

## **PlnApp20/063 - Proposed permit conditions**

1. Prior to the commencement of the approved use or development, whichever occurs first, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) An amended elevation plan of the ore bin which removes any reference to, or dimensions of, the crusher.
2. The use and development layout as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the commencement of the approved use a Noise Management Plan must be submitted to and approved by the Responsible Authority. When approved the Noise Management Plan will form part of the permit and the approved use must operate in accordance with the approved Noise Management Plan. The Noise Management Plan must:
  - a) Be prepared by a suitably qualified acoustic engineer;
  - b) Be prepared in accordance with the Environmental Protection Regulations 2021 under the Environment Protection Act 2017;
  - c) Demonstrate acceptable noise levels for sensitive receptors in the vicinity of the subject land;
  - d) Consider cumulative effects from different noise sources associated with the approved use;
  - e) Set out details of noise mitigation actions to be undertaken; and
  - f) Set out details of noise mitigation infrastructure to be installed and maintained.
4. Unless with the written consent of the Responsible Authority, the use hereby permitted must not operate on Sundays or public holidays and is further restricted to only operate between the hours of:
  - a) 8am to 6pm Monday-Friday; and
  - b) 9am to 4pm Saturdays.
5. Except with the prior written consent of the Responsible Authority, no more than four persons may be present on site and working in association with the approved use. This limit does not include persons present on site for the sole activity of delivering or collecting materials.

6. Dust mitigation techniques such as spraying must be used when the weather conditions and/or conditions of the material being processed generate a risk of dust pollution.
7. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin;
  - e) Storage of solid waste; or
  - f) Infiltration of groundwater.
8. Maintenance of all buildings, surrounds, storage and parking areas within the site must be carried out in such a manner to render the site in a neat, tidy and clean condition at all times to the satisfaction of the Responsible Authority.
9. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
10. The site must not be left unattended when in operation and appropriate fire fighting equipment must be made available at all times.

### **Technical Services Conditions - General**

11. Plans and specifications must be prepared at the permit holder's expense by a qualified engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM) and drawn in AutoCAD or equivalent.
12. The permit holder must complete full construction of all new access ways, drainage and related infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

## **Technical Services Conditions - Earthworks**

13. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) Where an existing dam, basin or other water body will be filled, the area has been drained and desilted to IDM standards before filling begins;
  - b) Any fill required to meet drainage, building, parking and or access requirements has been selected, placed and compacted in layers according to IDM standards;
  - c) Any batters or retaining walls whose individual or cumulative height above or below adjacent ground level exceeds one metre, and/or any soil stabilisation measures, have been designed and constructed to IDM standards under the supervision of a qualified civil engineer.

## **Technical Services Conditions - Drainage**

14. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) A legal point of discharge has been established within the boundary of the subject property and connected to the external drainage network according to IDM standards without reducing the flow capacity of structural integrity of the external network;
  - b) All stormwater runoff originating from or transferred through the subject property in a 10% Annual Exceedance Probability (AEP) rainfall event will either be retained on the property or be collected and conveyed by underground pipes or open channels to a legal point of discharge;
  - c) In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination without adversely affecting any person, infrastructure, or natural features in or beyond the property;
  - d) When approval has been given for stormwater to be discharged to an open drain, the outlet has an approved concrete surround;
  - e) When permission has been granted for stormwater from all or part of the subject property to be discharged directly to an adjacent waterway, effective measures must be taken to prevent backflow from the waterway during a 1% AEP flood event;
  - f) All reasonable measures have been taken to prevent solid or liquid contaminants from entering the external drainage network;

- g) No part of any open channel conveying stormwater from or through the developed site passes through the zone of influence of an effluent disposal field.
15. Before construction begins, drainage plans and computations, including all measures required to satisfy Condition 13, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.

### **Technical Services Conditions – Waterways and Land Subject to Inundation**

16. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that;
- a) The finished surface levels of all building envelopes are above the peak water level in nearby waterways, floodways, or other water bodies in a 1% AEP rainfall or flood event, and the finished floor level in all buildings will be at least 300mm above the peak water level.
  - b) All fencing installed between the property and an adjacent waterway or area subject to inundation is of open construction and does not obstruct natural surface flows.

### **Technical Services Conditions – Property Access**

17. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) A vehicle crossing providing the subject property with safe and convenient access to and from a suitable public road has been designed, constructed, sealed and drained according to IDM standards to accommodate vehicles up to and including a maximum weight agreed by the Authority;
  - b) An all-weather access route with appropriate waterway culvert or bridge crossings has been constructed and drained to an acceptable standard and can safely and conveniently be traversed by emergency vehicles;
  - c) Vehicles can enter and leave the subject property while travelling only in a forward direction;
  - d) All loading and unloading will take place within the property.

## **Technical Services Conditions - Construction**

18. Before construction begins, and during construction, effective measures must be taken to:
- a) Secure occupational health and safety;
  - b) Locate any existing underground services;
  - c) Implement effective traffic management and environmental controls;
  - d) Establish and maintain safe construction vehicle access to the site;
  - e) Maintain vehicle and machinery hygiene;
  - f) Avoid the spread of soil-borne pathogens and weeds;
  - g) Minimise erosion, sedimentation and contamination;
  - h) Reduce the impact of noise, dust and other emissions;
  - i) Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system;
  - j) Avoid having such materials deposited on public land by construction vehicles;
  - k) Address the recommendations of an approved Cultural Heritage Management Plan (if applicable); and
  - l) Establish and maintain all recommended Tree Protection Zones.
19. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips.
20. No tree may be removed, aside from trees clearly designated for removal in the approved plans except with the prior written agreement of the Responsible Authority.
21. All areas and underground services disturbed in the course of works must be restored to their original condition to the satisfaction of the Responsible Authority.

## **North East Catchment Management Authority Conditions**

22. The location and arrangement of works shall be consistent with that shown on Part Site Plan TP V6 RevC.

23. The proposed compacted earth bund around the southern perimeter of the works shall be arranged and maintained to direct all runoff from the works site to the slurry drainage pit for re-use. Any overflow from the slurry drainage pit shall be dispersed over the adjacent vegetated land at a distance of more than 30 m from adjacent waterways. This area shall be managed to maintain vegetation and avoid any channelization or concentration of overflows.
24. No works shall be undertaken to the south of the proposed compacted earth bund. No vehicular access, stockpiling or storage of equipment shall occur to the south of the compacted earth bund.
25. Prior to construction of the site access track, a Works on Waterways permit for waterway crossings must be obtained from the Authority in accordance with By-Law No 2014/01 waterways Protection. Further information and an application form can be obtained from the Authority at <http://www.necma.vic.gov.au/About-Us/Programs-Initiatives/Undertake-Works-on-Waterways>

### **Goulburn Murray Water conditions**

26. An earth bund must be constructed around the southern perimeter of the works to ensure that all run-off from the works site is directed to the slurry drainage pit for reuse. Any overflow from the slurry drainage pit must be dispersed to land at least 30m from any waterway or dam on a waterway. No works or stockpiles of materials are to occur south of the bund.
27. Sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991) must be implemented to ensure that no sediment laden run-off is able to leave the site or be discharged to waterways, drainage lines or dams on waterways. Appropriate sediment control measures must be maintained to ensure their effectiveness.
28. The slurry storage dam and associated water storage dam must be lined with impervious liners or compacted to a seepage rate of  $<1 \times 10^{-9}$  m/sec. Inlet and outlet structures must be appropriately beached to ensure that no erosion occurs and the basin must be periodically cleaned of sediment to ensure it maintains capacity and functions appropriately.

29. The slurry storage dam and associated water storage dam must have sufficient capacities to contain the slurry and any other stormwater or rainfall from a one in ten year event.
30. Stormwater unaffected by the work site activities must be diverted around the site of operations as unconcentrated overland flow so as not to cause any erosion, channelling or discharge of sediment off-site.
31. Any fuel stored on site must in a bunded area on an impervious surface to ensure spills are contained and leakage cannot occur.
32. There must be no processing of any material on-site using chemicals. 8. All wastewater from staff amenities must be transported off-site to the satisfaction of council's Environmental Health Department.

### **Permit Expiry**

33. This permit will expire if any of the following circumstances applies:
  - a) The development is not started within two years of the original issue date of this permit.
  - b) The development is not completed within four years of the original issue date of this permit.
  - c) The use has not commenced within four years of the original issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

### **Notes:**

1. Before undertaking any works that cross onto public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.