

The following table provides a response to the objectives of the FGWMP which demonstrates the project is consistent with the management plan and assists in achieving several objectives:

Table 6 Response to objectives of FGWMP

Theme	Project Response
<p><i>Natural Environment and Heritage</i></p> <p><i>Ensure that the rehabilitation of extractive industries sites does not adversely affect the surrounding flora and fauna reserves, and waterways (eg. Boggy Creek).</i></p> <p><i>Preserve the existing habitat linkages present throughout the precinct, enhance these linkages where possible and create new linkages where possible through the rehabilitation of extractive industries sites.</i></p>	<p>During the WPV process, Melbourne Water expressed a desire to connect the catchment upstream of the site into Boggy Creek, to restore the previous natural flow patterns of the catchment. It is proposed that the upstream catchment will be reconnected to Boggy Creek during rehabilitation, which is estimated to commence 5 to 6 years after commencement of the excavation of 60 Valley Road.</p> <p>Site rehabilitation will include filling of the excavated pit with EPA approved materials / clean fill and rehabilitation to bushland.</p>
<p><i>Planning & Governance</i></p> <p><i>Ensure that extractive Industries operators and landowners, including neighbouring properties are consulted with to ensure that</i></p>	<p>Section 6 of this report Community Engagement sets out the community engagement activities undertaken as part</p>

Theme	Project Response
<p><i>they have a say on the rehabilitation process of these sites.</i></p>	<p>of the preparation of the WPV. Activities included:</p> <ul style="list-style-type: none"> • Door knocking and one-to-one discussions • Site tour and information sharing day • Ongoing notifications of site investigations • Involvement in community planning forums such as the Green Wedge Management Plan consultation.

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11.0 Conclusion

The absence of a permit requirement for vegetation removal under the zone provisions, the Environmental Significance Overlay, and Clause 52.17 highlights the planning scheme's recognition of the strategic importance of the sand resource and its contribution to the construction industry. Based on a balanced assessment of the relevant planning considerations and policy context, the Project is considered to represent an appropriate land use outcome that will facilitate access to valuable extractive resources and deliver a net community benefit.

The following additional conclusions can be drawn from this planning application:

- The Project is entirely appropriate in the context of extractive industry policy.
- The site is in proximity to the Melbourne metropolitan market which provides for economically feasible transport costs, as well as reductions in carbon emissions and truck traffic caused by transportation of sand from Bass Coast Shire.
- The site is located to take advantage of the existing infrastructure and transport links of the Heidelberg Materials Quarry Road operation which will extend the life of the existing Heidelberg Materials processing plant and sales.
- A significant amount of work has gone into the WPV to identify, assess and mitigate risk associated with the proposed extension of the quarry and the impacts on surrounding environment and amenity. The WPV involved substantial detailed technical reports, and consultation and engagement with community and stakeholders.
- The project will allow much needed sand resource to again be extracted which is urgently required to support construction.
- An assessment of the Project against the State and Local Policy Frameworks of the Frankston Planning Scheme clearly demonstrates that the Project is consistent with the strategic and statutory directions from an environmental, cultural heritage, renewable energy and economic and social benefit perspective.
- The Project is appropriate in the context of relevant zone and overlay provisions of the Frankston Planning Scheme.
- The Project is not expected to have any unreasonable impacts on the amenity of surrounding landholdings by way of visual impacts, noise, or dust.
- The project will result in a new bio link and waterway between Valley Road and Boggy Creek and will support passive leisure and biodiversity improvements to Boggy Creek, and a bio link connection with Quarry Road.
- No changes are proposed to the existing Quarry operation at 150 Quarry Road to facilitate the proposed extension. The extension can be achieved without amendments to the Quarry Road sites existing Planning Approvals.

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- In conclusion, the planning scheme's exemptions for vegetation removal on sites with an approved Work Authority underscore the strategic importance of the extractive industry

The absence of a permit trigger under the zone, the Environmental Significance Overlay, and Clause 52.17 gives considerable weight to the recognition of the sand resource's vital role in supporting the construction sector.

In conclusion, based on a balanced assessment of key planning issues and policies, it is considered that the Project will be an appropriate planning and land use outcome that will result in access to sand resource and will result in an overall net community benefit.

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Appendix A

Statutorily Endorsed Work Plan

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Appendix B

Certificate of Title

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Appendix C

Planning Permit 005

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Appendix D

Quarry Plan

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Appendix E

Landscape Concept Plan

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Appendix F

VCAT Order

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Appendix G

Town Planning Report

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Appendix H

Biodiversity Assessment

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Appendix I

Arborist Assessment

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Appendix J

Air Quality Assessment

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Appendix K

Human Health Risk Assessment

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Surface Water Management Report

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Traffic Impact Assessment

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Appendix N

Noise Impact Assessment

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Appendix O

Economic Context Report

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Appendix P

Landscape and Visual Impact Assessment

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