**Video Transcript**

**Regulators Community info Session Lyster Rowv Qrs**

[Title: Regulators’ Community Information Session - Lysterfield - Rowville quarries]

*Jaselyn O'Sullivan*

Well hello and thank you for joining us for the Regulators’ Online Community Information Session for the Lysterfield-Rowville quarries.

My name is Jaselyn O’Sullivan.

I am the Regulatory Stakeholder Advisor at Earth Resources Regulation and I’ll be hosting tonight’s event.

I would like to begin by acknowledging the traditional custodians of the land on which each gather tonight, and pay our respects to their elders past, present and emerging, and I extend that respect to Aboriginal and Torres Strait Islander peoples joining us here in the session tonight.

This information session has been organised in response to public interest around the two quarries operating in the Lysterfield-Rowville area.

The Boral Lysterfield Quarry where activities have occurred since the 1920s, and the Hanson Lysterfield Quarry a site that has been operational since 1979.

Quarries supply sand, stone and gravel materials that make up our roads, rail networks, housing, schools, hospitals and more.

Victoria is growing at a rapid rate and the demand for these resources is growing with it.

In supplying these materials all quarries must operate in accordance with the regulations to protect public safety and the environment, and comply with planning requirements.

There are many pieces of legislation that quarry operators must adhere to to ensure these requirements are met.

The key piece of legislation is the Minerals Resources Sustainable Development Act, 1990.

Other key pieces of legislation include Planning and Environment Act, Environment Protection Act, Transport Act, Flora and Fauna Guarantee Act, Lysterfield Quarry Act and more.

Tonight we will explore some of the regulatory roles that sit under some of these pieces of legislation.

To do this we have a number of representatives that will present tonight.

[Slide: Tonight’s presenters]

Barry Strong, who is the Regional Manager Metropolitan Melbourne for Earth Resources Regulation.

Megan Vallas, Manager, Contaminated Land and Landfill Regulatory Services at the Environment Protection Authority Victoria.

Anitha Viswanathan, Manager Transport Planning, Metro South Region, Department of Transport.

Paul Dickie who is the manager of City Planning and Building at Knox City Council.

And, Leo Guaraldo, Assistance Director, Assessments, Earth Resources Regulation.

The evening will be delivered in three main parts.

[Slide: Agenda]

Firstly, we will outline the roles of each regulatory authority present and look at some of the relevant community concerns.

Secondly, we will discuss the process for changes to work plans, for example when an operator wants to make major changes such as a site expansion.

This will also include information around planning permits that form part of this process and how, when and where community members can provide feedback.

And thirdly, we will get to your questions in a Q&A section before concluding the evening at approximately 8:15pm.

A couple of housekeeping things, we have received several questions through the registration process that we will address towards the end of the session and you will also have the opportunity to ask questions via the chat function throughout the evening, and I’ll explain how you can do this.

[Slide: Q&A chat function]

If you look to the top right-hand side of your screen hopefully you can see the symbol of two conversation bubbles, click that symbol and the chat function should open within Microsoft Teams to the right-hand side.

Type your question in here and we’ll monitor these throughout the evening.

We have received well over 100 questions through the registration process, so while we will endeavour to cover as many questions as we can tonight we won’t get to all of them.

To run the Q&A section we will address some questions submitted via registration first, and then aim to move to some of the questions you submit throughout the session tonight.

Irrespective, all questions submitted either via registration or the chat function will be answered in writing and posted to the Earth Resources website.

We will also record and create a transcript of the session and we’ll be making these available on the website.

A link will be sent to all attendees once these items are available on the Earth Resources website.

And many of you would have experienced technology is great when it’s working but can cause some major headaches when it’s not, especially for someone like me that is not too tech-savvy, so we have Donna Mongan on standby should you have any difficulties asking questions or experience issues related to the Teams live platform.

Please reach out to Donna should you need her, her number is there on the screen.

Please also be patient with us should we have any difficulties.

You may notice a time-lag between presenters, no it’s not a technique to hold you in any kind of suspense it’s simply a product of the platform that we’re using tonight.

So if IT issues happen we will try to keep things running as smoothly as we can.

So we have a tight schedule tonight and I, along with many of you I’m sure are keen to get started so without further ado allow me to introduce our first speaker Barry Strong, Regional Manager Metropolitan Melbourne, Earth Resources Regulation, over to you, thank you Barry.

*Barry Strong*

Thanks Jaselyn.

I’m Barry Strong from Earth Resources Regulation.

[Slide: Earth Resources Regulation]

For my part of this presentation I’m going to run through how the Lysterfield quarries are regulated, including Earth Resources Regulation’s leading role of regulating quarries in Victoria, current approvals for quarries, the Lysterfield quarries, and quarry monitoring and conditions.

I’ll also talk about our compliance activities for these sites.

As Jaselyn has said, demand for stone from quarries has never been greater and both of these quarries play an important role in supplying stone to construction projects and the construction industry, especially during Victoria’s Big Build.

Related to this the extractive industries priority project list which is a state government list enquiries of strategic importance for its resources needed to ensure that raw materials continue to be provided to construction to keep building.

The Hanson Lysterfield Quarry site is on this priority project list.

While obtaining these materials is important all quarries must operate in accordance with legislation and approvals to protect public safety and the environment and comply with planning requirements.

The two primary pieces of legislation as Jaselyn has pointed out are governing the authorisation of quarries in Victoria are the Mineral Resources Sustainable Development Act, 1990, and the Planning and Environment Act, 1987.

The Mineral Resources Sustainable Development Act ensures an efficient and sustainable use of our natural resources while ensuring the community and the environment are safeguarded.

This legislation requires all quarries to have a work authority as well as an approved work plan that permits quarrying and protects public safety and the environment.

Earth Resources Regulation grants these approvals and their associated controls for quarries stone extraction and is the lead regulator for quarry activities within the work authority boundary, while local councils such as Knox City Council deliver the planning controls for quarry sites under the Planning and Environment Act, 1987.

Earth Resources Regulation communicates regularly with the other regulators here tonight regarding quarry approvals, monitoring and compliance.

Both the Hanson and Boral quarries in Rowville and Lysterfield have the required work authorities and approved work plans for their operations.

These approvals have conditions which quarry operators must comply with to operate lawfully.

These approvals last for the life of the stone resource at these sites but are required to change as the operation changes, such as with a proposed expansion of a quarry.

The Boral Lysterfield Quarry has an act of parliament, the Extractive Industries Lysterfield Act, 1987, that applies to the site and permits the acquiring of stone within the Churchill National Park.

Quarries are also required to have rehabilitation plans and bonds in place to ensure the planned rehabilitation of the site is completed.

These bonds act as a guarantee to the state so that if the operator does not complete the rehabilitation the state is able to use these funds to ensure the rehabilitation is completed appropriately.

Both quarries at Lysterfield have bonds in place for this purpose and plan to operate for many more years providing stone for construction.

During the pandemic of 2020 quarries were classified as essential operations and continued to operate, while many of us were required to work from home due to the COVID-19 pandemic.

We received a large number of complaints in 2020 and we have visited a site or observed operations from early 2020 through to later in the year, with our most recent site visits being inspections at both quarry sites prior to Christmas.

We also regularly receive site monitoring operations data from quarries to check compliance with work plan requirements and this has always been forthcoming from both quarries.

Blasting at these quarries is a necessary part of quarry operations as these are hard rock quarry sites extracting stone.

Blasting is need to enable rock to be recovered from the ground for transfer to site crushers for production into aggregate and cartage offsite.

Noise and vibration from blasting hard rock for extraction at this quarries will be heard and felt in the surrounding community, and is permitted provided it is in accordance with the controls in place at these sites.

Blasting at both sites can only occur Monday through to Friday between 10:00am and 4:00pm, and limits apply to noise and vibration from blasting beyond the quarry’s work authority boundaries.

An independent company is engaged by Hanson for the Hanson-Lysterfield Quarry site to undertake blasting noise and vibration monitoring at locations around its Lysterfield Quarry, including in nearby residential areas.

This company is suitably qualified and experienced in undertaking this work and uses the necessary equipment needed to gather monitoring data for these blasting events.

Of all the complaints we have received for the Hanson-Lysterfield Quarry to date, the majority, over 80%, have been in relation to blasting noise and vibration from the quarry.

We have also had some complaints about blasting from the Boral Lysterfield Quarry.

We’ve reviewed the independent consultant’s monitoring report for blasting noise and vibration compliance at the Hanson-Lysterfield Quarry and found it to be compliant with the limits of the approved work plan.

The Hanson-Lysterfield Quarry has a blasting vibration limit of 10 millimetres per second, and a blasting noise limit of 120 decibels.

The monitoring data visible on the Hanson-Lysterfield Quarry website shows blasting monitoring results are consistently well below these limits.

I think it’s useful for people to note that the following can be found on the Hanson-Lysterfield Quarry website, there’s a system where residents nearby can to subscribe to to receive SMS text notifications on the day for some forewarning of blasting events.

While there are limits on blasting time, noise and vibration, there are no limits on the number of blasts that can occur at the quarry.

This means a blast can occur during the day all week, but they cannot occur outside of the required hours or beyond the limits or on the weekend.

Although this applied to the Lysterfield Quarry site is 10 millimetres per second, which is an older standard for blasting limits, Earth Resources Regulation has reviewed data from the blast monitoring for Hanson-Lysterfield since 2019, and it shows that 100% of blasts are below the more recent Australian standard of five millimetre per second for vibration which is the standard that’s applied to new blasting approvals, and that 97% of blasts are less than three millimetres per second.

We’ve also reviewed the Boral Lysterfield Quarry blasting noise and vibration monitoring data and found this site to be compliant as well.

We’ve had some nearby residents complain of damage to their property from quarry blasting, this is an issue that needs to be addressed between the complainant and the party they feel is responsible for any damage.

Hanson has investigated these matters for individual properties surrounding the Lysterfield Quarry in the past, and information from an independent engineering consultant regarding community questions around this topic is available on their website.

I suggest anyone with concerns regarding this can start looking at that document and the information it contains.

Both the quarries are restricted in the hours they may operate.

These restrictions are from 6:00am to 6:00pm Monday to Saturday inclusive, with the secondary crusher or processing plant on site able to operate until 10:00pm, and a provision that allows for essential plant maintenance outside of those hours.

Truck movements from the quarries are a part of site operations, and past complaints have identified an area of non-compliance at the Hanson Lysterfield Quarry site which has been corrected.

Both the Hanson and Boral sites have changed truck site movements to ensure compliance with requirements, and Hanson has established additional signage and security to control truck access.

Hanson has also altered its crusher start time to ensure these only operate from 6:00am.

Noise from the site is permitted and will be heard in the community.

Where this might be linked to operating hours at the site, this may be investigated further by Earth Resources Regulation.

Although non-compliance has not been identified, adherence to prescribed operating hours will continue to be monitored by Earth Resources Regulation for both quarry sites.

Both sites are permitted within their current approved work plan to clear vegetation, establish barns [0:14:54] and perimeter access and excavate to access stone resources on site.

While a portion of this is visible in the surrounding landscape these activities are permitted through the current approvals.

Both quarries are obliged to control weeds and both quarries engage contractors onsite to undertake this work.

Both quarries are required to [0:15:18 audio glitch] and to limit dust fallout from the work authority area.

To control dust both sites have dust suppression systems in place onsite through water carts and fixed water spray systems on stockpiles.

For the Hanson Lysterfield Quarry onsite and offsite dust monitoring gauges have shown that the site is compliant with dust limits for all monitoring locations adjacent to the community.

Both sites have wheel wash facilities and these have been upgraded at the Hanson Lysterfield Quarry and are planned to be upgraded at the Boral Lysterfield Quarry.

These wheel wash facilities aid in removing mud and debris from vehicles when they are leaving the site in wet weather, this reduces the chance for materials sticking to tyres and being dragged out onto Wellington Road.

Wheel wash facilities are not designed or used to clean trucks of dust prior to them leaving the quarry.

Both sites contribute to a street-sweeper vehicle that cleans along Wellington Road, and both sites have been asked by Earth Resources Regulation to ensure site practices prevent drag-out of mud and debris to Wellington Road.

Both the Hanson and Boral quarries have community liaison groups that meet regularly.

Both of these community groups have an open invitation to community members to attend meetings and discuss issues related to quarry operations.

The Hanson Lysterfield Quarry established its Community Reference Group in 2016 and it meets every two or three months.

Minutes of these meetings are published on the Hanson Lysterfield Quarry website along with other useful information about quarry operations, compliance and regulatory requirements, and what plans Hanson has for the future of the quarry.

Both Knox Council and Earth Resources Regulation staff attend these meetings as observers, and it was good to see two new community members attending a last month’s Hanson Lysterfield Community Reference Group meeting and raise issues of important to them.

I encourage everyone here today who’s a neighbour to these quarry sites to consider attending these community meetings and discuss issues that might be important to them, and to visit the respective websites for more information.

Finally, Hanson Community Reference Group’s newsletter is occasionally circulated by post in the surrounding community of many thousands of households.

The fourth newsletter was recently circulated in October 2020 and a copy of this newsletter which includes information on compliance and plans for the future development of the site is available on the Hanson Lysterfield Quarry website.

I’ll now handover to Megan Vallas from the EPA to continue the presentation.

Thank you.

*Megan Vallas*

Great, thanks Barry.

Hi everyone.

My name is Megan Vallas and I’m the Acting Manager for Contaminated Land and Landfill Regulatory Services at EPA Victoria.

[Slide: Regulatory roles]

My substantive role is team leader of compliance and enforcement in the Southern Metro Region where my environment protection officers undertake planned and response inspections of these quarries, as well as hundreds of other licensed and unlicensed industrial sites across 12 council areas.

In our region we receive thousands of pollution reports each year, and prioritise our inspections based on the highest risk issues across the state, this includes emergency response to fires, pollution of water, licensed site inspections, high risk contaminated lands, waste transfer station inspections to prevent fire risk and landfills.

EPA has a role in approvals and compliance when it comes to quarries.

[Slide: Environmental Protection Authority Victoria]

With approvals, risk to environment such as dust, noise and waste, are assessed through the work authority process by ERR, but EPA provides statutory and non-statutory advice to ERR and council that is considered in the decision making processes.

For extractive industries and quarries EPA is a statutory referral authority under the Planning and Environment Act for planning permits for sites that require an EPA approval.

EPA assess and issue works approvals and licences when there is an environmental discharge into surface water for a quarry, for example Boral Lysterfield Quarry has an EPA water discharge licence so EPA undertakes planned licence compliance inspections of this site.

EPA also provides non-statutory advice in consideration in relation discharge to surface or groundwater, dust emissions, technical noise report reviews for other work plan variations.

When it comes to compliance, if a quarry operator is polluting offsite such as with dust or noise issues, ERR can take enforcement action where violation of a work authority condition has occurred.

If an operator is polluting and no work authority conditions have been violated, ERR works with EPA to discuss whether any action can be taken under the Environment Protection Act, 1970.

EPA and ERR work together to co-regulate extractive industries and quarries.

When pollution reports are received by both authorities we work together to determine which regulator is best placed to investigate.

It’s important to note that EPA has inspected both of these sites in the past six months.

EPA environmental legislation is changing on the 1st of July 2021, which is very exciting for us.

All persons engaging in activities that may give rise to a risk of harm to human health or the environment from pollution or waste must minimise those risks so far as reasonably practicable.

This is referred to as a general environmental duty and all activities, so business, residential premises, industrial sites, will have an obligation to have appropriate controls in place to prevent pollution.

EPA will have greater powers to enforce the law and hold polluters to account under this new legislation.

EPA has published a new guideline on our website and the link is shown on my slide at the bottom here.

It’s call the Mining and Quarrying Guide to Preventing Harm to People and the Environment publication, which is number 1823 if you want to look it up.

This guideline outlines how to manage the risks in mining and quarrying and provides an outline of quarry operator’s legal obligations starting with the general environmental duty and what actions they can take to comply with the new laws.

EPA will continue to engage with businesses and industry leading up to the legislative changes, and we’re excited to be able to take a preventative approach to environmental pollution from the first of July.

Next up we have Anitha from Department of Transport.

*Anitha Viswanathan*

Thank you Megan.

I’m Anitha Viswanathan, Manager Transport Planning in Department of Transport.

Although DoT does not have a regulatory role as far as the quarry operations goes, I’m here to talk about Wellington Road.

[Slide: Department of Transport (previously VicRoads) - Wellington Road - Inspection regime]

So, as you know, Wellington Road is managed by Department of Transport, it’s an arterial road, and arterial roads play an important role in moving people and goods.

Wellington Road is a divided road and its speed limit is 80kph, and the road is designed and managed so that it can carry a large volume of traffic including heavy vehicles.

As for the maintenance DoT has a Road Management Plan in place and all the roads are managed in accordance with the plan.

I have provided a link if you – you can look at the Road Management Plan and see how – what are the road management category and how VicRoads, DoT, is managing this road network.

And, as for inspection regime, DoT regularly inspect all the arterial roads and basically pick up any issues on the road and fix the road, so they usually do daytime and night time inspections are carried out, and if there is an issue we can’t fix immediately they usually operate warning signs are installed, probably could be a reduction of speed or anything.

And, we also heard from community about loose stones and mud from the trucks, so anytime DoT finds anything usually that will be the road swept or we will work with the quarry people, but as part of this routine maintenance regime DoT address that.

And, I have also provided a link here if any of the residents see any road hazard, if it’s an immediate danger there is a hotline, if it is not so urgent issue then you can use that link to report the issue.

I have a section to talk about maintenance regime, so basically we have a routine maintenance, periodic maintenance rehabilitation, routine maintenance as I said.

DoT regularly inspect the road and fix all the small problems like fixing potholes, cleaning gutters, drains etcetera.

Then we’ve got this periodic maintenance, we call it resurfacing.

So, when the road surface is cracked or damaged basically it will be resurfaced, so that basically increases the life of the roads.

And, the rehabilitation – rehabilitation is mostly building the whole road, and usually with the routine maintenance and periodic maintenance the lifespan of the road is increased and it’s not very often you really require rebuilding the road network.

And we had a concern about if any resident or motorist suffered personal injury or property damage is there any claim for compensation?

I have provided a link in my presentation so it will give you more information.

There may be the ability for anyone to claim compensation.

The next slide please.

[Slide: Department of Transport (previously VicRoads) - Wellington Road - slide 2]

I think this one I was talking about the resurfacing, so DoT has planned extensive resurfacing work by end of this financial year.

As you can see all this yellow marked lanes is planned for resurfacing.

The section between Stud Road and EastLink, the city bound section, it will be resurfaced and also between Gearon Avenue to Silkwood Way, and also from Clauscen Avenue all through to Tirhatuan Drive, this is again city bound, that section of the road will be resurfaced.

And to the outbound, the section between Clauscen Drive and Silkwood Way would be resurfaced.

This will be happening this financial year, so by end of June you will see that happening on the road network.

Slide please.

[Slide: Department of Transport (previously VicRoads) - Wellington Road - slide 3]

There was a lot of concern about the mud and dirt, and as Barry was saying, that is the good site practice and wheel wash facilities etcetera, we would expect by that there will be minimal drag out of mud.

As I said, duty as in terms of both Hanson and Boral requirements regarding community concern, we will work with the both quarries and we will also, as a part of our routine maintenance, keep an eye out for any mud and dirt on the Wellington Road.

And another one I wanted to highlight is what is happening on Wellington Road and the speed limit near St Simon Primary School, we have heard that community has concern about the speed limit there, so we were trying to get funding for that and we have been able to get funding now, so we have developed the project and we are calling for tenders now.

So by late this year the speeds near the school will be reduced to 60 kilometres per hour during the school peak times and there’ll be electronic speed limit signs installed, so that also you will see by later this year.

And now I will pass over to Paul Dickie from Knox Council.

Thank you.

*Paul Dickie*

Thank you Anitha, and good evening everyone.

My name is Paul Dickie and I’m the Manager of City Planning and Building at Knox City Council.

I will be talking to you tonight in two places regarding the various roles played by Knox City Council with respect to the Lysterfield quarries.

[Slide: Knox City Council - Role and legislation]

Firstly, it is noted that Knox City Council is the responsible authority for planning matters.

In this first section I will discuss council’s role for enforcement of planning requirements including planning permit conditions.

Later I will discuss council’s role in the processing, assessment and determination of planning permit applications, including public consultation during the planning process.

The planning process will be a necessary step for the owners of Hanson Quarry to undertake should they continue to pursue an expansion of the quarry.

I also note that council is consulted by Earth Resources Regulation or ERR, when ERR are considering any changes to the work authority controls typically for short periods, council does provide feedback for ERR for their considerations.

[Slide: Knox City Council - slide 2]

Firstly, I’d like to discuss the role of council regarding enforcement of planning controls.

The enforcement of planning scheme and planning permit requirements is governed by the provisions of the Planning and Environment Act.

The objective of the planning enforcement is to achieve compliance with the relevant planning permits and/or planning scheme provisions.

So what enforcement options are available to council?

If a contravention is identified council may pursue a number of options including negotiation, that is ensuring the operator is aware of the planning requirements and obtaining the necessary agreements to comply with those requirements.

Council may issue an official warning.

Council may issue a planning infringement notice which currently has a penalty of about $1,600.

Council may pursue an enforcement order or interim enforcement order through the Victorian Civil and Administrative Tribunal, or VCAT.

And council may pursue prosecution via the Magistrates Court.

The maximum penalty available to the magistrate in these cases is set at about $198,000 or $9,900 per day for ongoing matters.

And finally, council may apply to VCAT to cancel or amend a planning permit, although for completeness I’m not aware of examples of this provision being successfully used.

Each option has its own advantages and disadvantages, but to be successful all require investigation and the gathering of evidence to establish proof of a contravention.

[Slide: Planning permits]

It is also noted that because of the number of different approvals required to operate quarries, council will liaise with ERR and Department of Transport and the EPA as necessary to establish the most appropriate mechanism for enforcement should breaches be identified.

Council has recently completed research into planning permits for the Hanson quarry sites.

Listing of the planning permits and a copy of most of the permits is currently being arranged to be included on the Knox website.

I expect that a copy of the permits will be available on the website by early next week for the community to reference.

It is noted that the first planning permit issued for the quarry in 1979 by the Melbourne Metropolitan Board of Works has not been located despite some extensive searches of council records and other potential sources such as the Public Records office.

At this time a full listing of permits for the Boral quarry site has not been completed and this is a long task given the age of the quarry.

It’s appropriate that I provide a couple of notes regarding planning permits.

Planning permits are ongoing, they are not able to be simply updated by council in response to changing circumstances or community feedback.

Planning permits, particularly the older ones, are generally far less detailed than than an ERR work authority.

As an example permits do not contain rules or limits for blasting as that matter is regulated by the ERR through their work authority.

However, despite that council can and will investigate complaints regarding the quarries that are related to planning permit requirements.

If you have a complaint you can lodge them via council’s planning team, by calling 9298 8000 or email at knoxcc@knox.vic.gov.au.

If you are considering lodging a complaint please provide specific details of your complaint including dates, time, issue and any other information that is relevant and particularly that links the contravention to a particular site.

As I have previously advised there are a number of ways council can address any non-compliance but it is important to note that council can only enforce matters covered by the planning permits.

That is all from me for this section, I’ll be back later to discuss the planning application process.

I will now hand back to Jaselyn.

Thank you.

*Jaselyn O'Sullivan*

Thank you Paul, and thank you also to the rest of our presenters.

I hope the information they’ve shared with you so far has clarified the different roles of the regulating parties, where responsibilities lie and the legislation they administer.

[Slide: Changes to work plans]

I just want to highlight, and I suppose recap from that section, that should you have any questions or concerns about onsite operations of quarries or work plan approval processes please contact Earth Resources Regulation.

For land use and planning enquiries contact Knox City Council.

For land and water concerns beyond the site, your first port of call is the Environment Protection Authority.

And for road conditions and related safety concerns please contact the Department of Transport or Victoria Police for any alleged road offences.

And now I think we’ll keep things moving, I think it’s time to move to our next section of the evening where Leo and Paul will outline the process that quarry operators must undertake to make any major changes to their operation, including the requirements around planning permits and how, when and where community members can provide feedback as a part of this process.

So, thank you and over to you Leo.

*Leo Guaraldo*

Thank you Jaselyn.

As Jaselyn said, my name is Leo Guaraldo, I’m the Assistant Director Assessments at Earth Resource Regulation and I’ll be talking to you about the process for making changes to your work plan where planning permission is required.

Next slide please.

[Slide: Legislation]

As some of the other speakers have already mentioned the quarrying industry in Victoria is primarily regulated by the Mineral Resources Sustainable Development Act, 1990, but also the Planning and Environment Act of 1987.

It may also be approvals or consent under other legislations including, but not limited to, the Environment Protection Act, the Water Act, Aboriginal Heritage Act, Flora and Fauna Guarantee Act, the Environment Protection and Biodiversity Conservation Act, which is Commonwealth legislation, and the Environment Effects Act.

[Slide: Terminology]

I just want to cover off on a couple of terms that you might hear through my presentation and I think you may have heard from other people.

A work authority is the authority to extract stone in accordance with an approved work plan within defined boundaries, and effectively this is – there’s limited information here but this sets the boundaries for it, it may also include some conditions.

The work plan, as Barry described, is a document that describes the quarrying activities, includes the risk assessment, the risk management plan, the community engagement plan and the rehabilitation plan, so this is the primary document that describes the activities on the site and how quarrying will be done.

Statutory endorsement is an intermediate process, so this a planning – to a work plan that applicants are required, so it’s intermediate step in the process for approval of a work plan that requires lodging of a planning applications, and I’ll talk a little bit more about that in a second.

It’s worth noting that before statutory endorsement, this is where technical aspects of the proposal will need to be found satisfactory under relevant Acts.

The other term that you will hear me speak about is referral authority.

So, referral authorities are specific referrals that we – agencies that we need to refer the application to before statutory endorsement under the requirement un the MRSDA, and those are described in the planning scheme.

[Slide: Work Plan Variation Assessment - Planning Permission Required]

So, this slide is trying to set out the steps that are involved in changing your work plan, and I’ll just go through that briefly.

So, the pre-submission step, as it’s named, is the process where the applicant will prepare some detailed information, or sorry, initial information on what they’re proposing to do, and from that we will develop some information for them to understand who should attend an initial site meeting.

The purpose of the initial site meeting is to give the owner the opportunity to explain the project they’re proposing, for the changes sorry, and to the relevant agencies that may have an interest in it.

The engagement with those relevant agencies will go beyond that site meeting, but will be part of the preparation of the application.

Typically a site meeting would be attended by ourselves, Earth Resources Regulation, council and other agencies such as DELWP or EPA, and catchment authorities.

Once the applicant has prepared their application they would then submit that to the Earth Resources Regulation for endorsement.

Now this is our first opportunity to have a look at the plan that they’ve presented and assess the adequacy of the document against the requirements under the MRSDA, and things that we regulate, and Barry spoke to you about that.

Now importantly, as in our assessment application we do have the opportunity to assess the adequacy of it and we can require changes or request additional information from the applicant if we’re not satisfied with the application that’s before us, and that would then be returned to the client for request for changes.

Once the application has met our expectations, or the requirements of the Act and the subordinate regulations, it would then be provided to the referral authorities, and I mentioned these before.

So these are other agencies that we are specifically required, so they’re also referred to as statutory authorities, that we’re required to provide a copy of the application for comment under our Act.

Importantly, the referral authorities can respond in three ways to Earth Resources on the application.

So they can either choose to not object, not object with conditions, or object.

So once we’ve received a response from all the referral authorities we would look at the plan in consideration of the comments, or the responses we’ve received, and we would make a decision on it.

Now it’s worth noting at this point that our Act requires us to make a decision that’s not inconsistent with any comments from referral authorities, so if a referral authority imposes – requests conditions, these would form part of the statutory endorsement of the document.

Equally, if a referral authority objected to the application we would be in a position where we would need to decline that application and statutory endorse it.

It’s also worth noting that at this point in time that statutory endorsement is not an approval to commence quarrying, and really it is just the – demonstrating that we are satisfied that the technical aspects of the project have been addressed in the work plan or work plan variations as is the case.

Once the applicant has received statutory endorsement they would then take this to – this would accompany their planning application to council, and Paul will speak a bit further about the planning process in a moment.

Importantly, I think it’s worth highlighting to the audience today that this is the opportunity when community will have their say on the application, and again Paul will touch in on that process.

So, if a planning application is granted then the applicant would need to come to ERR for approval of the work plan to commence work.

Importantly, as a part of the approval process we would look at the planning permit and confirm that there were no inconsistencies between the documents before approving.

And, next slide please.

[Slide: Work Plan Variation]

I’ll just quickly touch on what a work plan contains.

So below is a sort of summary, a high level summary of the things that it will contain.

So it will include:

* A description of the works they’re proposing and the site information and setting;
* Identification of sensitive receptors such as residents;
* Identification of hazards;
* Identification and assessment of the risk posed by those hazards;
* The risk management plan;
* Rehabilitation plan; and
* Community engagement plan.

I’ll just sort of dive a little bit deeper into one of those areas which is the Risk Assessment and Management Plan.

In many of the questions submitted there was a lot of concerns – questions regarding dust advising, so I just wanted to touch on that.

So, it’s important to note that the Risk Assessment and Management Plan will need to specify what will be done to eliminate and minimise the risk as far as reasonably practicable.

The work plan must set out the control measures and demonstrate that the project has the capacity to meet the relevant performance standards, and I think Barry talked a little bit about some of those blasting standards that would apply.

And, specify how those performance standards and how the operator will demonstrate compliance with these standards.

Importantly, as a part of our assessment of the application, in addition to statutory referrals, we can seek advice from other agencies as we see necessary in the assessment of that application, and that typically includes those EPA, DELWP, depending on the matters and the site’s circumstances.

[Slide: Commencement of work]

Work cannot commence by the proponent until:

* They have a work authority, and now if they are making changes this will only be required if there’s a change to the work authority boundary.
* They have the necessary planning permission;
* They have an approved work plan as opposed to a statutory endorsement plan;
* They have entered into a rehabilitation bond;
* Obtained all other consents and authorities required by law;
* If applicable, secured environmental offsets, say for native vegetation; and
* Obtained appropriate public liability insurance.

And now I’ll handover to – back to Paul for him to talk a bit about the planning process.

*Paul Dickie*

Thank you Leo, and good evening again everyone.

Before I go into some detail regarding the planning application process that can be expected for the proposal to expand the Hanson Quarry, I just wish to provide a very quick introduction to the Planning and Environment Act.

[Slide: Planning Application and Approval]

The Planning and Environment Act is the primary piece of legislation that governs the planning system in Victoria.

The purpose of the Act is to provide a framework for the planning, for planning the use, development and protection of land in Victoria in the present and long-term interest of all Victorians.

The Act provides for:

* The form and structure of planning schemes;
* The procedures for amendments to planning schemes;
* Procedures for consideration and determination and planning permits;
* Mechanisms for appeal against planning decisions’
* Enforcement processes;
* Ministerial responsibilities and powers (including call in provisions); and
* Other associated matters.

Whilst I could talk for a while on the planning system, anyone who is interested can follow the link provided on the slide to access a document entitled ‘Using Victoria’s Planning System’ which provides much more detail on this topic.

[Slide: Planning Application and Approval - slide 2]

Before I discuss the planning application process it is important to understand the planning scheme controls that apply to both Lysterfield quarry sites.

The following specific controls apply to both the Hanson and Boral quarry sites.

The zoning for both sites is called ‘Special Use Zone Schedule 2 (Earth and Energy Resources Industry’.

This is a specific zone that applies only to quarry sites.

* The following overlays also apply to both sites.
* The Bushfire Management Overlay;
* Environmental Significance Overlay; and
* The Significant Landscape Overlay.

It is noted that the Environmental Significance and Significant Landscape Overlays are both part of a suite of controls that affect the Dandenong foothills portion of the Knox municipality.

The Bushfire Management Overlay reflects the site’s location near a large area of bushland and the higher risk of bushfire.

Any planning application lodged and any decision made must address the policies and requirements of all Overlays that apply to the land as well as the zoning.

For those interested I would also point out that Clause 52.08 of the Planning Scheme will also be highly relevant to any future planning application considered.

[Slide: Planning Application and Approval - Typical Planning Application Process]

Applications must also be assessed under many other Planning Scheme policies and objectives.

If you’re interested to research planning controls further I would recommend the link on the slide which will provide access to all planning schemes in Victoria, please choose the Knox Planning Scheme.

The graphic in this slide describes a standard planning application process and involves lodgement of an application with the required documentation and fees, initial assessment by an officer including seeking further information if necessary, referral of the application to council departments and external authorities, public notification if required, assessment of the application by a planning officer and determination of the application by council or a council officer under delegation.

And finally, appeal to VCAT if one or more of the parties, either applicant or objectors, is not satisfied with the council decision.

At this point in time it’s important to advise that no planning application has been received by council for expansion of the Hanson-Lysterfield Quarry, and certainly no decision has been made.

[Slide: Planning Application Approval continued]

The Knox Council website includes a listing of all applications lodged within the last 30 days should anyone wish to monitor new applications lodged.

Any application lodged must be accompanied by a work plan which has received statutory endorsement from ERR, which links with the process that was just discussed by Leo.

For a significant proposal such as quarry expansion the council’s – the public notification requirements would be quite wide.

A mail out will take place that would be wider than just the adjoining properties.

A number of signs will be required to erected on the site.

And, notices will be required in the public notices section of a local newspaper.

All advertising documents, which will include details of the proposal as accompanying plans and expert reports, will be available online via the Knox Council website.

Objections to the application can also be lodged via the Knox Council website.

This means that interested people can examine the documents and the proposal in their own time without having to visit the council offices.

The advertising period is 14 days, although any objection lodged before the proposal is decided must be considered by council.

All objections lodged to an application must be considered by council when determining a proposal.

I strongly encourage everyone who has an interest in an application to participate in the planning process.

As previously stated, the applicant and objectors have appeal rights to VCAT if they are not satisfied with the council decision.

VCAT appeal is a quite common part of the application process.

Before I move on I just want to highlight one part of the planning permit application process is particular to Knox.

Should council receive objections from 50 or more properties a planning consultation committee, or PCC, meeting will be required.

A PCC meeting is a non-decision making meeting that is in addition to the legislated planning process.

The meeting aims to understand all parties’ views and see if there’s any common ground.

PCC meetings have been conducted in person up until the Coronavirus pandemic and since there have been two meetings conducted online.

Finally I wish to discuss a possible change to the typical planning application process for any application that might be received for the Hanson Quarry.

In September 2020 the Hanson Quarry in Wellington Road Lysterfield was included on the State Government’s Extractive Industry Priority Projects List.

You can find information on the Extractive Industry Priority Project List on the ERR website.

The webpage includes details of projects currently on the priority list and those formerly listed that have now been approved as well as a Q&A sheet and a fact sheet that outline the possible implications of this decision.

Some key implications of the Extractive Industry Priority Project listing for the Hanson Quarry are:

* The applicant may request the Minister for Planning to call in the planning application once it is lodged with council.
* After considering the request the Minister for Planning may decide to actually call in the application.
* If the application is called in all council processes will immediately cease and the file and all the information will be passed to the Minister, this is regardless of what stage the council process is up to.
* I do understand that the process followed by the Minister will be different to the council process, but will include public notification if that has not already been done by council.
* The application will be determined by the Minister for Planning not council, and any decision of the Minister for Planning is final whether that’s an approval or refusal, there are no VCAT appeals.

That concludes my presentation and I’ll now pass you back to Jaselyn.

*Jaselyn O'Sullivan*

Thank you Paul and Leo.

It seems these processes are quite involved and bring into play many pieces of legislation that operators must adhere to.

What was there the Minerals Resources Sustainable Development Act, Planning and Environment, Environment Protection, Water, Heritage and more, many areas of compliance required there.

I think it’s also important to highlight from this section that it is through the planning process that community members are given an opportunity to provide feedback around any major proposed changes to a quarry site, whether that be via local council or the Minister for Planning process.

So thank you Paul and Leo, a lot of information to digest.

And with that remember everyone I remind you a recording of this session will be made available so you will be able to revisit that important information.

But we know that you still have questions to ask, in fact you may now even have more, so with that let’s get to answering some of your questions.

[Slide: Questions]

[Question: Why can’t extraction take place without blasting and why can’t they do smaller blasts rather than one big one?]

Through the many questions submitted at registration there were a number of themes that became evident, so we’ve tried to address your questions in these themes to get across as many as we can.

So first of all there it is on the screen, blasting was one that generated quite a number of the questions.

So I’ll point over towards Barry on this one.

Barry, why can’t extraction take place without blasting and why can’t they do smaller blasts rather than one big one?

*Barry Strong*

Yeah, thanks Jaselyn.

It’s a hard rock quarry, so blasting is a necessary part of their operation in order to – when the tonnes and rocks out of the ground that they need at a rate that satisfies the production requirement, so that’s why it’s required.

It’s not a sand quarry, it’s a hard rock quarry so blasting is a necessary part of operations there to extract that stone from the ground.

Smaller blasts means they have to do them more often, so they would occur more frequently, but they would be smaller.

At the moment they’re weekly, so it’s a decision the operator makes in terms of extraction, yields and right now their decision is to blast at the level they do once a week.

They could do fewer blasts but they would be much larger and have a greater noise and vibration beyond the site.

They may still be compliant but it would be noticeably larger.

So that’s the answer to that question Jaselyn.

*Jaselyn O'Sullivan*

Thank you.

[Question: How can I resolve my concerns around the impacts of blasting on my home?]

And I think you might want to hang around because we’re still on blasting.

How can I resolve my concern around the impacts of blasting on my home?

*Barry Strong*

As I said in my presentation that’s a discussion that has to be had between the homeowner and the party they feel is responsible for impacts on their home.

I did mention in my presentation that there’s a really helpful resource on the Hanson website from an independent engineering consultant talking about these issues and it provides quite a lot of helpful information, so I really suggest everyone consider going and having a look at that if they have these concerns.

But approaching the quarry operators if that’s the party you feel is responsible that’s the step that is necessary there.

You may wish to seek some advice as well on that, it’s really the pathway that needs to be pursued there, again looking at that consultant report would be helpful I suggest.

Jaselyn.

*Jaselyn O'Sullivan*

Thank you Barry.

[Question: Have the levels of airborne silica dust been tested by the EPA in the suburbs surround the quarry?]

The next question is a health-related question, have the levels of airborne silica dust been tested by the EPA – been tested in the suburbs surround the quarry?]

So we’ll throw this one over to Megan.

*Megan Vallas*

Great, thanks Jaselyn.

So generally EPA doesn’t do dust testing, and – sorry, I’m stuttering my words here.

So incidents of health impacts from exposure to silica tend to occur in the workplace which is regulated by WorkSafe Victoria, and so it’s really hard to find studies based on residential because most of them are done around health impacts due to silico in workplace environments.

But I’d really want to say about dust is that EPA and ERR’s primary focus when it comes to dust is to prevent harm to public health in the environment due to any dust generated at the premises regardless of size and nature.

So, that’s what we focus on, it’s not what’s in the dust it’s just preventing and minimising dust in general.

So EPA and ERR we both ensure that sites have adequate controls in place to prevent offsite pollution, but as a part of any expansion work plan variation a number of different studies are done when a site is looking to expand.

So at the moment there would be dust studies currently being undertaken for these sites, and EPA has recently been informed that preliminary studies have been looking at silica monitoring in the residential areas, and they to date it’s been compliant with criteria specified in what we call the ‘protocol for environmental management mining and extractive industry’, so that’s one of the guidance documents that EPA has.

But if you are concerned about your health due to exposure from dust we recommend that you should consult with your GP.

I’m sure this probably hasn’t answered everyone’s questions about dust so I will take on notice any other questions that have posted in the chat, and EPA and ERR can work together to provide a response on dust both to do with public health and dust in general.

*Jaselyn O'Sullivan*

Thank you Megan.

[Question: What is being done about the mud and dirt on Wellington Road?]

That was also another topic that generated a number of questions.

So this one I shall shoot over to Anitha’s direction.

What is being done about the mud and dirt on Wellington Road?

*Anitha Viswanathan*

Absolute authority DoT as the responsibility to ensure all the roads are maintained reasonably good so that the motorist can drive safely.

So as I said earlier we do regular inspections of the road and if we pick up any issues we address that issue as a part of our routine maintenance regime and also the community can report anything, we also address that.

And in this case we also tend to both quarries and we will continue to work with both quarries if there is more cases of incidents of mud dragged out onto Wellington Road.

So, we are happy to hear from community, they can report all incidents on the road to DoT.

*Jaselyn O'Sullivan*

Thank you.

[Question: There are concerns around speeding and dangerous driving along Wellington Road - what can, or is being done about this?]

I believe we might have another one for you, Wellington Road again.

There are concerns around speeding and dangerous driving along Wellington Road. What can, or is being done about this?

*Anitha Viswanathan*

Speeding and dangerous driving on roads, actually these are all more enforcement matters for the Victoria Police, so when we come to know anything, any community concern we hear, we forward that complaint to the police.

And residents can also report that to the local Knox Police Station, so if forwarded straight to us at DoT usually doesn’t do it – cannot do anything.

The regulatory body for that is Victoria Police.

*Jaselyn O'Sullivan*

Okay. Thank you Anitha.

[Question: The quarries have specified operating hours, but noise comes from the site outside of these hours and trucks are entering outside these hours. Is this permitted?]

Compliance, I suggest this one might be heading your way Barry.

The quarries have specified operating hours but noise comes from the site outside of these hours, and trucks are entering outside of these hours. Is this permitted?

*Barry Strong*

Thanks Jaselyn.

So noise can come from the sites outside of hours but it’s about whether the sites are operating.

So sites often have staff attending the site earlier than 6:00am, so noise from the site isn’t necessarily indicative of operating but it can be, and we request operating hours for plant and equipment on the sites as we get complaints to ascertain whether they are operating.

It’s important to remember that there is the essential plant maintenance provision which does allow for some operation to maintain essential plant on the site outside of the operating hours that I talked about earlier in my presentation.

For trucks entering the site, as I said in my presentation, Hanson have a presence and signage to prevent trucks coming in there, but the conditions and the requirements are really on loading and cartage as operating requirements for these sites.

So trucks arriving at the site are subject to local controls for truck movements on Wellington Road, or via all the access road, and they’re pretty permissive, they don’t have controls on trucks being there.

But certainly the loading and cartage component of truck movements is controlled and that is only permitted for operating hours 6:00am to 6:00pm Monday through to Saturday.

Jaselyn.

*Jaselyn O'Sullivan*

Thank you.

[Question: I want to know what impact reporting and due diligence is being undertaken when assessing the extension of the Hanson quarry?]

Another topic that’s floating around, expansion.

I want to know what impact reporting and due diligence is being undertaken when assessing the extension of the Hanson Quarry?

*Leo Guaraldo*

As I mentioned in my presentation, one of the key aspects of the work plan is identification of hazards and assessment of those risks associated with the works they’re proposing.

And they must also demonstrate that they have done what is required to eliminate or minimise risk as far as reasonably practicable.

Now, as a part of that they may need to provide evidence to support the assessment of the potential harm or damage to the environment to any member of the public, land, property infrastructure in the vicinity of their activities.

In practice this might include activities such as site-specific testing.

I think Megan mentioned about air quality or noise monitoring is another example, or some form of impact assessment or modelling to predict those impacts where you don’t have necessarily conditions on site that you can monitor.

This might include things like blast impact assessment or a groundwater model.

Now these documents will be reviewed by Earth Resources Regulation and other relevant agencies to determine the suitability of those documents in relation to the application.

If necessary, the department may engage subject matter experts to review technical report documents where we either don’t have the suitable expertise in house, or we are seeking independent advice.

One other point I think is worth, you know, the technical matters will need to be resolved before it goes to planning, so in effect once it reaches council these matters should have been addressed and community will have an opportunity to have a say on that application.

*Jaselyn O'Sullivan*

Thank you Leo.

What have we got coming up next?

[Question: The area where the expansion takes place contains significant local indigenous vegetation and therefore wildlife. What will be done to protect their future?]

Might be back to you Leo, expansion.

The area where the expansion takes place contains significant local indigenous vegetation and therefore wildlife.

What will be done to protect their future?

We will go over to you Leo.

*Leo Guaraldo*

Thanks Jaselyn.

So I guess the removal and destruction or lopping of native vegetation is regulated in accordance with DELWP guidelines and procedures.

There is also the Flora and Fauna Guarantee Act which I mentioned earlier, which provides the framework for conservation of threatened species in communities and management for the potentially threatening activities.

So where removal of native vegetation is required as a part of the proposal these applicants will need to consult with DELWP as a part of preparing their application, to understand the obligations under those relevant guidelines.

This may manifest themselves in the need to prepare an ecological assessment which would need to be prepared by a suitably qualified practitioner, to assess these impacts and calculate any offset requirements.

As I mentioned earlier, the MRSDA requires us to provide the application to referral authorities in certain situations.

In the case of native vegetation removal DELWP is one of these responsible authorities for reviewing these biodiversity impacts, and ensuring that the appropriate offsets are established and administering any requirements under the Flora and Fauna Guarantee Act.

I think it’s also worth noting that the work plan also needs to set up appropriate controls to protect the vegetation that is not planned to be removed, such as those in buffer areas and non-operational areas of the site to ensure that they are managed appropriately and not impacted by the operations.

*Jaselyn O'Sullivan*

Thank you Leo.

[Question: With the removal of the green overlay a few years back, how was it removed without community consultation, and how can the overlay be reinstated?]

Next question is around rehabilitation and environment.

With the removal of the green overlay a few years back, so Paul this one might come over to you I think.

With the removal of the green overlay a few years back how was it removed without community consultation, and how can the overlay be reinstated?

*Paul Dickie*

Thank you Jaselyn and thank you for the question.

In starting I’ll note that there is no green overlay as such, however I understand that the question relates to the removal of the public acquisition overlay, or PAO, in 2019.

That overlay provided for the acquisition of part of the Hanson site by Parks Victoria, although there was no timeframe specified for the acquisition.

The PAO that applied to a portion of the Hanson site was removed by Amendment C182 on the 11th of October 2019.

The decision to approve the amendment, as well as the decision not to advertise the amendment, was made by the Minister for Planning in the State Government and I cannot comment on those reasons other than to say it wasn’t a council decision to not advertise.

It is understood that the PAO was removed as Parks Victoria has determined that it no longer intended to acquire the land, and realistically unless Parks Victoria decide they wish to acquire the land in the future, it is unlikely that the PAO will be reinstated.

As noted in my presentation however, the Environment Significance Overlay and the Significant Landscape Overlay both still apply to the Hanson site and both must be considered when determining any future planning application for the site.

Thanks Jaselyn.

*Jaselyn O'Sullivan*

Thanks Paul.

[Question: What about the rehabilitation of quarries in the area?]

Our next question, another rehabilitation and environment question.

What about the rehabilitation of quarries in the area?

Rehabilitation question, Leo, I’ll shoot this one over to you.

*Leo Guaraldo*

No worries Jaselyn, thanks for the question.

I think, as I mentioned earlier in my presentation, the work plan is required to include a rehabilitation plan, and this is required to set out a progressive rehabilitation to be undertaken, and the final rehabilitation and closure of the site once quarrying has concluded, including the long-term outcomes for post-closure, so that’s after the mine has completed the works.

It’s also important to note that the risk assessment plan needs to consider those rehabilitation hazards and risks as part of the assessment, and demonstrate that they have reduced those risks, or minimised those risks as far as reasonably practical.

Importantly also it’s worth noting that the rehabilitation plan is the basis for setting the rehabilitation bond for the site, and this provides – the rehabilitation bond provides financial assurance to the government that if the operator were to default in its obligations, rehabilitation obligations, the government could step in an complete those rehabilitations on behalf of the state.

*Jaselyn O'Sullivan*

Thank you.

[Question: Why was the separation distance for the Hanson quarry reduced to 400m from 500m when it should have been increased given houses got built in close proximity?]

What else have we got here, buffer zone?

We got quite a few on the buffer zone.

Why was the separation distance for the Hanson Quarry reduced to 400 from 500 metres?

This sounds like one for you Paul.

Why was the separation distance for the Hanson Quarry reduced to 400 from 500 metres when it should have been increased given houses got built in close proximity?

*Paul Dickie*

Thank you Jaselyn.

Yes, that is one for me, and thank you for the question.

It’s important to note that the limit of extraction along the western side of the quarry, which is the side closest to residential properties, has not been altered during the life of the quarry.

I also note that the 500m buffer zone is not an absolute requirement and can be varied when planning applications are determined depending on the circumstances, the advice received, particularly from the EPA.

In the case of the Hanson Quarry it is clear that the houses are located closer than 500m from the quarry extraction limit on the western side of the quarry.

The background to that outcome is Amendment C147 to the Knox Planning Scheme, which was approved by the Minister for Planning in March 1999.

Now that amendment allowed for residential development within 500m of the extraction limit.

The amendment was proposed by residential land developers and was supported by Knox Council, although opposed by Pioneer who operated the quarry at the time.

After consideration of the amendment and the submissions an independent panel, the Minister for Planning determined to allow the change.

So in this case, this is a case of residential development being permitted within the 500m quarry buffer rather than the quarry expanding closer.

For completeness, I’d also like to discuss quickly how the buffer distance is measured.

The distance from the boundary of the activity, which in this case has been identified as the limit of extraction, is to a land within a residential zone.

There are a couple of other criteria which don’t apply in this situation.

So the buffer can include land that’s not owned by the quarry, such as council owned land that’s not in a residential zone.

Thank you Jaselyn.

*Jaselyn O'Sullivan*

Thank you Paul.

Now I believe that concludes our questions from the registration.

As I said, we addressed those in themes to try and get across as much as we could.

I’m conscious that we’ve gone a little bit, what we’re a minute over at the moment, but keen to also get to some of your questions that you’ve submitted tonight.

So, first of all, Barry indicated that an independent company conducted the reports on behalf of Hanson.

If they are engaged by Hanson how are they independent?

Shouldn’t this be referred by the authority rather than engaged by Hanson to avoid conflict of interest?

Barry.

*Barry Strong*

The company that does the blasting, noise and vibration monitoring is an independent engineering consultants company.

They have the appropriate skills and experience in doing this sort of monitoring and they have the appropriate equipment to do it.

So, there’s really – and it’s pretty common that this sort of monitoring happens by companies like this, and we’ve reviewed that company and their practices and the instruments they’re using, and we’ve got no reason to decide to do that monitoring ourselves, and we’re happy to rely on that information that they’ve gathered from multiple sites around the quarry, to take that as the monitoring that they need to do to demonstrate their compliance with the requirements.

And as I said earlier in my presentation, the monitoring that we have done shows noise and vibration well below the maximum limit there, and also below the Australian standards of five millimetres per second for ground vibration.

Thanks for the question.

*Jaselyn O'Sullivan*

Thanks Barry.

Anitha, Wellington Road surface is in an appalling condition, when was the last time it was driven?

I understand that you have regular checks of the roads?

Are you able to address that one for us?

*Anitha Viswanathan*

Thanks for the question, yes.

DoT has regular inspections, this road is road maintenance Category 3 so every seven days a daytime inspection is taken, done by contractors or the people who are managing the maintenance part of it, and also night time inspection, I think every six months or so that’s taken.

So it’s not that DoT is not doing inspections, but again all the road maintenance, everything needed to be, like, are planned across the state and prioritised across the state.

And as I said, there are plans in place to resurface the Wellington Road as I have shown in my presentation,that should happen by end of this financial year, so you should see some changes on the road surface.

Thanks Jaselyn.

*Jaselyn O'Sullivan*

Thank you Anitha.

Barry mentioned that you can get an sms for quarry blasting times.

Barry, the question has come in, how can I get sms for quarry blast time?

Are you able to address that for us?

*Barry Strong*

That information and how to join that is present on the Hanson-Lysterfield Quarry website.

So if you go to that website there’s a process, it’s also in the community newsletter that was circulated, so it’s, I assume, and I’m not part of that because I don’t live in the neighbourhood, but I assume it’s a pretty straightforward process of submitting your request to be on that list.

And then, as I understand it, the process is that on the day of a planned blast there will be some notification sent out through this text messaging system to advise you of the time when the blasting will occur.

So it gives you a bit of forewarning ahead of time, and the way to do it is by joining the group that Hanson have got up, and the way to do that, go to the website.

So, Hanson-Lysterfield Quarry, if you put that in your search bar it should take you to their website.

*Jaselyn O'Sullivan*

Thank you Barry.

I’ve noticed a few of the questions that are coming in we did cover in the presentations, but I might just revisit a couple of them.

One being, recently I noticed that explosions are very heavy and long shaking and creaking my walls. If the quarry is expanding what is the limit?

Barry are you able to revisit that for us just quickly?

*Barry Strong*

The quarry seeing their extraction of stone, so they’re not beginning in the new expansion or anything like that, they’re still working within their extraction limit, and as far as – I don’t really have anything more to add to that question really.

Occasionally there can be atmospheric conditions which magnify maybe the sound in terms of aversion layers, but that’s reasonably rare.

*Jaselyn O'Sullivan*

Okay, thank you.

And just a reminder to everyone as well that this will be provided, the recording will be provided so you can revisit this information, and we will be responding to everybody’s questions in writing so you will be able to see more in that as well.

I’m conscious that – where are we at at the moment, we’re a bit over time, 22 past.

We’ll do a couple of more questions and then we’ll look at wrapping up for this evening.

So we’ve got a question here about traffic modelling, so this may be yours Anitha.

What traffic modelling has been conducted to forecast and assess the impact of the quarry expansion, and increased traffic movements along Wellington Road?

If this has not been undertaken to date when will it be and will you provide an assurance that results will be transparently released to the local community?

*Anitha Viswanathan*

My understanding is that there was no application or planning application at this stage, so if there is a planning application then Knox Council will be required to refer that to Department of Transport.

And we should expect a traffic modelling as part of the application.

If it’s not there it will be something we will be asking for, because we really want to know what is the additional traffic and what is the impact on the road network, so definitely that will be asked by us.

And my understanding is that all this information it is council who would be – or whoever is managing the planning application, I’m not entirely sure who would be managing the planning application, it will be up to them to make it public or not because DoT’s role is to a referral authority.

So whoever is referring things to us we provide response back to the authority who refer application to us.

So whoever is managing the application it is their call whether they advertise it or provide that information to the community or not.

*Jaselyn O'Sullivan*

No worries, thank you.

Looks like there’s one come in here for the EPA, so Megan.

So the EPA doesn’t monitor levels of air pollution, is this correct?

Is this a straightforward yes or no answer?

Megan are you available please?

*Megan Vallas*

Yes.

If I accidentally said that before my apologies, EPA does monitor air pollution.

We’ve got the EPA Air Watch App and also the website.

We have fixed monitoring stations across the state, so the closest ones to this area are Box Hill, Dandenong and Mooroolbark, but there aren’t any fixed ones at different sites.

So we do do air monitoring across the state, and particularly when we’ve got bushfires and things on, we also have air monitoring stations, smaller ones, that can be placed during emergency events as well.

*Jaselyn O'Sullivan*

Thank you.

Now we’ve got one here, Australia is a big country, why do these companies have quarries close to houses?

Why they don’t have them in the middle of Australia?

Who is able to answer that one for me?

Is that a Barry question potentially?

*Barry Strong*

Sorry, what was the question again Jaselyn?

*Jaselyn O'Sullivan*

Australia is a big country, why do these companies have quarries close to houses?

Why we don’t we have them in the middle of Australia?

*Barry Strong*

Yeah, that’s a really good question.

And, what it’s all about really is the resource, so the quarry has to be where the resource is unfortunately.

And it’s also an advantage to have quarries close to cities where the resource is needed.

As time goes on and cities grow then they become maybe closer residential properties to the quarry.

Really, that’s the short answer for it, you can’t shift the resource unfortunately – well not unfortunately it’s a necessity to have the quarry there on the resource and as cities grow they maybe come closer to the quarries.

So while Australia is big, not all of Australia has the resources we need.

*Jaselyn O'Sullivan*

No worries, thank you.

Now, I notice we’re experiencing a little bit of technical difficulty there so just bear with us.

I will try and squeeze in a couple of more questions.

Paul, did you raise Clause 52.08?

We’ve got a question, what is Clause 52.08?

Was that yours or was that somebody else?

*Paul Dickie*

No, that’s mine thank you Jaselyn.

Clause 52.08 is one of the multitude of clauses that are existing in the Knox Planning Scheme, covering many, many topics.

That clause is one that specifically applies to proposals regarding what’s call Earth Industries which basically means quarries.

So it’s a specific clause that we have to consider when an application is lodged.

*Jaselyn O'Sullivan*

Okay, thank you.

Barry, another one back to you and then I might wrap it up.

I’ve gone through the questions there, I may have missed a couple, and we’ve also had answers firing off in the background as well, the team working in the background.

So we have had a lot of questions come in that we’ve answered behind the scenes and also what we’re doing here.

So we’ll have another one for Barry, and remember that the questions will be made available after the event.

We’ve had that many come in that it will take us a little bit of time so bear with us, but we will get them back to you.

Barry, last one of the evening.

Does that mean any noise outside of these hours, so I guess they were referring back to your presentation, these hours fall under the maintenance loophole?

There are machines beeping and rock-like noises outside of these hours.

What evidence do you need to prove this is happening?

Do we have to climb up to Trig Point and record it ourselves?

*Barry Strong*

So I have been out to the neighbourhood early in the morning, prior to 5:00am, prior 6:00am on occasion to monitor that.

We also request information from the site about their plant operation as well, to look at whether that’s operating.

There can be noise from the site but it’s not always necessarily linked to operations, so it’s important that we investigate those.

And where there is breaches we certainly will take action to make sure they comply.

The essential maintenance provision for the site is necessary when the quarry may need to do that essential maintenance to ensure their operation can continue.

So it’s not a loophole, it’s an important aspect of the operation that they may need to use.

*Jaselyn O'Sullivan*

Thank you.

Now, we are – I think we’ve just landed on 8:30 so we’ve gone a bit overtime, so we will look at wrapping things up there.

But before we close can I please thank our presenters tonight for all of the information that they’ve shared, Barry from Earth Resources Regulation, Megan from EPA, Anitha from the Department of Transport, Paul from Knox City Council, and Leo also from Earth Resources Regulation.

I hope each of you in attendance tonight walk away having learned something new and that we were able to provide you with useful information around the roles played by the different regulatory bodies, how your local quarries are regulated, where you can provide feedback, and where to go to for more information.

Another thing we’ll provide after the event is a bit of a, I suppose a debrief of where you can contact, how you can make contact with these regulatory bodies and also we put a lot of links in with the presentation that could be useful for you, so sending around that kind of thing in a piece of communication.

On that, and importantly, I just want to recap that should you have concerns about site operations at quarries and work plan processes, contact Earth Resources Regulation; land use and planning is Knox; land and water concerns beyond the site is EPA; and for road safety concerns is Department of Transport or the Victoria Police as we’ve said for alleged road offences.

Again, you will be sent the links for the recording and we’ll also have a transcript available on the Earth Resources website.

Again, we’ll send you out a notification when that is available.

Can I please thank the crew behind the scenes, not just the presenters, there was also a production team behind the scenes who have helped make this event happen.

It takes many hands to coordinate a session like this, so thank you to that crew.

And lastly thank you to the Lysterfield-Rowville community for giving us your time and joining us this evening, thank you, we wish you well and good night.