



GOLDEN PLAINS SHIRE

ATTACHMENTS

**Under Separate Cover
Ordinary Council Meeting**

6.00pm Tuesday 25 February 2020

Table of Contents

7.8	P19-063 - Lot 12 Bannockburn-Shelford Road, Teesdale (rock crushing)	
	Attachment 2	Objections 4
	Attachment 3	Referral responses 13
	Attachment 4	Full officer's report 15
	Attachment 5	Permit application 23

Print Event

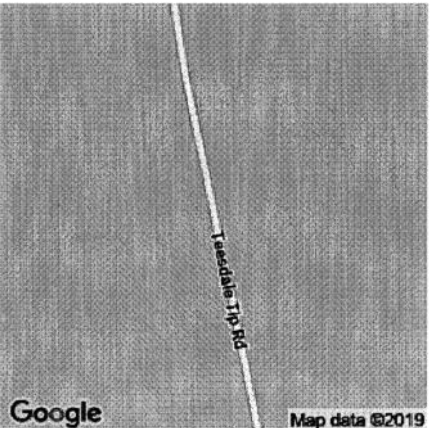
Page 1 of 2

CRMS Event 19414814 (Pending)

26-Jun-2019 at 02:30:14 PM

Description	<p>Good evening, I would like to voice my concerns regarding the following planning permit- P19-063 I have recently sold everything I own to purchase land and build a house in the new Tawarri estate for a better life in a family country living suburb. This rock crushing plant will now be placed on my back fence! This will not only effect me but so many others who have sold up to move to the country for a better life. Teesdale is quickly loosing its country to industry. I object</p>		
Source	Website	Org2	Development
Type	Request for Service	Org3	Planning
Recorded	25-Jun-2019		
Target	06-Aug-2019		

Issue Location



A satellite map showing a road labeled 'Teesdale Twp Rd'. The map is credited to Google and has 'Map data ©2019' at the bottom.

Contacts			
Type	Name	Contact Details	Address

obj 1

Print Event

Page 2 of 2

Requested By	[REDACTED]
--------------	------------

Comments			
Recorded Date	[REDACTED]	Title	Description
26-Jun-2019	[REDACTED]	Event Recategorised	P19-063 - BANNOCKBURN-SHELFORD RD (MATERIALS RECYCLING)

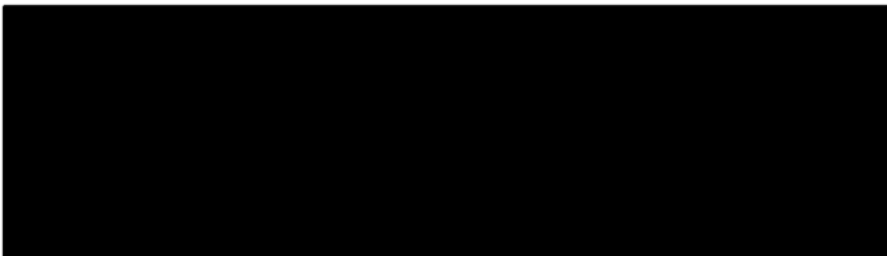
Actions			
Recorded Date	Action Officer	Status	Description

Latest Information			
Recorded Date	Recorded By	Type	Description



CRMS Event 19414813 (Pending)

26-Jun-2019 at 02:32:40 PM

Description	<p>P19-063 - BANNOCKBURN-SHELFORD RD (MATERIALS RECYCLING)</p> <p>I am writing to complain about the materials recycling permit on the Bannockburn Shelford Road. The trucks do not use the gravel shoulder as outlined in the St Quentin's report. They pull out in front of oncoming traffic regularly. The road either needs turning lanes or to be reduced to 80kms/hour.</p> <p>It is a very busy road from 7am-8am. Maybe the trucks should avoid it at those times, or drive safely. At least once a week, a truck and trailer cut across in front of me in an unsafe manner.</p> <p>- Location Description: The materials recycling place on Bannockburn Shelford Road</p>		
Requestor			
On Behalf Of			
Requestor's Address			
Coordinator			
Category			
Source	Website	Org2	Development
Type	Request for Service	Org3	Planning
Recorded	25-Jun-2019		
Target	06-Aug-2019		

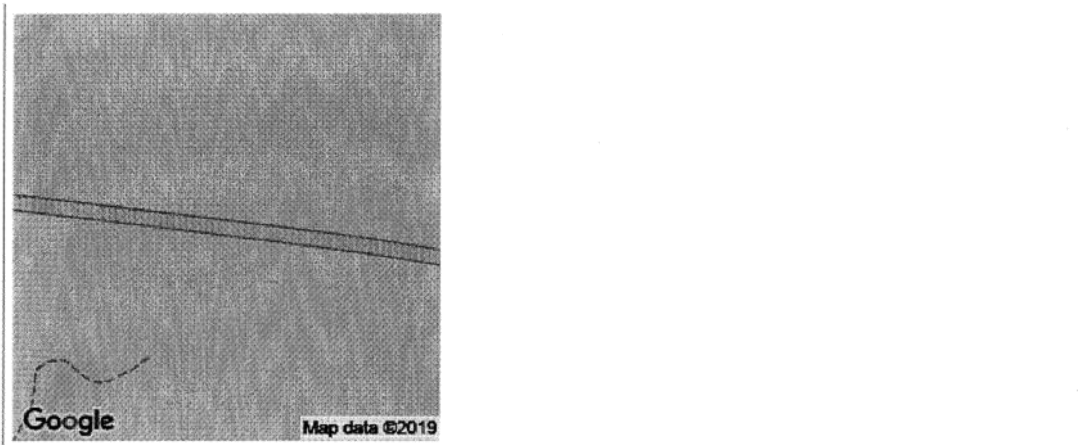
Issue Location	BANNOCKBURN-SHELFORD RD (MATERIALS RECYCLING) VIC	Property Details
-----------------------	---	-------------------------

Obj 2



Print Event

Page 2 of 2



Contacts	
Type	[REDACTED]
Requested By	[REDACTED]

Comments			
Recorded Date	[REDACTED]	Title	Description
26-Jun-2019	[REDACTED]	Event Recategorised	P19-063 - BANNOCKBURN-SHELFORD RD (MATERIALS RECYCLING)

Actions			
Recorded Date	Action Officer	Status	Description

Latest Information			
Recorded Date	Recorded By	Type	Description



05/07/2019

Rich Text Editor, frmDialogEmail:editContent



Hello

We, [redacted] strongly object to the planning permit for this rock crushing permit.

We complained a couple of years ago by phone and asked how long this would go on for but was given no answer.

It is obvious this plant has been operating for 2 to 3 years without a permit and we would like to know why.

The objection is based on the constant noise day after day, it is only about 3 to 400 mt from our boundary and we can hear the noise even when indoors.

This area is agriculture and we object to the constant construction noise that has been going on for years already.

We moved here 20 years ago to escape this kind of noise and we are not happy this has been allowed to go on for years without a permit or any input from us.

We would guess the permit application is sparked by the new residents complaints which means we were completely ignored years ago when this was approved by golden plains without a permit.

Thank you

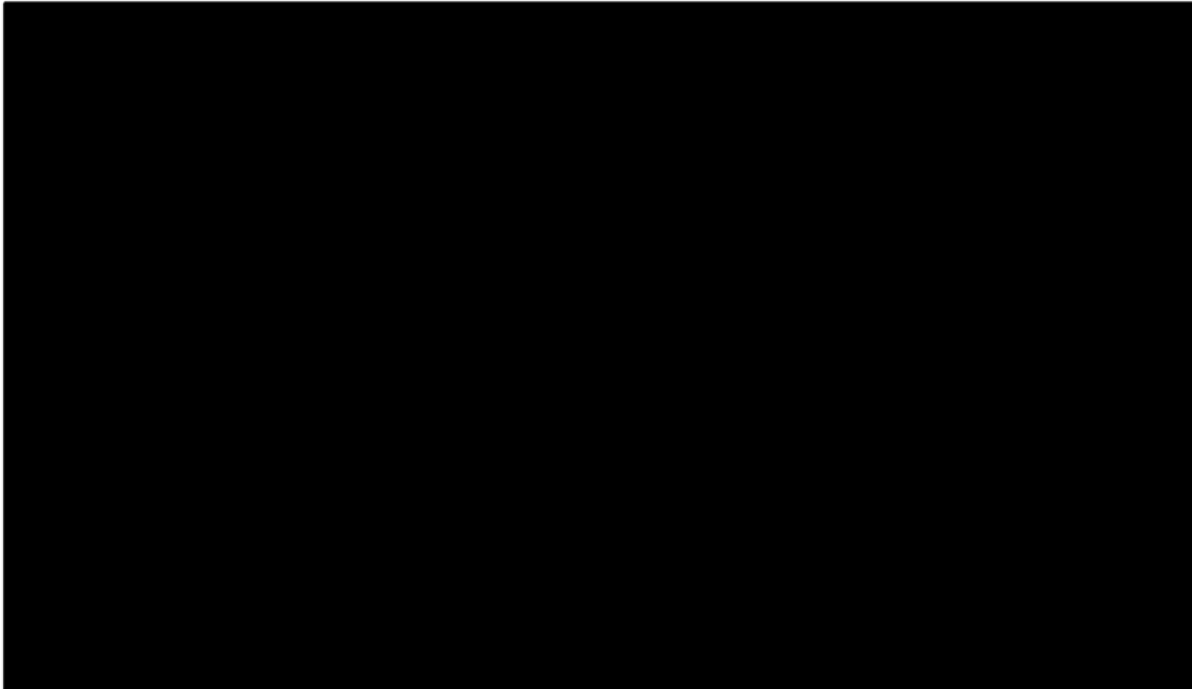


obj (2)





Subject: FW: P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)



Subject: RE: P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)



We haven't heard much on progress of this permit,
At the meeting Andrew Cameron claimed he was only getting rocks from that paddock where his plant is, currently he has an excavator and truck digging out rocks from Altman's property virtually on our fence line.

He also claimed there were no stockpiles, we have pictures of huge rock piles that virtually appeared overnight and huge stockpiles of finished product.

So what he claimed at the meeting that he only had 2 years of rock left on his paddock is obviously false as he is currently sourcing rocks from other paddocks, we have pictures.

No stockpiles, false

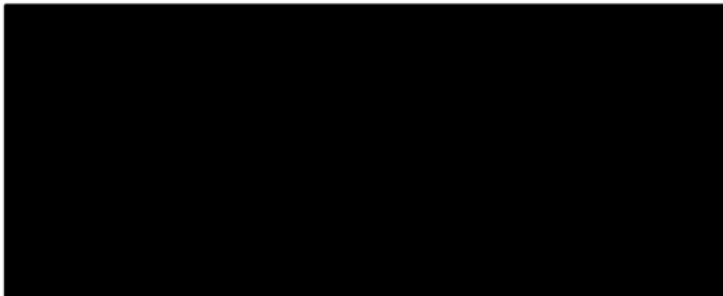
Any comments on this would be welcome, again my view is an unpermitted commercial rock crushing plant is allowed to not only continue to operate but to expand its operations.



Subject: RE: P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)

Thank you for your email, confirming that it has been received at Council.

Cheers



Subject: Re: P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)

Hello

Could you pass this onto whoever is handling this permit.

I attended the meeting on Monday and Andrew Cameron claimed a rock crushing plant is a normal farming practice. I got some wheat off a farmer today who has farmed all his life, and his father before him, I asked him if he had a rock crushing plant, no

I asked if he knew anyone else who had one other than the one operating no

I asked if he has ever heard of anyone who had one,, no

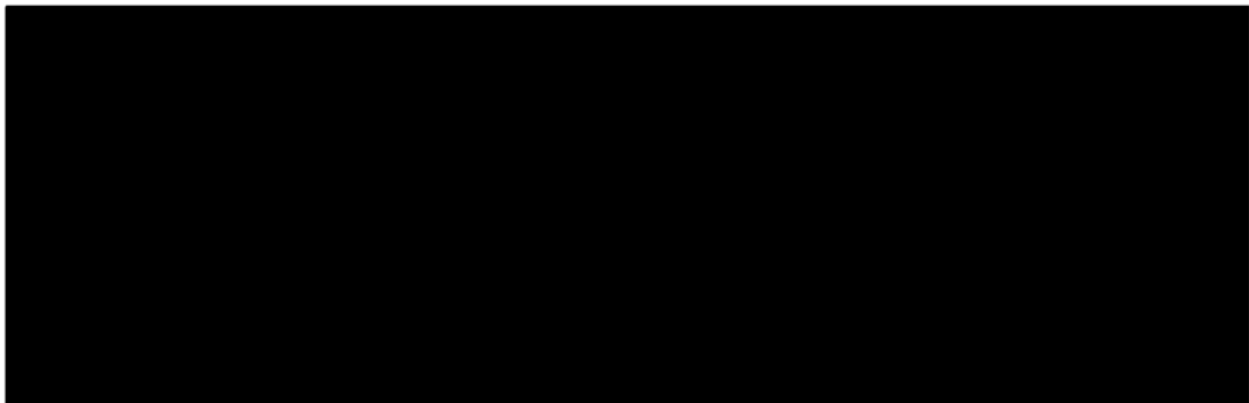
Andrew claimed he never has a stockpile, just recently there were 2 approximately 40 meters high,

We only have to look out our window, obviously the stockpiles have been dwindled down for obvious reasons.

As for 3 trucks a day, last year there was a period for 4 or 5 days 40 or 50 trucks a day were going past our house.

This is a fully fledged commercial construction type business and blind freddy could see this.

Thanks



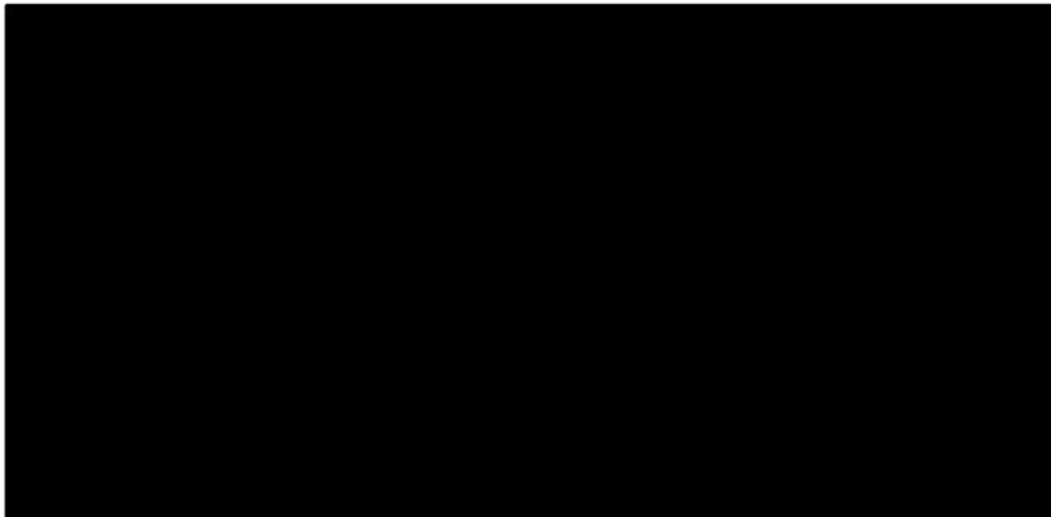
Subject: P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)

P19-063 CA 12, BANNOCKBURN-SHELFORD ROAD, TEESDALE – Materials recycling (Rock crushing)

Please find attached your invitation to attend a consultation meeting for the above address which will provide an opportunity for interested parties to discuss the application and any concerns about the proposal.

Please rsvp to Council by Friday 16 August to confirm your attendance by contacting the Planning Team on 5220 7111.

It is our pleasure to be of service to you.



Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/tt>

[Report this message as spam](#)

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/tt>

6 June 2019

Leigh Page
 Planning Department
 Golden Plains Shire Council
 2 Pope ST
 BANNOCKBURN VICTORIA 3331

Our Reference: 5009588

Dear Leigh,

PLANNING PERMIT APPLICATION: P19-063

PROPOSAL: Use of the Land for Materials Recycling (Rock Crushing).

PREMISES ADDRESS: CA 12 Parish Of Burtwarrah, Bannockburn-Shelford Road, Teesdale.

Thank you for your correspondence in relation to the above application, referred to EPA on 14 May 2019.

Proposal:

The proposal seeks retrospective planning approval for use of the land for materials recycling (rock crushing). EPA understands that the purpose of the rock crushing plant is to use the large stones found onsite through the excavation works undertaken in association with a new residential estate next to the site. It is understood that rocks are being uncovered via the construction of roads etc and then crushed for use, and upon completion of the estate, the rock crushing will cease to operate. The application states that activity is short term for up to 12-24 months. The proposed hours of operation for the crushing and cartage are 7.30 am to 4.00 pm Monday to Friday.

This proposal is to use land for an industry for a purpose listed in the table to Clause 53.10 (Materials Recycling) shown with a Note 1. Therefore EPA is a statutory referral authority under Section 55 of the *Planning and Environment Act 1987*.

Recommendation:

EPA does not object to Council issuing a planning permit for the application as proposed, subject to the following conditions being included:

- Nuisance dust and/or nuisance airborne particles must not be discharged or emitted beyond the boundaries of the premises.
- Effective noise levels from the use of the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
- Surface water discharge from the premises must not be contaminated with waste.
- A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 1698 Liquid Storage and Handling Guidelines, or as amended.

Additional noise conditions have also been recommended in the Noise section below.



Cnr Little Malop & Fenwick Sts
 Geelong
 Victoria 3220
 T: 03 5226 4825
 F: 03 5226 4632
 DX 216073
www.epa.vic.gov.au



Noise:

EPA notes that the operation of the site has the potential to generate noise impacts if not managed appropriately. Council should ensure that noise emitted from the site will not exceed the recommended levels as set out in EPA Publication 1411 *Noise from Industry in Regional Victoria* (NIRV). EPA recommends that Council consider including conditions in the planning permit to address the potential noise risk of the activity, to the effect of:

- Erect noise barriers such as screens around noisy equipment and operations.
- Limit vehicle movement (especially trucks) to and from the site to normal working hours only.
- Keep equipment in good repair and attend promptly to loose or rattling covers, worn bearings and broken equipment.

EPA Publication 1481 *How to Reduce Noise from Your Business* (June 2012) includes further information relating to noise source and possible mitigation measures.

EPA also offers the following comments for Council's consideration.

EPA notes that no mitigation measures have been included in the application. EPA recommends that Council consider including a condition in the planning permit requiring the preparation and implementation of an Environmental Management Plan that includes measures to be implemented to minimise impacts on the immediate environment and surrounds, such as (but not limited to) dust, noise, erosion and sediment runoff and stockpile management.

The application states that the rock crushing activity is temporary and that it is expected that the activity is short term for up to 12-24 months. EPA recommends that Council include clear timeframes for the permit.

The proposed hours of operation for the crushing and cartage are 7.30 am to 4.00 pm Monday to Friday. Council should consider a condition on the operating hours in the planning permit.

EPA Publications can be found on EPA's website: <https://www.epa.vic.gov.au/our-work/publications>.

If you need additional information or assistance, please contact our Assessing Officer, Kerrie Atkins, on 1300 EPA VIC (1300 372 842).

Yours sincerely



Carolyn Francis
Regional Manager
South West
EPA Victoria

Agenda

File Number:	P19-063
Author:	Peter O'Brien, Town Planner
Authoriser:	Steven Sagona, Acting Director Infrastructure and Development
Applicant:	Rocklea Land Pty Ltd
Owner:	Rocklea Land Pty Ltd
Proposal:	Materials recycling (rock crushing)
Location:	Portion 12 Parish of Burtwarrah (Bannockburn-Shelford Road, Teesdale)
Attachments:	Nil

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the use of land for the purposes of materials recycling (rock crushing) at Portion 12 Parish of Burtwarrah, Bannockburn-Shelford Road, Teesdale subject to the conditions attached to this report.

EXECUTIVE SUMMARY

This report relates to a planning permit application for the use of land for the purposes of materials recycling (rock crushing) at Portion 12 Parish of Burtwarrah, Bannockburn-Shelford Road, Teesdale. This report provides a background to the application and a summary of the relevant planning considerations.

PURPOSE

The application has been referred to the Council Meeting for determination because there are objections to the application.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officers preparing this report declare no conflict of interest in regard to this matter.

COUNCIL PLAN

Managing natural and built environments.

BACKGROUND INFORMATION

Site description

The subject land is situated at Bannockburn-Shelford Road, Teesdale and is formally known as Portion 12 Parish of Burtwarrah. The site is located in a farming area at the eastern edge of the Teesdale township. The site is a 72ha parcel of land that is part of a large farming property. The land is flat and cleared. Access to the site is from the Bannockburn-Shelford Road via Teesdale Tip Road. The land is not affected by any restrictive covenants.

Agenda

Site map



★ = Objectors

The proposal

The application proposes the use of the land for the purposes of materials recycling (rock crushing). A copy of the application and plans is attached. Materials recycling is defined in Clause 73.03 of the planning scheme as “land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials”.

Surface rock is collected from the owner’s property for crushing. The rock is removed to improve the agricultural productivity of the land. Rock is not imported from outside the owner’s property. The crushed rock product is re-used on the owner’s properties which includes the Tawarri Estate. Crushed rock that is surplus to the owner’s needs is sold and carted off site.

Agenda

The crushing facility consists of plant and equipment, stockpile area, staff room and water tank. The crushing plant and equipment includes a rock hammer for splitting the large rock into smaller pieces, a rock crusher, conveyer, sorter and generator.

The proposed operating hours for processing and cartage is 7:30am to 4pm Monday to Friday. Trucks will access the site from Bannockburn-Shelford Road via Teesdale Tip Road. The Traffic Management Plan states that is anticipated that there will be 3 truck movements to and from the site daily.

CONSULTATION

Notice of the application was given in accordance with Section 52 (1) (a) and (d) of the *Planning and Environment Act 1987*. Notice was provided by mail to all owners and occupiers of land within 1 kilometre of the site. Notice was also carried out by placing a sign on the site.

As a result of the public notice, 3 objections were received. A copy of the objections is attached. The objectors' concerns relate to noise, visual impact and traffic. The applicant and objectors were invited to a consultation meeting held on 19 August 2019. Two objectors attended the meeting. There was no resolution or agreement reached at the meeting.

ASSESSMENT

Processing of the application

The application was submitted on 15 March 2019. The application seeks retrospective planning approval. The activity has been operating without planning approval and first came to Council's attention in June 2017 as the result of a complaint. A preliminary assessment of the application was undertaken and further information was provided on two occasions.

There are no referral authorities specified in the planning scheme for an application of this type however Council sought the advice of the EPA regarding the proposal. The EPA had no objection to the issue of a permit but recommended that conditions be placed on the permit in particular regarding noise control. A copy of the EPA advice is attached.

The application was also internally referred to Council's Works Engineer regarding traffic. The Works Engineer had no objection to the issue of a permit subject to conditions being placed on the permit including the requirement that the applicant be responsible for the maintenance of Teesdale Tip Road for the duration of the use.

Planning scheme

Planning Policy Framework (PPF)

Clause 13.05 Noise

The State Policy for Noise Abatement (Clause 13.05-1S) aims to assist the control of noise effects on sensitive land uses. This is to be achieved by ensuring that community amenity is not reduced by using land use separation techniques as appropriate to the land use functions and character of the area.

Clause 13.06 Air quality

The objective of the State Policy for Air Quality Management (Clause 13.06-1S) is to assist the protection and improvement of air quality. The policy seeks to ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

Agenda

Planning must consider the *Recommended separation distances for industrial residual air emissions* (EPA, March 2013) in assessing the separation between land uses that reduce amenity and sensitive land uses. The EPA guidelines provide advice on recommended separation distances between industrial uses that emit dust, and sensitive land uses (i.e. dwellings). The guidelines do not recommend a minimum separation distance for materials recycling facilities rather the separation distance should be determined on a case by case basis.

Clause 18 Movement networks

The State policy for the Road System (Clause 18.02-3S) aims to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

Local Planning Policy Framework (LPPF)

Clause 21 Municipal Strategic Statement (MSS)

Clause 21.01-2 of the MSS identifies managing residential growth, protecting and enhancing the natural and built environment, maintaining and encouraging viable agricultural industries and enhancing economic growth as key land use and planning issues affecting the Shire.

The Golden Plains Strategic Framework Plan (Figure 21.01-1A) sets out the key land use planning directions for the Shire. The subject land is located to the east of the Teesdale township and shown within the 'Food Production Precinct' on the Framework Plan.

Clause 21.05 Economic development

The local policy for industry (Clause 21.05-3) seeks to support sustainable value adding industries and service industries, particularly those which relate to the agricultural base, forestry and natural resources.

Clause 21.06 Transport and infrastructure

The local policy for transport (Clause 21.06-1) aims to ensure the transport network supports economic opportunities. This will be achieved by protecting the efficiency and safety of the Shire's transport infrastructure to support economic activities and recognising the impacts of heavy vehicles on road infrastructure.

Zone and overlays

Clause 35.07 Farming Zone

The site is in a Farming Zone (FZ). Surrounding land is also in a FZ except for land to the west which is in a Low Density Residential Zone (LDRZ). The purpose of the Farming Zone is, among other things, to provide for the use of land for agriculture, to ensure that non-agricultural uses do not adversely affect the use of land for agriculture, and to encourage the retention of employment and population to support rural communities. Materials recycling is a "Section 2 – permit required" use in the Farming Zone.

Before deciding on an application to use and develop land, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agenda

- Whether the use or development will permanently remove land from agricultural production and the potential to limit the operation and expansion of adjoining and nearby agricultural uses.
- Whether the use and development will require traffic management measures.

There are no overlays applying to the land.

Particular provisions

Clause 53.10 Uses with adverse amenity potential

The purpose of this clause is to define those types of industries which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood. The clause does not contain a specific threshold distance for materials recycling facilities. The threshold distance for materials recycling facilities is variable, dependent on the processes to be used and the materials to be processed or stored.

General provisions

The decision guidelines contained in Clause 65 of the planning scheme require Council to consider the following matters, as appropriate:

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

DISCUSSION

Planning scheme

The application is considered to satisfy the provisions of the Planning Policy Framework, the Local Planning Policy Framework, Farming Zone, and Clause 65 of the Victoria Planning Provisions. State and local policies for Agriculture and the Farming Zone seek to protect productive agricultural land and ensure that use and development of rural land is compatible with adjoining and nearby land uses. The proposal involves the removal of surface rock from the land which will improve the agricultural

Agenda

productivity of the land. The proposal will not remove land from productive agricultural use because the facility will only use a small area (approx. 1.5ha) of the existing farming parcel. It is considered that the proposed use will not impact surrounding uses because there are adequate separation distances to neighbouring sensitive uses and conditions of the permit will control the hours of operation, dust, and noise.

Objectors' concerns

Noise. The EPA publication Noise from Industry in Regional Victoria (NIRV) specifies recommended maximum noise levels for different land use zones and at different times of the day. The recommended levels provide a lesser degree of amenity protection for the day, and a higher degree of protection for the evening, night, weekends and public holidays. The applicant proposes to limit operations to 7:30am to 4pm Monday to Friday with no activities on weekends or public holidays which will ensure that the amenity of surrounding residents is protected during the evening, at night and on weekends.

The acoustic report submitted with the application states that while noise levels at the nearest residential properties are currently acceptable, the development of the Tawarri Estate closer to the facility will result in noise levels at future residential properties exceeding NIRV limits. The acoustic report suggests that the implementation of a noise barrier (either a bund wall or acoustic muffler) will ensure that noise levels remain within acceptable limits and have no impact on future residential areas. It is recommended that conditions be placed on the permit requiring the implementation of acoustic measures as suggested in the Acoustic Report and that the use cease to operate after 3 years.

Visual impact. The proposed use will have minimal visual impact on the surrounding area due to the site having substantial setbacks to nearby roads, residential areas and neighbouring dwellings. The site is setback a distance of 1 kilometre from Bannockburn-Shelford Road, 830 metres to existing residential areas and more than 1.3 kilometres to the objectors' dwellings. A condition will also be placed on the permit requiring that at the cessation of the use all plant, equipment and materials must be removed and the site re-instated to farming use.

Traffic and roads. It is considered that the low volume of traffic from the facility (3 trucks a day) will not have a detrimental impact on the existing traffic network and road safety. Access to the site is from Bannockburn-Shelford Road via Teesdale Tip Road. While Teesdale Tip Road is managed by Council the road only provide access to the applicant's property and does not provide access to any other privately owned land. For this reason a condition will be placed on the permit requiring that the applicant be responsible for the maintenance of Teesdale Tip Road for the duration of the use. The location and the design of the Teesdale Tip and Bannockburn-Shelford Road intersection was previously used by traffic to the former Teesdale Tip and meets Australian Road Safety Standards.

CULTURAL HERITAGE IMPLICATIONS

This proposal does not require the preparation of a Cultural Heritage Management Plan under the *Aboriginal Heritage Regulations 2007*.

CONCLUSION

The application satisfies the provisions of the Planning Scheme, including the State and Local Planning Policy Frameworks, the Farming Zone, and the decision guidelines of the Planning Scheme (Clause 65). The proposal has adequate separation distances to neighbouring dwellings and the placement of conditions on the permit restricting the lifespan of the use and hours of operation, and controlling

Agenda

noise, dust, and visual impacts will ensure the proposed use does not cause material detriment to any person.



Planning Enquiries
 Phone: (03) 5220 7111
 Web: <http://www.goldenplains.vic.gov.au>

Office Use Only

Application No.: _____ Date Lodged: / /

Application for Planning Permit

If you need help to complete this form, read [How to Complete the Application for Planning Permit form](#).

▲ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

Questions marked with an asterisk (*) are mandatory and must be completed

The Land

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name: Bannockburn-Shelford Road
Suburb/Locality: Teesdale		Postcode: 3328

Formal Land Description *
 Complete either A or B.

▲ This information can be found on the certificate of title.

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:

OR

B Crown Allotment No.: Portion 12 Section No.:

Parish/Township Name: Burtwarrah

The Proposal

▲ You must give full details of your proposal and attach the information required to assess the application. If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This may delay your application.

② For what use, development or other matter do you require a permit? *

If you need help about the proposal, read: [How to Complete the Application for Planning Permit Form](#)

Use of Land for Materials Recycling (Rock Crushing)

Provide additional information providing details of the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

③ Estimated cost of development for which the permit is required *

Cost \$0 **▲** You may be required to verify this estimate.

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

Existing Conditions

④ Describe how the land is used and developed now *
 eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Agriculture

Provide a plan of the existing conditions. Photos are also helpful.

Title Information

5 Encumbrances on title *

If you need help about the title, read: [How to Complete the Application for Planning Permit Form](#)

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

Applicant and Owner Details

6 Provide details of the applicant and the owner of the land.

Applicant *

The person or organisation who wants the permit.

Name: Title: First Name: Surname:

Organisation (if applicable): Rocklea Land Pty Ltd

Postal Address: 260 Scanlon Rd Lethbridge
 Unit No.: St. Name: 333A
 Suburb/Locality: State: VIC Postcode: 3200

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details *

Name: Same as applicant (if so, go to 'contact information')

Title: Mr First Name: Cameron Surname: Gray

Organisation (if applicable): St Quentin Consulting Pty Ltd

Postal Address: If it is a P.O. Box, enter the details here:
 Unit No.: St. No.: St. Name: PO Box 919
 Suburb/Locality: Geelong State: VIC Postcode: 3220

Please provide at least one contact phone number *

Contact information

Business Phone: 03 5201 1811 Email: cameron@stqc.com.au

Mobile Phone: Fax:

Owner *

The person or organisation who owns the land

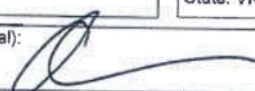
Where the owner is different from the applicant, provide the details of that person or organisation.

Name: Same as applicant

Title: First Name: Surname:

Organisation (if applicable): Rocklea Land Pty Ltd

Postal Address: 260 Scanlon Rd Lethbridge
 Unit No.: St. Name:
 Suburb/Locality: State: VIC Postcode: 3200 333A


Owner's Signature (Optional):  Date: 20/2/19
 day / month / year

Declaration

7 This form must be signed by the applicant *

▲ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:  Date: 19 Feb 2019
 day / month / year

Need help with the Application?

If you need help to complete this form, read [How to complete the Application for Planning Permit Form](#) or contact Council's planning department. General information about the planning process is available at <http://www.dse.vic.gov.au/planning>

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

8 Has there been a pre-application meeting with a Council planning officer?

No Yes

If 'yes', with whom?:

Date: day / month / year

Checklist

9 Have you:

- Filled in the form completely?
- Paid or included the application fee? ⚠ Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
- Provided all necessary supporting information and documents?
 - A Full, current copy of title information for each individual parcel of land, forming the subject site.
 - A plan of the existing conditions.
 - Plans showing the layout and details of the proposal.
 - Any information required by the planning scheme, requested by council or outlined in a council planning permit check list.
 - If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).
- Completed the relevant Council planning permit checklist?
- Signed the declaration (section 7)?

Lodgement

Lodge the completed and signed form and all documents with:

Golden Plains Shire Council
 PO Box 111 Bannockburn VIC 3331
 2 Pope Street, Bannockburn VIC 3331

Contact information:
 Telephone: (03) 5220 7111
 Fax: 03 5220 7100
 Email: enquiries@gplains.vic.gov.au



Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 08125 FOLIO 500

Security no : 124076217264C
Produced 19/02/2019 04:25 PM

LAND DESCRIPTION

Portions 10,11 and 12 Parish of Burtwarrah.

PARENT TITLES :

Volume 05268 Folio 417	Volume 05943 Folio 456	Volume 06009 Folio 717
Volume 06265 Folio 977	Volume 06943 Folio 578	Volume 06943 Folio 583

Created by instrument 2366891 28/02/1951

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

ROCKLEA LAND PTY LTD of 194 HIGH STREET BELMONT VIC 3216
AN013266D 11/08/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN013267B 11/08/2016
COMMONWEALTH BANK OF AUSTRALIA

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP271778C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Use Victoria.

Document Type	Plan
Document Identification	TP271778C
Number of Pages (excluding this cover sheet)	1
Document Assembled	19/02/2019 16:39

Copyright and disclaimer notice:

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

Delivered by LANDATA®, Land Use Victoria timestamp: 19/02/2019 16:38 Page 1 of 1

TITLE PLAN	EDITION 1	TP 271778C
<p>Location of Land</p> <p>Parish: BURTWARRAH Township: Section: Crown Allotment: Crown Portion: 10, 11, 12</p> <p>Last Plan Reference: Derived From: VOL 8125 FOL 500 Depth Limitation: NIL</p>	<p>Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>	
<p>Description of Land / Easement Information</p>		<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 14/01/2000 VERIFIED: M.P</p>
<p>TOTAL AREA = 346A 1R 4P</p>		
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets

Town Planning Report

Use of Land for Materials Recycling (Rock Crushing)

Crown Allotment 12 Bannockburn-Shelford Road, Teesdale

16 February 2019



Geelong: 03 5201 1811
51 Little Fyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226



Geelong: 03 5201 1811
 51 Little Fyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

Table of Contents

1	APPLICATION SUMMARY	2
2	INTRODUCTION	3
3	SITE & LOCATION DESCRIPTION	4
3.1	SITE CONTEXT	4
4	THE PROPOSAL	6
5	RELEVANT PLANNING CONTROLS.....	7
5.1	FARMING ZONE (CLAUSE 35.07).....	7
6	GENERAL & PARTICULAR PROVISIONS – GOLDEN PLAINS PLANNING SCHEME.....	9
6.1	CLAUSE 53.10 (USES WITH ADVERSE AMENITY POTENTIAL).....	10
6.2	CLAUSE 53.14 (RESOURCE RECOVERY).....	11
6.3	CLAUSE 65 – DECISION GUIDELINES.....	12
7	PLANNING POLICY FRAMEWORK.....	13
7.1	STATE POLICY.....	13
7.2	MUNICIPAL STRATEGIC STATEMENT (MSS).....	15
7.3	LOCAL POLICIES	16
8	ABORIGINAL HERITAGE	17
9	CONCLUSION.....	17

List of Images

Image 1 Locality Plan.....	4
Image 6 Zone Map.....	7



Geelong: 03 5201 1811
 51 Little Pyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

1 Application Summary

Proposal	Use & Development of Land for Materials Recycling (Rock Crushing)
Location	Crown Allotment 12 Bannockburn-Shelford Road, Teesdale
Applicant	St Quentin Consulting
Owner	Rocklea Land Pty Ltd
Zone	Farming Zone
Overlays	Nil
Land Size	Approximately 140 hectares.
Restrictions & Easements	Not applicable to this site.
Permit Triggers	Clause 35.07-1: Use of land for an Industry (Materials Recycling)



Geelong: 03 5201 1811
51 Little Pyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

2 Introduction

This planning report supports the application for a Planning Permit for the *Use & Development of Land for Materials Recycling (Rock Crushing)*.

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Golden Plains Planning Scheme.
- Identify and consider any relevant general or particular provisions.
- Provide an assessment of the proposal against the State and Local Planning Policy Framework as relevant to this application.

The key issues relevant to consider as part of the assessment of this application include:

- The proposals response to the purpose of the zone.
- Whether there is sufficient policy support.
- The relationship between the site and surrounding land uses.
- The design and layout of the proposal.
- Whether the proposal will result in adverse amenity impacts on neighbouring land.

This report demonstrates that the proposal is an acceptable planning outcome which does not unreasonably impact on the amenity of surrounding properties.

An assessment of the proposal against the provisions of the Golden Plains Planning Scheme demonstrates that the proposal is appropriate for this area and complies with relevant requirements.

It is therefore recommended that a Planning Permit be issued.



Geelong: 03 5201 1811
 51 Little Pyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

3 Site & Location Description

3.1 Site Context

The site is located on the eastern edge of the Teesdale Township and is on north east corner of The Bannockburn-Shelford Road and Teesdale Tip Road.

The area is rural in character and is mainly used for grazing and other forms of agriculture.



Image 1 Locality Plan

Site shape, size, orientation and easements

The site is made up of three land parcel and has a combined area of approximately 140 hectares.

There are no restrictions or legal agreements which would impact on Council's ability to approve this proposal.



Geelong: 03 5201 1811
81 Little Pyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

Access, street frontage features such as poles, street trees and kerb crossings

There is an existing access driveway from the Teesdale Tip Road, which is constructed to an all-weather gravel standard.

There are no road features or infrastructure such as power poles, trees, drainage infrastructure etc which would be impacted as a result of the approval of this proposal.

The use of surrounding land

Surrounding properties consist of agricultural uses including cropping and extensive animal husbandry.

Levels

The site is generally level.

Vegetation and unique characteristics

There is no vegetation or other environmental features which would be impacted by this proposal.



Geelong: 03 5201 1811
 51 Little Fyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

4 The Proposal

The proposal seeks retrospective planning approval for the *Use of Land for Materials Recycling*¹ (Rock Crushing).

The rock is sourced from the land and is primarily being removed to improve the agricultural productivity of the land. According we submit the removal of the rock is an ancillary activity conducted on the land (ie. agriculture) which is a section 2 (no permit required) use.

The material/rock not able to be reused on the land as part of the existing agricultural activities is to be removed from the site. It is expected that this activity is short term for up to 12-24 months.

The anticipated volumes is approximately 3 loads a day at 30 tonnes – ie. 90 tonnes per day.

The crushing and cartage would occur between 7.30 am to 4.00 pm, Monday to Friday.

A number of large equipment is required for the crushing activities. The equipment is temporary only and will be removed from the land upon the cessation of the crushing activities.

¹ Clause 73.03 of the Golden Plains Planning Scheme defines Materials Recycling as;
 "Land used to collect, dismantle, industry treat, process, store, recycle, or sell, used or surplus materials."
 It is nested under the 'Industry' land use group.

5 Relevant Planning Controls

5.1 Farming Zone (Clause 35.07)

The subject site is located within a Farming Zone (FZ).

The Purpose of the Farming Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.



Image 2 Zone Map

Response to the Rural Zone

Having regard to the site's location and characteristics, including the existing use of the land, it is considered that the proposal is acceptable when considering the purpose of the zone and relevant planning scheme provisions.

When considering the proposal against the Farming Zone's Decision Guidelines at Clause 35.07-6 we note the following:

General issues

The Planning Policy Framework (PPF) provide a number of policies to protect agricultural land, particularly land which is high quality and supports farming activities. An assessment of how the proposal responds to policy framework is discussed below.

The site has not been subject to any significant environmental land management and it is considered that the proposal will provide an opportunity improve its productivity.

In terms of determining whether the site is compatible with adjoining and nearby land uses the site is surrounded by agricultural land uses and given the rock crushing activity is temporary, it is compatible in this context.

The site has the capability to accommodate the proposed use and development, particularly in relation to managing potential offsite impacts and access. The proposal will not impact on any environmental, agricultural and landscape qualities of the site or surrounds and will not adversely impact on adjoining land uses.

Agricultural issues and the impacts from non-agricultural uses

The proposal supports and enhances the agricultural productivity of the land through the removal of the rock. The proposal does not remove and part of the land able to be used for agricultural purposes and does not impact on any adjoining land.

Dwelling issues

Not applicable to this application.



Geelong: 03 5201 1811
51 Little Fyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

Environmental issues

There will be no environmental impact on the biodiversity including flora and fauna of the area. The protection and enhancement of the natural environment of the area is acknowledged. The long-term impact on the natural physical features and resources including soil and water quality will be negligible. No significant vegetation is proposed to be removed thereby minimising impacts on the flora, fauna and landscape features of the locality.

Design and siting issues

Any associated plant and equipment will be temporary and will have no impact on the site or the area.

6

General & Particular Provisions – Golden Plains Planning Scheme

6.1

Clause 52.17 (Native Vegetation)

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

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

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



Geelong: 03 5201 1811
 51 Little Pyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

Response to Clause 52.17

We note that no native vegetation is required to be removed as part of this application.

6.2

Clause 53.10 (Uses with Adverse Amenity Potential)

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Clause 53.10-1 Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works (not a road) in a **residential zone**, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Response to Clause 53.10

We note that Clause 53.10 applies threshold distances to residential zones, among other zones. It does not include land in a Farming Zone. However, the adjacent land to the west is within a Low Density Residential Zone.

The threshold distance is not specified at Clause 53.10 for 'rock crushing' although reference is made to "other recycling operations". See table below:

Type of Production, Use Or Storage (Purpose)	Threshold Distance (metres)	Notes
Other resource recovery or recycling operations		Note 1



Geelong: 03 5201 1811
 51 Little Pyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

A Note 1 is allocated which means that *'The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.'*

No further guidance is provided at Clause 53.10.

Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990)

This EPA Publication (1518) unlike the Clause 53.10, the separation distance is taken from the activity area to the sensitive land use. The separation distance at Clause 53.10 refers to land and the zone.

The EPA publication is also silent on a separation (or threshold distance) and refers to as 'case by case' assessment. This assessment typically considers the plant and equipment used, operational arrangements, topography and meteorology influences, cumulative impacts and interface issues.

It is submitted in this case that the location of the site, the existing 'as of right' agricultural activities, the lack of sensitive interface, along with the temporary nature of the activity means that the site is suitable.

6.3

Clause 53.14 (Resource Recovery)

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Response to Clause 53.14

With regard to the decision guidelines at Clause 53.14-3 we note the following this particular provision applies to 'materials recycling' activities however in this case we submit that the proposal is not at odds with any decision guideline as they generally relate to achieving resource recovery targets established by the Victorian Government.

There is however a decision guideline to consider the impact of the proposal on the amenity of the surrounding area. In terms of this proposal, it is submitted that the potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual



Geelong: 03 5201 1811
51 Little Fyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

impact will be negligible by virtue of the site's location and lack of interface with sensitive uses.

The impact of traffic generation on local roads will also be minimal when considering the existing use, the condition of the roads and anticipated vehicle movements from the site.

6.4

Clause 65 – Decision Guidelines.

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65 details a number of decision guidelines for guidance, some of these include:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*

Response to Clause 65 (Decision Guidelines)

It is considered that the proposal will not affect the amenity of the area and will not result in any inappropriate interface issues.

In summary it is submitted that the proposal will result in an acceptable planning outcome and accords with the decision guidelines of Clause 65.

7 Planning Policy Framework

7.1 State Policy

Relevant policies include:

- Clause 11 – Settlement
 - 11.03-5R The Great Ocean Road region
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risk and Amenity
 - 13.02-1S Bushfire planning
- Clause 14 – Natural Resource Management
- Clause 15 – Built Environment and Heritage
 - 15.01-1S Urban design
 - 15.01-2S Building design
 - 15.01-5S Neighbourhood character
- Clause 16 – Housing
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 19 – Infrastructure

Clause 13.05-1S Noise abatement

Objective

To assist the control of noise effects on sensitive land uses.

Strategy

To achieve this includes to ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Clause 13.06-1S Air quality management

Objective

To assist the protection and improvement of air quality.

Strategies

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by: Integrating transport and land use planning to



Geelong: 03 5201 1811
51 Little Pyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

improve transport accessibility and connections. Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres. Providing infrastructure for public transport, walking and cycling. Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

Policy documents

Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990)

Clause 13.07-1S Land use compatibility

Objective

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies

Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:

- Directing land uses to appropriate locations.*
- Using a range of building design, urban design, operational and land use separation measures.*

Clause 14.01-1S Protection of agricultural land

Objective

To protect the state's agricultural base by preserving productive farmland.

Clause 14.01-2S Sustainable agricultural land use

Objective

To encourage sustainable agricultural land use.

Clause 14.01-2S Sustainable agricultural land use

Objective

To encourage sustainable agricultural land use.



Geelong: 03 5201 1811
51 Little Pyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

Clause 19.03-5S Waste and resource recovery

Objective

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

7.2 Municipal Strategic Statement (MSS)

Clause 21.01-2 Key issues and influences

Key land use and planning issues relate to:

- *Managing residential growth.*
- *Protecting and enhancing the natural and built environment.*
- *Maintaining and encouraging viable agricultural industries.*
- *Supporting the transition from agriculture to modern farming techniques and technology.*
- *Enhancing economic growth.*
- *Providing services to a dispersed population sustainably.*

Clause 21.03 Environment and Natural Resources

Context and issues

The environment is a key factor influencing the economy, lifestyle and recreational choices in the Shire.

Key challenges facing the Shire include:

- *Managing threatening processes acting on the natural environment*
- *Balancing native vegetation conservation with development pressures, land use change and protecting people from wildfire*
- *Supporting the sustainable management of land and water resources*
- *Minimising and managing the effects of flooding.*

Clause 21.08-14 (Teesdale Structure Plan)

We note that while the site is within Teesdale, the site is not located within the Structure Plan Area.



Geelong: 03 5201 1811
 51 Little Pyans Street, South Geelong, VIC 3220
 Ocean Grove: 0456 261 321
 4/78 The Terrace, Ocean Grove, VIC 3226

7.3 Local Policies

There are no local policies which are relevant to the assessment of this application.

Response to Planning Policy

At a state level, the proposal is considered to achieve a raft of policies. In terms of local policies on rural land use and agriculture, the protection of high-quality agricultural land from encroachment of urban land uses and the maintenance of rural land holdings with a potential for productive agricultural uses are identified as key issues.

In relation to this proposal, and with consideration to the relevant state and local policies, the improvement of the land through the removal of the rock will enhance the site agricultural capabilities. This is ancillary to the agricultural use of the land and therefore this application seeks approval only to crush the rock. While an argument can reasonably be made that this is also an ancillary activity, given the intention to re-use this natural resource in the local area, it has been determined by Council that planning approval is required.

With regard to the policy framework, we submit that the key consideration with this application is the offsite amenity impacts. Clause 53.10 and the EPA publication, *Recommended Buffer Distances for Industrial Residual Air Emissions, 1990* which is referred to in state policy at Clause 13.06-1S is silent on buffer requirements for rock crushing and refers to a case by case' assessment.

As discussed above, it is submitted in this case that the location of the site, the existing 'as of right' agricultural activities, the lack of sensitive interface, along with the temporary nature of the activity means that the site is suitable.

Overall the proposal is considered to appropriately respond to the state and local planning policy framework.



Geelong: 03 5201 1811
51 Little Pyans Street, South Geelong, VIC 3220
Ocean Grove: 0456 261 321
4/78 The Terrace, Ocean Grove, VIC 3226

8 Aboriginal Heritage

The Aboriginal Heritage Regulations 2007 which specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the Aboriginal Heritage Regulations 2007 specifies exempt activities which do not require a Cultural Heritage Management Plan.

The activity area is **not** located within an area of cultural heritage sensitivity therefore a Cultural Heritage Management Plan is **not** required in this instance.

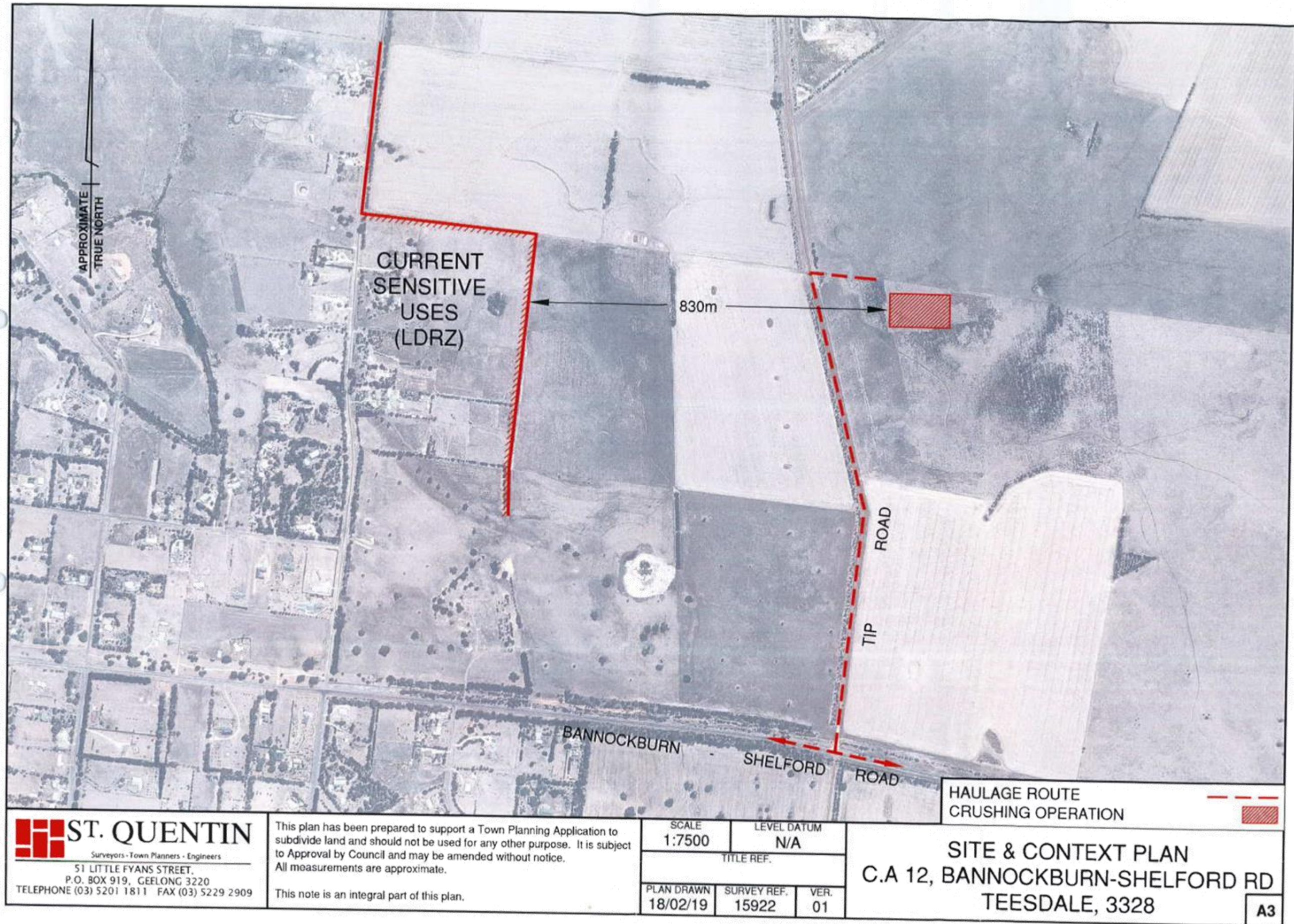
9 Conclusion

It is considered that the proposal appropriately responds with the requirements of the Golden Plains Planning Scheme and as discussed, the proposal is considered to accord with the Planning Policy Framework, Local Planning Policy Framework, including the Municipal Strategic Statement.

The proposal clearly achieves broad policy support as discussed above as it will not have any adverse impact on the area.

All matters required to be considered including, land use, access, amenity impacts, environmental impacts and opportunities have been considered and it is concluded that the proposal achieves an acceptable level of compliance.

It is therefore recommended that a Planning Permit be issued.



ST. QUENTIN
 Surveyors - Town Planners - Engineers
 51 LITTLE FYANS STREET,
 P.O. BOX 919, GEELONG 3220
 TELEPHONE (03) 5201 1811 FAX (03) 5229 2909

This plan has been prepared to support a Town Planning Application to subdivide land and should not be used for any other purpose. It is subject to Approval by Council and may be amended without notice. All measurements are approximate.
 This note is an integral part of this plan.

SCALE 1:7500	LEVEL DATUM N/A
TITLE REF.	
PLAN DRAWN 18/02/19	SURVEY REF. 15922
	VER. 01

HAULAGE ROUTE
 CRUSHING OPERATION

SITE & CONTEXT PLAN
C.A 12, BANNOCKBURN-SHELFORD RD
TEESDALE, 3328

A3

Robyn Wemyss

From: Luke Gavin <luke.gavin@stqc.com.au>
Sent: Friday, 26 April 2019 3:06 PM
To: Planning Department
Cc: Leigh Page
Subject: P19-063 Lot 10 Bannockburn-Shelford Rd
Attachments: 15922_PLAN_OF_OPERATIONS.pdf; 15922_190322_GPS_RFI.pdf; 15922_Traffic_Managment_Plan.docx

Good afternoon Leigh,

Please find attached response to further information letter dated 22 March 2019 for the Use of Land for Materials Recycling (Rock Crushing) located at Lot 10 Bannockburn-Shelford Road, Teesdale.

The following items are attached;

- Traffic Management Plan;
- Updated site plan, specifically of the crushing site indicating the location of machinery, equipment, stockpiles and access routes;
- The location of the stockpiles has been indicated on the submitted revised site plan with a notation that the height of the stockpiles does not exceed 6 metres. Given stockpiles will be constantly changing in make up and height due the nature of the use no cross section has been provided.

If you have any questions or queries in regards the to the information provided please do not hesitate to call.

Kind regards,

Luke Gavin | Town Planner
51 Little Fyans Street, SOUTH GEELONG VIC 3220 | PO Box 919, GEELONG VIC 3220 | office +61 03 5201 1811 | fax +61 5229 2909 | PO Box 919, GEELONG VIC 3220 | <http://www.stqc.com.au/> | [linkedin](#)



 Please consider the environment before printing this e-mail

CAUTION: This email is intended only to be read or used by the addressee. It is confidential and may contain confidential information. If you are not the intended recipient, any use, distribution, disclosure or copying of this email or any attachments is prohibited. Confidentiality is not waived or lost by reason of the mistaken delivery to you. If you have received this email in error, please notify the sender immediately by return email, and delete the email and any attachments.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/tt>

[Report this message as spam](#)

TRAFFIC MANAGEMENT PLAN

Use of Land for Materials Recycling (Rock
Crushing)

Lot 10 Bannockburn-Shelford Road, Teesdale

Contents

1	Introduction.....	2
2	Background and existing conditions	2
3	Road Network and Site Access.....	2
4	Proposal	4
5	Estimated Traffic Generation	4
6	Traffic Impacts.....	4
7	Conclusion.....	4

DOCUMENT CONTROL

DOCUMENT TITLE: Lot 10 Bannockburn-Shelford Road

DOCUMENT AUTHOR: Luke Gavin

CLIENT: Andrew Cameron

VERSION NUMBER	DATE OF ISSUE	CHECKED BY	ISSUED BY
1			BOL
2			BOL
3			

DESTINATION	VERSION NUMBER		
	1	2	3
Client Council	1		

Ref 15991

1 Introduction

The following report addresses the traffic impacts of the proposal including the accessibility of the site, and the anticipated impacts the development will have on existing proximate traffic conditions.

The report concludes that there are no traffic grounds which should warrant refusal of the sought Planning Permit.

2 Background and existing conditions

The subject site is located at Lot 10 Bannockburn-Shelford and is made up of three land parcels with a combined area of approximately 140 hectares. The site is located on the eastern edge of the Teesdale Township and is on north east corner of the Bannockburn-Shelford Road and Teesdale Tip Road.

The area is rural in character and is mainly used for grazing and other forms of agriculture. The sites western boundary borders the Teesdale Tip Road the other three boundaries are shared with neighboring properties. Figure 1 shows the location of the site and surrounding street network.

Figure 1



The site is located within the Farming Zone – (FZ) as set out in Golden Plains Planning Scheme and is primarily surrounded by a mixture of Farming uses with the Teesdale Tip located to the north of the site. The site is currently vacant save for the rock crushing equipment located towards the sites north western corner.

3 Road Network and Site Access

Bannockburn-Shelford Road is Road Zone Category 1 Main Road which connects Bannockburn and Teesdale. The intersection of the Bannockburn-Shelford Road and Teesdale Tip Road comprises of a sealed highway with a single lane in each direction. This section of the highway has gravel shoulders on both sides of the road, and operates with a speed limit of 100km/h. Figure 2 shows the intersection of the Bannockburn-Shelford Road and Teesdale Tip Road looking west, which would be utilised to enter onto Teesdale Tip Road.

Figure 2



Any heavy vehicles entering or existing the Teesdale Tip Road have sufficient site lines to be able to safely enter and exit the Bannockburn-Shelford Road. Large gravel shoulders exist on both the eastern and western entrance to the Teesdale Tip Road enabling safe access and egress too and from the site.

Teesdale Tip Road is a locally maintained road which comprises of a single lane in each direction. The road is comprised of crush rock with grass shoulders. It is approximately 1.1 kilometres from the entrance of Teesdale Tip Road to the entrance of the rock crushing facility. Figure 3 shows the entrance to Teesdale Tip Road.

Figure 3



Ref 15991

4 Proposal

The proposal seeks retrospective planning approval for the Use of Land for Materials Recycling (Rock Crushing).

The rock is sourced from the land and is primarily being removed to improve the agricultural productivity of the land.

The material/rock not able to be reused on the land as part of the existing agricultural activities is to be removed from the site. It is expected that this activity is short term for up to 12-24 months.

The crushing and cartage would occur between 7.30 am to 4.00 pm, Monday to Friday.

A number of large equipment is required for the crushing activities. The equipment is temporary only and will be removed from the land upon the cessation of the crushing activities.

5 Estimated Traffic Generation

The anticipated volumes is approximately 3 loads a day at 30 tonnes – i.e. 90 tonnes per day. This would generate vehicle movements at the following rates:

- 3 truck movements per operational day
- 3 x 5 = 15 per week (780 per year)

It is estimated that there would be on average 3 movements per day.

The general impact of the proposal is not anticipated to result in delay on either of the affected roads. As traffic volumes on Teesdale Tip Road are low there is no significant impact expected to be caused by the potential of three trucks entering the site per day.

6 Traffic Impacts

The Bannockburn-Shelford Road is an arterial road designed to carry high volumes of traffic. The Road provides the principal routes for the movement of people and goods between Bannockburn and Shelford regions, and between rural activity centres, together with links to major freight terminals in both rural and metropolitan areas. These routes provide a safe, efficient and integrated road transport system for the economic and social benefit of the community.

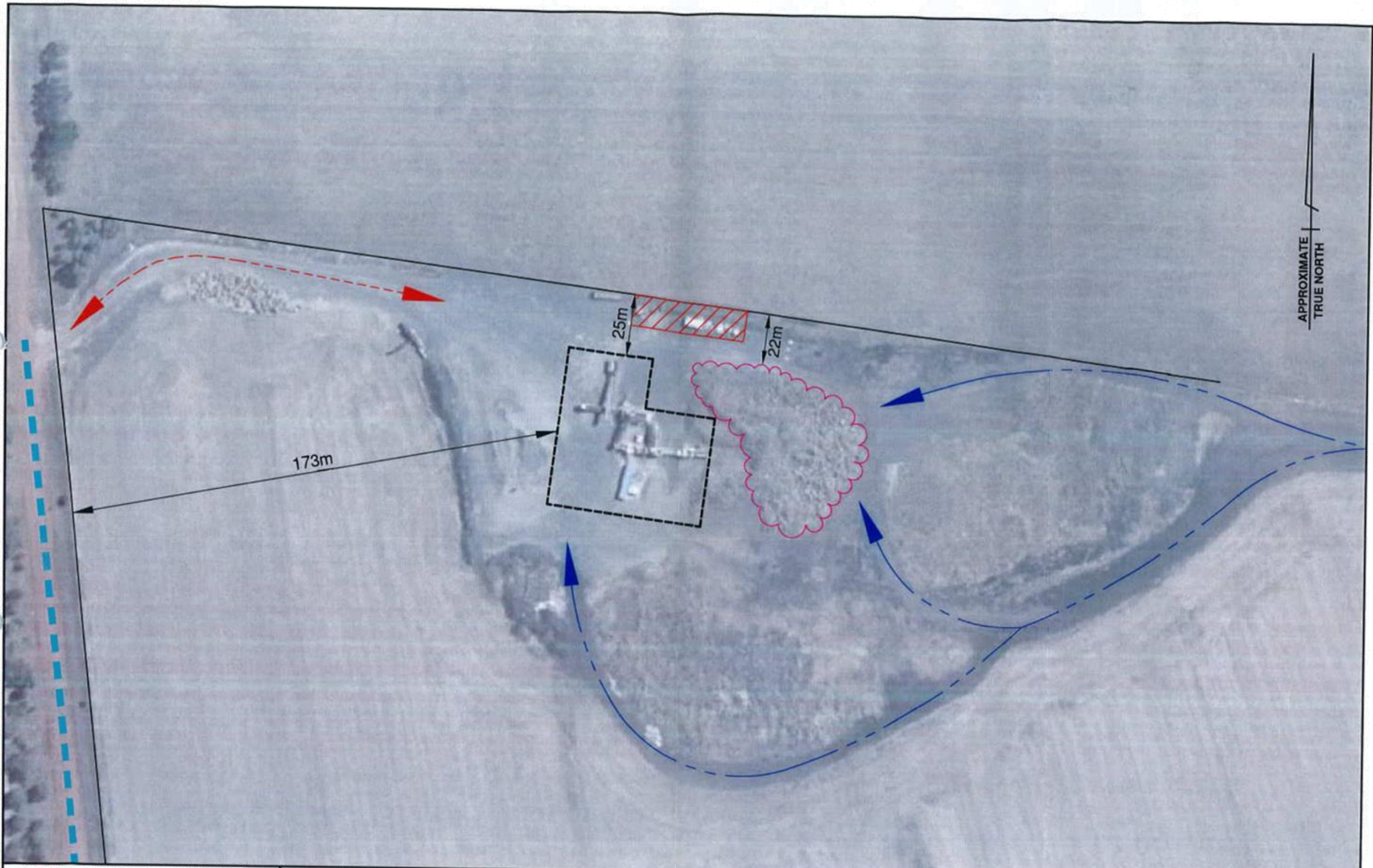
The estimated traffic generation volumes for heavy vehicles utilizing the main road for access to the subject site indicates no substantial traffic impacts will be generated from the proposal as justified below.

7 Conclusion

The proposed use of land for materials recycling (rock crushing) at Lot 10 Bannockburn-Shelford Road, Teesdale is summarised in a traffic and parking context as follow:

- The site's access has been appropriately designed in accordance with the Planning Scheme.
- The traffic generated by the site is considered to be very low and will have minimal effect on the safety and operation of Bannockburn-Shelford Road and the Teesdale Tip Road.
- The low volume of traffic the business is estimated to generate (3 Vehicles per day)
- Due to the vast size of the site, there will be additional nonspecific parking areas around the site.

There are no traffic or parking grounds which should warrant refusal of the sought planning permit.



ST. QUENTIN
 Surveyors - Town Planners - Engineers
 51 LITTLE FYANS STREET,
 P.O. BOX 919, GEELONG 3220
 TELEPHONE (03) 5201 1811 FAX (03) 5229 2909

LEGEND	
STAFF ROOM & WATER TANK	
EXTERNAL ACCESS	
MAX STOCKPILE MAX 6m HIGH	
TITLE BOUNDARY	
PLANT	
MAIN ACCESS FOR ROCK IMPORT	
ACCESS TO / FROM SITE	

SCALE NTS	LEVEL DATUM ARBITRARY
TITLE REF.	
PLAN DRAWN 09/04/19	SURVEY REF. 15922
	VER. 01

**PLAN OF OPERATIONS
 ROCKLEA PARK
 TEESDALE, 3328**

A3

Peter O'Brien

From: Cameron Gray <cameron@stqc.com.au>
Sent: Thursday, 30 January 2020 10:20 AM
To: Peter O'Brien
Cc: Andrew Cameron (andrew@rocklea.net); stqc@emailmyjob.com
Subject: 15922 Acoustic report
Attachments: 19173 12 Bannockburn Shelford Rd Teesdale Acoustic Report 29.1.20 Final.pdf

Hi Peter,

Hope you are well and had a good break.

Please find attached an acoustic assessment of the proposal in response to Council's correspondence of 4th September 2019. The report also includes photographs of the plant and equipment as requested in the same correspondence.

Of note;

1. The report tests both the Rock Hammer and Crushing operations;
2. The key noise impact actually comes from the generator, rather than other elements of the operation;
3. The noise levels at the nearest residential receptor is acceptable;
4. The noise levels at possible future residential receptors exceeds NIRV limits by 3dB(A).

In short, today and for the next few years noise levels are acceptable, however when closest lots on the Tawarri Estate are developed, it is likely the noise levels will exceed NIRV limits in these locations.

The report suggests a simple muffling of the generator will be sufficient to address this exceedance. In speaking to the noise consultant, it is clear there are other possible solutions, one of which may be the creation of a bund wall or similar around the generator.

I think from the point of view of a potential planning permit, the key messages are

- The noise levels today are acceptable;
- If further development of Tawarri Estate proceeds in closer proximity to the proposal, there are a number of simple acoustic measures available to ensure noise levels are within appropriate limits

Please contact me if you have further queries.

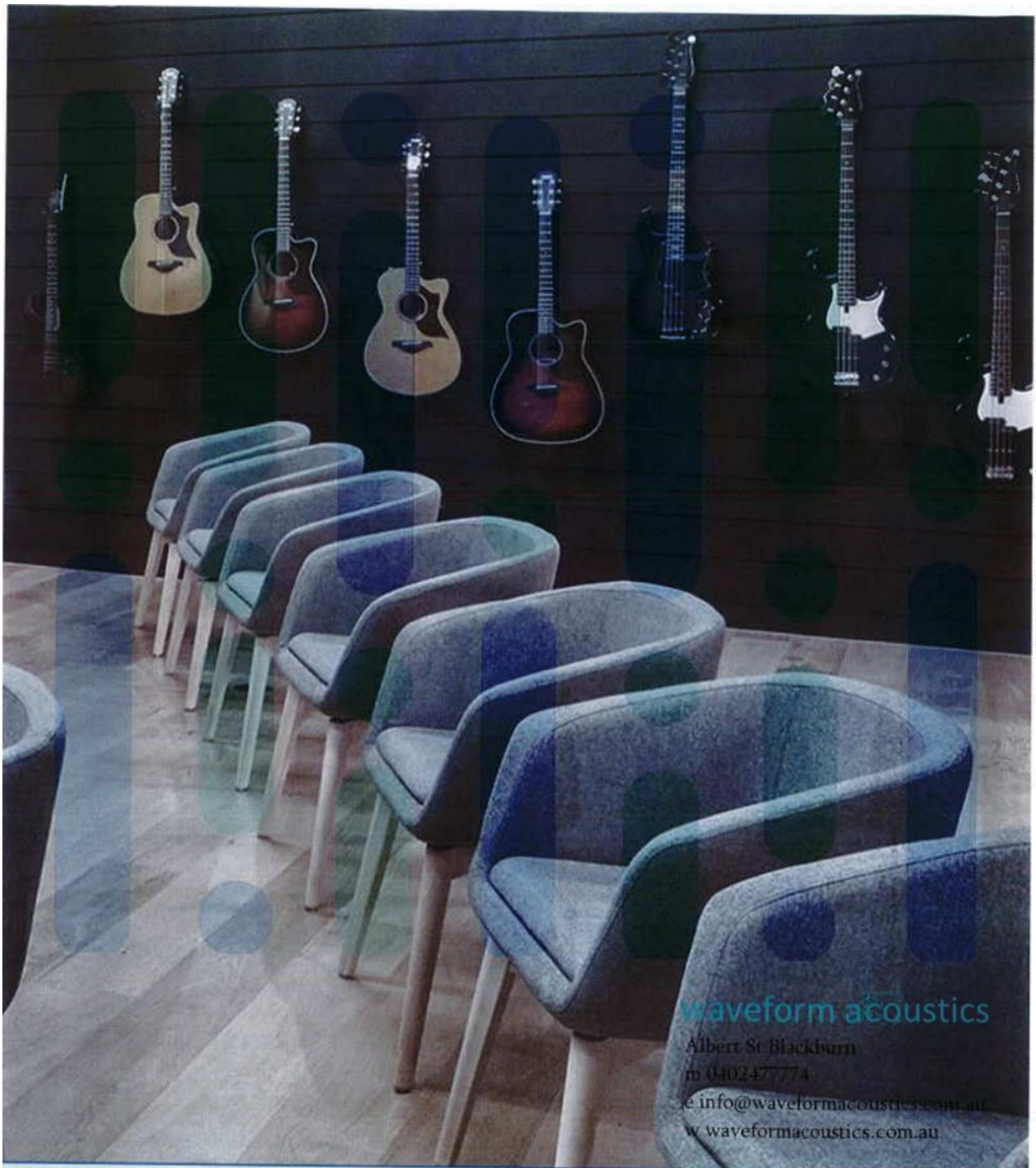
Kind Regards

Cameron Gray | *Managing Director*

PO Box 919, Geelong VIC 3220 | 51 Little Fyans Street, Geelong | office 03 5201 1811 | fax 03 5229 2909 | <http://www.stqc.com.au/> [linkedin](#)



 Please consider the environment before printing this e-mail.



waveform acoustics

Albert St Blackburn

m 0402477774

e info@waveformacoustics.com.au

w waveformacoustics.com.au

Project – 12 Bannockburn-Shelford Rd

Teesdale

Date – 29.1.20

19173

C Cameron Gray

P 03 52011811

E cameron@stqc.com.au





Acoustic Report Information Sheet

Project
12 Bannockburn-Shelford Rd Teesdale

Prepared for
Cameron Gray

Prepared by
Rohan Barnes from Waveform Acoustics

REVISIONS REGISTER	Issue Date
Draft Acoustic Report	29.1.20
Final Acoustic Report	29.1.20

DOCUMENT REGISTER	Issue Date
Letter of engagement	7.11.19
Area Plan	16.10.19
RFI Golden Plains Shire	4.9.19
Subdivision plan	29.1.20





Executive Summary

Waveform Acoustics has been engaged by Cameron Gray from St Quentin Consulting to provide an Acoustic Report in relation to the potential noise emissions from the Rock Crushing (Earth Resources) to the East of the stage 1-5 Tawarri Estate development.

In particular the Golden Plains Shire Council have requested as part of the Planning Permit Application P19-063 that an acoustic report be prepared that demonstrates how the use will comply with the EPA 'Noise from Industry in Regional Victoria' Guidelines publication 1411 October 2011 (NIRV)

Testing was conducted onsite and at the adjacent Tawarri Estate Development on the morning of the 29.1.19

The client has advised us that the intended hours of operation are as follows:

- Monday to Friday 7am to 4pm

The nearest residential receptor appears to be part of the stage 2 development to the South West of the Rock Crushing site at Lott 211 is Wattle Court.

When the subdivision is concluded (stage 6) then the nearest site residential receptor to the crushing site would be to the west at lot 605 Maple Court.

It is our opinion based on the available environmental noise data, plans received and technical performance information that the noise generated from the Rock Hammer complies with the requirements of NIRV during the day period at both the current nearest residential receptor (lot 211 Wattle Court) as well as adjacent to the future stage 6 residential receptor (lot 605 Maple Court).

When the Rock Crushing plant is operating the noise generated complied with the requirements of NIRV during the day period at both the current nearest residential receptor (lot 211 Wattle Court), however it would current be above the limit adjacent to the future stage 6 residential receptor (lot 605 Maple Court).

Best Regards,

Rohan Barnes
Principal Consultant



Legislation and Guidelines

In the preparation of the report the following legislation and guidelines were used:

State Environmental Protection Policy - Noise from Industry in Regional Victoria - NIRV

- The guidelines set out recommended maximum noise levels ('recommended levels'), which can be applied to manage the impacts of noise on the community.
- The recommended levels provide different degrees of amenity protection in different land-use zones. Overall, they balance the need for operation of industry with the protection of sensitive uses. The recommended levels promote normal domestic use of the home and sleep at night.



Acoustic Assessment Procedure

1. Determine the Zoning
 - a. According to NIRV the Noise Generating Rock Crushing Plant is in the Farming Zone, While the Tawarri Estate Receiving Zone is Low Density Residential Zone.
2. Recommended maximum noise levels – earth resources (3.2)
 - a. It is our opinion that the Rock Hammer and Crushing works are within the scope of Earth Resources and as such the provisions of Step E1 apply. Step E1 dictates that the following noise levels should be applied when the receiver is classes LDRZ
 - i. **Day 46 dB(A)**
 - ii. *Evening 41 db(A) (the plant and machinery will not operate at this time)*
 - iii. *Night 36 dB(A) (the plant and machinery will not operate at this time)*

Day	0700–1800 Monday–Friday 0700–1300 Saturdays
Evening	1800–2200 all days 1300–1800 Saturdays 0700–1800 Sundays and public holidays
Night	2200–0700

3. Earth resources Step E2 – Background Level check and adjustment and variations
 - a. This Step applies where it is determined that the measured background level is higher than usual for a rural area. Including areas of high traffic and significantly audible background noise. As the measured readings were well below the limits set out above it is our opinion that this step is deemed not applicable.
 - b. A Svantek 979 Sound Level Meter recorded the environmental noise data calibrated prior to and after measurement. This equipment recorded background noise levels as follows:
 - i. At the Eastern boundary of Lot 608 Maple Court (6.30am 29.1.20) 38-40 dB(A)
 - ii. At the western boundary of 211 Wattle Court (6.45am 29.1.20) 36-38 dB(A)
 - c. *It is our opinion that part 4 variations do not apply.*
 - d. *As the area is not a high traffic area then E3 does not apply*

Verification Testing was conducted using a Svantek 979 Sound Level Meter calibrated prior to and after measurement. The noise levels were as follows:

1. Rock Hammer Operating (7.30am)
 - a. 20m from the Unit – 77 dB(A)
 - b. At the Eastern boundary of Lot 608 Maple Court 40-42 dB(A)
 - i. **Complies with NIRV limit**
 - c. At the western boundary of 211 Wattle Court – undetectable above the background
 - i. **Complies with NIRV limit**

2. Rock Crushing Plant Operating (8.30am)
 - a. 20m from the Unit – 85 dB(A)
 - b. At the Eastern boundary of Lot 608 Maple Court 49 dB(A)
 - i. **This is over the limit by 3 dB(A) if the stage 6 development was completed.**
 - c. At the western boundary of 211 Wattle Court 41 dB(A)
 - i. **Complies with NIRV limit**



Recommendations:

1. The client has advised us that the stage 6 development is likely to be 4-5 years away. At such time in order to achieve NIRV compliance we suggest that a 4m high continuous bunding be piled along the Western Edge of the gravel area adjacent to the Crushing Plant (marked in red on the appendix 1 site map) in order that there is no direct line of site from the plant to any of the residences on the Western Boundary.
 - a. Note that some of this bunding currently exists but varies in height from 1-3m and in some places does not exist.
2. Alternatively mechanical adjustments could be made to the generator such as an acoustic muffler to reduce the noise output.



Summary

Based on existing background noise levels and the determined noise limits, I am confident that with the strategies in place and maintained as outlined, that the Earth Resources Facility can operate in compliance with EPA NIRV noise limits at the nearest residential receptors as identified in this report (stage 2 and stage 6 subdivision).

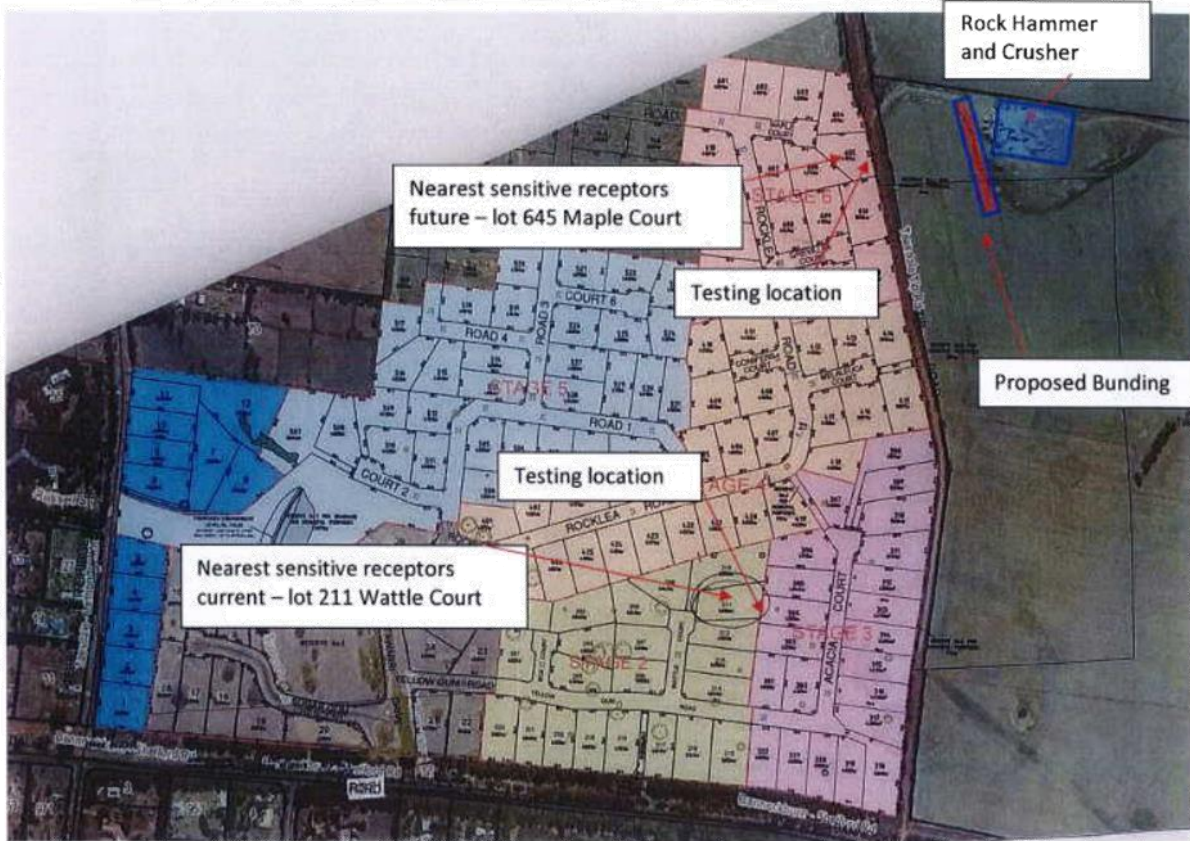
This report gives consideration to acoustic matters associated with the operation of the Rock Crusher Plant and Rock Hammer only.

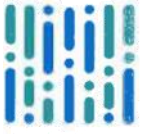
Where clarification is required, or the recommended acoustic treatments may be found to impact on other services or statutory requirements, Independent advice, as appropriate, is to be sought in respect to any such impact that these acoustic works may have on the design and construction.

Rohan Barnes
Waveform Acoustics.



Appendix 1 – Site Map





Appendix 2 Earth Resource Equipment



Rock Hammer



Rock Crushing Plant

1. Crusher
2. Conveyers
3. Sorter
4. Generator





Glossary of Acoustic Terms

L_{Aeq} means the equivalent continuous A-weighted sound pressure level.

L_{A90} means the A-weighted sound pressure level which is exceeded 90% of the time interval considered.

L_{Amax} means the maximum A-weighted sound pressure level during the time interval considered.

L_{Amin} means the minimum A-weighted sound pressure level during the time interval considered.

$L_{OCT 10}$ means the 'C' weighted or linear sound pressure level for a specified octave band that is exceeded for 10% of the time.