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Farth Resources Regulator

GPO Box 500 Melbourne, Victoria 3001 Telephone: 1300 136 186

www.resources.vic.gov.au



WORK AUTHORITY APPLICATION WA007635 – WORK PLAN – NOTICE OF STATUTORY ENDORSEMENT

I refer to the work plan application (PLN-001672) for the above proposed extractive industry at 170 Ondit-Warrion Road, Ondit first lodged on 31 May 2022 and finally submitted on 24 November 2023.

As delegate of the Department Head, I hereby give Holcim (Australia) Pty Ltd notice of my decision pursuant to section 77TD of the Mineral Resources (Sustainable Development) Act 1990 (Act) that the work plan application (PLN-001672) including work plan specific conditions, was found to be satisfactory and is statutorily endorsed.

Referrals have been undertaken under section 77TE of the Act. A list of the referral authorities who have been given a copy of the work plan application is included in the enclosed referral consultation checklist.

Application for planning permission should now be made and include the following documents:

- This notice
- Statutory endorsement information for Council
- The referral checklist
- Agency referral responses (if no response included then none was received)
- An unaltered stamped and signed version of the statutorily endorsed work plan, including any work plan specific conditions, as determined by Earth Resources Regulation / and as requested by referral authorities under section 77TD(3) of the Act.

Approval of the work plan is sought by making application to the Department following the issue of the planning permit. Please complete and return the applicant checklist for the approval of a work plan and the specified required information with the application.

After the work plan is approved, you will be advised of the remaining requirements for the grant of the extractive industry work authority.

A rehabilitation bond is required to undertake extractive industry activities on the work authority. The Earth Resources Regulator Rehabilitation Liability Assessments and Bonds team will be in contact with you and Colac Otway Shire Council regarding the requirements for the rehabilitation bond. A copy of the standard Work Authority Schedule of Conditions is also provided for your and Council's information.

A copy of the statutorily endorsed work plan will be made available for download on the Resource Rights Allocation Management (RRAM) portal.

Please be advised that it is an offence to operate without the required permit/s, approvals and consents.





Yours sincerely



19 February 2024

Enc:

Statutory endorsement information for council
Statutorily endorsed work plan, with attached work plan specific conditions (if any)
Endorsement of work plan - statement of reasons
Referral checklist
Agency referral responses
Applicant checklist for the approval of work plan
Schedule of conditions







Holcim (Australia) Pty Ltd c/o Robert Douglas Aurecon Australasia Pty Ltd Aurecon Centre, Level 8, 850 Collins Street MELBOURNE VIC 3008 By email: robert.douglas@aurecongroup.com Earth Resources Regulator GPO Box 500 Melbourne, Victoria 3001 Telephone: 1300 136 186 www.resources.vic.gov.au

Dear Robert,

WORK AUTHORITY APPLICATION WA007635 - WORK PLAN ENDORSED - STATEMENT OF REASONS

I, Rohan Bett, as the delegate of the Department Head acting under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990* (Act) hereby provide a statement of reasons for my decision, pursuant to section 77TD(5) of the Act to endorse with conditions issued by the department the work plan (PLN-001672) first lodged on 31 May 2022 and re-submitted on 24 November 2023 by Holcim (Australia) Pty Ltd as the applicant for the work authority WA007635 application under section 77TC of the Act.

Section 77G of the Act requires that a work plan must contain the information prescribed by the Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2019 (Regulations) and in particular, Part 2.

The work plan has been endorsed as I am satisfied that it contains all the information required by the Regulations and that it also provides an appropriate level of detail in relation to such information.

Further details regarding the reasons for conditions are provided in Attachment 1.

Yours sincerely

Robert Som

Rohan Bett

Delegate of the Department Head Assistant Director Assessments & Assistant Director, Rehabilitation Liability Assessment and Bonds Earth Resources Regulator

19 February 2024







ATTACHMENT 1

For the purposes of 77G of the *Mineral Resources (Sustainable Development) Act 1990* a work plan must contain the following:

Legislative provision	Regulation 8 states that a work plan must include:
	•
	(a) a description of sensitive receptors in relation to the environment, any member of the public, or land, property or infrastructure in the vicinity of the proposed work;
	 (b) a location map of the work plan area and areas within 2 km of the work plan area, drawn at an appropriate scale, that shows— the location of sensitive receptors identified; and the extent and status of Crown lands and private lands; and residential, commercial and industrial development; and public facilities and infrastructure; and rivers and streams; and for private land within the work plan area, any depth limitations on the land titles;
	(c) a general description of geological information pertaining to the proposed work, including— stratigraphy; and i. any adverse geological structures; and ii. the types of stone to be extracted; and iii. the estimated stone resources and reserves;
	 (d) a general description of the quarry operations including— i. the method and scale of extraction; and ii. stone processing methods and facilities; and iii. waste disposal methods and facilities; and iv. stockpiling facilities; and v. other quarry infrastructure;
	(e) a site map, drawn at an appropriate scale, that shows the general layout of the quarry and associated facilities and infrastructure.
The relevant section(s) of the Work Plan application which purports to address the legislative requirement	The Work Plan (WP) provides a location map, site map, general descriptions of the geological information, operations and sensitive receptors associated with the quarry.
ERR Assessment	The WP satisfactorily complies with Regulation 8 as described above.

	Identification of Hazards and Risks		
	Legislative provision	Regu	lation 9 states that a work plan must include:
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	i. set up or construction; and
	, , ,
	ii. operations or production;
	(b) details of rehabilitation hazards that may arise from rehabilitation under the work plan;
	(c) an explanation of how the identified hazards may harm or damage the sensitive receptors described in the work plan, including evidence to support the assessment of the potential for harm or damage to be caused;
	(d) an assessment of the risks that the identified hazards may pose to identified sensitive receptors, having regard to— i. the nature of the hazard; and ii. the likelihood of the hazard causing, or contributing to, any harm or damage; and iii. the severity or consequence of the harm or damage that may be caused.
The relevant section(s) of the Work Plan application which purports to address the legislative requirement	The WP identifies and describes each quarrying hazard, the risks the hazards pose to the environment, members of the public, land, property or infrastructure in the vicinity of the relevant work and provides an assessment of those risks.
ERR Assessment	The WP satisfactorily complies Regulation 9 as described above.

Legislative provision	Regulation 10 states that a work plan must include:
	(a) measures to be applied to eliminate or minimise the risks as far as reasonably practicable;
	(b) the performance standards to be achieved by either individual measures or some combination of measures;
	(c) management systems, practices and procedures that are to be applied to monitor and manage risks and compliance with performance standards;
	(d) an outline of the roles and responsibilities of personnel accountabl for the implementation, management and review of the risk management plan.
The relevant section(s) of	The Risk Management Plan provided as part of the work plan applicat
the Work Plan application	identifies the personal accountable for the implementation,
which purports to address	management and review of the risk management plan. Describes the
the legislative requirement	measures to eliminate or minimise the risks and, sets out the performance standards and monitoring of effectiveness of those
	measures against the objectives.

VICTORIA State Government

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However, additional work plan specific conditions are required to provide clarity on the detailed design and as to the expectations of the Earth Resources Regulator, to ensure that certain risks are managed appropriately throughout the life of the operation as there seems to be some inconsistencies between the minimum water levels stated in the Water Impact Assessments versus the Rehabilitation Plan versus what has been modelled in the Geotechnical Report.

Agency referral advice included several risk management measures with regards to air quality, noise, discharge or deposit of waste to aquifer, hydrogeology, flora and fauna protection and removal. Several of the recommendation made by agencies are;

Environment Protection Authority requested conditions to:

- Produce an additional air quality assessment and monitoring.
- Amend the acoustic assessment.
- Permissioning.

Southern Rural Water requested conditions to:

• Demonstrate hydrogeological characteristics.

Department of Energy Environment and Climate Action – Planning Environment and Assessments requested conditions to:

 Update the required reports and obtain necessary approvals and define offset obligations to be achieved/obtained prior to the commencement of works as constituted under Part 2 of the Conservation, Forests and Lands Act 1987.

Barwon Water

 Conditions required to manage any potential impacts with respect to Barwon Water's assets on site.

Rehabilitation Plan	
Legislative provision	Regulation 11 states that a work plan lodged before 1 July 2021 must include:
	(a) concepts for the end utilisation of the proposed quarry site; and
	(b) proposals for the progressive rehabilitation, stabilisation and revegetation of extraction areas, waste disposal areas, stockpile areas, dams and other land affected by the operations; and
	(c) proposals for landscaping to minimise the visual impact of the quarry site; and
	(d) proposals for the final rehabilitation and closure of the site, including the security of the site and the removal of plant and equipment, taking into account any potential long-term degradation of the environment.
Legislative provision	Regulation 11 states that a work plan lodged on or after 1 July 2021 must include:

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	(a) proposed land uses for the affected land after it has been rehabilitated, that considers community views expressed during consultation; and
	(b) a land form that will be achieved to complete rehabilitation, which must—
	 i. be safe, stable and sustainable; and ii. be capable of supporting the proposed land uses referred to in paragraph (a); and
	(c) objectives that set out distinct rehabilitation domains that collectively amount to the land form described in paragraph (b); and
	(d) criteria for measuring whether the objectives described in paragraph (c) have been met; and
	(e) a description of, and schedule for, each measureable, significant event or step in the process of rehabilitation; and
	(f) an identification and assessment of relevant risks that the rehabilitated land may pose to the environment, to any member of the public or to land, property or infrastructure
	in the vicinity of the rehabilitated land, including— iii. the type, likelihood and consequence of the risks; and iv. the activities required to manage the risks; and v. the projected costs to manage the risks; and
	vi. any other matter that may be relevant to risks arising from the rehabilitated land.
The relevant section(s) of the Work Plan application which purports to address the legislative requirement	The rehabilitation plan satisfactorily complies with Regulation 11 as it provides for concepts of end use, the stabilisation and revegetation of land, progressive rehabilitation and proposals for closure and security of the site including minimization of visual impact.
ERR Assessment	The Rehabilitation Plan satisfactorily meets the requirements of Regulation 11 as described above.
	However, in addition, conditions are included as specified by the Department of Energy, Environment and Climate Action – Earth Resources Regulator as there seems to be some inconsistencies between the minimum water levels stated in the Water Impact Assessments versus the Rehabilitation Plan versus what has been modelled in the Geotechnical Report.

Community Engagement Plan		
Legislative provision	Regulation 12 states that a work plan must include:	
	(a) identifies the community likely to be affected by the quarry operations; and	
	(b) sets out how the extractive industry authority holder will— i. identify community attitudes and expectations; and	
document to be made availa	i. share information with the community; and ii. receive feedback from the community; and ble v. analyse community feedback and consider community concerns	



	or expectations; and v. register, document and respond to complaints and other communications from members of the community in relation to the quarry operations.
The relevant section(s) of the Work Plan application which purports to address the legislative requirement	The community engagement plan satisfactorily complies with Regulation 12 as it identifies the communities likely to be affected, community attitudes and expectations and, describes engagement techniques including the registering of complaints and providing feedback.
ERR Assessment	The Community Engagement Plan satisfactorily meets the requirements of Regulation 12 as described above.

ADVERTISED PLAN



Schedule of Conditions

Part A General Conditions

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1. Working in Accordance with the Approved Work Plan

- 1.1 The Work Authority holder must carry out work in accordance with the Approved Work Plan and any subsequent Approved Work Plan Variations.
- 1.2 Where any inconsistency occurs between an Approved Work Plan and/or an Approved Work Plan Variation or the associated Approved Work Plan conditions, and the Work Authority conditions and/or regulations, the Work Authority conditions and/or regulations have precedence.
- 1.3 Where requested by the Department Head, the Work Authority holder must submit a Work Plan Variation.

2. Public Liability Insurance

2.1 Prior to commencing any work, the Work Authority holder must have public liability insurance that covers all work authorised under the Work Authority and ensure the insurance is maintained at all times while work occurs under the Work Authority.

3. Work Authority Boundaries

- 3.1 The Work Authority holder must erect and maintain posts along the boundary of the Work Authority so that the boundary of the Work Authority is clearly identifiable.
- 3.2 The Work Authority holder must ensure the posts required at 3.1 meet the following specifications:
 - (a) the post is not less than one metre high above the ground;
 - (b) the post is painted white;
 - (c) the Work Authority number is painted within the top 20cm of the post, is legible and in a contrasting colour to the white post;
 - (d) the posts must be situated so that each post is clearly visible from each post on either side of that post.
- The Work Authority holder must erect and maintain a legible sign at the entrance to the Work Authority that contains the following information:
 - (a) the name of the Work Authority holder and the Work Authority number;
 - (b) the Manager of the Work Authority; and
 - (c) emergency contact details.

4. Public Safety

- 4.1 The Work Authority holder must ensure that public safety is maintained within the Work Authority area at all times, including through the use of fencing, gates and signage as required around the work area.
- 4.2 The Work Authority holder must ensure that all fences are maintained to prevent access to the work site and that all gates are locked when the work site is unattended.

5. Fire Risk Management

- 5.1 The Work Authority holder must take all reasonable measures to prevent the ignition and spread of fire.
- 5.2 The Work Authority holder must ensure that all buildings, fixed plant and mobile equipment are fitted with fire-fighting equipment, such as fire extinguishers, fire blankets, knapsack spray pumps and rake-hoes.
- 5.3 The Work Authority holder must develop and implement a fire response and readiness plan.



6. Designated Parking Areas

- 6.1 The Work Authority holder must provide designated parking areas for employees and visitors at the work site.
- 6.2 The Work Authority holder must ensure that the designated parking area is of sufficient size to accommodate the expected number of vehicles that employees and visitors may bring to the work site on a daily basis.
- 6.3 The Work Authority holder must ensure that designated parking areas are designed and constructed to provide safe access for vehicles and people.

7. Complaints Management

- 7.1 The Work Authority holder must establish and maintain a complaints register.
- 7.2 In response to a complaint, the Work Authority holder must record the following information in the complaints register:
 - (a) the date and time of the complaint;
 - (b) who the complaint was from;
 - (c) the specific issue/s raised in the complaint; and
 - (d) the actions taken to address the specific issue/s raised in the complaint.

8. Non-compliance and Environment Incident Notification

- 8.1 In the event that the Work Authority holder becomes aware of:
 - any non-compliance with the conditions of the Work Authority and/or the approved work plan, including the intersection of ground water where dry extraction is proposed, and/or;
 - (b) an environmental incident that will or is likely to cause, significant harm to the environment;

the Work Authority holder must as soon as is practicably possible notify the relevant Regional Manager of the non-compliance and/or environmental incident.

- 8.2 The Work Authority holder must also notify any other relevant government department, agency or management authority of the non-compliance and/or incident.
- 8.3 Where requested to provide a written report on the non-compliance or environmental incident, the Work Authority holder must provide a written report within 5 business days of the request that includes the following information:
 - (a) the date and time of the non-compliance and/or environmental incident;
 - (b) the cause, or likely cause of the non-compliance and/or environmental incident;
 - (c) the impacts, or likely impacts of the non-compliance and/or environmental incident;
 - (d) the actions that have been taken to prevent, minimise or otherwise manage the impacts, or likely impacts of the non-compliance and/or environmental incident; and
 - (e) the actions that will be taken to prevent such a non-compliance and/or environmental incident from happening again in the future.

Part B Activity based Conditions

9. Ground Disturbance

- 9.1 The Work Authority holder must minimise the area of ground disturbance throughout the life of the quarry operation.
- 9.2 The Work Authority holder must not open up any area for quarrying and ancillary operations except where approved in the Approved Work Plan.

10. Topsoil Management

10.1 At the commencement of excavation, the Work Authority hold ering so be supposed to the commencement of excavation, the Work Authority hold ering so be supposed in state of 150mm below the natural surface is removed and placed in state of the stat

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10.2 The Work Authority holder must ensure that topsoil stockpiles are protected from erosion and compaction.

11. Erosion, Drainage and Discharge Controls

- 11.1 The Work Authority holder must design, install and maintain erosion and sediment controls to prevent erosion of areas of disturbed land and sedimentation of waterways.
- 11.2 Where quarry activities are being conducted in waters or on the banks of waterways with water in them, the Work Authority holder must ensure that sedimentation of the water in the water way is minimised to an acceptable level.
- 11.3 The Work Authority holder must prevent contaminated runoff from entering receiving waterways.

12. Water Dams

12.1 The Work Authority holder must ensure that the location, design, construction, operation and safety management of water dams on the Work Authority area are undertaken in accordance with the Approved Work Plan.

13. Vegetation Management and Buffer Zones

- 13.1 The Work Authority holder must avoid, minimise and/or offset the removal and disturbance of native vegetation.
- 13.2 The Work Authority holder must erect and maintain posts or star pickets painted yellow to stand not less than 0.75 metres in height around the final approved limits of extraction, or as agreed in writing with the DJPR Inspector.
- 13.3 Extraction limit posts as required at 13.2 must be situated so that each post is clearly visible from each adjace ntingstopied document to be made available
- 13.4 The Work Authority holidethmode purpose fake lainyg excavation work, or remove any vegetation, whether in part considerate without anyibuffer zone shown on the approved work plan.

 part of a planning process under the
- 13.5 The Work Authority holder must inflam the following the following is provided between the relevant quarty works and during land and/or buildings.
- 13.6 Unless otherwise agreed, the Work Authority holder must use species that are Indigenous to the area and are appropriate to the work authority area's (EVC) when establishing plants within the buffer zone.

14. Noxious Weeds and Pests

- 14.1 The Work Authority holder must establish and implement a program to control and/or eradicate noxious weeds and pest animals within the Work Authority area.
- 14.2 The Work Authority holder must take measures to prevent the spread of declared noxious weeds, pest animals and plant diseases within the Work Authority area.
- 14.3 The Work Authority holder must ensure that all mobile machinery is thoroughly cleaned prior to coming onto or leaving a work area affected by noxious weeds and plant diseases.
- 14.4 The Work Authority holder must ensure that all soil that is imported into and exported out of the Work Authority area is free of disease and noxious weeds.

15. Dust Emissions

15.1 The Work Authority holder must prevent a dust release that causes adverse impacts to the surrounding area and residents.

16. Noise Emissions

- 16.1 The Work Authority holder must ensure that noise emissions are minimised as far as is practicable and comply with the requirements of the approved Work Plan.
- 16.2 The Work Authority holder must avoid causing unacceptable noise.



17. Visual Amenity

- 17.1 The Work Authority holder must take ensure that the colour of fixed plant and buildings do not cause an unwarranted negative impact on surrounding visual amenity.
- 17.2 The Work Authority holder must consult with the relevant Inspector and the Crown Land manager or the responsible authority on private land prior to painting any fixed plant and/or buildings.

18. Heritage Sites

- 18.1 The Work Authority holder must ensure that no work is carried out, without appropriate consent, within 100 metres laterally of a registered Aboriginal place recorded in the Victorian Aboriginal Heritage Register, or within 100 metres below that place.
- 18.2 The Work Authority holder must ensure that no work is carried out, without appropriate consent, within 100 metres laterally of an archaeological site on the Heritage Inventory or a place or object included in the Heritage Register or within 100 metres below that site, place or object.

19. Hazardous Materials Management

- 19.1 The Work Authority holder must prevent contamination of the environment by the release of fuels, lubricants and/or hazardous materials.
- 19.2 The Work Authority holder must ensure that all fuels, lubricants and/or hazardous materials are stored in accordance with the relevant requirements of the current Australian Standards for the Storage and Handling of Flammable and Combustible Liquids.
- 19.3 The Work Authority holder must ensure that any drainage from an area where fuels, lubricants and/or hazardous materials are stored, and/or used is directed to a sump or interceptor trap.
- 19.4 The Work Authority holder must ensure that spill prevention and clean up equipment is readily available in the vicinity of all plant and machinery, including mobile and fixed fuel storages.
- 19.5 The Work Authority holder must ensure that spills of fuels, lubricants and/or hazardous materials are cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such contaminant into waterways. Equipment and soil contaminated by fuels, lubricants, hazardous materials and clean up substances which cannot be salvaged must be disposed of in an approved waste facility.

20. Slope Stability

- 20.1 The Work Authority holder must ensure that all slopes/batters including excavations, roadways, stockpiles and dumps must be designed, constructed and maintained to ensure stability.
- 20.2 If there is a significant slope failure event, the Work Authority holder must cease all operations, notify the relevant Regional Manager and not recommence operations until authorised to do so by the relevant Regional Manager.

21. Internal Roads

- 21.1 The Work Authority holder must consult with the relevant Inspector, the Crown Land manager or private landowner/occupier prior to establishing any roads and access ways on the Work Authority area.
- 21.2 The Work Authority holder must construct any roads on the Work Authority area in accordance with the direction provided by the Inspector, the Crown Land manager or private landowner/occupier.
- 21.3 The Work Authority holder must ensure that an internal road is only used by:
- (a) employees of, or persons authorised by, the relevant Crown land manager, or persons engaged in the control where the Work Authority covers Crown land; or

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its consider Ation han Work in the property holder must ensure that all roads on the Work Authority area are properly part of a planning of the ease urface treated, drained and maintained to provide for the safe operation of the road.

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22. Derelict and Redundant Plant

22.1 The Work Authority holder must ensure that all derelict and redundant plant, vehicles, machinery and equipment be removed from the Work Authority area and deposited at an appropriate waste disposal site or otherwise stored or disposed of in accordance with the Approved Work Plan.

23. Rehabilitation

- 23.1 The Work Authority holder must ensure that progressive rehabilitation of disturbed land is carried out as soon as possible.
- 23.2 The Work Authority holder must ensure that, as required, Indigenous species used in rehabilitation must be sourced from the local area, be of local provenance and be appropriate to the site's Ecological Vegetation Class (EVC).
- 23.3 The Work Authority holder must ensure that final rehabilitation is in accordance with the Approved Work Plan.

24. Working Hours

24.1 The work authority holder must conduct all works in accordance with the working hour requirements of the planning consent or the Approved Work Plan or Work Plan Variation or Work Plan Conditions. Where any inconsistency occurs between the planning consent and the Approved Work Plan or an Approved Work Plan Variation or Work Plan Conditions, the working hour requirements of the planning consent have precedence.

25. Slimes Production and Management

If authorised under the approved work plan or an approved work plan variation

- 25.1 The work authority holder is subject to Conditions 25.2 and 25.3 if the Work Plan or Work Plan Variation details slimes as part of the work on site.
- 25.2 The work authority holder must take all reasonable measures to minimise the generation of slimes material.
- 25.3 The work authority holder must ensure that the location, design, construction, operation and safety management of slimes dams on the work authority area are undertaken in accordance with the Approved Work Plan.

26. Airblast and Ground Vibration Limits

If authorised under the approved work plan or an approved work plan variation

- 26.1 The work authority holder is subject to Conditions 26.2 and 26.3 if the Work Plan or Work Plan Variation details blasting as part of the work on site.
- 26.2 The work authority holder must ensure that the peak particle velocity resulting from blasting operations, as measured in the vicinity of any sensitive location in accordance with the current Australian Standards for Explosives Storage and Use Use of Explosives, does not exceed 5mm/s on more than 5% of blasts fired in a 12 month period and 10mm/s at any time unless otherwise approved in a Work Plan or Work Plan Variation.
- 26.3 The work authority holder must ensure that the airblast overpressure from blasting operations, as measured in the vicinity of any sensitive location in accordance with the current Australian Standards for Explosives Storage and Use Use of Explosives, does not exceed 115 dB(L) on more than 5% of blasts fired in a 12 month period, and 120 dB(L) at any time unless otherwise approved in a Work Plan or Work Plan Variation.

