

Draft Conditions Planning Application 2014/049

Endorsed plans

1. The Quarry use and development must be carried out in accordance with the stamped approved plans. The layout of the site and the proposed works must not be altered or modified without the prior written consent of the responsible authority.

Work Authority

2. The use and development must be carried out in accordance with Work Authority 1526.

Hours of operation

3. Activities and operations associated with the approved use must only be undertaken between the hours of 7.00 am to 6.00 pm Monday to Friday (excluding public holidays), and Saturdays between 7.00am and 1.00pm with any variation permitted only with the prior written consent of the responsible authority.

Use of explosives

4. There shall be no blasting or use of explosives without the prior written consent of the responsible authority. Any request for consent to use explosives must detail the day, time and frequency of explosives use and must be submitted to Council at least one calendar month prior to the intended first date of use. After consent all use of explosives must be undertaken in accordance with the written consent and on the approved days and times.

Access

Prior to the commencement of the use the following must occur:

5. Hardy's Road must be upgraded to the Austroads standards consistent with traffic volumes of 150- 500vpd from the Murray Valley Highway to Ch 2,300m (last rural residential lot) and to the standards for 0-150vpd for the remaining length to the quarry property access at Ch 3,420.
6. Works must be undertaken including localised formation widening, in accordance with Table 7.11 of Austroads *Guide, Part 3* to cater for two-way truck movements through the curves in the Hardys Road alignment between Ch 2,700 and Ch 3,200, pavement construction and sealing to the satisfaction of the Responsible Authority.
7. To cater for the additional heavy vehicle traffic generated by the new quarry at the intersection of Murray Valley Highway with Hardys Road undertake the design and construction of both a Type BAL basic left turn treatment and upgrading of existing shoulder sealing to create a Type BAR basic right turn treatment, with the pavement widening for both treatments being sealed, to the satisfaction of the Responsible Authority.
8. Road surface treatments that address dust nuisance affecting the current and future residential development abutting Hardys Road from the highway to Ch 2,300 must be undertaken to the satisfaction of the Responsible Authority.

9. The upgrading of Hardys Road must be accompanied by the installation of an integrated delineation system in accordance with AS 1742.2.
10. The design and construction of a separate 2.0m wide shared path for safe passage of bicycles and pedestrians within the road reserve along the entire section of the Hardys Road through the area within the Rural Living Zone to the Murray Valley Highway must be completed to the satisfaction of the Responsible Authority.
11. All vehicles carrying material to and from the quarry site must be loaded and managed to prevent spillage and emission of dust from the load materials on to public roads.
12. All vehicles exiting the quarry on to the public road network must be cleaned of mud prior to entering the public road such that mud or the like is not deposited on the public road surface.

General amenity

13. The use and development must be managed such that the amenity of the area is not adversely impacted or affected by the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials; and
 - (c) emission of noise (including unnecessary use of exhaust brakes), artificial light, vibration, smell, smoke, vapour, dust, waste water, waste products, oil.

Dust and noise monitoring

14. Dust and noise emissions must comply with EPA standards and requirements, and the responsible authority may require the quarry operator to monitor such emissions to ensure compliance. All such monitoring must be done at the direction of, and at no cost to the responsible authority.

Road maintenance contribution

15. An agreement under Section 173 of the Planning and Environment Act 1987 must be entered prior to commencement of the use and development of the quarry. The agreement must recognise and address:
 - a) The additional road capital and reoccurring maintenance costs which will be incurred by Towong Council due to the heavy axle loads imposed on Hardys Road by quarry traffic; and
 - b) Provide for payment of a monetary contribution to be applied based on the volume of quarry produce extracted and the commensurate heavy vehicle traffic generated. The rate of this levy is to be initially fixed at \$0.15 per tonne of extracted material and adjusted annually in accord with the CPI;
 - c) The timing of contribution payments which are to be made annually on or before 1 September each year, or such shorter timeframe as may be agreed, be indexed for CPI increases and commence at the end of the first year of operation;

The cost of preparation and lodgement of the S173 agreement at the titles office must be at the landholder's expense.

Wastewater

16. If wastewater is generated at the site, (either as contaminated stormwater or groundwater from excavations) and cannot be contained within the premises boundary an EPA works approval pursuant to section 19 of the Environment Protection Act 1970 must be obtained.

Sediment Control

17. All construction activities must follow sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
18. Except with the written consent of the Responsible Authority, within the tree protection zone or outside the extent of works site:
 - (a) no vehicular/machinery access, trenching or soil excavation is to occur; and
 - (b) no storage or dumping of vehicles machinery, equipment, tools, waste or surplus material or other materials is to occur.
19. All vehicles, earth moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens.

Landscaping

20. Before the development starts a landscape plan must be prepared to the satisfaction of the responsible authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must include a site map, drawn to scale with dimensions and three copies provided. The plan must detail the location, species and quantities of locally indigenous native vegetation to be planted. The landscape plantings must:
 - a) be maintained for the life of the quarry;
 - b) be completed prior to the commencement of the development;Any plants which do not survive must be replaced to the satisfaction of the responsible authority.

The landscaping is to occur around the northern and north eastern section of the quarry work area to assist in screening the quarry when viewed from the north and north east.

Permit Expiry

24. This permit will expire if the use is not commenced within two (2) years from the date of this Permit.
25. This permit will expire if the Work Authority under the Mineral Resources (Sustainable Development) Act 1990 is cancelled or expires.

VicRoads Conditions

26. Prior to the commencement of the use the intersection of Hardy Road and Murray Valley Highway, the following works must be completed to the satisfaction of and at no cost to the Roads Corporation:
 - i. Basic Left Turn Treatment (BAL)
 - ii. Basic Right Turn treatment (BAR)

- iii. Tree lopping/removal to improve Safe Intersection Sight Distance
- iv. Vehicle activated advance truck warning sign on the western approach.