

CMIC 2006

The Planning Approvals Process in Victoria –
'A Tale of Two Quarries'

Presentation by Simon Martyn, Director, Fulcrum Town Planners



Just for the record...

- The industry is a significant contributor to the prosperity of the State.
- The reserves of extractive resources are fixed and must be protected from the encroachment of incompatible uses.
- There is a need to locate the supply source as close as possible to the demand use.
- Quarrying is not a "glamorous" industry, nor is it usually welcomed by the community.



Commonwealth Government Policies & Consents

Commonwealth Policy:

- National Greenhouse Strategy 1998
- National Strategy for the Conservation of Australia's Biological Diversity 1996
- Agenda 21 - Sustainable Development (UN adopted 1992)
- National Strategy for Ecologically Sustainable Development 1992
- National Framework for the Management and Monitoring of Australia's Native Vegetation (ANZECC 1999)

Commonwealth Consent:

- Environment Protection and Biodiversity Conservation Act 1999
Commonwealth to advise whether proposal is "controlled action" or not.

Planning Policy & Provisions

- **State Planning Policy Framework (SPPF)**
 - General Principles
 - Environment Policy
 - Protection of catchments, waterways and groundwater
 - Floodplain management
 - Salinity
 - Air quality
 - Noise abatement
 - Conservation of native flora and fauna
 - Heritage
 - Economic Development Policy
 - Extractive industry
- **Local Planning Policy Framework**
 - Municipal Strategic Statement (MSS), typically addressing:
 - Environment
 - Catchment management
 - Landscape
 - Vegetation and areas of botanical and zoological significance
 - Heritage
 - Extractive Industry
 - Local Planning Policies

Planning Policy & Provisions

- **Other Relevant State Government Policy**
 - Melbourne 2030
 - Ministerial Statements
 - 'Growing Victoria Together' (2001)
 - 'Pillars for Balanced Growth' (2000)
 - 'Promoting Victoria's Prospects' (2004)
 - 'Our Environment Our Future' (2005)
 - Victoria's Biodiversity Strategy 1997
 - Victoria's Native Vegetation Management - A Framework for Action 2002
 - Extractive Industry Interest Areas (EIIAs)
 - EPA Recommended Buffer Distances for Residual Air Emissions
 - DPI Recommended Buffer Distances – Determining Suitable Buffers between Extractive Industry and Sensitive Land Uses
- **Zones and Overlays**
 - Green Wedge Zone
 - Environmental Significance Overlays
 - Erosion Management Overlays
 - Vegetation Protection Overlays
 - Significant Landscape Overlay
 - Heritage Overlays

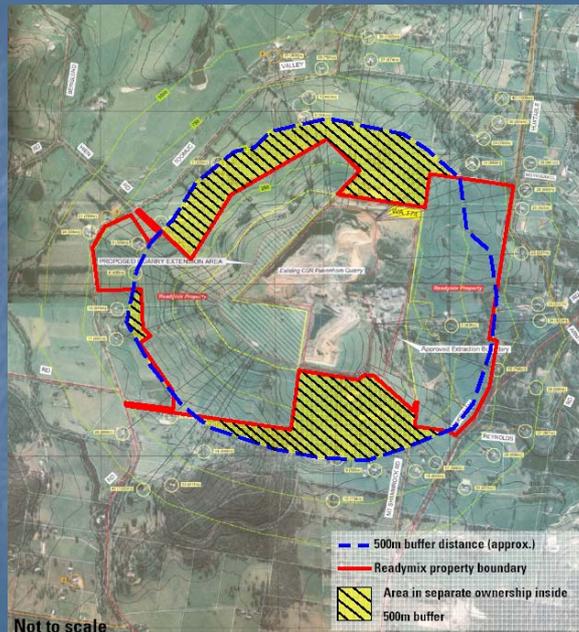
Mt Shamrock Quarry, Pakenham



Mt Shamrock Quarry - Background

- Located to the north of Pakenham, approximately 65km south-east of Melbourne.
- Quarry commenced during the early-mid 1970's.
- Quarry produces in order of 800,000 tonnes – 1.1 million tonnes annually of high quality basalt.
- Surrounding land use typically rural residential; nearest dwellings located 293 metres and 495 metres to the south of quarry.
- Application sought to increase WA area by 32.33 hectares, including additional extraction area of 20 hectares.
- Topography of area generally steep to undulating; quarry located within existing hill top.
- Located in Green Wedge Zone; Environmental Significance Overlay; Erosion Management Overlay.
- Consultants identified existing remnant vegetation to be of high local significance for biodiversity. 0.24 habitat hectares plus 'recruitment' of between 350 and 2400 trees.

Mt Shamrock Quarry - Proposed Variation to WA



Hillview Quarry, Dromana



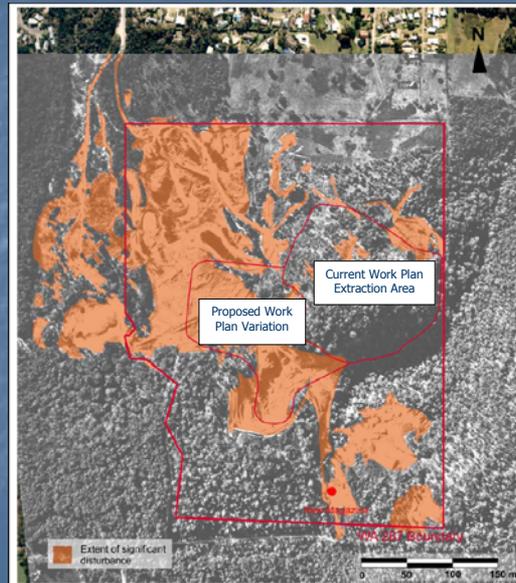
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Hillview Quarry - Background

- Located on a 61.56 hectare site on the northern slope of Arthur's Seat at Dromana.
- Quarry commenced during the early 1970's.
- Quarry produces in order of 600,000 tonnes annually of high quality aggregate and crushed rock.
- Abutted by housing to north (nearest dwelling approx. 197 metres from approved extraction limit) and to the south-west (nearest dwelling 544 metres).
- Application sought to vary existing extraction limit within approved WA boundary; providing for additional 2.6 million tonnes of brown stone and 11.4 million tonnes of grey stone.
- Topography of area generally undulating; includes Arthur's Seat State Park look-out located to the west of the quarry.
- Located in Green Wedge Zone; Environmental Significance Overlay; Vegetation Protection Overlay; Significant Landscape Overlay; Erosion Management Overlay.
- Existing remnant vegetation considered to be of high conservation value and site to be of State significance for fauna. 3.76 habitat hectares required to compensate for removal of vegetation.

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Hillview Quarry - Proposed Variation to WA



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Comparison of Approval Processes

- Mt Shamrock Quarry – Town Planning & EES Process
 - Resident Consultation Group (RCG) established (February 2001)
 - Minister requests EES (February 2002)
 - Technical Contact Group (TCG) established (February 2002)
 - Scoping Document prepared (July 2002)
 - On-going RCG and TCG meetings; refining technical reports (2003 – 2004)
 - Draft Work Plan endorsed by DPI (February 2005)
 - Planning Application lodged with Council (March 2005) & subsequently “called in” by Minister (May 2005)
 - EES exhibited publicly (6 weeks) and 117 submissions received.
 - 4 week Panel Hearing
 - Panel report provided to Minister (November 2005)
 - Minister agrees that proposal should proceed (May 2006)
 - Proponents still waiting for approval to allow cultural artefacts to be removed from site.

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Comparison of Approval Processes

- Hillview Quarry – Town Planning Process
 - Draft Work Plan endorsed (July 2005)
 - Town planning application lodged with Shire of Mornington (August 2005)
 - Application formally advertised (late September – early November 2005)
 - 1 objection received to proposal
 - Council determined to support quarry extension and issues a Notice of Decision to Issue a Permit (December 2005)
 - No appeals lodged at the Victorian Civil and Administrative Tribunal
 - Planning Permit issued January 2006



Good Press...



shire of flinders

COUNCIL NEWS

CIVIC CENTRE, BONEO ROAD, ROSEBUD

Vol. 3, No. 12, Monday 19th November, 1979

Hillview Quarry gains landscape award

On Sunday, 11th November, in the Fitzroy Gardens, The President, Mr. Gasser, presented Mr. David Cockburn, Manager of Hillview Quarries Pty. Ltd. (Drouault) with a special plaque as winners of the Garden State Landscape Award for Manufacturing Industry. It is unusual for a quarry to be considered for such acknowledgement but the Garden State Committee appraised the rehabilitation and regeneration programme carried out over some 17 hectares of scattered quarry sites above Drouault by Hillview Quarries as quite outstanding and under those circumstances the award was made.

Some 22 nominations were received for consideration and six of that number actually achieved an award.

From the point of entry to Hillview Quarries which is brilliant in colour with grasses and daisy cascading over ledges and rock crevices, one may wander down to a wooded grove complete with landscaped areas and over a stone bridge leading onto further trees and shrubs amongst flowering bottle brush established only some 100 metres from the

Quarry still remains the. Shrubbery with grasses covered by ferns. These ferns are

Community concern expressed in 1969 for the unplanned extension of quarrying on the Fitzroy Road Slopes led to action by the Council to enforce the land-use provisions of the Shire of Flinders Planning Scheme. Careful planning by the Council led to permit conditions which have been used as a model for quarrying throughout the State and Hillview Quarries Pty. Ltd. is to be complimented for its sensitive approach to an unpopular industrial activity which has achieved both the utilisation of resource and new public recognition in the Garden State Award.

the devastation of 1969

refurbished by careful planning and sensitive land use - 1979

and some bad press...

Quarry plans rocked

Quarry opponents dig their heels in

By Paul Dunne
REDEVELOPMENT opponents in an expansion of the Mount Paradise Quarry of Palerham have argued the proposal is unjustified and poses a significant risk to the environment and the quarry's employment base.
They say the significant impact of the proposal has been underestimated and will be catastrophic.



QUARRY EXPANSION: SHOWDOWN TIME - AND DINNER TIME!

A glossy brochure by Kinker/Readymix confirms that the long battle between this US-based multinational corporation and lovers of our valley and Mount Paradise is rapidly approaching a final showdown. The proposed expansion will lower the ridge line by 15 north-western side of the quarry and 10-15 metres on the southern clearly visible from a vast area including most of Palerham. The

Valley landslide fears

By Flame Station
TOWNSHIPS residents fear that quarry expansion could cause landslides.
A new report on the expansion confirms a landslide risk. The report says the quarry expansion will cause landslides and damage to the surrounding area.
Residents are afraid the landslides will cause damage to the surrounding area.

Residents fight to save Paradise

Battle lines on quarry expansion



Council's Viewpoint - Four Victorian Municipalities

- Undefined roles between Council, DPI and DSE – needs to be clarified and reviewed.
- Certificate of compliance worth considering where quarry operators provide a written statement to Councils on an agreed basis confirming that their permit conditions are being complied with.
- The Extractive Industry should properly map EIIA areas (currently too broad).
- Council's face difficulties when considering merits of new residential development proposal against long-term possibility of new quarry establishing nearby (when there is not certainty as to whether the resource will ever be extracted).
- A State-wide strategic framework is needed to identify quarries and resource areas. The industry needs to disseminate better and clearer information regarding its long term strategic resources ("bigger picture" information) to assist Council's when preparing their policies.



Council Feedback (cont...)

- Lack of Council resources to deal with increased work in relation to quarries (enforcement issues and increase in applications for "sensitive" uses in previously rural areas).
- Post-closure issues and concerns.
- Need for the industry to better manage resources.
- Quarry proponents need to consult with community and Council earlier in process and establish good rapport.

