

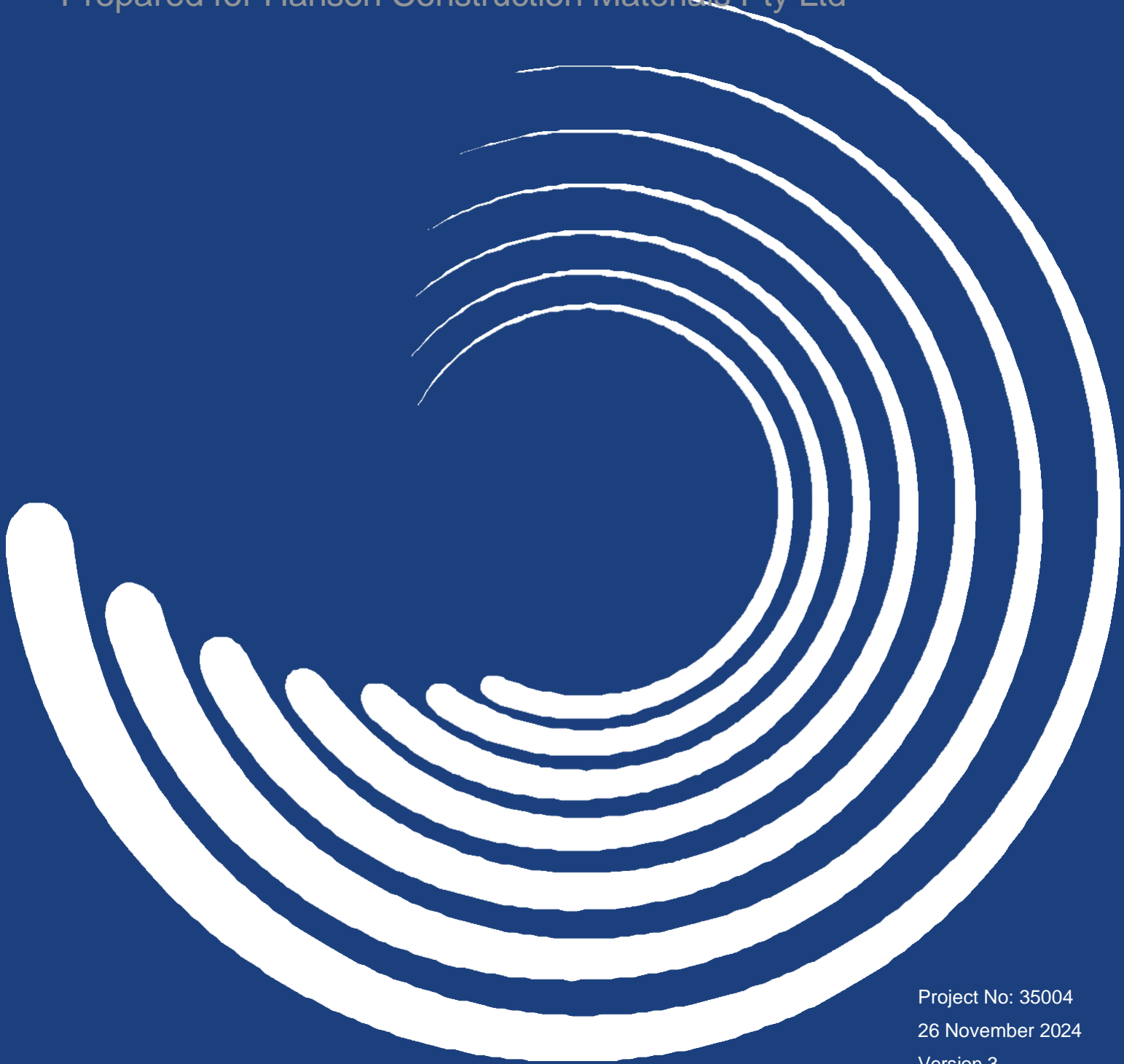


DARTMOUTH
CONSULTING

Yannathan Sand Quarry (WA127) Planning Report

870 & 910 Westernport Road, Yannathan

Prepared for Hanson Construction Materials Pty Ltd



Project No: 35004
26 November 2024
Version 3

Customer: Hanson Construction Materials Pty Ltd

Confidentiality, copyright and reproduction:

This report is the Copyright of Dartmouth Consulting Pty Ltd and has been prepared by Dartmouth Consulting Pty Ltd under contract to Hanson Construction Materials for planning services. The contents of this report may not be reproduced in whole or in part, nor passed to any organisation or person without the specific prior written permission of the Commercial Manager at Dartmouth Consulting. Dartmouth Consulting accepts no liability whatsoever to any third party for any loss or damage arising from any interpretation or use of the information contained in this report, or reliance on any views expressed therein, other than the liability that is agreed in the said contract

Contact:

Kathy Mac Innes, Level 2/166 Albert Road, South Melbourne

Registered office:

Dartmouth Consulting Pty Ltd
250 Bay St, Brighton

T: + 61 (0) 437 401 554

E: Kathy.macinnnes@dartmouthconsulting.com.au

E: Ben.Corley@dartmouthconsulting.com.au

Author:

Ben Corley

Dartmouth Consulting Pty Ltd assumes no responsibility and shall not be liable to any person for any loss, damage or expense caused by reliance on the information or advice in this document or howsoever provided, unless that person has signed a contract with Dartmouth Consulting entity for the provision of this information or advice and in that case any responsibility or liability is exclusively on the terms and conditions set out in that contract.

Issue History			
Issue No	Date Issued	Document Status	Approved By
0.1	25/06/2024	Draft	Kathy Mac Innes
1	4/07/2024	Draft	Kathy Mac Innes
2	23/08/2024	Draft	Kathy Mac Innes
3	4/09/2024	Final	Kathy Mac Innes

CONTENTS

1. INTRODUCTION	5
2. SITE, SURROUNDS, AND BACKGROUND	7
2.1 SUBJECT SITE	7
2.2 SITE SURROUNDS	7
2.3 APPROVAL HISTORY	8
2.4 PRE-APPLICATION MEETING	9
2.5 CERTIFICATE OF TITLE	9
3. PROPOSAL	11
3.1 CURRENT OPERATION	11
3.2 CHANGES TO OPERATION	12
3.2.1 Extraction area and layout	12
3.2.2 Vegetation Removal	13
3.2.3 Drainage Relocation	13
4. PLANNING CONTROLS	14
4.1 GREEN WEDGE ZONE	14
4.2 SIGNIFICANT LANDSCAPE OVERLAY	15
4.3 CULTURAL HERITAGE SENSITIVITY	16
4.4 PARTICULAR PROVISIONS	16
4.5 SUMMARY OF PERMIT TRIGGERS	21
5. PLANNING POLICY FRAMEWORK	22
5.1 STATE PLANNING POLICY FRAMEWORK	22
5.2 MUNICIPAL STRATEGIC STATEMENT	23
5.3 LOCAL PLANNING POLICY	24
5.4 BACKGROUND DOCUMENTS	24
6. REFERRALS	26
7. PLANNING CONSIDERATIONS	27
7.1 STRATEGIC CONTEXT	27
7.2 ACOUSTIC ASSESSMENT	28
7.3 AIR QUALITY	29
7.4 CULTURAL HERITAGE	30
7.5 RECONCILIATION ACTION PLAN (RAP)	30
7.6 FLORA AND FAUNA	31
7.7 COMMUNITY ENGAGEMENT	31
8. CONCLUSIONS	32

Figures

Figure 2-1 Subject Site	7
Figure 2-2 Site Surrounds	8
Figure 2-3 Site Plan	9
Figure 2-4 – Title Plans	10
Figure 3-1 Current Site Layout	11
Figure 3-2 Proposed Site Plan, Increased extraction area delineated by yellow area.	12
Figure 3-3 Drainage Relocation	13
Figure 4-1 Zoning Map	14
Figure 4-2 Significant Landscape Overlay Map	15

Figure 4-3 Areas of Cultural Heritage Sensitivity	16
Figure 4-4 Extractive Industry Interest Areas	18
Figure 5-1 Subject Site in relation to Lang Lang River	24
Figure 7-1 Rehabilitation Plan	27
Figure 7-2 Landscape screening along Westernport Road	28
Figure 7-3 Cultural Heritage Protection Areas	30
Figure 7-4 Ecological Assessment survey results	31
Figure 7-5 Lang Lang Strategic Extractive Resource Area (Subject Site WA127) Error! Bookmark not defined.	

Tables

Table 1-1 Permit Triggers	5
Table 4-1 Response to DTP's comments	19
Table 4-2 Requested Supporting Documents	20
Table 4-3 Permit Triggers	21
Table 6-1 WA127 Work Plan Variation Referral Comments	26

Glossary

Acronym	Definition
AHD	Australian Height Datum
BLCAC	Bunurong Land Council Aboriginal Corporation
CBD	Central Business District
CEP	Community Engagement Plan
CHMP	Cultural Heritage Management Plan
DEECA	Department of Energy Environment and Climate Action
DFP	Development Facilitation Program
DTP	Department of Transport and Planning
EPA	Environment Protection Authority
ERR	Earth Resources Regulator
GWZ	Green Wedge Zone
HV	Heritage Victoria
MRSDA	Mineral Resources (Sustainable Development) Act
MW	Melbourne Water
PM	Particulate Matter
PPF	Planning Policy Framework
RAP	Registered Aboriginal Party
RL	Reduced Level
SLO	Significant Landscape Overlay
SPPF	State Planning Policy Framework
SRW	Southern Rural Water
SWMP	Surface Water Management Plan
WA	Work Authority
WPV	Work Plan Variation

1. INTRODUCTION

Dartmouth Consulting Pty Ltd (Dartmouth) have prepared this planning report on behalf of Hanson Construction Materials Pty Ltd (Hanson), owner of the land at 870 & 910 Westernport Road, Yannathan (the 'Subject Site').

The subject site is currently used for sand extraction and operates under Planning Permit T140140, an expansion to the extraction area permitted under this permit is proposed. Planning permissions for this expanded area are sought via a new planning permit that will encompass the current and future extractive industry (sand extraction) activities.

This planning permit application is made pursuant to the provisions of Clause 53.22 'Significant Economic Development', Category 1, as the value of the resource to be extracted equates to approximately \$99.9 million, exceeding the \$30 million conditioned within Table 2 to Clause 53.22-1. It is the intention of this application, for any approval to supersede planning permissions allowed under Planning Permit T140140.

A planning permit is required pursuant to the following Clauses.

Table 1-1 Permit Triggers

Planning Control	Permit trigger	Current Planning Permissions
Clause 35.04 – Green Wedge Zone	Pursuant to clause 35.04-1, a planning permit is required to use the land for extractive industries	The use of the land for extractive industries has been approved by Cardinia City Council under planning permit T140140
	Pursuant to clause 35.04-5, a planning permit is required to construct a building or carry out works associated with a section 2 use (extractive industries)	Planning permit T140140 allows for quarrying, processing and sales (works) to be carried out in accordance with the endorsed plans in a Green Wedge Zone. Works associated with the expansion area have not been approved under T140140
Clause 42.03-2 - Significant Landscape Overlay	Pursuant to Clause 42.03-2 a planning permit is required to construct a building or construct or carry out works	Planning permit T140140 allows for works to be carried out in accordance with the endorsed plans in an area covered by a Significant Landscape Overlay. Works associated with the expansion area have not been approved under T140140
Clause 52.08 - Earth and Energy Resources Industry	Pursuant to Clause 52.08-2, a planning permit is required to use and develop land for earth and energy resources industry	Planning permit T140140 allows for works to be carried out in accordance with the endorsed plans as an Earth and Energy Resources Industry use. Works associated with the expansion area have not been approved under T140140

This report describes the proposed use and development and examines the context in which the project sits. It analyses the relevant planning controls and policy within the Cardinia Planning Scheme and assesses the town planning merits of the proposal.

This report is to be read in conjunction with the following reports and plans:

- Cover Letter prepared by Dartmouth Consulting
- E-Lodgement Application Form
- Planning Permit T140140, including
 - Secondary Consent Approvals

- Landscape Review prepared by Hamilton Landscape Architects Pty Ltd. The Landscape Review has been prepared in accordance with the requirements of Condition 8 of Planning Permit T140140. This addresses the current operations.
- Copy of Certificate of Title
- Drawing Set prepared by Ricardo
- Acoustic Assessment prepared by Watson Moss Growcott
- Air Quality Impact Assessment prepared by Edge Group
- Community Engagement Plan prepared by LH Strategic Communication
- Ecological Assessment prepared by Ecology & Heritage Partners
- Traffic Management Plan prepared by Dartmouth Consulting
- Written advice from Melbourne Water
- Written advice from Bunurong Land Council Aboriginal Corporation
- Documents associated with the variation to Work Authority WA127, including:
 - Notice of Approval from Earth Resources Regulator (ERR)
 - Statutory endorsement information
 - Referral checklist and responses including:
 - EPA
 - DEECA
 - Heritage Victoria
 - Southern Rural Water
 - Melbourne Water
 - An unaltered stamped and signed version of the statutorily endorsed work plan variation, including conditions

Over the past two decades, Yannathan Sand Quarry has played an important role in the effective extraction and processing of sand in Victoria. Changes to the extraction area and depth discussed within this report will yield a significant 5,551,000 tonnes of additional sand. Sand that in turn will form the foundations of major government led construction projects and deliver much needed housing.

The proposal enjoys significant support by State, regional, and local planning policy and is consistent with the directions and requirements of the Cardinia Planning Scheme.

2. SITE, SURROUNDS, AND BACKGROUND

2.1 SUBJECT SITE

The subject site is located on the southern side of Westernport Road at 870 and 910 Westernport Road, Yannathan, and is formally identified as Crown Allotment 100B Parish of Lang Lang East and Crown Allotment 39B Parish of Lang Lang East.

Located within the Cardinia Shire Council, the site is rectangular in shape with a frontage to Westernport Road of approximately 1,170 metres, a maximum lot depth of approximately 762 metres, yielding an approximate total area of 81.5ha.

The land is currently owned by Hanson Construction Material who've been using land for sand extraction.

Vehicular access to the site is provided via an existing crossover from Westernport Road, this crossover is utilised for access and egress by all operational traffic.

A waterway runs through the site, entering via the south east corner, and exiting towards the north west. The site is not encumbered by any easements.

Figure 2-1 Subject Site



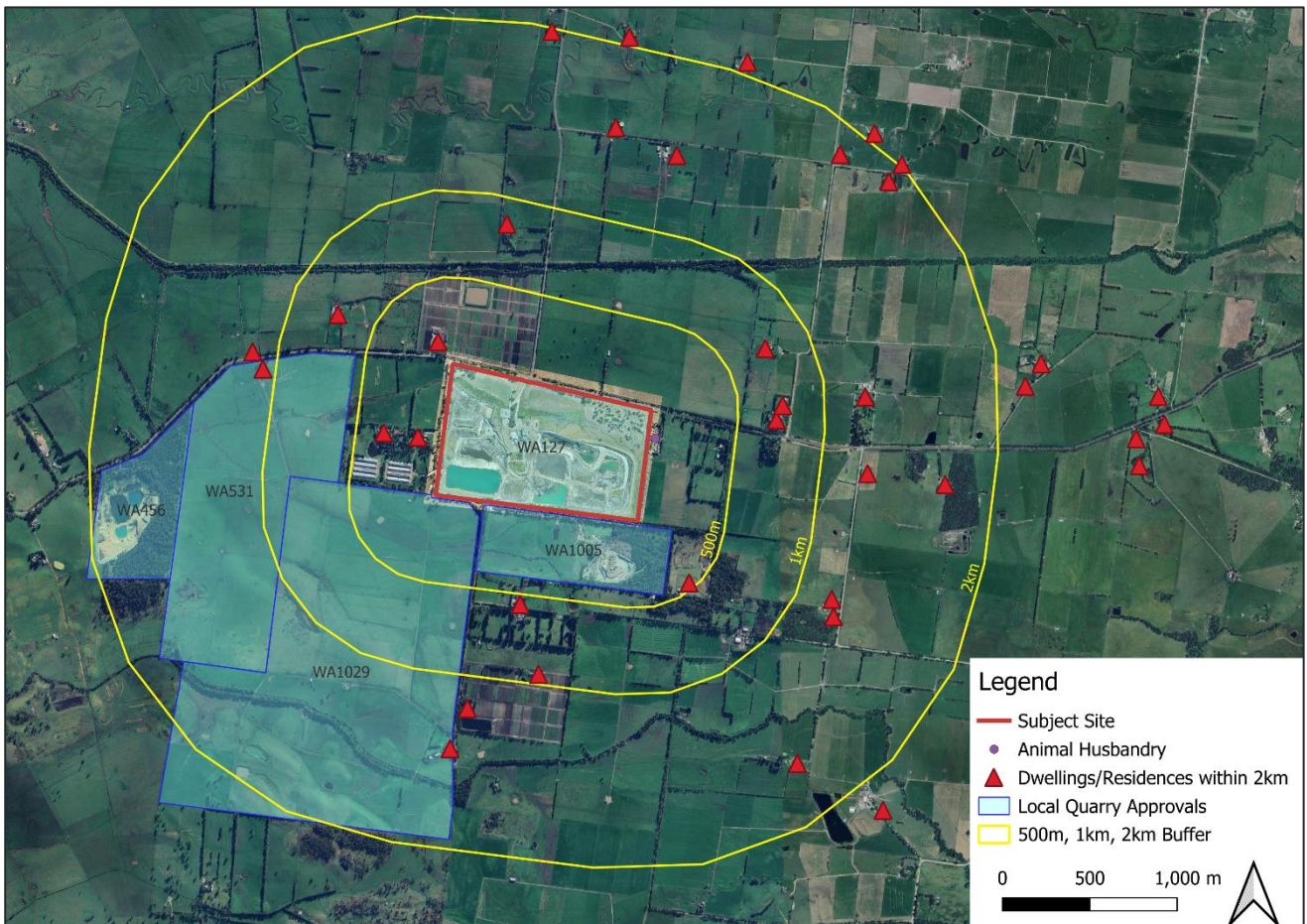
2.2 SITE SURROUNDS

The site is located in a rural area approximately 77 kilometres south east of Melbourne's CBD and 6km east of the Lang Lang township.

The following land uses surround the site:

Direction	Comment
North	Agricultural uses. A residential farmhouse is located approximately 740 m from the north-western corner of the site. A former dwelling to the north of the site is used as an office for the market garden, not a residence.
East	Land immediately east of the site is currently a kennel boarding and cattery facility and a farm with on-site residence.
South	Agricultural land is located to the south of the site, it is noted that quarry work authorities exist over both properties (WA1005 and WA1029)
West	An intensive poultry farming facility with on-site residences exists immediately west of the site.

Figure 2-2 Site Surrounds



2.3 APPROVAL HISTORY

WA127 was originally granted by the Department of Natural Resources and Environment to H.A & K.I Bulach in 1989. The site was also issued with a planning permit to allow sand extraction in 1992.

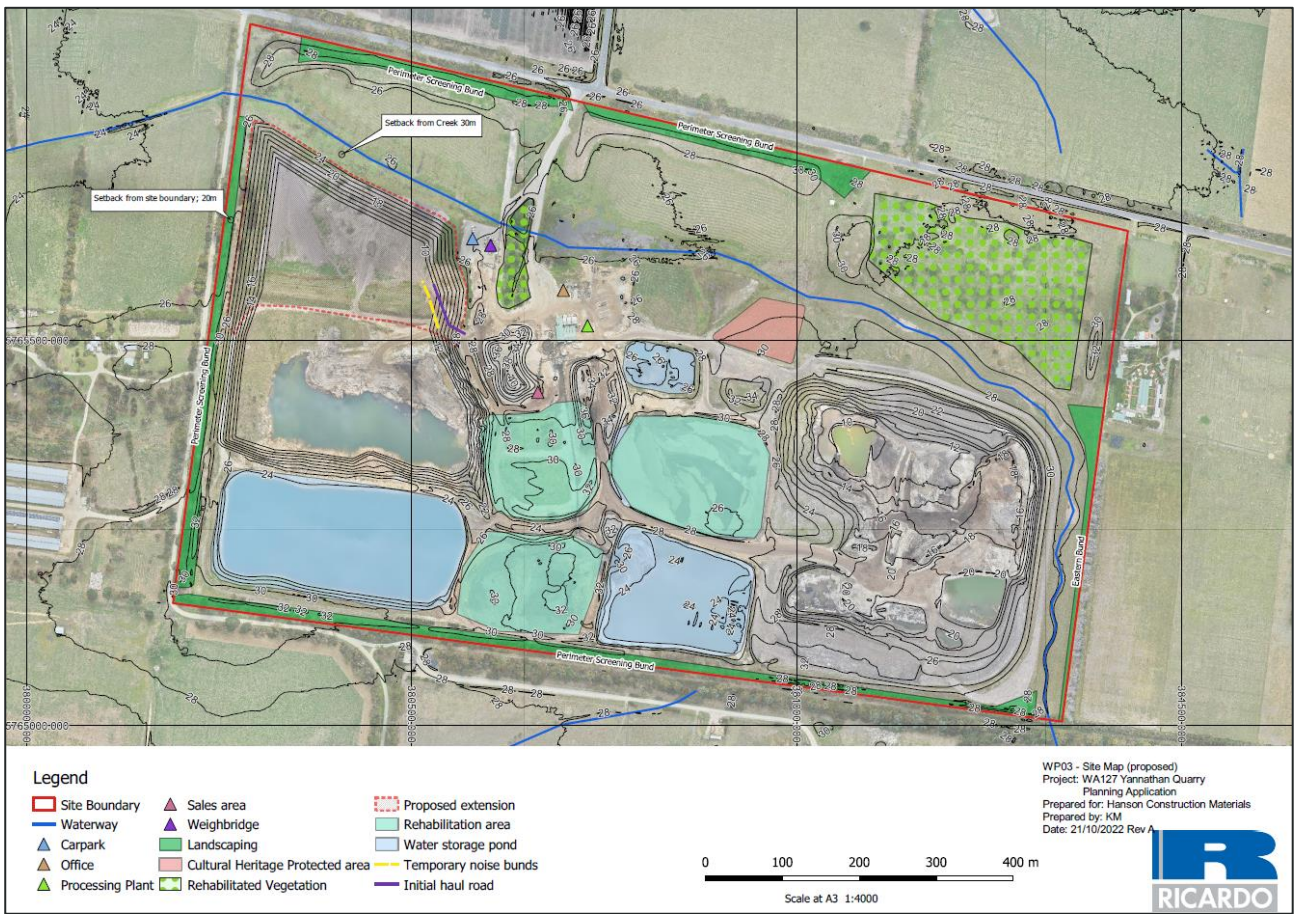
In 1997, Pioneer Concrete purchased the freehold from H and K Bulach the property on the east side of the site in 1998. Pioneer Concrete was subsequently purchased by Hanson Construction Materials. A variation to WA127 was submitted in 2013 extending the limit of extraction to both Hanson properties.

The site now operates under planning permit T140140-1 which was issued by Cardinia Shire Council on 1 October 2014 allowing for 'Use and development of the land for extractive industry (sand quarry) and alterations to a road zone category 1, generally in accordance with the approved plans'. The plans were last endorsed pursuant to Condition 1 of the permit T140140-1 and are shown in **Figure 2-3** below.

The following amendments to plans/permit have been approved since:

- The permit was amended via Section 72 of the Planning and Environment Act 1987 in 2015 which saw several conditions deleted.
- A Section 72 amendment was approved in 2020, allowing for the construction of a noise bund along the eastern property boundary.
- The endorsed plans were amended via Secondary Consent in early 2023 allowing the eastern pit to be extended northwards by approximately 100 metres.
- Cardinia City Council have approved six (6) Secondary Consent applications to temporarily extend the processing operating hours to 6 am – 10 pm Monday to Saturday. These extensions were submitted and approved on a half-yearly basis, with the Work Plan Variation needing to be approved before these hours could be formalised within the permit via a Section 72 amendment.

Figure 2-3 Site Plan



2.4 PRE-APPLICATION MEETING

DTP - Development Facilitation Program

A pre-application meeting was held with the Department of Transport & Planning (DTP), Development Facilitation Program on 11 July 2024.

Overall discussions were positive, with DTP noting the proposal appears to be generally well resolved and would be eligible for consideration under the Clause 53.22 pathway based on the indicated resource value. A subsequent email was sent from DTP’s Senior Planner, Dan Lawlor, on 18 July 2024 detailing required information to ensure the application’s eligibility, a response to this has been provided within **Table 4-1**.

2.5 CERTIFICATE OF TITLE

The subject site sits across two land parcels, formally identified on title as:

- Crown Allotment 100B Parish of Lang Lang East

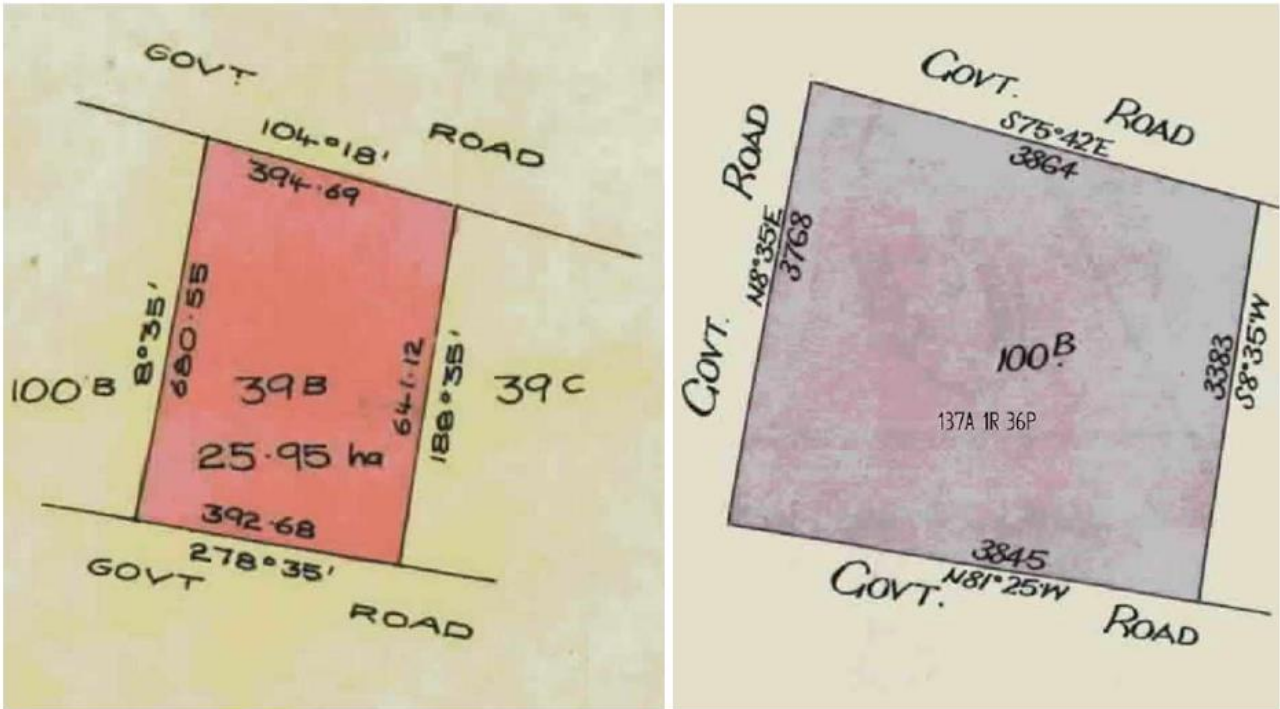
- Crown Allotment 39B Parish of Lang Lang East.

Hanson Construction Materials Pty Ltd of 601 Doncaster Road Doncaster Vic is listed as the Sole Proprietor of both holdings.

Agreement AD414146Q is registered on title pursuant to Section 173 of the Planning and Environment Act 1987. The agreement relates to costs associated with the maintenance of the surrounding road network and is no longer in effect.

Figure 2-4 below, shows the Title Plans for both Land parcels. Crown Allotment 39B Parish of Lang Lang East is shown on the left and Crown Allotment 100B Parish of Lang Lang East on the right.

Figure 2-4 – Title Plans



3. PROPOSAL

The following activities are proposed at 870 & 910 Westernport Road, Yannathan

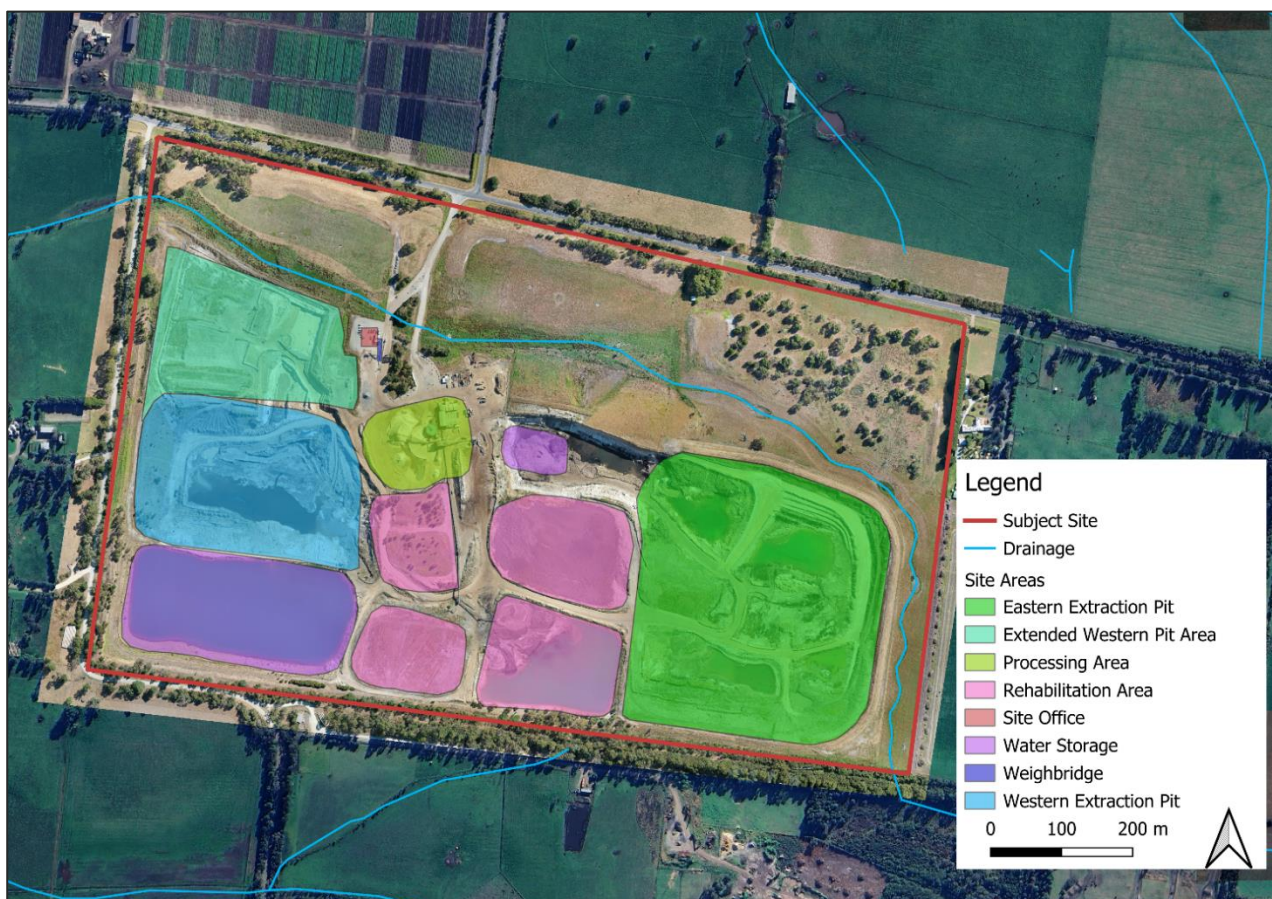
Use and develop the land for Extractive Industry (sand extraction and processing operation) and removal of native vegetation.

3.1 CURRENT OPERATION

As discussed within **Section 2** of this report, the site is currently used for Extractive Industry (sand extraction and processing operation) and operates under a planning permit issued by Cardinia City Council. The extraction area approved under this permit is shown within **Figure 3-1** below, whilst key features include:

- The site is used for sand extraction.
- Processing of the product occurs on site via a fixed processing plant. The plant is a three-stage system comprising an initial feed and screening section, followed by a sand production section and finally a separate treatment plant for reject clay and silt.
- Extraction depth limited to RL 9
- Hours of operation between 6am and 6pm Monday to Saturday inclusive.
- The slope of batters, both cut and fill, must not exceed 2:1
- The transport of approximately 400,000 tonnes per annum of quarry product.
- A maximum of 15 staff on-site at any one time.
- The carpark, in which there are 25 spaces available, is located just west of the office (located centrally on the site) and is accessed from the main entrance on Westernport Road
- Vehicles ingress and egress from the site limited to Westernport Road only
- Mobile plant includes 2 front end wheel loaders; 2 dump trucks, 1 excavator, and 1 water truck

Figure 3-1 Current Site Layout



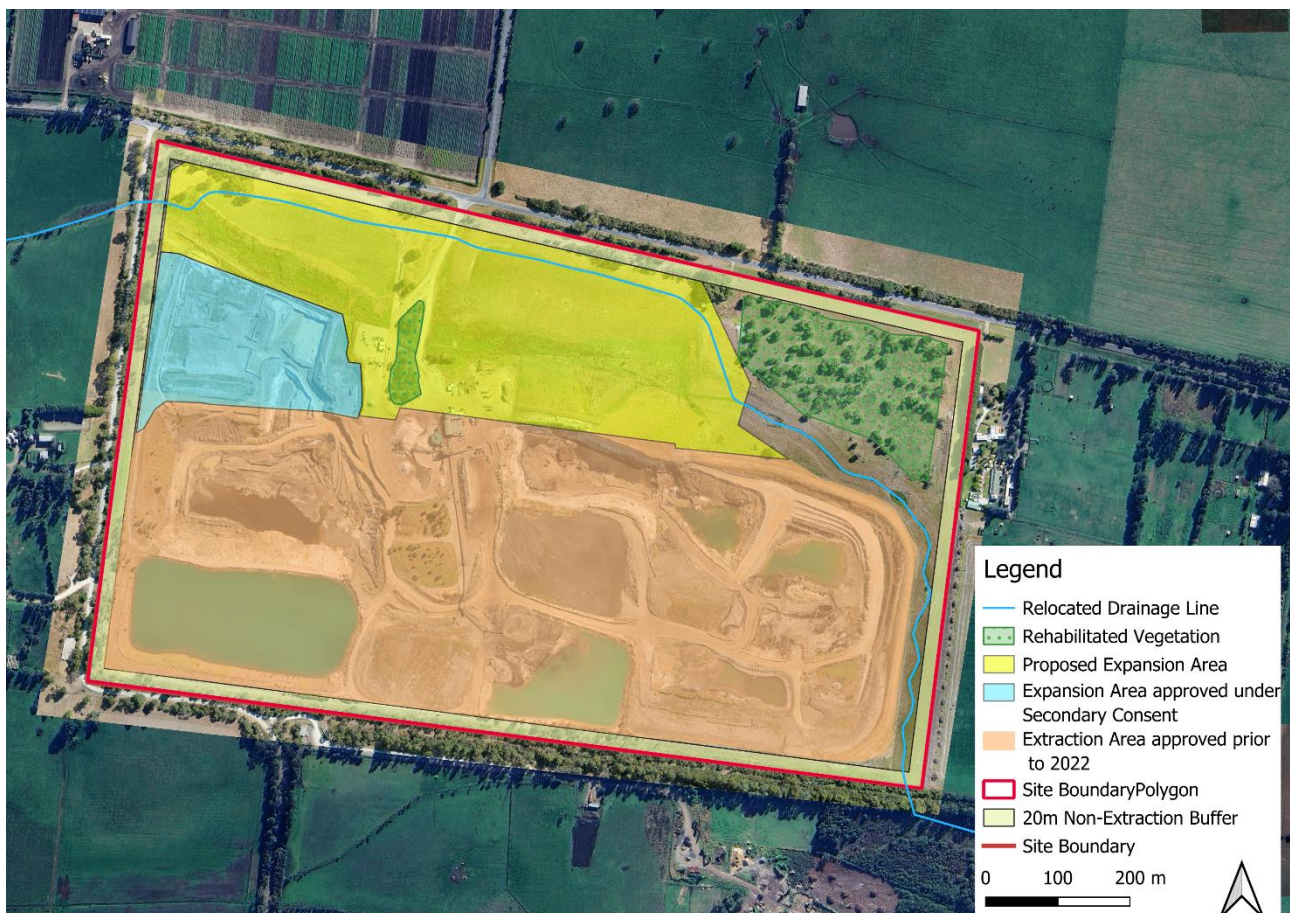
3.2 CHANGES TO OPERATION

3.2.1 Extraction area and layout

From the layout approved under Planning Permit T140140-1, it is proposed to expand the extraction area, as shown in **Figure 3-2**, to include the area to the north. In addition, the following changes to operation are proposed:

- Operating hours will remain the same for vehicles leaving the site, but operating hours will be extended to 6am to 10pm for processing Monday to Saturday (excluding Christmas day, Boxing Day and Good Friday).
- Maximum extraction depth increased to RL -9mAHD.
- The expanded extraction area and increase to depth will allow for an additional 5,551,000 tonnes of resource to be extracted.
- The expansion will not change the amount of product transferred annually or the route.
- The internal access road will be shifted to allow extraction of underlying resources.
- Staff numbers will remain unchanged.
- The expanded extraction area will be set back a minimum of 20 metres from Westernport Road.
- Mobile plant includes:
 - 3 front end wheel loaders
 - 4 dump trucks
 - 3 excavator
 - 1 water truck

Figure 3-2 Proposed Site Plan, Increased extraction area delineated by yellow area.



3.2.2 Vegetation Removal

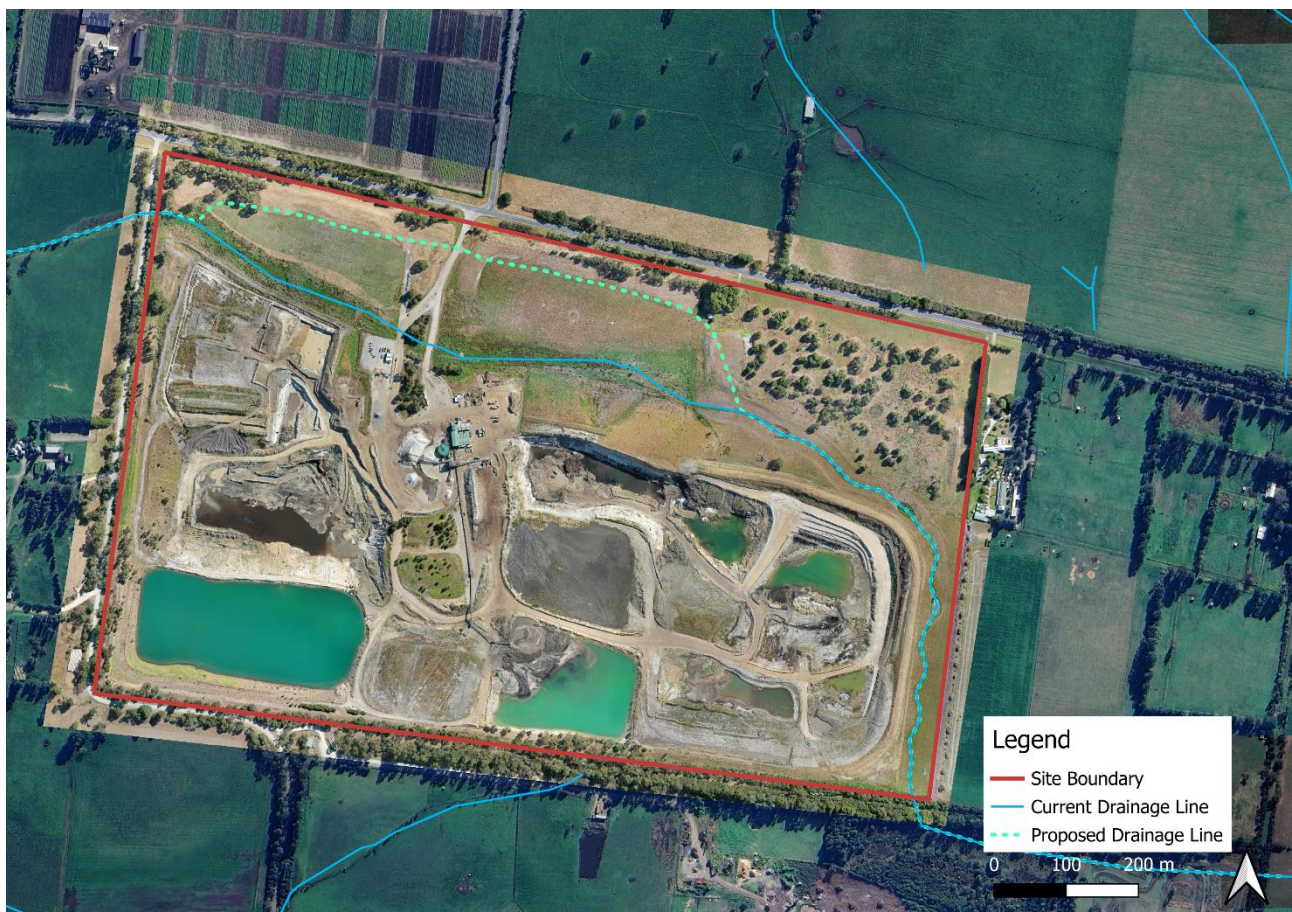
A survey of flora and fauna across the proposed extension area was undertaken by Ecology & Heritage Partners in 2022. Thirteen native flora species were recorded within the study area whilst no significant fauna species are considered likely to occur within the study area, due to the lack of suitable habitat features (e.g. wetlands, structurally diverse vegetation, hollow bearing trees). The expansion area will require the removal of one Large scattered tree (with an extent of 0.0703 hectares). To offset this removal, a general offset of 0.015 general habitat units will be secured comprising:

- Located within the Port Phillip and Westernport Catchment Management boundary or Cardinia Shire Council municipal area
- With a minimum strategic biodiversity score of at least 0.352

3.2.3 Drainage Relocation

There is currently a drainage line that flows through the proposed extension area. It is proposed to relocate the drainage line to the north to facilitate extraction. The extraction will be undertaken in a staged manner so that the northern area will be extracted and refilled and the new waterway will be constructed over the filled area.

Figure 3-3 Drainage Relocation



4. PLANNING CONTROLS

The site is in the Green Wedge Zone – Schedule 1 (GWZ1) under the jurisdiction of Cardinia City Council. The Significant Landscape Overlay – Schedule 3 (SLO3) also affects the entirety of the subject site.

4.1 GREEN WEDGE ZONE

The site is located within the Green Wedge Zone – Schedule 1 (GWZ1) as shown in **Figure 4-1**.

Key purposes of the GWZ1 include:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage use and development that is consistent with sustainable land management practices
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

A planning permit is required within the GWZ1, pursuant to the following clauses:

- Clause 35.04-1, a planning permit is required to use the land for extractive industries
- Clause 35.04-5, a planning permit is required to construct a building or carry out works associated with a section 2 use (extractive industries).

It is noted that, pursuant to Clause 35.04-5, a planning permit is required for earthworks which change the rate of flow or the discharge point across a property boundary. Whilst the project will alter the drainage line, it will not impact the rate of flow nor will it change the discharge point of water across the property boundaries, accordingly there is no permit trigger under this Clause.

Figure 4-1 Zoning Map



4.2 SIGNIFICANT LANDSCAPE OVERLAY

As shown in **Figure 4-2**, the sites entirety is affected by the Significant Landscape Overlay – Schedule 3 (SLO3). SLO3 seeks to

- To identify significant landscapes.
- To conserve and enhance the character of significant landscapes.

Figure 4-2 Significant Landscape Overlay Map



Schedule 3 is titled 'Lang Lang/Heath Hill' and includes the following statement of nature and key elements of landscape:

The Heath Hill landscape extends east from the township of Lang Lang to Nyora in the south and Poowong in the east. The area, which has been recognised by the National Trust, includes landforms which range from alluvial river flats, through sandy heaths to rolling hills which reach elevations of 182 metres. The area is crossed by tributaries of the Lang Lang River which form a catchment area that drains into Western Port. The area contains one of the last extensive heathy woodland remnants in the Western Port region and is a mixture of cleared pasture land which contains clumps of indigenous areas of heath and Messmate forest, particularly along the stream and road lines. Scenic views are available from elevated points with views across the river flats and to Western Port. The environmental characteristics of the landscape are sensitive to any further fragmentation or development.

The landscape objectives to be achieved include:

- To protect and enhance the environmental and landscape values of the Lang Lang/Heath Hill area.
- To protect, conserve and improve habitat for flora and fauna which contributes to the significance of the landscape and provides fauna habitat and biolinks.
- To ensure that any new buildings and works are located and designed to avoid detrimental effects on the key characteristics of the landscape.
- To maintain and protect vegetation as an important element within the landscape.

Pursuant to Clause 42.03-2 a planning permit is required to construct a building or construct or carry out works. 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 is exempt from requiring a planning permit under the SLO, pursuant to Clause 42.03-3 (Table of exemptions).

4.3 CULTURAL HERITAGE SENSITIVITY

The majority of the subject site, including the new extraction area, is located within an area of Aboriginal Cultural Heritage Sensitivity (**Figure 4-3**).

Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and landform types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two-part trigger which require a 'cultural heritage management plan' (CHMP) be prepared where a listed 'high impact activity' is proposed.

A CHMP has previously been prepared for site. A new CHMP has been undertaken by Heritage Insight in support of this applications. This is discussed within **Section 7.4**.

Figure 4-3 Areas of Cultural Heritage Sensitivity



4.4 PARTICULAR PROVISIONS

Clause 52.06 Car Parking

A key purpose of clause 52.06 is 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.

Land Use term 'Extractive Industry' is not listed within Table 1, accordingly, pursuant to Clause 52.06-6 where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the Responsible Authority.

There are currently 25 carparks on site to 15 staff on site at any one time, the expansion will not increase staffing numbers as such, the current arrangements are adequate.

Clause 52.08 Earth and Energy Resources Industry

Clause 52.08 seeks to encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards. Pursuant to Clause 52.08-2, a planning permit is required to use and develop land for earth and energy resources industry.

Clause 52.09 Extractive Industry and Extractive Industry Interest Areas

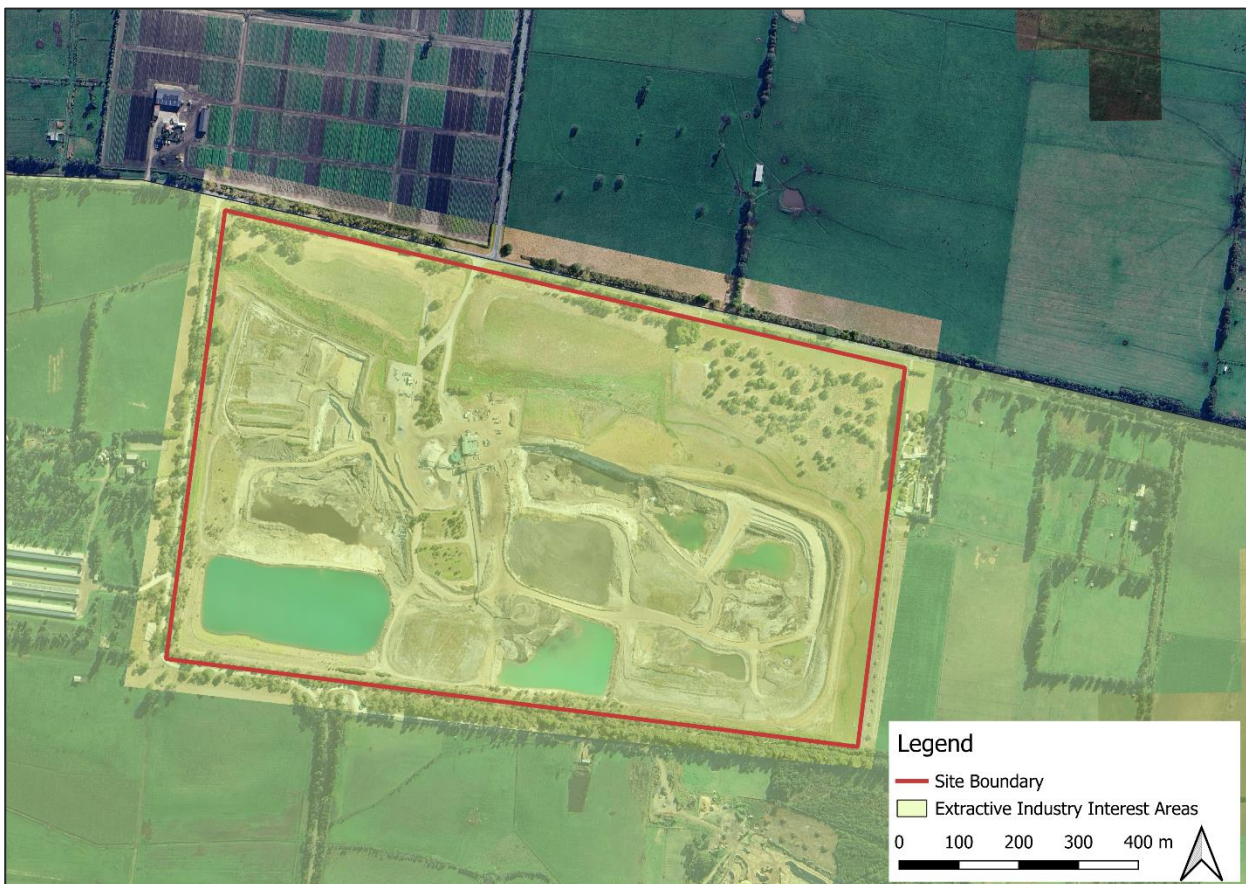
This clause applies to an application to use or develop land for extractive industry, within an Extractive Industry Interest Area – of which the subject site is in (refer **Figure 4-4**). The purpose of the Clause is:

- *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.*

Application requirements outlined within in Clause 52.09-2 have been included within this submission, including:

- A copy of the work plan variation at has received statutory endorsement
- The written notice of statutory endorsement
- Conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

Figure 4-4 Extractive Industry Interest Areas



Clause 52.17 Native Vegetation

Clause 52.17 seeks 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.

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.

Pursuant to Clause 52.17-1 a planning permit is required to remove, destroy or lop native vegetation, including dead native vegetation. Clause 52.17-7 provides exemptions from this trigger, including for Extractive Industry where:

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.

As such, there is no permit trigger under this Clause.

Clause 52.29 Land Adjacent to the Principal Road Network

Clause 52.29 ensures appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network. Westernport Road forms part of the Principal Road Network. This application does not seek to alter access to it, as such there is no permit trigger under this Clause.

Clause 53.22 Significant Economic Development

The Development Facilitation Program (DFP) is an accelerated assessment pathway for eligible projects to inject investment into the Victorian economy, keep people in jobs and create homes for people. Key purposes include:

- 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.
- To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture

This application meets the requirements set out in Category 1 of Table 1 to Clause 53.22-1, specifically written advice from the Chief Executive Officer, Invest Victoria has been received and the estimated value of the additional resource to be extracted is \$99.9 million.

Pursuant to Clause 53.22-4, an application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

As discussed within **Section 2.4** confirmation/clarification on a number of key items was required to confirm the applications eligibility under Clause 53.22. A response to these items is contained within **Table 4-1** below

Table 4-1 Response to DTP's comments

DTP Comment	Response
A copy of the Statutorily endorsed Work Authority documents, supporting reports, referrals and associated responses and Work Authority conditions.	A copy of the Statutorily endorsed Work Authority documents, supporting reports, referrals and associated responses and Work Authority conditions has been included within this application.
A copy of current Title documents (within 3 months of lodgement) and any associated restrictions on Title.	A copy of current title, including Section 173 Agreement AD414146Q has been included. The documents were produced on 14 August 2024.
Details of how the proposed waterway diversion will be constructed and staged (i.e. Stormwater Management Strategy)	A Surface Water Management Plan (SWMP) was prepared by Engeny. The SWMP includes details of the concept design around the constructed waterway. However, the SWMP does not include details around construction methods and staging. This forms part of the functional and detailed design process of the project will commence, in close consultation with Melbourne Water, shortly. Should DTP consider this information necessary we request it is addressed via permit condition, given Melbourne Water has provided in-principle support.
Provide copy of in-principle support obtained from Melbourne Water regarding the proposed waterway diversion.	Melbourne Water provided 'in principal acceptance and approval' of the SWMP in a letter dated 8 July 2024. A copy of this letter has been included within the application material.
The supporting planning permit application material should be prepared to encompass the entirety of the quarry site, noting the prospective planning permit would seek to replace the existing planning permit affecting the land	All supporting documents consider the entirety of the quarry site.
A copy of the existing planning permit for the quarry operations.	The site currently operates under planning permit T140140-1 which was issued by Cardinia Shire Council on 1 October 2014 allowing for ' <i>Use and development of the land for extractive industry (sand</i>

DTP Comment	Response
	<p>quarry) and alterations to a road zone category 1, generally in accordance with the approved plans'</p> <p>A copy of the permit has been included within this submission</p>
Written confirmation from the Bunurong Land Council Aboriginal Corporation confirming satisfaction with the proposed re-location of artefacts to the north-west corner of the site.	Bunurong Land Council Aboriginal Corporation's Senior Heritage Advisor, Dr David Tutchener, provided written confirmation on 3 May 2024. A copy of this email has been included.
Consider amending the extraction boundary to the north-west corner to be outside the proposed artefact location	The site layout plan has been amended, with the extraction area outside the proposed artefact location.
A new planning permit will need to be accompanied by a new Traffic Management Plan.	A Traffic Management Plan has been prepared by Dartmouth Consulting, dated 13 August 2024, and included within the application material.
Prepare and submit relevant Financial Details to be provided to Invest Victoria. See attached document detailing the information that will be required	Relevant financial details have been provided to Invest Victoria, we expect to be able to submit the required correspondence through shortly.

In addition, a number of plans/ documents were recommended for inclusion in the application package. Comments have been provided within **Table 4-2**.

Table 4-2 Requested Supporting Documents

Document	Comment
Amended Plans	The plan set has been updated to include elevations showing quarry depths and slopes.
Native Vegetation Report and detailed offsets.	<p>An Ecological Assessment was prepared by Ecology & Heritage Partners as part of the WPV, and has been included within this submission.</p> <p>The report was referred to DEECA as part of that process, who confirmed a general offset of 0.015 general habitat units:</p> <ol style="list-style-type: none"> located within the Port Phillip and Westernport Catchment Management boundary or Cardinia Shire Council municipal area with a minimum strategic biodiversity score of at least 0.352 <p>A copy of this referral has been included.</p>
Geotechnical Report	A geotechnical report, prepared by CMW Geosciences, has been included within this submission.
Visual Impact Assessment	Pursuant to Condition 8 of the planning permit, a landscape review is prepared biennially – a copy of the latest review has been included within the submission.
Landscape Plan	<p>Whilst falling short of the detail generally expected in a visual impact assessment, the review provides sufficient discussion around the 'excellent screening of buildings and plant equipment' provided by existing vegetation, both planted by Hanson and along the road reserve. The review considers all property boundaries and makes it is clear the expansion of the quarry will not be visible from the public realm.</p> <p>The review also provides sufficient detail around the extensive planting Hanson has undertaken over the years. Given this planting over the years, as shown within the review, we are of the opinion that a landscape plan is not required. Should this position not be supported, we request a Landscape Plan is requested by way of permit condition.</p>

4.5 SUMMARY OF PERMIT TRIGGERS

A planning permit is required for the proposed development pursuant to the following provisions of the Cardinia Planning Scheme:

Table 4-3 Permit Triggers

Planning Control	Permit trigger
Clause 35.04 – Green Wedge Zone	Pursuant to clause 35.04-1, a planning permit is required to use the land for extractive industries
	Pursuant to clause 35.04-5, a planning permit is required to construct a building or carry out works associated with a section 2 use (extractive industries)
Clause 42.03-2 - Significant Landscape Overlay	Pursuant to Clause 42.03-2 a planning permit is required to construct a building or construct or carry out works
Clause 52.08 - Earth and Energy Resources Industry	Pursuant to Clause 52.08-2, a planning permit is required to use and develop land for earth and energy resources industry

5. PLANNING POLICY FRAMEWORK

The Planning Policy Framework (PPF) seeks to achieve the objectives of planning in Victoria as set out in section 4 of the Planning and Environment Act 1987, 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.

The key state, regional and local planning policies in the Cardinia Planning Scheme are outlined below.

5.1 STATE PLANNING POLICY FRAMEWORK

All planning schemes in Victoria contain the SPPF. The SPPF comprises general principles for land use and development with specific policies dealing with settlement, environment, housing, economic development, infrastructure, and particular uses and development.

Planning authorities (when considering planning scheme amendments) and responsible authorities (when deciding on planning permit applications) must take account of and give effect to the SPPF's general principles and specific policies.

Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs

The objective of this Clause is 'To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs'. Relevant strategies include 'protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets'.

A Surface Water Management Plan was prepared by Engeny, including hydrologic and hydraulic modelling which informed the development of the management plan and provided the design basis for the realigned waterway ensuring no impacts to water flow volumes or discharge points.

Clause 13.05-1S Noise Management

This Clause seeks 'To assist the management of noise effects on sensitive land uses'. Relevant strategies include:

- Ensure that development is not prejudiced, and community amenity and human health is not adversely impacted by noise emissions.
- Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, childcare centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area

An acoustic assessment has been prepared by Watson Moss Growcott Acoustics. The purpose of the assessment has been to identify potential constraints associated with off-site noise emission from the quarry on the proposed extension of the extraction area and develop appropriate noise mitigation strategies as required.

It was concluded that implementation of appropriate strategies and noise controls can allow operation of the quarry with the proposed new extraction area to proceed in compliance with noise limits determined in accordance with the Noise Protocol (EPA publication 1826). The results of the Acoustic Assessment are further discussed within **Section 7.2**.

Clause 13.06-1S Air Quality Management

The objective of this Clause is 'to assist the protection and improvement of air quality'. Key strategies include:

- Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital).
- Minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout and design responses.

An Air Quality Impact Assessment was conducted by Edge Group. The report concluded that ‘it is unlikely that there will be any potential human health (or amenity) impact surrounding the site during the proposed operations, which would be operating in normal steady-state conditions almost all of the time’. The results of the Air Quality Impact Assessment are further discussed within **Section 7.3**.

Clause 13.07-1S Land Use Compatibility

This Clause seeks ‘To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.’ Key strategies include:

- Ensure that use or development of land is compatible with adjoining and nearby land uses
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.

The quarry’s strategic location is reflected within the surrounding uses, specifically the numerous neighbouring quarry operations, ensuring the use is highly compatible with its surrounds. These surrounding uses plus the agricultural uses abutting the east and western boundary ensure buffers are in place between the site’s activities and the more sensitive uses. Further buffers have been incorporated into the site layout, including a 20-metre buffer to Westernport Road, which have been utilised to maximise screen planting and bunding. These measures, coupled with dense vegetation along the Westernport Road road reserve, ensure the site’s current and future activities are appropriately screened from view.

Clause 14.02-2S Water Quality

This Clause seeks ‘To protect water quality’. Key strategies include ‘protect reservoirs, water mains and local storage facilities from potential contamination’.

There is no water supply infrastructure downstream of the site.

Clause 14.03-1S Resource Exploration and Extraction

The objective of this Clause is ‘To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards’. Key strategies include:

- 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
- Facilitate the use and development of Strategic Extractive Resource Areas for extractive industries and other compatible land uses.

Clause 15.03-2S Aboriginal Cultural Heritage

The objective of this Clause is ‘To ensure the protection and conservation of places of Aboriginal cultural heritage significance.’ Key strategies include:

- Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.
- Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.
- Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.

A Cultural Heritage Management Plan has been prepared and is further discussed within **Section 7.4**.

5.2 MUNICIPAL STRATEGIC STATEMENT

Clause 21.04-6 – Economic Development (Extractive Industry)

This Clause includes the objective ‘to recognise and protect significant sand and stone resources in the municipality and allow the extraction of these resources if it can be demonstrated that the extraction operation will not adversely impact on the environment or community’.

The Yannathan Sand Quarry has been a significant contributor to the effective extraction and processing of sand in Victoria over the last decade, a suite of technical studies have been prepared in support of its expansion and, as discussed within **Section 277**, have demonstrated the expanded operation will not adversely impact on the environment or community.

5.3 LOCAL PLANNING POLICY

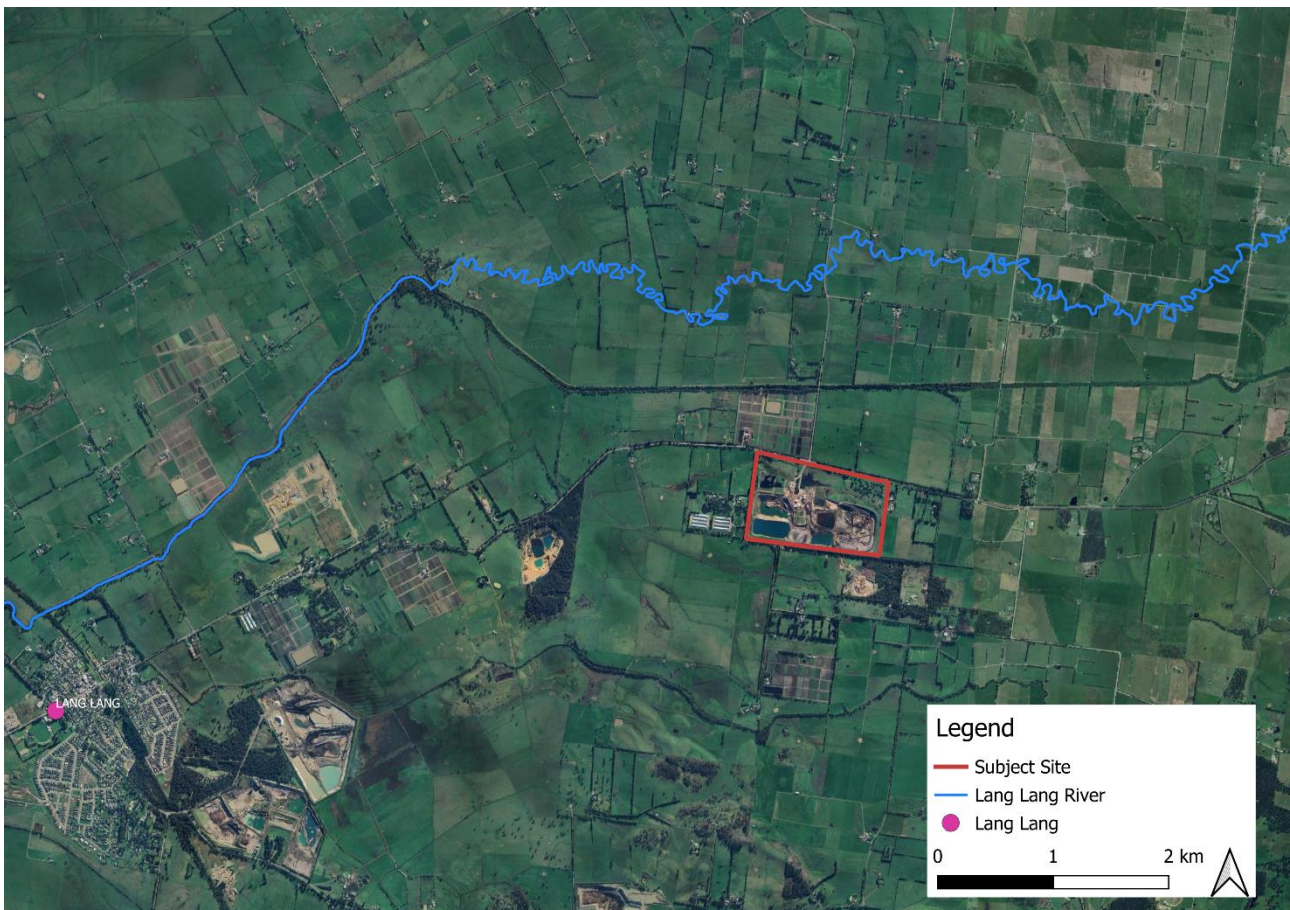
Clause 22.02 Sand Extraction – Lang Lang to Grantville Region

This policy applies to land in the Lang Lang area, generally south of the Lang Lang River. As shown in **Figure 5-1**, the site is located within the Lang Lang area and sits to the south of the Lang Lang River.

The basis for this policy is ‘The Lang Lang to Grantville region contains significant sand resources which are expected to become a major source of sand for the Melbourne supply area over the next 10 to 20 years. The extraction of the sand resources will have significant economic, social and environmental effects on the area’.

The objective of the Clause is ‘to protect sand resources in the Lang Lang - Grantville area and to provide for the extraction of these resources and rehabilitation of sites in a manner which protects the significant environmental, social and economic values of the area’.

Figure 5-1 Subject Site in relation to Lang Lang River



5.4 BACKGROUND DOCUMENTS

Helping Victoria Grow – Extractive Resources Strategy

Helping Victoria Grow was developed by the Victorian Government to help ensure that high quality extractive resources are available to support Victoria’s growth.

The strategy recognises that the state is growing rapidly, with population forecast to exceed 10 million people by 2050. To support this growth, double the current volume of extractive resources need to be made available for the building, construction and infrastructure sectors. The long-term supply of strategic extractive resources needs to be secured now, in areas close to where they will be used, to minimise transportation and construction costs.

6. REFERRALS

The work plan approval process requires the same referrals to authorities as a planning permit application. Pursuant to Clause 66, Referral and Notice Provisions, any requirement for referral under this or another clause does not apply if:

The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.

WA127 Work Plan Variation was recently endorsed with several referrals undertaken, a breakdown of these referrals is provided below whilst a copy of comments received has been included within this submission.

Table 6-1 WA127 Work Plan Variation Referral Comments

Referral Authority	Referral Comment
EPA	<p>Referral issued from the EPA on 23 April 2024.</p> <p><u>Ground Water</u></p> <p>Comments relating to the protection and improvement of groundwater quality referred to flocculant chemicals and their degradation products, acid soils management plans, and monitoring bores. It is considered that these comments can be addressed via permit condition.</p> <p><u>Air Quality</u></p> <p>The EPA's review of the Air Quality Assessment noted 'the modelling undertaken appears generally acceptable' though recommend background monitoring be undertaken. It concluded that 'While there are a few gaps in the assessment EPA believes they are not detrimental to our response'</p> <p><u>Surface Water</u></p> <p>Gaps in the Rehabilitation Plan were identified by the EPA, these will be addressed prior to rehabilitation commencing.</p> <p><u>Noise</u></p> <p>No review of the acoustic assessment was undertaken as part of this referral.</p>
DEECA – Planning and Environment Approvals	<p>Referral issued from the DEECA on 29 April 2024.</p> <p>DEECA does not object to the proposed works on biodiversity grounds and has recommended a number of conditions be included, including requirements around offsets and the preparation of a Waterway Realignment and Landscape Plan and a Vegetation Management Plan. It is considered this can also be addressed via a permit condition.</p>
Heritage Victoria (HV)	<p>Referral issued from HV on 20 March 2024.</p> <p>Heritage Victoria did not object and noted that their records indicate that there are no places currently included in the Victorian Heritage Register (VHR) or Heritage Inventory (HI) within the subject area</p>
Melbourne Water (MW)	<p>Referral issued from MW on 3 April 2024.</p> <p>MW provided comments around the Surface Water Management Plan and submitted three (3) conditions for inclusion on the permit. It is noted 'The Melbourne Water conditions 36 to 50 in the planning permit no. T140140 – 1 are still applicable'</p>
Southern Rural Water (SRW)	<p>Referral issued from SRW on 26 April 2024, with comments relating to water quality monitoring plan, collation of groundwater level data, and the suitability of the 19ML groundwater licence held by Hanson.</p>

7. PLANNING CONSIDERATIONS

7.1 STRATEGIC CONTEXT

Over the past decade, Yannathan Sand Quarry has played an important role in the effective extraction and processing of sand in Victoria. Changes to the extraction area and depth discussed within this report will yield a significant 5,551,000 tonnes of additional sand. Sand that in turn will form the foundations of major government led construction projects and deliver much needed housing.

With Melbourne’s population predicted to grow to 10 million by 2050, the demand on extractive resource is expected to double. Strategic plans and documentation (including Helping Victoria Grow – Extractive Resources Strategy) prepared by the Victorian State Government have recognised the need to secure the long-term supply of strategic extractive resources, in areas close to where they will be used. Yannathan is located close to Metropolitan Melbourne, this expansion secures 5,551,000tonnes of this valuable resource.

The expansion and use of land for stone extraction aligns with the primary purpose of the Green Wedge Zone which seeks to recognise, protect, and conserve green wedge land to be used for mineral and stone resources (amongst other uses).

The project also meets the GWZ purpose ‘To encourage use and development that is consistent with sustainable land management practices’, with the Rehabilitation Plan showing the site will be used for conservation post use, with lakes occupying a large portion of the footprint whilst the central, south-eastern and north-eastern area of the Site are to be revegetated as shown in **Figure 7-1**.

Figure 7-1 Rehabilitation Plan



There is strong policy support within the Cardinia Planning Scheme including Clauses 14.03-1S (Resource Exploration and Extraction) and Clause 21.04-6 (Economic Development (Extractive Industry)), which both recognise the need to encourage and protect sand resources across the State providing adverse impacts on the environment and community are managed (refer sections below on management of amenity impacts).

Further policy support can be found in Clause 22.02 (Sand Extraction – Lang Lang to Grantville Region), in which the expansion meets the objective of ‘to protect sand resources in the Lang Lang - Grantville area and to provide for the extraction of these resources and rehabilitation of sites in a manner which protects the significant environmental, social and economic values of the area’ and provides a positive response to policy contained within Clause 22.02-3 as follows:

- A rehabilitation plan has been prepared and endorsed by ERR. Rehabilitation of the site has already commenced, and once fully rehabilitated it will be compatible with adjacent land uses.
- The project will not adversely impact on the quality and quantity of groundwater resources in the area
- The region's waterways and the waters of Westernport Bay will not be impacted by the works. The onsite drainage line will be diverted, with plans/strategy of its diversion prepared in conjunction with Melbourne Water.
- The impact to native flora is minimal (one tree proposed to be removed)
- The impact to habitat and fauna is 'insignificant', as described by project ecologists Ecology and Heritage Partners.
- The transportation of the product will be via Westernport Road, and in line with existing permit conditions.
- A Cultural Heritage Management Plan has been prepared which ensure the protection of Aboriginal heritage significance.
- Utilising a combination of screen planting and bunding the site is screened from public view.
- The amenity of existing and future residents of the locality has been considered and protected (refer below).

The quarry's strategic location is reflected within the surrounding uses, specifically the numerous neighbouring quarry operations as shown in **Figure 2-2**, ensuring the use is highly compatible with its surrounds. These surrounding uses plus the agricultural uses abutting the east and western boundary ensure buffers are in place between the sites activities and the more sensitive uses (Clause 13.07-1S – Land use compatibility). Further buffers have been incorporated into the site layout, including a 20-metre buffer to Westernport Road, which have been utilised to maximise screen planting and bunding. These measures, coupled with dense vegetation along the Westernport Road road reserve, ensure the sites current and future activities are appropriately screened from view.

Biennial site visits are undertaken by Hamilton Landscape Architects Pty Ltd, to assess the health, and quality of the planted landscaping, with this latest report included within this submission. The report, prepared 17 August 2022, found that roadside vegetation along Milner's Road and planting within the site provides 'very good' screening whilst the site is completely screened from the Westernport Road and Milner's Road intersection.

Figure 7-2 Landscape screening along Westernport Road



The proposal receives significant support by State, regional, and local planning policy and is consistent with the primary purpose of the Green Wedge Zone.

7.2 ACOUSTIC ASSESSMENT

An acoustic assessment has been prepared by Watson Moss Growcott Acoustics. The purpose of the assessment has been to identify potential constraints associated with off-site noise emission from the quarry

on the proposed extension of the extraction area and develop appropriate noise mitigation strategies as required.

The noise assessment has been conducted in accordance with the Environment Protection Act 2017 (the Act) and subordinate legislation.

It was concluded that implementation of appropriate strategies and noise controls can allow operation of the quarry with the proposed new extraction area to proceed in compliance with noise limits determined in accordance with the Noise Protocol. Consideration has also been given to additional measures that could reduce noise emission so far as reasonably practicable, consistent with the General Environmental Duty under the Act.

The report concludes that it would be reasonable for the site to continue as it has been operating, with the possibility of considering engineering and administrative controls should disturbance associated with low frequency noise arise in future. These controls include:

- Limiting extraction between 6am and 7am to areas where an excavator can operate at a level nominally 6 m below the natural surface level (or 3 m below natural surface with a 3 m noise bund).
- Installing a noise bund along the western side of the haul route to the western extraction areas, extending from the entry point of the existing and now depleted southwestern pit to just south of the ephemeral watercourse that crosses the site through the proposed new extraction area.
- All mobile equipment operating at the site should be fitted with broadband reverse alarms, which vary their noise output according to the ambient noise level. These reversing alarms should be selected for the lowest noise level consistent with safe operation.
- If necessary, not operating the process plant between 6am and 7am.
- If necessary, not operating the process plant after 8 pm if there are westerly breezes.

The proposal will meet the objectives and strategies set out in Clause 13.05-1S (Noise Management), including *'Ensure that development is not prejudiced, and community amenity and human health is not adversely impacted by noise emissions'*

7.3 AIR QUALITY

An Air Quality Impact Assessment was conducted by Edge Group. The Air Quality Impact Assessment was consistent with a Level 2 Assessment, as defined in EPA Publication 1961 (2022) for a medium mine or quarry with between 150,000 t/yr and 500,000 t/yr extraction in a rural area with residences within 500m.

The Air Quality Impact Assessment provides the results of modelling using the Environment Protection Authority Victoria's (EPA) approved regulatory dispersion model, AERMOD; and provides discussion on the predicted results. The impact of the following parameters were modelled: carbon monoxide, nitrogen dioxide, particulate matter 2.5 µm or less in diameter (PM_{2.5}), particulate matter 10 µm or less in diameter (PM₁₀), and total suspended particles.

The pollutants above were modelled under generally worst-case/conservative conditions. The modelling identified that respective regulatory criteria adopted in the assessment were not exceeded at the nearest sensitive (residential or office) receptors modelled for all parameters except PM_{2.5} (including consideration of background concentrations, as required).

For PM_{2.5}, a risk assessment was conducted following the methodology in EPA Publication 1943 (2022). The outcome was a "moderate" risk ranking, i.e. "although there is some risk of nuisance dust, it is possible it can be practically and effectively managed". This is consistent with the fact that no complaints have been identified from existing operations.

The report concluded that 'it is unlikely that there will be any potential human health (or amenity) impact surrounding the site during the proposed operations, which would be operating in normal steady-state conditions almost all of the time'. As such meeting the objectives set out in Clause 13.06-1S – Air Quality Management

The Air Quality Impact Assessment was referred to the EPA as part of the Work Plan Variation approval, the EPA did not object to the works proposed and noted 'the modelling undertaken appears generally acceptable....'. A copy of the EPA's referral comments has been included within this submission.

7.4 CULTURAL HERITAGE

The proposed expansion area is partially covered by an area of cultural heritage sensitivity. A Cultural Heritage Management Plan (CHMP) has previously been prepared for site, however the expansion area received minimal investigations since at that time the area was not proposed for extraction. Artefacts discovered during that investigation were reburied in a place northeast of the processing plant.

A new CHMP has been undertaken by Heritage Insight in support of this application. The investigations were completed at a complex level and no artefacts were identified. The CHMP contains salvage requirements for the existing Place with artefacts to be transferred to a new location in the north-western corner of the site at the corner of Westernport Road and Milner's Road, as shown in **Figure 7-3**.

On 30 January 2023, with reference to section 63(1)(a)(i) of the Aboriginal Heritage Act 2006 (Act), the Bunurong Land Council Aboriginal Corporation as the Registered Aboriginal Party (RAP), approved the CHMP.

Figure 7-3 Cultural Heritage Protection Areas



7.5 RECONCILIATION ACTION PLAN (RAP)

Hanson are committed to ensuring their entire team has an educated understanding around Aboriginal and Torres Strait Islander histories, heritage, cultures and contributions, and continually demonstrate genuine respect for Aboriginal and Torres Strait Islander peoples and cultures. Hanson honour the unique place Aboriginal and Torres Strait Islander peoples hold as community members.

Hanson's intent is to support and promote opportunities for Aboriginal and Torres Strait Islander peoples to feel respected, acknowledged, and welcomed; and to experience equity and equal achievement across all divisions of Hanson. Hanson's Innovate Reconciliation Action Plan (RAP), which is registered with Reconciliation Australia, demonstrates their total commitment to inclusion and the rights of all Aboriginal and Torres Strait Islander peoples and our focused approach to applying longer-term strategies to support stronger relationships, increased mutual respect and sustainable opportunities for First Australian Peoples

7.6 FLORA AND FAUNA

An Ecological Assessment has been prepared by Ecology and Heritage Partners Pty Ltd to identify and characterise the vegetation on-site, determine the presence (or likelihood thereof) of any significant flora and fauna species and/or ecological communities, and address any implications under Commonwealth and State environmental legislation.

Thirteen native flora species were recorded within the study area whilst no significant fauna species are considered likely to occur within the study area, due to the lack of suitable habitat features (e.g. wetlands, structurally diverse vegetation, hollow bearing trees). The results of the survey are shown in **Figure 7-4**.

The expansion area will require the removal of one Large scattered tree (with an extent of 0.0703 hectares). As part of the Work Plan Variation, the application was referred to the Department of Energy, Environment and Climate Action who did not object subject to conditions. A copy of the referral has been included within this submission.

Figure 7-4 Ecological Assessment survey results



Source: Biodiversity Assessment for proposed expansion to the Yannathan Sand Quarry: 870 and 910 Western Port Road, Yannathan, Victoria prepared by Ecology & Heritage Partners, September 2022.

7.7 COMMUNITY ENGAGEMENT

A Community Engagement Plan (CEP) has been prepared and submitted to the Earth Resources Regulator (ERR) branch of the Department of Energy Environment and Climate Action (DEECA) as part of the work plan variation. The purpose of the CEP is to:

- Establish clear lines of communication with the community and other project stakeholders;
- Provide easily accessible factual, accurate information;
- Identify and understand community values, concerns and interests; and
- Ensure that stakeholder feedback is documented and addressed.

The Yannathan Quarry Manager has regularly met with various local residents and government stakeholders to consult and identify any community and environmental issues associated with the quarry's past development and current operational activities.

During the life of the existing quarry, the Quarry Manager has been proactive in his engagement with the local community by responding immediately to any direct engagement. He has always been available to discuss issues of concern or potential impacts to the local area. Regular engagement is conducted with the market garden farmer to the north-west of the site, the kennels and cattery to the east, and the poultry farmers to the west. All concerns or issues raised during these engagements have been resolved promptly and collaboratively.

8. CONCLUSIONS

In conclusion, it is submitted that the proposed use and development is an appropriate outcome that responds well to State, Regional and Local planning policy provisions, to the site and to the surrounding context and character. In summary, the project:

- Is supported by State, Regional, and local planning policy and is consistent with the directions and requirements of the Cardinia Planning Scheme.
- Will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.
- Will provide for the production of 5,551,000 tonnes of sand
- Will not contribute to any exceedance of noise limits at residential receptors in the area
- Will not lead to a material impact on surrounding road network and intersections
- Is highly compatible with its surrounds, with particular reference to the surrounding Work Plans.
- Will not adversely impact on the quality and quantity of groundwater resources in the area
- Will meet the objectives set out in Clause 13.06-1S – Air Quality Management
- Will not change the rate of flow or the discharge point of water

References

Commonwealth Government. (1999). *Environment Protection and Biodiversity Conservation Act 1999*.

DELWP. (December 2017). *Guidelines for the removal, destruction or lopping of native vegetation*.

Department of Economic Development, Jobs, Transport and Resources (2018). *Helping Victoria Grow: Extractive Resources Strategy*

EPA Victoria. (2021). *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues*. EPA Publication 1826.4.

EPA Victoria. (2022). *Guideline for Assessing and Minimising Air Pollution in Victoria*. Publication 1961

Victorian Government (1987) *Planning and environment Act*. Victorian Government Gazette No. 45 of 1987
Authorised Version incorporating amendments as at 25 June 2024.



Dartmouth Consulting Pty Ltd
admin@dartmouthconsulting.com.au
www.dartmouthconsulting.com.au