

PLANNING PERMIT

Permit No.: 120388-1

Bass Coast Planning Scheme

Responsible Authority: Bass Coast Shire Council

ADDRESS OF THE LAND:

1381-1395 Bass Highway Grantville

THE PERMIT ALLOWS:

The use of land for sand extraction and associated processing and associated buildings and works, and create access to a road in a Road Zone category 1 generally in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

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1. The plans to be endorsed and which will then form part of the permit include:
 - a. The Site Layout Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
 - b. The Primary Water Quality Management Works around processing and access track areas plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
 - c. The Dust Management Plan (or Dust Control Management Plan) as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
 - d. A Bass Highway Intersection Functional Layout Plan (9 February 2021) contained in Appendix D of the expert witness statement of Henry Turnbull (March 2021) for a signalised intersection approved by Department of Transport pursuant to condition 36.
 - e. The Landscape Plan, Biodiversity and Vegetation Management Plan, Species Management Plan and Weed Management Plan integrated in the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
2. Prior to the expansion of the use commencing, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be amended as follows:

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- a. All plans to be endorsed under this permit must be modified to the extent necessary to reflect the revised work authority boundary and reduced extraction boundary as shown on the Modified Boundaries Plan prepared by BCA Consulting (Figure 1, Reference A4 – 2131:0, dated 19 November 2021).

Landscape Plan

- b. A revised landscape plan, prepared by a suitably qualified person, detailing the location of planting or establishment, botanical and common names, height at maturity of the vegetation and ongoing management of the vegetation to be planted for the purposes of landscaping, screening and vegetation of drainage lines. The plan must include the following to the satisfaction of the responsible authority:
 - i. an additional assessment on the potential for impacts on views from Shutoff Road. The landscape plan must incorporate any mitigation techniques as required to minimise visual impacts on these views following the further landscape and visual assessment.
 - ii. consider and respond to the sequencing and timing of progressive rehabilitation of the site (including the coarse sand extraction pit) to minimise visual impact
 - iii. incorporate the mitigation measures listed in the Landscape and Visual Impact assessment prepared by Tract Consulting dated 6 July 2020 and the recommendations contained in the expert witness statement of Mark Reilly (9 March 2021) **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**
 - iv. incorporate any findings from the Biodiversity and Vegetation Management Plan (Condition 3.c)
 - v. not duplicate or conflict with any revegetation or rehabilitation requirements in the Biodiversity and Vegetation Management Plan (Condition Number 3.c) Species Management Plan (Condition Number 3.d) and Weed Management Plan (Condition Number 3.c).
- c. Deleted.

CONSERVATION, OFFSET MANAGEMENT AND VEGETATION

3. Prior to the expansion of the use commencing, a Biodiversity Assessment Report, an Offset Management Plan, a Biodiversity and Vegetation Management Plan, and Species Protection Management Plan, must be submitted to and approved by the Responsible Authority in accordance with the requirements outlined below.

Additional Survey and Assessment (Biodiversity Assessment Report)

- a. Targeted ecological surveys and additional ecological assessments must be completed by the permit holder prior to the commencement of the expansion of the use and development hereby permitted or the approval of the Work Plan. These surveys must include:
 - i. an updated large tree assessment to confirm the extent of tree removal
 - ii. a targeted survey of the site undertaken by a suitably qualified professional for the Green Striped Greenhood (*Pterostylis chlorogramma*) and the Cobra Greenhood

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- (*Pterostylis grandiflora*) identifying the location of any such species on the land and recommending measures to address such species
- iii. an updated Native Vegetation Removal report.

Once complete, the results of these surveys and assessments must be documented in an updated Biodiversity Assessment Report. That report must be prepared to the satisfaction of the Responsible Authority in consultation with the Secretary of DELWP and submitted to the Responsible Authority for approval.

Offset Management Plan

- b. An Offset Management Plan must be prepared prior to the commencement of the expansion of the use and development hereby permitted. The Offset Management Plan must:
 - i. respond to the outcomes of the Updated Biodiversity Assessment Report (Condition Number 3.a)
 - ii. be prepared in accordance with the Native Vegetation Guidelines
 - iii. explain the relationship between the proposed offset areas and existing legal protections in place
 - iv. identify monitoring, reporting and review obligations for offset areas, including responsibility for such activities.

The Offset Management Plan must be prepared to the satisfaction of the Responsible Authority in consultation with the Secretary of DELWP and submitted to the Responsible Authority for approval.

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Biodiversity and Vegetation Management Plan

- c. A Biodiversity and Vegetation Management Plan must be prepared prior to the commencement of the expansion of the use and development hereby permitted. The Biodiversity and Vegetation Management Plan must:
 - i. include a requirement for the commencement of revegetation in 'conservation area 2' as labelled in the Conservation and Revegetation Site Plan endorsed under the original planning permit, no later than three months following the commencement of the expansion of the use hereby permitted, or another time as agreed in writing by the Responsible Authority.
 - ii. explain the relationship between any first party native vegetation offsets (if identified in the Offset Management Plan), rehabilitation requirements and existing legal protections in place.
 - iii. include objectives, performance targets, timeframes and responsibilities for the successful management and reinstatement of biodiversity across the four distinct areas within the Work Authority identified to be established, protected and maintained for wildlife corridors, conservation and revegetation purposes: i.e. 1) the central extraction area, 2) the eastern extraction area, 3) the offset areas that will be subject to a first-party offset, and 4) revegetation areas (paddocks) and the extraction area that will be planted with a diversity of site indigenous flora species.

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- iv. include protection, management, restoration and reporting requirements across the site
- v. include a Weed Management Plan for the all areas within the Work Authority, prepared in accordance with the requirements of the *Catchment and Land Protection Act 1994* and including a pre-clearance weed survey across the study area prior to any construction activities (native vegetation removal and coarse sand extraction) to record the location of all noxious and environmental weeds and measures for ongoing control of noxious and environmental weeds (woody and herbaceous) in the coarse sand extraction pit and wildlife corridors, conservation and revegetation purposes.

The Biodiversity and Vegetation Management Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the Biodiversity and Vegetation Management Plan will be endorsed and form part of the permit and the expanded use and development must be undertaken in accordance with its requirements.

Any Work Plan (including any Rehabilitation and Site Closure Plan) as approved or varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990* must be consistent with the endorsed Biodiversity and Vegetation Management Plan and Weed Management Plan.

Species Protection Management Plan

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- d. A Species Protection Management Plan must be prepared prior to the commencement of the expansion of the use and development hereby permitted. The Species Protection Management Plan must address:
 - a. the updated Biodiversity Assessment Report which documents the outcomes of the Green Striped Greenhood (*Pterostylis chlorogramma*) and the Cobra Greenhood (*Pterostylis grandiflora*) identifying the location of any such species on the land and recommending measures to address such species.
 - b. measures to (where practical) salvage native plants and animals and to minimise displacement and injury to native plants and animals in areas affected by native vegetation clearance works within the coarse sand extraction pit area during all phases of construction and extraction operations.
 - c. a vegetation clearance strategy for the area in which native vegetation is permitted to be removed, that sets out actions required prior to and during habitat clearing to avoid and minimise adverse impacts where possible.
 - d. Recommendations for revisions to the Site Layout Plan (including access routes) and Rehabilitation and Site Closure plan in the Work Plan, to avoid and minimise adverse impacts where possible.

The Species Protection Management Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the Species Protection Management Plan will be endorsed and form part of the permit and the expanded use and development must be undertaken in accordance with its requirements.

Any Work Plan as approved or varied from time to time under the Mineral Resources (Sustainable Development) Act 1990 must be consistent with the endorsed Species Protection Management Plan or as amended from time to time.

TRAFFIC MANAGEMENT PLAN

4. Before the expansion of the use and development starts a revised traffic management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and in relation to the site must then conform to the endorsed plan. The plan must include (but not be limited to):
 - a. queuing arrangements
 - b. vehicle speed on the land
 - c. parking of trucks and other vehicles on the land
 - d. trucks exiting from the land
 - e. conduct of truck drivers approaching, and on the land
 - f. any other measures necessary and appropriate to minimise the impact of vehicle movements on the amenity of the area.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

5. Prior to the expansion of the use and development hereby permitted, a Construction Environmental Management Plan must be prepared to the satisfaction of the Responsible Authority and be submitted to and approved by the Responsible Authority. The Construction Environmental Management Plan must address:
 - a. Species/vegetation conservation strategies, daily monitoring, site specific rehabilitation plans, weed and pathogen management measures, for areas affected during construction of the expanded sand extraction operations.
 - b. Management and monitoring measures that are to be undertaken during the construction of the expanded sand extraction operations to minimise impacts to the environment.
 - c. An erosion and sediment control plan for the management of sediment pollution in accordance with EPA Publication 275 'Construction Techniques for Sediment Pollution Control' to the satisfaction of the Responsible Authority.

Once endorsed the Construction Environmental Management Plan will form part of the permit and the expanded use and development must be undertaken in accordance with its requirements.

Any Work Plan as approved or varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990* must be consistent with the endorsed Construction Environmental Management.

6. The expanded use and development of the subject land must not commence until the Work Authority variation, including an Approved Work Plan, is issued pursuant to the *Mineral Resources (Sustainable Development) Act 1990* unless with the written consent of the Responsible Authority and Department of Jobs, Precincts and Regions.

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7. The use and development of the land must at all times be generally in accordance with the endorsed plans (including management plans) forming part of this permit, to the satisfaction of the Responsible Authority.
8. Deleted.
9. Deleted.

HOURS OF OPERATION

10. The permitted use (including the arrival and departure of heavy vehicles) must operate only between the following hours, except with the further consent of the responsible authority:

Activity	Monday to Friday *	Saturday *
Site establishment/Construction	6am-6pm	6am-1 pm
Extraction	7am-6pm	7am-1 pm
Processing	6am-2am	6am-10pm
Product loading and despatch	6am-10pm	6am-4pm
Repairs and maintenance	6am-10pm	6am-10pm

Notes: Only the Water Clarifier/Thickener, Mud Buffer Tank and Dewatering Belt Press will operate between 6.00pm - 2am Monday to Friday and 1.00pm - 10pm Saturday (Public holidays excluded) except for maintenance operations.

11. Maintenance may be carried out outside the hours specified in condition 10 subject to and in accordance with the conditions and requirements of a Maintenance Management Plan which is to be submitted for approval to the satisfaction of the Responsible Authority. The Maintenance Management Plan must specify what the maintenance activities are, including the location of those activities, and must demonstrate that such activities:
 - a. Will not be audible outside the property boundaries.
 - b. Will not unreasonably affect the amenity of the area by way of light spill or otherwise.
12. Deleted.
13. The use and development must be managed, to the satisfaction of the Responsible Authority, so that the amenity of the area is not detrimentally affected through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any building, or works or materials;
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil;
 - d. Presence of vermin; or
 - e. Other matters.

DUST MANAGEMENT PLAN

14. Prior to the expansion of the use and development hereby permitted, a revised Dust Management Plan must be prepared to the satisfaction of the Responsible Authority and be submitted to and approved by the Responsible Authority. The plan must:

- a. be generally in accordance with the draft Dust Management Plan, prepared by Environmental Science Associates included as Attachment 3 of the Revised Dust Assessment Report by Environmental Science Associates (dated 14 December 2019)
- b. be informed by advice from suitability qualified meteorologist regarding proactive dust management practices, including specific operational mitigation measures.
- c. include a mechanism for a suitability qualified meteorologist to provide ongoing operational advice as required.

Once endorsed the Dust Management Plan will form part of the permit and the expanded use and development must be undertaken in accordance with its requirements.

Any Work Plan as approved or varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990* must be consistent with the endorsed Dust Management Plan or as amended from time to time.

15. Deleted.

16. At all times during the use of the Land for the purpose of sand extraction and processing an adequate water supply must be maintained for dust control measures in accordance with the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.

17. All trucks entering and exiting the land, whether loaded or not, must have the load area tarped.

NOISE MANAGEMENT PLAN

18. Prior to the expansion of the use and development hereby permitted, a revised Noise Management Plan must be prepared to the satisfaction of the Responsible Authority and be submitted to and approved by the Responsible Authority. The Noise Management Plan must include the following:

- a. An assessment of the existing noise levels at the rear of the properties situated at 2 - 12 Stewart Street, Grantville (inclusive).
- b. A noise monitoring program to assess noise levels once the expanded use and development has commenced.
- c. Identify noise emission thresholds (having regard to published guidelines) and triggers for the consideration of any noise mitigation measures.
- d. Identification of any noise mitigation measures and a program to implement such measures if nominated noise thresholds are exceeded.
- e. A requirement for reverse beepers to be installed on mobile plant equipment and vehicles used within the site must be of a type and design that minimises potential offsite noise impacts and which, among other things, adjust relative to the ambient noise level (see also condition 20).
- f. Monitoring and reporting requirements (as specified in Condition Number 21).

Once endorsed the Noise Management Plan will form part of the permit and the expanded use and development must be undertaken in accordance with its requirements.

Any Work Plan as approved or varied from time to time under the Mineral Resources (Sustainable Development) Act 1990 must be consistent with the endorsed Noise Management Plan or as amended from time to time.

19. Deleted.
20. Reverse beepers installed on mobile plant used within the site must be of a type and design that minimises potential offsite noise impacts and which, among other things, adjust relative to the ambient noise level (see also condition 18.d). The permit holder must use its best endeavours to ensure that the movement of vehicles around the site minimises the potential for offsite noise impacts.
21. At 12 months and 3 years following the commencement of the expanded sand extraction and processing operations, the operator must provide a report prepared by a qualified acoustic consultant measuring compliance with the requirements of condition 18 during the operation of the quarry to the satisfaction of the Responsible Authority. In the event that the testing identifies any non-compliance, the operator must, within three months, obtain and implement any recommendations necessary to achieve compliance to the satisfaction of the Responsible Authority.
22. Deleted.
23. Soil stabilisation and erosion control must be undertaken in accordance with the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
24. Surface water management and water pollution controls must be undertaken in accordance with the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
25. Surface water monitoring must be undertaken in accordance with the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.

WASTEWATER

26. All wastewater must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval and be to the satisfaction of Council's Environmental Health Department.
27. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away from this area. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

COMPLIANCE WITH LANDSCAPING AND REHABILITATION

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28. Within 6 months of the completion of the fixed plan construction stage (and in any event within 3 years of the commencement of development) the permit holder must engage a suitably qualified person to prepare an audit report to satisfaction of the Responsible Authority. The audit report must assess compliance with the landscape and rehabilitation management plan, make recommendations for continual improvement and if it finds any areas of non-compliance, make recommendations to ensure compliance with that plan. The findings of the audit report must be implemented to the satisfaction of the Responsible Authority.
29. Landscaping and screening vegetation and landscape planting in accordance with the endorsed Landscape Plan (Condition Number 2.b) must be planted and maintained for the operational life of the quarry, to screen activity on the site to the satisfaction of the Responsible Authority.
30. The use and subject land must be rehabilitated in accordance with the Rehabilitation and Site Closure Plan contained in the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.

The Rehabilitation and Site Closure Plan must be generally consistent with other endorsed plans, including:

- i. Biodiversity and Vegetation Management Plan.
- ii. Landscape Plan.

Two years prior to the conclusion of the final stage of extraction in the coarse sand extraction pit a final landform and proposed final use plan and to be submitted to the Responsible Authority.

Once approved, this plan will form part of the permit.

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LEGAL AGREEMENT

31. Prior to the expansion of the extraction activities on the land as detailed in the amendments permitted in 2022, the owner must enter into a legally binding agreement (such as a section 173 agreement under the *Planning and Environment Act 1987* or section 69 agreement under the *Conservation, Forests and Land Act 1987*) to give effect to the following:
 - a. Secure the native vegetation offsets identified in the Offset Management Plan.
 - b. Secure the ongoing revegetation obligations in the Biodiversity and Vegetation Management Plan and Species Protection Plan.

That agreement must be registered on title.

All costs associated with the preparation of the agreement shall be borne by the developer/landowner. All costs incurred by the Responsible Authority associated with the preparation, negotiation, execution and recording of the agreement and any amendment to the agreement must be fully reimbursed prior to the registration of the agreement by Council.

CAR PARKING & ACCESS

32. Prior to the commencement of any onsite works, detailed design plans relating to onsite car parking facilities must be submitted for approval to the satisfaction of the Responsible Authority. The plans must address:
 - a. car parking layout

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- b. provision of adequate car spaces
 - c. pavement type
 - d. site drainage
 - e. car space delineation.
33. Prior to the commencement of the use hereby permitted, car park facilities must be constructed by the developer in accordance with the approved plans.
34. Parking areas must be provided for employees' cars and all vehicles used on the land in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
35. The proposed access must generally be in accordance with the Traffix Group, Functional Layout Plan (Drawing Number 23730-01-01 Rev A dated 9 February 2021), to the satisfaction of the Responsible Authority and the Department of Transport.

DEPARTMENT OF TRANSPORT

36. The following requirements must be carried out to the satisfaction of the Department of Transport:
- a. Prior to the operation of the quarry extension hereby approved, traffic signals are to be installed at the access from the Bass Highway to the satisfaction of the Head, Transport Victoria.
 - b. Prior to the increased traffic operation of the quarry, detailed functional layout plans in accordance with Eastern Regions Developer Funded checklists must be submitted and approved by the Head, Transport for Victoria.
 - c. Prior to works beginning in the road reserve, detailed plans in accordance with Eastern Regions Developer funded checklists must be submitted and approved by the Head, Transport for Victoria.
 - d. Prior to the designs beginning, a pre-design meeting is required to be conducted with the Department of Transport, including the applicant's consultant that must attend.
 - e. All costs associated with the design and installation of the traffic signals (and associated road infrastructure upgrades) is to be borne by the applicant.
 - f. Costs associated with the traffic signals ten year maintenance agreement is to be borne by the applicant.
 - g. Provide additional roadway lighting to V3 standard as part of the intersection upgrades.
 - h. Provide duplicated advanced warning signals (W3-V101 Signals Ahead) on the southbound carriageway.
 - i. Provide additional signage 'avoid using engine brakes' be installed on the Bass Highway (northbound and southbound carriageways) to the satisfaction of the Head, Transport for Victoria.
 - j. Provide an acoustic report prepared by a suitably qualified acoustic engineer demonstrating L10 (18 hour) sound contours for adjacent land uses prior to the installation of the traffic signals.
 - k. Complete additional acoustic testing which is to be conducted 6 months after the installation of the traffic signals and a further test once the quarry is at full operational level. If the results of any testing exceed the Department of Transport's intervention levels, mitigation measures are required to be undertaken by the applicant, to the satisfaction and approval of the Head, Transport for Victoria. The measures are to be implemented at no cost to the Department of Transport.

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37. Road safety audits for the road works must be provided to VicRoads at functional layout, detail design and post opening.
38. Prior to commencement of the development or use hereby approved a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.
39. Deleted.
40. Retail sales of sand or sand products to the general public is not permitted.
41. Rehabilitation works must be completed within 2 years of the cessation of sand extraction.
42. The operator must advise the Responsible Authority in writing upon the quantity of sand transported from the land exceeding 800,000 tonnes in a 12 month period. Within 28 days of notice being given to the Responsible Authority the operator must provide an audit of compliance with the conditions of this permit, carried out by a suitably qualified and experienced independent consultant or consultants (including but not limited to surface water, acoustic, dust and traffic issues), to the satisfaction of the Responsible Authority.

The audit must make recommendations for any further measures required to address any non-compliance with the permit or which are otherwise required to protect the amenity of the area. If the quantity of sand being transported from the land exceeds 800,000 tonnes for two or more consecutive 12 month periods, further audit reports must be provided at periods of no greater than 12 months apart for as long as the volume exceeds 800,000 tonnes.

43. Trucks must not queue in the vicinity of the entrance to the land prior to the commencement of operations on any particular day.
44. The number of truck movements in respect of the land must not exceed 240 per day without the written consent of the Responsible Authority.
45. Groundwater management and monitoring must be undertaken in accordance with the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
46. The base of the extraction pit must not be excavated any further than the levels shown on the site layout plan endorsed under condition 1.a of this permit, and must be consistent with what is allowed under the Work Plan as approved and varied from time to time under the *Mineral Resources (Sustainable Development) Act 1990*.
47. Deleted.

CULTURAL HERITAGE

48. Before any works associated with the expanded use and development authorised by the amended permit may commence, the permit holder must submit to the Responsible Authority a Cultural Heritage Management Plan in respect of the proposed use and development of the land which has been approved by the Registered Aboriginal Party and complies with Part 4 of the Aboriginal Cultural Heritage Act 2006 and Part 3 of the Aboriginal Cultural Heritage

Regulations 2018 (note: this condition does not prevent the installation of new plant and equipment and associated works or buildings, provided that such activities are limited to the existing hardstand area on the subject land).

49. The use of the land must at all times be managed in accordance with any measures set out in the approved Cultural Heritage Management Plan, to the satisfaction of the Responsible Authority.

EXPIRY

50. This permit will expire if the use is not started within five years of the date of this permit. In accordance with Section 69 of the Planning and Environment Act 1987 an application may be submitted to the Responsible Authority for an extension of this period.
51. This permit will expire of the Work Authority for the use issued under the provisions of the Mineral Resources (Sustainable Development) Act 1990 is cancelled in accordance with Section 770 of that Act.

Date Issued:

Signature of the Minister for Planning

19/4/22

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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
/ / 2022	<p>This permit was amended in accordance with section 97J of the <i>Planning and Environment Act 1987</i> to allow the expansion of the approved use and development. The permit was amended by:</p> <ul style="list-style-type: none"> • Amending condition 1 (plans to be endorsed) to refer to a revised set of plans. • Amending condition 2 (amended development plans) to specify changes required to the plans. • Amending condition 3 (ecology) to include requirements for a Biodiversity Assessment Report, an Offset Management Plan, a Biodiversity and Vegetation Management Plan, and Species Protection Management Plan. • Amending condition 4 (traffic) to include updated traffic requirements. • Amending condition 5 (construction mgmt.) to update requirements and reference ecological matters • Amending condition 6 (Work Authority) to reference the Work Authority variation. • Deleting condition 8 (acoustic fence). • Deleting condition 9 (layout).

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- Amending condition 10 (hours of operation) to reference the amended operating hours.
 - Deleting condition 12 (environmental policy).
 - Amending condition 14 (dust) to refer to updated requirements and a revised Dust Management Plan.
 - Deleting condition 15 (internal roads)
 - Amending condition 16 (water supply) to reference the revised Work Plan.
 - Amending condition 18 (noise) to require an updated Noise Management Plan and new noise requirements.
 - Deleting condition 19 (EPA)
 - Amending condition 21 (noise) to extend the minimum periods for noise monitoring.
 - Deleting condition 22 (drainage)
 - Amending condition 24 (surface water) amended
 - Condition 25 (surface water) to reference surface water and water pollution controls.
 - Amending condition 29 (screen planting) to link the condition to a revised Landscaping Plan.
 - Deleting condition 30 (native vegetation).
 - Amending condition 31 (s.173 agreement) to require a revised legal agreement.
 - Amending condition 32 (car parking) to include council's updated car parking requirements.
 - Amending condition 35 (VicRoads) in accordance with Department of Transport's referral comments.
 - Deleting condition 38 (sand washing)
 - Amending condition 41 (export quantity) to change reporting requirements for sand exported from the site and increasing the trigger for reporting from 500,000 tonnes to 750,000 tonnes in a 12-month period.
 - Amending condition 44 (groundwater) to link groundwater management requirements to the Work Plan.
 - Condition 45 (extraction pit) amended
 - Condition 46 (extraction pit) deleted
 - Condition 47-48 (expiry) amended and re-numbered to condition 49-50
 - Condition 47 (cultural heritage) added
 - Condition 48 (cultural heritage) added
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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Minister has granted and issued a permit under Division 6 of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates—

- from the date specified in the permit; or
 - if no date is specified, from the date on which it was issued.
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WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
 2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
 3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
 4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
 5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.
 6. In accordance with section 97H of the **Planning and Environment Act 1987**, the responsible authority specified in the planning scheme is the responsible authority for the administration and enforcement of the **Planning and Environment Act 1987** and the relevant planning scheme in respect of this permit (whether or not the permit is amended) except that the Minister remains the responsible authority in respect of—
 - any matters which the permit specifies to be done by, approved by or done to the satisfaction of the Minister; and
 - any extension of time under section 69 in relation to the permit; and
 - the correction of the permit under section 71(1); and
 - the amendment of the permit under section 97J.
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WHAT ABOUT REVIEWS?

In accordance with section 97M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

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