

23 July 2020

planning.implementation@delwp.vic.gov.au

Dear Sir/Madam,

Re: Strategic Resource Extractive Areas Pilot Project

Thank you for the opportunity to comment on this project. The following response is a submission on behalf of Cardinia Shire Council in relation to the Strategic Extractive Resource Areas Pilot Project Draft Report.

Cardinia Shire is located adjoining the South Gippsland Strategic Extractive Resources Area (SERA). A number of sand extraction quarries are located within Cardinia Shire and this area is recognised as containing significant sand resources in Regional Sand Extraction Strategy - Lang Lang to Grantville (1996). Cardinia Shire also contains significant stone resources north of Princes Highway. Both this area and the Lang Lang area are recognised in the *Melbourne Supply Area - Extractive Industry Interest Areas Review, GSV Technical Record 2003/2* as being within the Extractive Industry Interest Area (EIIA).

Currently, within the Cardinia Planning Scheme, there is policy in the Municipal Strategic Statement, at Clause 21.04-6 Extractive Industry, and a local policy at Clause 22.02 Sand Extraction – Lang Lang to Grantville that recognise the significant stone and sand resources located within the Shire.

In principal, Cardinia Shire is supportive of the use of the proposed State Resources Overlay (SRO) to recognise the Extractive Industry Interest Areas and the Special Use Zone (SUZ) to recognise existing quarry operations would provide an additional layer of transparency to the community in these areas and more certainty for quarry operators. Cardinia Shire recognises that extractive resources are required for construction and infrastructure projects within Victoria. However, Council has some specific concerns with the Pilot project.

Transport Route – Maintenance/Upgrades

The aim of the SERA project is to protect resources of strategic significance to Victoria. The expected benefits of the project include certainty for quarry operators, security of resources in the long term, the ability for decision makers to be better informed and guided about development near extractive resources and existing quarries, confidence in the medium to long term planning and management of extractive industries and protection of assets, and the development of a template that can be applied to other SERA areas.

While there is no doubt these resources are a significant economic asset, there also needs to be consideration of the impacts of quarries outside of the site itself. The need to access the resource cannot override all other considerations, including the impact the sand trucks have on the safety and amenity of the local communities where the haulage routes go through town centres or built up areas such as the Lang Lang Township.

The SERA determination criteria stipulates the importance of accessibility to markets and the need for suitable transport routes that support vehicle logistics.

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The vast quantities of sand that originate from the South Gippsland Shire access Westernport Road via a Council local road namely McDonalds Track and pass through the Lang Lang Township. This creates two significant issues for Cardinia Shire, one is the cost to maintain our local road network for heavy vehicles and secondly the need to provide a truck bypass around the township for the safety and amenity for our community.

1. Road Maintenance

McDonalds Track is being used as a main haulage route for sand trucks from South Gippsland accessing Westernport Road to the South Gippsland Highway. McDonalds Track in the Cardinia Shire is a local road with Council responsible for its ongoing maintenance. Council has been required to reconstruct the road pavement and seal of McDonalds Track on a regular basis due to the damage caused by sand truck traffic resulting in Council spending several hundred thousand dollars of rate payer funds on improvement works.

There is currently no ability to seek funding from the Sand Extractive Operators who benefit from the use of McDonalds Track. It is interesting to note in the report under “Key Driver Transport” that problems are identified for Westernport Road and the South Gippsland Highway yet McDonalds Track is totally ignored.

2. Proposed Lang Lang Bypass

Since 2002 Cardinia Council has been working with the local community, Sand Extractive Operators and VicRoads to develop a bypass of the Lang Lang Township for sand trucks. The Working Party agreed on a suitable alignment for the Bypass following consideration of many options.

If the sand extraction permits that have been issued in Cardinia and South Gippsland Shires are activated along with the current truck volumes, the total number of sand trucks that will travel through the Lang Lang Township would reach in the order of 400 trucks per day.

The Bypass is proposed to be constructed in two stages at a cost of \$15M. Some contributions towards the Bypass construction have been secured from quarries in Cardinia Shire, however it has been difficult to enforce the planning permit conditions on all quarries due to the existence of old active Shire of Cranbourne permits and the lack of support at VCAT. Cardinia has received no contributions towards the Bypass from Quarry Operators in the South Gippsland Shire or from the State Government.

Cardinia Council is planning to commence construction of Stage 1 of the Bypass in the near future to coincide with the opening of a number of new quarries. This is necessary due to the compounding affect the additional sand trucks will have on the Lang Lang community.

It is Cardinia’s strong view that Council should be notified and that there should be a requirement for a contribution towards road maintenance for planning applications for new sand quarries in South Gippsland Shire that use McDonalds Track as a haulage route. This will ensure contributions will be secured for the necessary maintenance and improvement works, including the Bypass, for Sand Extractive Operators who use McDonalds Track.

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overlay considered when the project is extended to address quarries within Cardinia Shire. These are summarised as follows:

- Two SROs be applied over the land within Cardinia Shire, one to recognise impacts from operations within Cardinia and one to recognise operations within South Gippsland Shire, or
- the SRO applicable South Gippsland be removed and just the single SRO be applied, and considerations for quarries in South Gippsland written into the overlay to be applied within Cardinia Planning Scheme.

This matter will require additional consideration to avoid any confusion or conflict in the controls.

A concern that Cardinia Shire has in relation to the SRO for operations in South Gippsland Shire being applied on land within Cardinia Shire associated with the 250 metre buffer distance, is that the details of the operation of these quarries, including any permits issued and associated conditions, will not be easily accessible to Cardinia Shire, and therefore it may be difficult to ascertain what impact a proposed use will have on a quarry operations when it is located in South Gippsland Shire.

It is suggested at under Section 6 of the SRO, Referral of Application, this could also include a requirement to seek the views of the relevant Council where the overlay is applied in recognition of operations within an adjoining Council. In this case, where the overlay applies within Cardinia, it would require seeking the views of South Gippsland.

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