1.3 1221-1249 CENTRE ROAD, OAKLEIGH SOUTH

USE AND DEVELOPMENT OF LAND FOR PRELOADING OF EARTH AND CONSTRUCTION OF BUILDINGS AND WORKS (DRAINAGE SWALES), THE REMOVAL OF NATIVE VEGETATION AND ALTERATION OF ACCESS TO A ROAD IN THE TRANSPORT ZONE 2

(TPA/53477)

EXECUTIVE SUMMARY:

This application proposes further remediation and rehabilitation works on the site of the former Talbot Road Quarry and landfill. Ground improvement works (preloading) are proposed on the eastern side of the site, within Domains 2A, 2B, 3A, 3B, and 5.

The application was subject to public notification. Thirty-four (34) objections to the proposal have been received.

Key issues to be considered relate to use and development of the land for stockpiling, site management, and negative amenity impacts.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state, regional and local planning policy framework and issues raised by objectors.

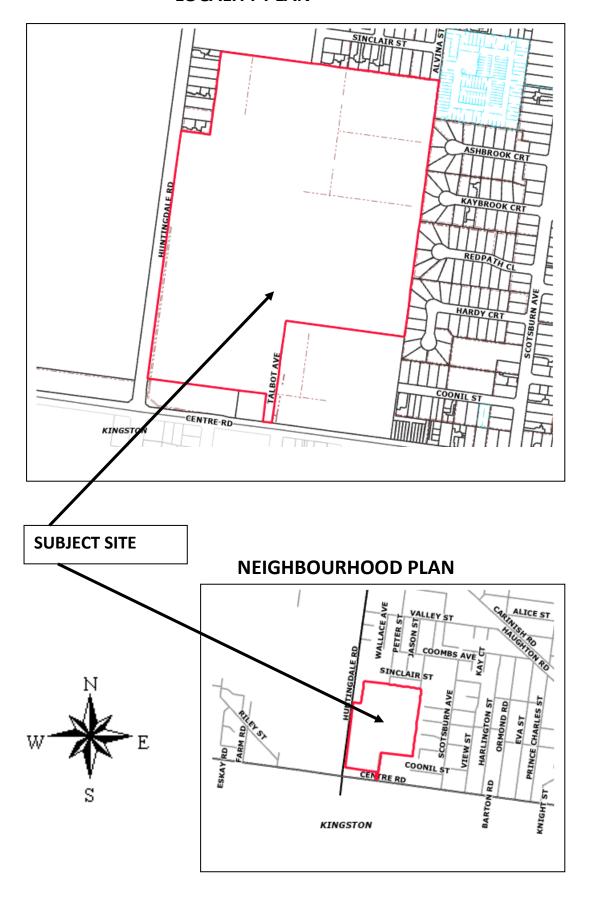
The reason for presenting this report to Council is due to significance of the site and extent of the proposed works.

The proposed development is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council resolve to issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

RESPONSIBLE DIRECTOR:	Peter Panagakos	
RESPONSIBLE MANAGER:	Catherine Sherwin	
RESPONSIBLE PLANNER:	Anne Maree Roberts / Alexandra Wade	
WARD:	Oakleigh	
PROPERTY ADDRESS:	1221-1249 Centre Road, Oakleigh South	
EXISTING LAND USE:	Vacant land – former quarry and municipal landfill site.	

PRE-APPLICATION MEETING:	Yes	
NUMBER OF OBJECTIONS:	Thirty-Three (33)	
ZONING:	Part Special Use Zone, Schedule 2	
	Extractive Industry	
	Part General Residential, Schedule 3	
OVERLAY:	Environmental Audit Overlay	
RELEVANT CLAUSES:		
Planning Policy Framework	Local Planning Policy Framework	
Clause 13 - Environmental Risks and Amenity	Clause 21- Municipal Strategic Statement	
Clause 13.04 - Soil Degradation	Clause 21.08- Transport and Traffic	
Clause 15.03-2S – Aboriginal	Clause 21.13- Sustainability and	
Cultural Heritage	Environment	
Clause 19.03-3S- Integrated Water	Clause 22.04- Stormwater	
Management	Management Policy	
	Clause 22.05 Tree Conservation Policy	
	Clause 22.09- Non-Residential Use and	
	Development in Residential Areas	
	Particular Provisions	
	Clause 52.17 – Native Vegetation	
	Clause 53.18- Stormwater	
	Management in Urban Development	
	Clause 52.29 – Land Adjacent to the	
	Principal Road Network	
	Clause 65 – Decision Guidelines	
STATUTORY PROCESSING DATE:	16 April 2022	
DEVELOPMENT COST:	\$500,000	

LOCALITY PLAN



RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/53477)** for the use and development of land for preloading of earth including buildings and works (drainage swales), the removal of native vegetation and alteration of access to a road in the Transport Zone 2, at 1221-1249 Centre Road, Oakleigh south subject to the following conditions:

Amended Plans required

- 1. Before the use or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans are to be generally in accordance with the plans prepared by Tetra Tech Coffey dated 11 October 2021, contained within the Domains 2A, 2B, 3A, 3B and 5 Preload Design Report prepared by Tetra Tech Coffey, dated February 2022 and the Site Environmental Management Plan prepared by Verve dated 23 November 2021 but modified to show:
 - a) The location and height of the proposed silt fencing to be shown on sectional diagrams prepared by Tetra Tech Coffey.
 - b) The location and minimum setbacks of the proposed swale drain to adjoining properties and identified on sectional diagrams on the plans prepared by Tetra Tech Coffey.
 - c) The location of the crest of the sand quarry pits in relation to the property boundaries to be shown on the Site Environmental Management Plan prepared by Verve, dated 23 November 2021.
 - d) The overall site location of all cross sectional diagrams prepared.
 - e) Clarification of the level of compaction and target densities of the preload stockpiles to be documented to ensure the stability of the stockpile slopes around the perimeter of the site to be provided in the Preload Design Report preprepared Tetra Tech Coffey.
 - f) Confirmation of the level of compaction of any existing fill underlying the perimeter slopes of the pre load stockpiles to be provided in the Preload Design Report preprepared Tetra Tech Coffey.
 - g) The Preload Design Report to include reference to Domain 2B. all to the satisfaction of the Responsible Authority.

Layout not to be Altered

2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Endorsed documents and plans forming part of this permit include:

- Plans prepared by Tetra Tech Coffey;
- Preload layout and trench detail plans prepared by Tetra Tech Coffey;
- Domain 2A, 2B, 3A, 3B and 5 Preload Design Report prepared by Tetra Tech Coffey;
- Site Environmental Management Plan prepared by Verve;
- Construction and Environmental Management Plan per Condition 3;
- Traffic Management Plan prepared by Cardno dated 11 November 2021 and updated as per Condition 31;
- Tree Removal Plan prepared by Tetra Tech Coffey dated 18 November 2021;
- Stormwater Management Plan per Condition 4; and
- Construction Management Plan per Condition 31.

including any amendments which would supersede any earlier plan or document.

Construction Environmental Management Plan

3. Prior to the commencement of works, an amended Construction Environmental Management Plan (CEMP) must be submitted and approved by the Responsible Authority. The Plan must include the recommendations as identified within the CEMP prepared by Coffey Environments Australia dated May 2020, but also include the following:

Dust management:

- Requirement that pre-load stockpiles must be vegetated, or other appropriate method (such as soil binder) for the top surface of the stockpile as soon as reasonably practicable following placement to assist in dust management.
- Include definitive requirements for when dust monitoring must be conducted.
- Include definitive weather conditions and observations that require works to cease, e.g. wind speeds >40 kmph / visible movement of dust off-site.

Noise and Vibration Management:

- Detail the applicable environmental values and required indicators and objectives for the ambient sound environment outlined in the Environment Reference Standard1 (ERS), the requirements of EPA Publication 1834 Civil construction, building and demolition guide (November 2020).
- Include methods for controlling noise and vibration at the source.

- Develop a timetable of designated working hours highlighting what noise and vibration sensitive tasks can be undertaken when.
- Develop a procedure for approval of any noise/vibration sensitive tasks that need to be completed outside of designated working hours.

The updated CEMP is to be verified by the appointed environmental auditor and this verification provided in writing to the Responsible Authority

Stormwater Management Plan

- 4. Prior to the commencement of works, a Stormwater Management Plan must be prepared by the principal contractor to manage stormwater quality, site drainage and including any water and silt run off during construction and during the presence of stockpiles. The plan must demonstrate that all stormwater discharge and water and/or silt run off is to be controlled within the site and this plan is to be submitted and approved by the Responsible Authority.
- No polluted and/or sediment laden runoff is to be discharged directly or indirectly onto adjoining properties, Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
- 6. The onsite stormwater drainage system is to be inspected every month or after any rain event greater than 10mm.
- 7. Sediment collected by the sediment fence is to be removed frequently and fences maintained in working order and/or replaced to prevent the transportation of sediment to the stormwater system and adjoining properties.
- 8. The silt fences should be inspected at the same time and cleaned if required in line with the manufacture's specification. Should there be any signs of a loss of integrity in sections of the silt fence, these should be replaced.
- 9. Inspection and maintenance of the onsite stormwater system will be the ongoing responsibility of the Principal or delegated to the Principal Contractor.

Vibration Management Plan

10. A Vibration Management Plan prepared to document specific vibration controls to be implemented during the works.

Gas Monitoring

- 11. During any pre-loading activities in Domain 2A, 2B 3A, 3B and 5 an ongoing landfill gas monitoring program must be implemented in accordance with the environmental auditor approved workplan or a revised plan verified by an appointed environmental auditor.
- 12. Works conducted onsite during construction must comply with Victorian Occupational Health and Safety (OH&S) Regulations (2017). The Site Manager shall ensure appropriate OH&S measures are implemented and that all site personnel (including those employed / engaged by subcontractors) are aware of all potential OH&S issues at the site.
- 13. Monitoring for the presence of hazardous ground gases or a potentially explosive or oxygen deficient atmosphere using an LEL meter must be undertaken as part of any ground opening works. All existing gas monitoring infrastructure on the site should be maintained in an operational state during construction.

Stockpiling

- 14. The importation of any fill soils to the site must be in accordance with EPA Victoria legislative requirements, the CEMP (Coffey 2020) (as attached to the Statements to Environmental Audit) and associated Site Backfilling Protocol (Coffey 2015). Soil importation is subject to specific site criteria and must be approved by the Environment Protection Agency prior to importation.
- 15. The batter surfaces of the proposed pre-load surcharge stockpile must be vegetated (e.g. with grass seed) as soon as reasonably practicable to reduce further the potential for surface soils erosion. The top surface of the preload must be either vegetated or utilise another other appropriate method (such as a soil binder) to reduce potential for soil erosion.
- 16. The height of the stockpiles shall not exceed the approved RL heights shown on the Proposed Works Plan or the Preload Design report.

Site Management

- 17. Contact details of the key site personnel on-site and the principal contacts for registration and resolution of complaints must be clearly displayed in a legible manner at a highly visible location external to the site at all times during the stockpiling works.
- 18. All complaints received in relation to the works must be managed, addressed and resolved by the operator within 24 hours (or 48 hours in the case of the weekend) of receipt. Details of all complaints and the action taken by the operator in respect thereof shall be given forthwith to the Responsible Authority.

- 19. All works approved under this permit may only operate between the hours of:
 - o Monday to Friday, 7:00am-6:00pm.
 - o Saturdays, 8:00am-12:00pm.

No work is permitted on Sundays or public holidays.

Unless the Responsible Authority gives consent in writing.

- 20. Any unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.
- 21. If directed by the Responsible Authority, the applicant must immediately take action to limit the scale of, or cease operations, which emit dust during windy days when dust levels are unacceptable.
- 22. If directed by the Responsible Authority, the applicant must immediately arrange for the external cleaning of any adjacent properties unduly affected by dust from the works being undertaken. The cleaning works as requested by the Responsible Authority, are to be undertaken at full cost of the developer/operator.
- 23. The applicant must ensure that vehicles leaving the site have clay, mud and soil removed from their wheels before entering public roads. Street sweeping of roads surrounding the development is to be undertaken as requested by the Responsible Authority at full cost of the developer/operator.
- 24. Sediment traps or similar, must be installed to prevent the transportation of sediment, litter and wastes oil, grease and detergents from vehicles to the stormwater system and adjoining properties. Sediment control measures are to be designed in consultation with and implemented to the satisfaction of the Responsible Authority.
- 25. No bin, waste receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any bin, waste receptacle or any form of rubbish or refuse so as to cause offence to persons outside the land.
- 26. Parking areas and access lanes must be kept available for these purposes at all times.
- 27. A car parking direction sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.

- 28. The loading and unloading of goods and materials from vehicles must only be carried out on the land.
- 29. Vehicles under the control of the operator of the use and development or the operator's staff must not be parked on Centre Road, Huntingdale Road, Talbot Avenue, Sinclair Street, Alvina Street, Clarinda Road, Crawford Road, Eulinga Road, Elder Street, Scotsburn Avenue, Coonil Street, Hardy Court, Redpath Close, Kaybrook Court and Ashbrook Court.
- 30. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a) transport of materials, goods or commodities to, from and within the land.
 - b) through vehicle movements (including parking of trucks and reversing beepers etc) in any other way.
 - c) appearance of any building, works or materials.
 - d) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - e) presence of vermin.

At the direction of the Responsible Authority the owner or operator must take immediate action to respond to amenity and nuisance issues raises by the Responsible Authority including suspending operations upon request.

Construction Management Plan

- 31. Prior to the commencement of any site works (including excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the CMP has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
 - a) Construction program to be generally in accordance with the submitted "Construction Program Estimate" located within Section 7 of the Preload Design Report;
 - b) Hours for construction activity in accordance with any other condition of this permit;
 - c) Appropriate measures to control noise, dust, water and sediment laden runoff;
 - Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;

- e) Stormwater pit inspection every three months or after any rain event greater than 10mm (Cross referenced Condition 6) to Council's satisfaction.
- f) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;
- g) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;
- h) A program for the cleaning and maintaining surrounding road surfaces;
- A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
- j) Measures to provide for public safety and site security;
- A plan showing the location of parking areas for construction and sub-contractors' vehicles on the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises;
- A Traffic Management Plan showing truck routes to and from the site and in accordance with conditions required by Department of Transport and Planning;
- m) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- n) Appropriate measures to ensure that subcontractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- o) The provision of contact details of key construction site staff; and
- p) Noise and Vibration Management:
 - Detail the applicable environmental values and required indicators and objectives for the ambient sound environment outlined in the Environment Reference Standard1 (ERS), the requirements of EPA Publication 1834 Civil construction, building and demolition guide (November 2020).
 - Include methods for controlling noise and vibration at the source.
 - Develop a timetable of designated working hours highlighting what noise and vibration sensitive tasks can be undertaken when.
 - Develop a procedure for approval of any noise/vibration sensitive tasks that need to be completed outside of designated working hours.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

Acoustic Testing

32. At the request of the Responsible Authority, the owner or occupier must, supply an assessment by a qualified acoustic consultant of noise levels emitted from the site with readings taken at times and locations specified by the Responsible Authority. The cost of the assessment is to be borne by the owner or occupier. If necessary, additional noise control features must be installed in consultation with an acoustic engineer, or activities and noise sources on the premises regulated at the direction of and to the satisfaction of the Responsible Authority. The frequency of this request will be at the discretion of the Responsible Authority.

Stormwater Drainage

33. The site must be drained to the satisfaction of the Responsible Authority. All stormwater and water runoff from the site must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.

Native Vegetation Offsets

- 34. To offset the removal of 0.256 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DELWP 2017). The permit holder must secure the following offsets:
 - a) A general offset of 0.035 General Habitat Units:
 - Located within the Port Phillip and Westernport CMA/ Monash City Council
 - ii. A minimum offset of 5 large trees
 - iii. A minimum Strategic Biodiversity Value of 0.114.
- 35. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
 - a) An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing
 - b) management of the site; and/or
 - c) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

Department of Transport conditions (ref PPR:38849/22)

36. Prior to the commencement of works, the crossover and driveway on Huntingdale Road are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

- 37. No right-turn movements into or out of the site by heavy vehicles are permitted between the hours of 6.00am-9.30am and 3.30pm-7.00pm on weekdays.
- 38. No heavy vehicles associated with the works are permitted to be stopped/parked on Huntingdale Road.
- 39. Prior to the commencement of works, a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of the Head, Transport for Victoria.
- 40. Vehicles must enter and exit the site in a forward direction at all times.

Completion of Buildings and Works

41. Once the works have started they must be continued and completed to the satisfaction of the Responsible Authority.

Removal of works - Preload Fill

42. At the end of the settlement/surcharge or within 5 years from the date of this permit, whichever occurs earlier all the preload fill material is to be removed from Domains 2A, 2B, 3A, 3B and 5 to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

Permit Expiry

- 43. In accordance with Section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
 - (i) The development and use is not started before 2 years from the date of issue.
 - (ii) The development and use is not completed before 4 years from the date of issue.

In accordance with Section 69 of the *Planning and Environment Act* 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or

- (iii) within six (6) months afterwards if the development has not commenced; or
- (iv) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Permit Notes

- A. Building approval may be required to be obtained prior to the commencement of the above approved works
- B. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

Department of Transport Note:

D. The proposed development requires works within the arterial road reserve. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works: mse workswithinroadreserve@roads.vic.gov.au.

EPA Note:

E. The amended Environment Protection Act 2017 came into effect on 1 July 2021. The amended Environment Protection Act 2017 imposes new duties on individuals and/or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

BACKGROUND:

History

The use of the land for a sand quarry was originally established in the 1950's and continued to operate until the late 1990's. Operations of the quarry included extraction, re-washing, drying, blending, storage and sale of sands. At various times uncontrolled fill may have been brought into the land and deposited on-site.

Part of the land that comprises a former quarry pit had been used as a municipal landfill (generally uncontrolled fill and landfill materials) between 1972-1975.

Existing Section 173 Agreement

The land is affected by a restriction on Title with the former City of Oakleigh having entered into a Section 173 Agreement with the previous owner (Consolidated Quarries Ltd) on 15 March 1993 and registered on Title 26 May 1993. The agreement includes obligations for any successors on Title which would include

the current owners and generally relates to operating conditions associated with the former use of the site. Other requirements include:

- That upon reclamation, the land be appropriately consolidated, re-soiled and levelled.
- Establishment of a consultative committee for monitoring requirements of the agreement.

A Covenant also affects Council Land (Talbot Park) – Covenant R846089U. The covenant refers to the use of land for the purposes and gas and fuel pipelines. The Easement defined for this pipeline will not be impacted by the current proposal.

Previous Planning Permits

The site's previous uses and activities of sand quarrying and landfill require a geotechnical and environmental management response to improve the ground conditions to enable any future use and/or development work. Consequently, there have been several planning permits issued for rehabilitation and remediation works to enable potential future use and development of the land. Any future development, however, would be subject to further approval.

Previous Planning Approvals include:

TPA/43336 and TPA/43337

These two Planning Permits were issued on 1 June 2015 for remediation works involving backfilling and site rehabilitation of the former quarry pit (TPA/43336) and for the use and development of the land for stockpiling of earth and treatment of fill materials (TPA/43337).

Both permits were subject to numerous conditions. In relation to the stockpiling works approved under permit TPA/43337, conditions included the requirement for maintaining a buffer from the residential properties that specified:

- Retention of all existing mounding areas within 40 metres from the boundary of the land;
- All works within the site setback a minimum of 30 metres from the boundary of the land;
- Retention of existing grassed areas and vegetation within 30 metres from the boundary of the land.

The stockpiling works were approved in the northern and eastern areas of the site that have an interface with residential properties. These works were completed in 2019 and the planning permit has expired.

The works to backfill the quarry pit approved under Planning Permit TPA/43336, were not undertaken before the permit expired in 2019.

Council has refused the extension of time requests for both permits. It is noted that there are no current valid planning permits for the stockpiles which are located on the land. There is no current requirement for these stockpiles to be removed from the site at any particular time.

TPA/50778

This Planning Permit was issued on 22 January 2020 for the construction of buildings and works to upgrade the existing drainage swales. These works were located adjacent to the eastern boundary of the site, and part also within Talbot Park. These works have been completed.

TPA/51940

A Notice of Decision to grant a permit was issued on 9 February 2021 for construction of a boundary venting trench along the north west boundary of the site. The purpose of the trench was to provide additional protection measures to neighbouring residents from potential gas mitigation risks associated with the previous use of the site as a municipal land fill. The trench had a setback of 10 metres from the western boundary (adjoining the rear boundary of Nos 412-426 Huntingdale Road) and 5 metres from the northern boundary adjoining the side boundary of 426 Huntingdale Road.

This matter was taken to VCAT by Objectors. The application was withdrawn by the permit applicant on the basis that it was not essential to proceed with the trenching works at that time. The works have been incorporated into this current application TPA/53477.

Current Planning Applications

TPA/53179

This application sought the use and development of the land for preloading works, construction of a gas venting trench and drainage swales located within the north-west corner of the site. A report was put to Council at the Council meeting on 13 December 2022 and it was determined to issue a Notice of Decision to Grant a Permit. An appeal against Council's decision was lodged in early January 2023, and at the time of writing no dates for the hearing or compulsory conference have been set.

TPA/54381

The application relates to the south western portion of the site, known as Domain 4, which comprises an open former quarry pit which is up to 20 metres deep. It is proposed to backfill the quarry pit utilising soil from the preloading associated with TPA/53179 and the current application TPA/53477. Officers have requested further information from the applicant. The application will be advertised to surrounding property owners and occupiers once the additional information requested has been received.

Request for Rezoning - Amendment C129 to Monash Planning Scheme

On 25 September 2018 Council resolved to follow the advice of the Independent Panel and abandon the amendment request by the owners to rezone the land to a Comprehensive Development Zone to potentially allow for the development of the land. The Panel found that the site was too complex to be rezoned in the staged process that was proposed. Due to the known contamination on the site, the Panel recommended that the land should be fully and comprehensively audited prior to consideration of a rezoning.

Request for Rezoning – Current

Council have received a request to rezone the land from Special Use Zone and General Residential Zone to a Comprehensive Development Zone in order to facilitate residential development of the land. The request also seeks to introduce a Masterplan for the site. Officers are currently considering the request.

Environmental Audit

An environmental audit was completed for the site under Section 53X of the Environment Protection Act 1970 (Ref: 8004092), issued on 14 May 2020. An audit involves an assessment of the land's condition by an EPA-appointed auditor, including a site history review and site investigation through a sampling program.

Three individual Statements of Environmental Audit were issued for different areas of the site, based on the environmental conditions and associated management requirements, and comprised:

- Zone 1 and Zone 2A;
- Zone 2, Zone 3, and Zone 5; and
- Zone 4 and Zone 4A.

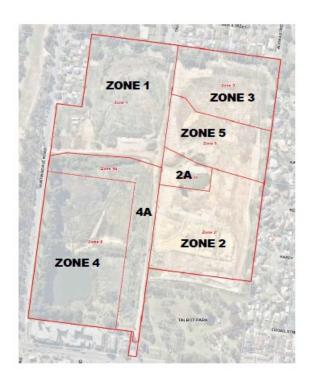


Image: Zone Boundaries in Environmental Audit:

The Environmental Audit resulted in three Statements of Environmental Audit (SoEA) permitting sensitive uses subject to various requirements and conditions. The preload stockpiling works proposed under this planning permit application in Domains 2a, 2b, 3a, 3b and 5 are located in the SoEA area for Zone 2, Zone 3 and Zone 5.

The Site and Surrounds

The subject land is located on the eastern side of Huntingdale Road in Oakleigh South. The land is significant in size having an overall area of approximately 19 hectares (46.94 acres). The land has a typical width of 300m-400m from east to west and length of 400m-585m from north to south. Huntingdale Road runs along the western boundary and Centre Road is accessible at the southern-most end of the land.

Soil embankments of varied heights are located along the perimeter of the site, which are commonly grassed. Some significant scattered vegetation occupies part of the northern and western boundaries. The topography of the land is undulating. The existing quarry pit is located within the south-west corner of the land.

The location of proposed works is east of the Talbot Road alignment comprising Zones 2, 2A 3 and 5 within the Environmental Audit prepared for the site or Domains 2A, 2B, 3A, 3B and 5 in the Geotechnical Reports.

The eastern portion of the site comprises a former quarry pit which have been backfilled with 'slimes' and other uncontrolled fill during the sand quarrying activities, and more recently preloaded with imported clean fill stockpiles (works carried out under Planning Permit TPA/43337).

Image: Domain boundaries across the entire site (location of proposed preloading works shown dotted):



Land surrounding the site can be described as:

North

- Davies Reserve adjoins the subject land and is a Council owned recreation reserve comprising athletics track, pavilion and large areas of public open space. This reserve provides open space, pedestrian and cyclist links through to Huntingdale Road and Wallace Avenue.
- Residential properties (11) orientated to Talbot Avenue and Sinclair Street.
 The setback of dwellings to the common boundary is typically in the range
 of 1.5 metres to 20 metres, with several garages and outbuildings located on
 the common boundary. Some scattered vegetation is located along the
 common boundary of the land.
- The southern end of Talbot Avenue and Alvina Street.

<u>East</u>

- Former Clayton West Primary School known as 10 Alvina Street. Presently 96 medium density dwellings with associated subdivision are under construction in accordance with Planning Permit TPA/49091.
- Residential properties (17) orientated to Ashbrook Court, Kaybrook Court, Redpath Close and Hardy Court. The setback of dwellings to the common boundary is typically 1.9 metres to 10 metres, with several garages and outbuildings located on the common boundary. Some scattered vegetation is located along the common boundary of the land.
- Talbot Park is located immediately adjacent to the south-east corner of the subject land. This Council owned recreation reserve comprises large green space areas and children's playground. Some scattered vegetation is located along the common boundary of the land. This reserve provides open space pedestrian and cyclist links through to Centre Road and Coonil Street.

South

- A four storey apartment building is located on the north-eastern corner of the intersection of Centre Road and Huntingdale Road at 1215 Centre Road.
- A two storey residential apartment building comprising 16 x single bedroom apartments. The development has a setback of approximately 17 metres from the subject land. Car ports and car parking areas are located immediately adjacent to the subject land.
- The area to the further south across Centre Road includes Clarinda Primary School and detached dwellings orientated to Centre Road.

West

 Residential properties (10) orientated to Huntingdale Road, adjacent to the northern end of the site. The setback of dwellings to the common boundary is typically in the range of 1.8 metres to 23 metres, with several garages and outbuildings located on the common boundary. Huntingdale Golf Club is located opposite the land across Huntingdale Road.

An aerial photograph of the subject site and surrounding land can be found attached to this report (Attachment 2).

PROPOSAL:

The application seeks approval for the use and development of preloading of earth and removal of native vegetation. The application has been submitted as the second proposal for further ground improvement works across the site in a staged approach of works required under the Environment Audit completed in 2020 to enable potential future development of the land.

Details of the application are as follows:

Preloading works

The eastern portion of the site (which includes Domains 2a, 3a, 3b and 5) were largely preloaded during the stockpiling works that took place in 2017-19. Further geotechnical investigations undertaken since that time have established that additional preloading is required along the northern and eastern boundaries of the site.

Preloading is a ground improvement technique that involves the placement of fill over areas of the ground that have poor structural properties. The weight of the preload fill seeks to induce settlement prior to any construction works. The preload is proposed to create a uniform stockpile across the former backfilled quarry pit and land fill that has been partially and unevenly backfilled in the past.

This will ensure that the full practicable extent of the former quarry pits are appropriately preloaded to improve the ground conditions closer to the site boundaries where preloading has not occurred to the edge of the former quarry pits. This will reduce potential differential settlement between the edge of the existing preload and existing ground at the boundaries of the site.

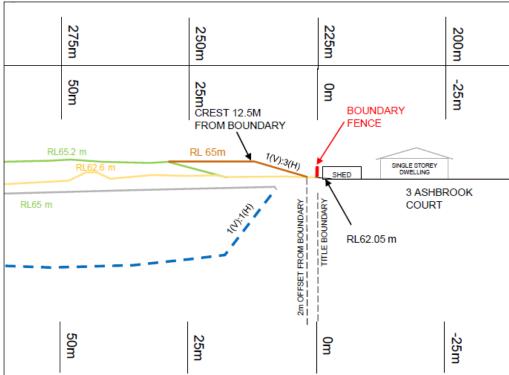
The eastern portion of the site comprises a former quarry pit which have been backfilled with 'slimes' and other uncontrolled fill during the sand quarrying activities, and more recently preloaded with imported clean fill stockpiles (works carried out under Planning Permit TPA/43337).

More specifically:

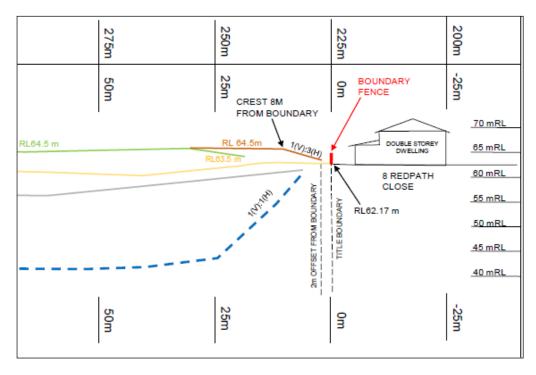
- Proposed preload height levels vary from RL66m at the northern end of Domain 2a to RL64.5m at the southern end of Domain 3b.
- The existing stockpiles with current elevations higher than the proposed preload levels will be retained.

- The crest of the stockpiles will be set back 11m to 12.5m from the northern and eastern site boundaries (Domain 2A, 3A and 5) and the stockpile toe of the batter will be setback a minimum of 2m from the site boundaries (refer to sectional diagram below).
- The setbacks of the crest for Domain 3B and 2B are reduced to 8 metres given the preload stockpile is less, being RL 64.5m (with other areas being RL 65 and RL 66) (refer to sectional diagram below).
- The stockpiles will be sown with grass seed to reduce the potential dust and erosion.
- The preload fill is expected to be in place and monitored for settlement for a
 period of 12-18 months. It is proposed that after settlement the preload fill
 will be removed and used as backfill material for the quarry void in Domain 4.
 This activity is subject to a separate planning application.

Northern End Sectional diagram showing preload with a crest setback of 12.5 metres and RL of 65



Southern End Sectional diagram showing preload with a crest setback of 12.5 metres and height of RL64.5





Stormwater Management Works

It is proposed to undertake drainage works to enable stormwater to drain southwards (toward the quarry pit) during construction and while the stockpiles are in place. This includes:

- Construction of drainage swales close to the edge of the preload stockpile crest and within the centre of the preload stockpile. The swale drains will allow for conveyance of stormwater at a slower, controlled rate and acts as a filter medium for removing pollutants before entering the stormwater system. Rather than a traditional drain, a swale acts as both a slowing and cleaning process for stormwater.
- The proposed swales will be a minimum of 300mm depth below the ground level of the adjoining properties.
- Silt fences are to be located at the crest and toe of the stockpiles adjacent to the proposed swale drains to ensure soil does not wash down the stockpile batters. The fences have a height of 500mm and will be located between the stockpile and the northern and western boundaries.

Vegetation Removal

All vegetation is proposed to be removed within the proposed area of works. Two patches (healthy woodland and swampy woodland) of native vegetation and native trees were recorded within the study area (including two large trees within the healthy woodland patch and four scattered trees).





Alteration of Access

 Widening of the existing access to Huntingdale Road (to 13.6 metres) is proposed to enable trucks to enter and exit the site during pre-loading works.
 This is also proposed within Planning Permit Application TPA/53179 (in the event that works associated with one Permit commence prior to the other).

Documentation forming part of the application submission includes:

• Existing Conditions Plans prepared by Tetra Tech Coffey

- Proposed Works plan prepared by Tetra Tech Coffey
- Tree removal plan prepared by Tetra Tech Coffey
- Preload Design Report Domains 2a, 3a, 3b and 5 prepared by Tetra Tech Coffey dated 15 February 2022
- Letter in support of planning application prepared by Tetra Tech Coffey dated December 2021
- Site Environmental Management Plan prepared by Verve, dated 23 November 2021
- Flora and Fauna Assessment prepared by Ecology and Heritage Partners, dated September 2021
- Arboricultural Assessment and Report prepared by Tree Logic dated 15 September 2021
- Aboriginal Cultural Heritage Assessment prepared by Ecological Australia dated 31 March 2021
- Additional Aboriginal Cultural Heritage Letter prepared by Ecological Australia dated 2 December 2021
- Construction and Environmental Management Plan, dated 1 May 2020
- Traffic Management Plan prepared by Cardno dated 11 November 2021
- A letter of verification from the Environmental Auditor dated 22 December 2021.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The site is located in the General Residential Zone – Schedule 3 (GRZ3) and the Special Use Zone Schedule 2 (SUZ2). The eastern domains where the works are proposed are primarily located in the SUZ2 (with a small area of GRZ3 Zone adjacent to the eastern boundary). However, access to this area is provided via Huntingdale Road through land in the GRZ3 Zone.

A permit is required pursuant to:

- Clause 32.08-2 (GRZ3) for use of the land for earthworks within the General Residential Zone.
- Clause 32.08-9 (GRZ3) for buildings and works associated with the proposed use.
- Clause 37.01-4 (SU2) for the use of the land for earthworks within the Special Use Zone, Schedule 2
- Clause 37.01-4 (SU2) buildings and works associated with the proposed use.

Earthworks are defined in the Monash Planning Scheme as land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.

<u>Overlays</u>

The land is covered by an Environmental Audit Overlay. A Certificate of Environmental Audit or a Statement by an Environmental Auditor is required before a sensitive use commences or the carrying out of buildings and works in association with a sensitive use commences. As the works are not associated with a sensitive use this is not required. However, as noted earlier in this report, an Audit has been undertaken of the site.

Particular & General Provisions

Clause 52.08 - Earth and Energy Resources Industry

A permit is required to use the land for earth and energy resources industry. Earth and energy resources industry is defined as land used for the exploration, removal or processing of natural earth or energy resources.

The application is not seeking to establish such an industry on site and the Clause is not relevant to the consideration of the application.

Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas

Clause 52.09 relates to extractive industry. The definition of an extractive industry in the Monash Planning Scheme is land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. Whilst the definition includes rehabilitation of the land as there is or was no stone extraction or excavation on the land Clause 52.09 is not relevant to the consideration of the application.

Clause 52.17 - Native Vegetation

A permit is required to remove, destroy, or lop native vegetation including dead native vegetation. A Flora and Fauna assessment has been provided with the application which identifies two patches (including two large trees in one of the patches) and four (4) scattered trees are required to be removed (0.256 hectares of native vegetation). The report identifies an offset requirement of 0.035 general health habitat units and 5 large trees (with a minimum strategic biodiversity value of 0.14).

Clause 52.29 - Land adjacent to a Transport Zone 2.

A permit is required to create or alter access to a road in a Transport Zone 2. As Huntingdale Road is located in a Transport Zone, Schedule 2 this is a permit trigger.

Aboriginal Cultural Heritage

The south-western portion of the site is within an area of Aboriginal Cultural Heritage Sensitivity (Domain 4). A preliminary cultural heritage assessment has been carried out by Ecological Australia in March 2021 with additional detail provided on 2 December 2021. This assessment concluded that the previous activities on the site has resulted in significant ground disturbance and the mandatory Cultural Heritage Management Plan (CHMP) will not be required for the proposed works or any future redevelopment of the site on the basis that no areas of Aboriginal cultural heritage sensitivity are present within the study area.

Attachment 3 details the zoning and overlays applicable to the subject site and surrounding land.

CONSULTATION:

Further information was requested of the permit applicant on 19 January 2021. In this letter, officers also raised the following preliminary concerns:

- Concern is raised with the slope of the batter in relation to the proximity of the boundaries and the interface with the residential properties (including the proximity of the preloading works to the boundaries). This will need to provide for a more gradual and gentle slope.
- Concern is also raised with respect to the proximity of the proposed swale drain to adjoining properties, and potential negative impacts that this may cause.

The Permit Applicant responded to this letter on 15 February 2022 by providing the requested information.

In relation to the preliminary concerns, the Applicant noted:

- Based on the geotechnical properties of the fill and slimes material, a 3H:1V batter (H = Horizontal Distance, V = Vertical Distance) is considered a safe slope. Utilising this batter angle, the extent of the preloading setback to boundary has been determined based on the edge of the quarry pit and the requirement for the crest of the stockpile to be located as close as practicable to the edge of the quarry pit. This is to apply a more uniform load and reduce potential differential settlement across the quarry pit edges. An additional letter from Tetra Tech Coffey provided with the further information package includes further technical justification for the extent of the preload.
- In relation to the swale drain, the 'swales' will be vegetated with grass and proposed to both the crest and toe of the preload batter. The swale at the toe has been sized to sit in the remaining space between the boundary and toe of the 3H:1V batter and caters for the stormwater catchment of the batter face itself. Placing the swale along the boundary ensures all

stormwater water from the crest of the stockpile is collected and drained away from neighbouring properties. The placement of the swale is to mitigate any potential impacts from stormwater. The swale at the crest of the batter services the catchment at the top of the preload and has been added to protect the batter face from erosion whereby flows are captured and diverted from accessing the batter face. Silt fence and sediment traps will manage the movement of any sediment. The proposed CEMP measures, together with a regime of regular inspection and maintenance to ensure the system is fit for purpose, will adequately manage stormwater.

The Applicant was advised that this application is scheduled for the January Council meeting, and a letter was sent to the Applicant with the details of the Council meeting.

The Applicant has been advised that this application is recommended for approval subject to conditions, and an outline of the conditions and the ramifications of the conditions on the proposal has been explained.

Public Notice

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by way of letters sent to the surrounding property owners/occupiers, and signs displayed on frontages of the site.

Thirty-three (33) objections were received. Issues of objection included the following concerns:

- Adjacent housing structural impacts;
- Will result in flooding to adjoining properties;
- Impact on groundwater quality;
- Impact on the future ability to rehabilitate the land;
- Impact of greater vehicular traffic;
- Noise pollution from construction vehicles;
- Dust impacts from proposed works;
- Works will result in toxic gas being released from the land;
- Incompatible with current uses and development;
- No clear precedent behind the application;
- Applicants staged approach effects the relationship between the Domains interface with each other and zones;
- Setback of proposed stockpiles;
- Planning permit for residential development has not been granted therefore stockpiling should not be permitted;
- Poor aesthetic as viewed from adjoining properties;
- Harm to the nearby Davies Reserve;
- Concerns regarding future development of land; and
- Application is prohibited under GRZ3.

Public information session

An online Information Session was held on 9 March 2022 and was attended by 10 residents. During the session various questions were put to the applicant and due to the technical nature of the proposal, the applicant provided a written response to the questions following the information session. This additional information provided by the Applicant was placed on Council's Web site as agreed at the Information Session.

Attachment 4 details the location of objector properties.

Referrals

<u>Department of Transport and Planning (formerly Department of Transport) (REF:</u> PPR38849/22)

The application was referred to the Department of Transport as a determining referral authority pursuant to Clause 52.29 to create or alter access to a road within a Transport Zone.

The Department advised of no objection subject to conditions relating to restriction of right turn movements, no parking of heavy vehicles on Huntingdale Road and the provision of a truck wheel wash.

<u>Department of Jobs, Skills, Industry and Regions (formerly Department of Jobs, Precincts and Regions)</u>

The application was referred to the Earth Resources Regulation Branch of the Department informally. The Department has no comment to make in in relation to the application.

Environment Protection Authority

The application was referred to the EPA informally. The EPA has no concerns with the proposal, however advised Council to seek verification letters to demonstrate compliance with the relevant conditions in the Statement of Environmental Audit. The applicant has supplied a letter from the Auditor verifying that the proposed works are in accordance with the recommendations of the Audit (dated 22 December 2021).

<u>Department of Transport and Planning (formerly Department of Environmental, Land, Water and Planning (DELWP))</u>

Pursuant to Clause 66.02-2 the application was not required to be referred to DELWP for the removal of native vegetation as only an intermediate assessment pathway was required. As per the 'Guidelines for the removal, destruction or lopping of native vegetation' an intermediate assessment does not need to be referred to DELWP.

Internal Referral

Traffic Engineer

Council's Traffic Engineers have no concerns with the proposal subject to conditions requiring the reconstruction of the existing vehicle crossing and revision of the existing drainage pit lid to allow for heavy vehicles.

Drainage Engineer

Council's Drainage Engineers have no concerns with the proposal subject to conditions addressing stormwater management and approval required for all drainage and civil works.

Geotechnical Consultants

Independent experts have been engaged to review the scientific and technical documents submitted with the application. This information will be discussed in the assessment of the proposal.

DISCUSSION:

Use of the land

The proposed development and use for preloading works are considered an innominate, permit required use.

One objector has submitted that the proposed use falls within the definition of "extractive industry" and is a prohibited use within the General Residential Zone (GRZ) and that the application does not comply with Clause 52.08 and 52.09 of the Planning Scheme (Extractive Industry and Extractive Industry Interest Areas) as works are within 20 metres of the boundary.

Extractive industry relates to stone and the previous use of the land which included sand quarrying. Extractive Industry is defined in the Planning Scheme as:

"Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. It includes:

- the rehabilitation of land; and
- the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the land from which the stone is extracted or removed.

The activities proposed on the land do not fall under the definition of extractive industry and the proposed use is permitted in both zones applying to the land.

Clause 52.08 relates to Earth and Energy Resources Industry. The application is not seeking to establish such an industry on site and the clause is not relevant to the consideration of the application. Furthermore, Clause 52.09 relates to

extractive industry and whilst the definition includes rehabilitation of the land as there is or was no stone extraction or excavation on the land Clause 52.09 is not relevant to the consideration of the application.

An objector is of course able to challenge this interpretation at VCAT in the event that Council determines to issue a Notice of Decision to Grant a Permit.

Preloading works

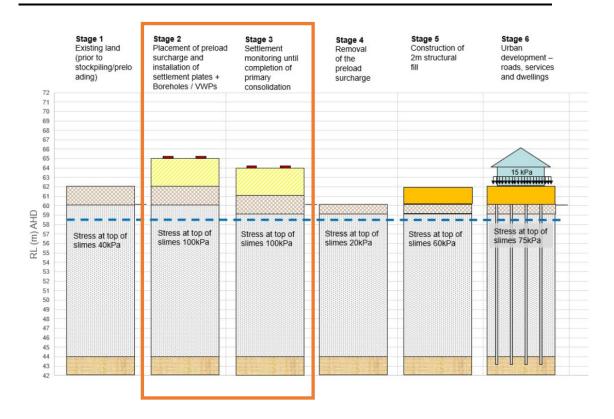
A key issue identified in Clause 21.13-2 (Sustainability and Environment) of the Municipal Strategic Statement recognises:

"Previous work practices, particularly associated with industrial activities, may have resulted in soil or water contamination. Planning procedures should ensure that areas undergoing renewal and redevelopment are investigated for the presence and extent of contamination and appropriate actions taken to remediate the site.

Relevant policy seeks to (amongst other strategies) 'ensure that planning, development and associated infrastructure complies with the principles of economic prosperity, social advancement and environmental protection'.

The pre-load stockpile has been designed to allow for the future use and development of the site as well as the required environmental management measures as outlined in the Audit. This is the same concept of ground rehabilitation works as approved by Council in 2015 but the major difference with the current proposal is that that the works are to extend to within 2 metres of the adjoining residential properties, rather than 30 metres.

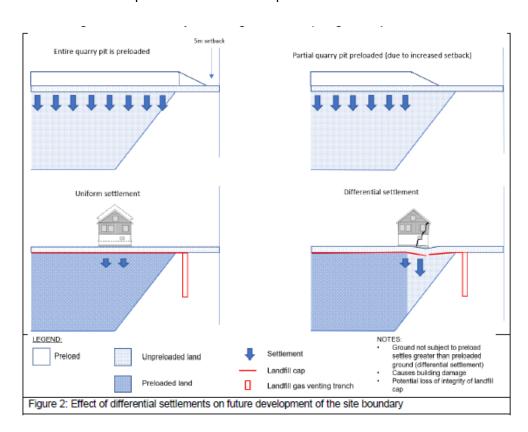
The stages of the overall preloading process are identified in the below image. This current application relates to Stages 2 and 3 of the preloading process.



With respect to the design of the preloading (height and slope), the following information was highlighted by the applicant:

- Significant geotechnical testing and investigations have been carried out since the former planning permit for stockpiling was issued in 2015 and expired in 2019. To fully rehabilitate the site, ground improvement works need to be carried out closer to the site boundaries than an arbitrary 30m setback.
- Essentially, the extent of preload is required to fully cover the former quarry pit to ensure a uniform settlement of old fill material and limit differential settlement (the ground not subject to preload settling greater than the preloaded ground). Differential settlement could result in structure or building damage or the potential loss of the integrity of the landfill cap.
- Based on the geotechnical properties of the fill and slimes material, a 3H:1V batter is considered a safe slope. Utilising this batter angle, the extent of the preloading setback to boundary has been determined based on the edge of the quarry pit and the requirement for the crest of the stockpile to be located as close as practicable to the edge of the quarry pit. This is to apply a more uniform load and reduce potential differential settlement across the quarry pit edges.
- Due to the variability of the landfill materials and in particular the anticipated difference in settlement behaviour between the landfill and the natural ground, some form of ground improvement is required to reduce future settlement across the site to meet tolerable limits of movement typically adopted for future development. These movement limits are

- required to reduce the potential impact on the integrity and function of the landfill cap and associated boundary venting system which are required to comply with the Statement of Environmental Audit for the site.
- The preload has been designed with a 2m buffer from the site boundary to the toe of preload batter. This enables the crest/top of the preload to extend to the edge of the pit crest to provide a uniform surcharge over the landfill to reduce subsequent total and differential settlement of the landfill capping layer and structural fill layers.
- The slope of the preload enables the greatest setback of the toe of the preload from the boundary. A steeper slope would result in a reduced setback.
- The results of the preload settlement monitoring will provide data to assess the settlement properties and to assist in predicting future settlement across the site. The predicted settlement will then be used to assess whether preloading alone will be suitable to allow the construction of the landfill cap and future development or whether other additional ground improvement methods will be required to allow development of this area.



(Extract from Tetra Tech Coffey dated 15 December 2021)

The Preload Design Report (Coffey 2021) notes that the importation of any fill soils to the site must be in accordance with EPA Victoria legislative requirements, the Construction Environment Management Plan (Coffey 2020) and associated Site

Backfilling Protocol (Coffey 2015). Importation of fill is subject to specific site criteria (e.g. geotechnical) and must be approved prior to importation.

Clause 22.09 - Non-Residential Use and Development in Residential Areas seeks to 'ensure that development is appropriate having regard to the residential environment of the surrounds and that the amenity of the neighbourhood is not adversely affected by a business conducted in a residential area.'

Officers have been in ongoing discussion with specialist consultants to review the technical data and information regarding the and the scale and scope of the proposed works and to assess the management of impacts to adjoining properties. It has been concluded that the proposed works will allow for the intended result of the works (satisfying the Audit requirements) whilst seeking to minimise amenity impacts to residents as much as practicable.

The natural surface level of the land is a fall of several metres from north to south. Creating a consistent level of the stockpiles would mean the southern portion of the stockpile is taller than necessary. The stockpile will be stepped down over three levels to minimise the overall height of stockpiling across the site.

The consultants had recommended some additional measures to be required as conditions on permit regarding providing clarification of the level of compaction of the preload stockpiles to ensure the stability of the stockpile slopes around the perimeter of the site. This has been addressed as a permit requirement (in the proposed Condition 1).

The construction of the preload is required to be undertaken in accordance with the Construction Environmental Management Plan (CEMP) prepared by Coffey (2020) that provides generic environmental management measures across the whole site regarding:

- Importation of fill material.
- Stormwater management including erosion and sediment control.
- Dust management.
- Ground gas monitoring.

Gas Migration

The environmental auditor has determined that there is no requirement for a landfill gas venting trench to undertake these works due to the absence of landfill gas producing material present in these domains, and distance from the Domain 1 landfill area.

The Auditor has noted that before the construction of the landfill cap (Stage 5), a permanent vertical gas venting system at the western boundaries of Zones 2, 3 and 5 and the southern boundary of Zone 2 are required to intercept and vent gas

potentially migrating laterally from the adjacent landfilled areas. The landfill cap is not proposed as part of this application.

Visual Impacts

Whilst it is acknowledged that the stockpiles will be visible from adjoining properties, the proposed works are necessary in treating the site to enable its potential for development in the future. The stockpiles will be a temporary measure for the site, and conditions of the Permit will require that these be removed in a timely manner once they have completed their purpose.

Dust

Potential dust impacts to residents will be minimised as much as possible, by minimising vehicle speeds on the site, limiting work on dry windy days, water spraying on stockpiles and in work areas, application of dust suppressant on completed stockpile areas and the sowing of grass on the completed preload areas.

The following additional amenity protection measures will be required by way of a condition requiring an amended CEMP:

- Requirement that pre-load stockpiles must be vegetated as soon as reasonably practicable following placement to assist in dust management.
- Include definitive requirements for when dust monitoring must be conducted.
- Include definitive weather conditions and observations that require works to cease, e.g. wind speeds >40 kmph / visible movement of dust off-site.

Noise and Vibration Management

Noise will be expected during the works. To minimise impacts to adjoining residents, it is proposed to limit hours of work to Monday to Friday 7am-6pm, Saturday 8am-12 noon with no work permitted on Sundays or Public Holidays.

The CEMP recommends where activities are planned which have the potential to generate unacceptable levels of vibration off-site, or to nearby structures a vibration management plan should be prepared to document specific vibration controls to be implemented during the works.

The following additional measures will be required by way of a condition requiring an amended CEMP:

- Detail the applicable environmental values and required indicators and objectives for the ambient sound environment outlined in the Environmental Reference Standard.
- Include methods for controlling noise and vibration at the source.
- Develop a timetable of designated working hours highlighting what noise and vibration sensitive tasks can be undertaken when.
- Develop a procedure for approval of any noise/vibration sensitive tasks that need to be completed outside of designated working hours.

Stormwater and Drainage

Stormwater at the site currently drains to the Zone 4 quarry void. The stockpiling involves altering the levels of the land and changing the current rainwater run off pathways. A swale will be built at the top of the stockpiles to collect and direct stormwater southwards. An additional swale drain will be provided around the perimeter of the stockpile (similar to the existing swale drain) between the property boundary and toe of the batter to direct stormwater away from neighbouring properties. A swale drain is a common method for slowing and cleaning stormwater before entering the stormwater system.

Silt fences are proposed at the crest and toe of the stockpiles to ensure soil and debris does not wash down the stockpile batters and into the swale drain or into adjoining properties.

The CEMP includes a number of measures which will be required to minimise the potential for stormwater and sedimentation. A Stormwater Management Plan must be prepared by the Principal Contractor to manage stormwater quality and site drainage during construction. Plans will also be required to include any recommendations in this report (such as the location of swales) on development plans.

Length of Works

The disruption caused by the works over an extended period has raised considerable concern with residents. The applicant has advised that the preload fill are a temporary measure and once in place are expected to be in there for approximately 12-18 months and then removed.

The applicant has provided an indicative construction program totalling approximately 3 weeks site preparation, 2-3 months preloading works undertaken, 12-18 months removal of preload. Refer further breakdown and sequencing of works as per the table below (extracted from the Preload Design Report dated 15 February 2022). The other stages in the table below are works that need to be completed during site preparation or preloading works and are not separate stages requiring additional time.

Sta	age of Work	Likely Timeframe	Comment
1	Vegetation removal and site preparation	3 weeks	
2	Site Survey	Ongoing throughout the site preparation	
3	Settlement plates installation	Ongoing throughout the site preparation and prior to the stockpiling	
4	Installation of VWPs	Ongoing throughout the site preparation and prior to the stockpiling	
5	Stockpiling of imported fill materials	2 to 3 months	Will depend on contractor progress, weather conditions, and material availability
6	Survey	Ongoing throughout the stockpiling works	
7	Surface pins installation	Ongoing throughout the stockpiling works	
8	Settlement Monitoring	Ongoing throughout the stockpiling works	
9	Preload removal	12 to 18 months after construction of the preload	To be confirmed based on the results of the preload monitoring

This program can be incorporated as a permit condition with the preparation of a Construction Management Plan, however, the timeframes need to be flexible to allow for unforeseen delays. A condition will also require that the stockpiles are removed after the settlement period within a prescribed timeframe.

Traffic Impacts

The Department of Transport and Planning has advised of no objection subject to conditions specifically restricting that there is to be no right-turn movements into or out of the site by heavy vehicles between the hours of 6.00am-9.30am and 3.30pm-7.00pm on weekdays. Further, there are to be no heavy vehicles associated with the works are permitted to be stopped/parked on Huntingdale Road.

Approximately 50-70 truck and trailer loads of soil are expected per day. The frequency of truck movements is variable based on: amount of material available for import; speed they can load it at the source site; number of trucks available on any given day; location and cartage routes and travel times. Peak operation will generally be between 9am and 5pm. All vehicle parking will be required to be undertaken on site.

Vegetation Removal

A Flora and Fauna assessment has been provided with the application which identifies that a total of two patches (including 2 trees) and four (4) scattered trees are required to be removed from the site.

The trees proposed to be removed are located within the area of preload or the perimeter swale. To control stormwater runoff from the stockpiles, it is necessary to install a perimeter swale drain at the base of the stockpile. Therefore, these trees need to be removed to enable adequate preloading and drainage works.

A planning permit condition will require an offset requirement of 0.035 general health habitat units and 5 large trees.

Additional issues raised by objectors

- Future residential development cannot sustain level of population increase
 The application proposes site works to enable future development of the land that is subject to further approval. There is no residential or commercial development proposed with the current application.
- Impact on property values
 This is not a valid planning consideration.
- Question over applicability of the EPA's Guidelines for Landfill BEPM (Best Practice Environmental Management) for the proposed works.

The BPEM document is an EPA Guideline that is not relevant to consideration of this application. The guideline relates to consideration of contaminated land with respect to development of properties proximate to closed landfill areas (500m by default). In this case an Audit has been conducted on the subject site which has determined that an engineered land fill cap needs to cover all the buried the landfill and therefore needs to extend closer to the boundary. The Audit meets the requirements of the BPEM guideline requirements and therefore no further conditions would be applied from this document in the permit conditions.

Other issues raised by objectors have been addressed within the body of this report.

CONCLUSION:

It is considered the proposed works are appropriate and required in order to facilitate the potential future use and re-development of the site. Significant geotechnical testing and investigations, including the Environmental Audit have been carried out since the former planning permit for stockpiling was issued in 2015 and expired in 2019. The proposed works have been verified by an EPA appointed environmental auditor to satisfy the conditions required by the Environmental Audit to enable future development of the land. The scale of works on a substantial site with a complex history adjoining residential properties requires detailed permit conditions to manage the potential disruption and negative amenity impacts.

Subject to detailed permit conditions covering the management and operation of the preloading, the application is recommended for approval.

LIST OF ATTACHMENTS:

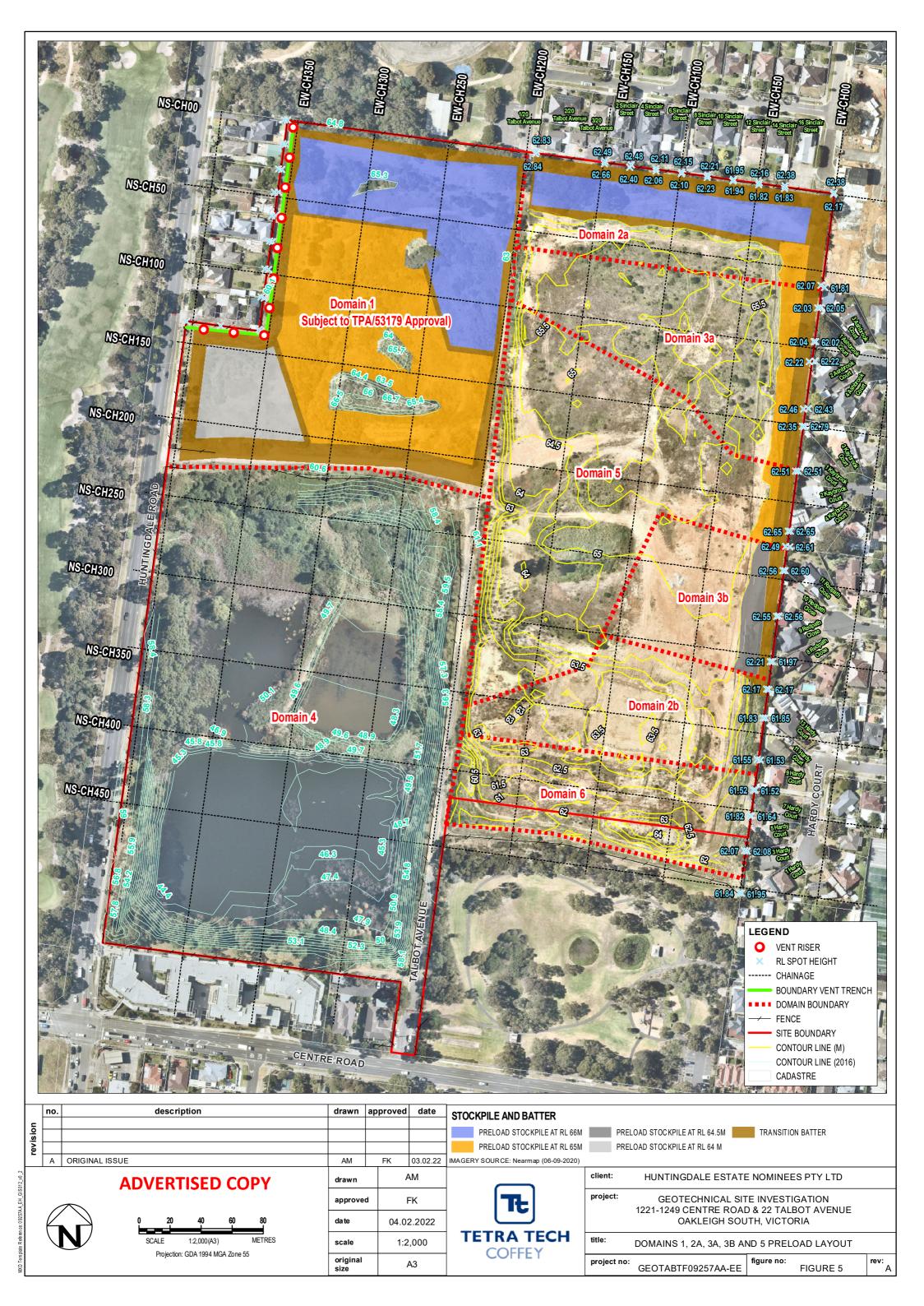
Attachment 1 – Proposed Development Plans.

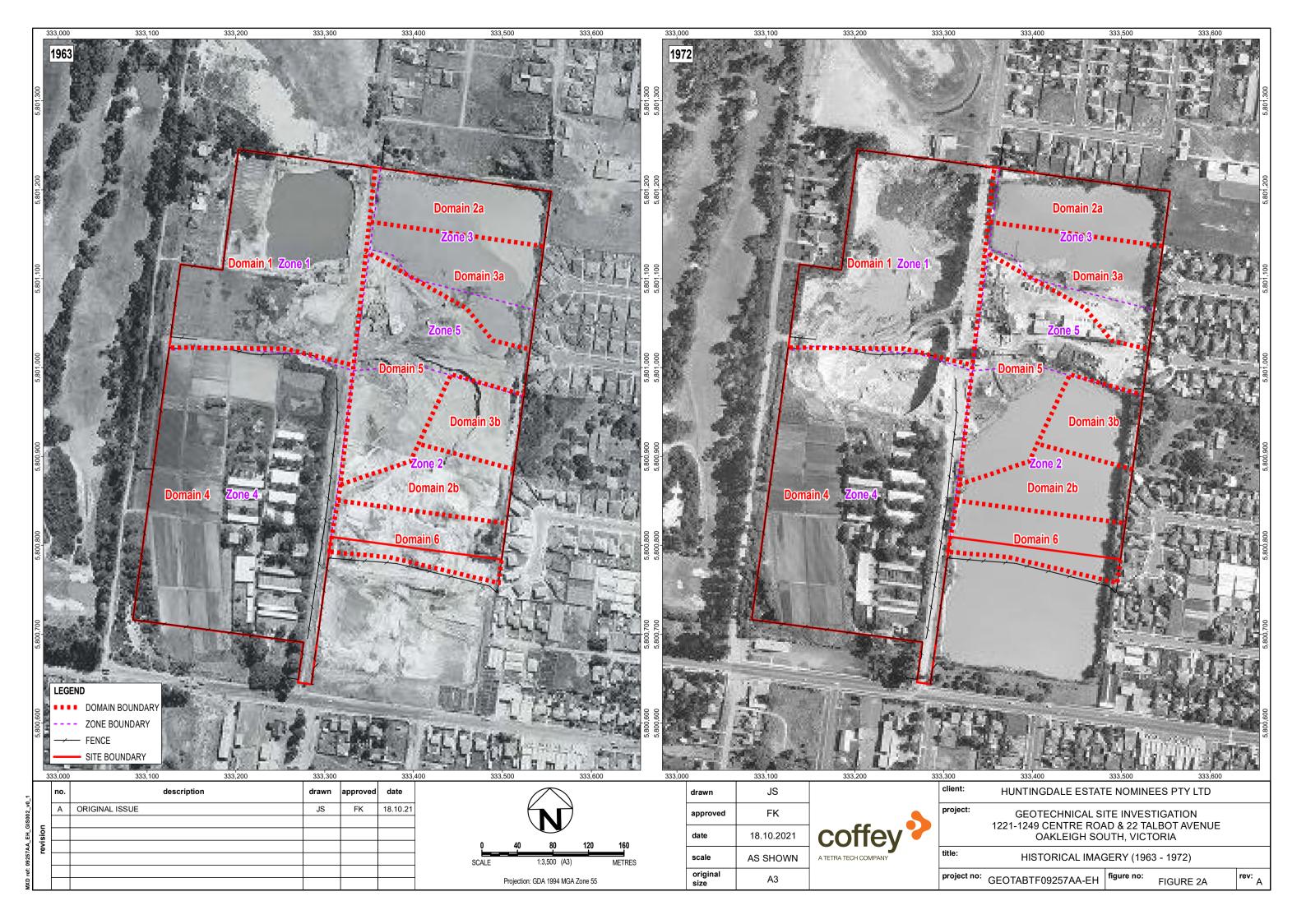
Attachment 2 – Aerial Photograph (February 2022).

Attachment 3 – Zoning and Overlays Map.

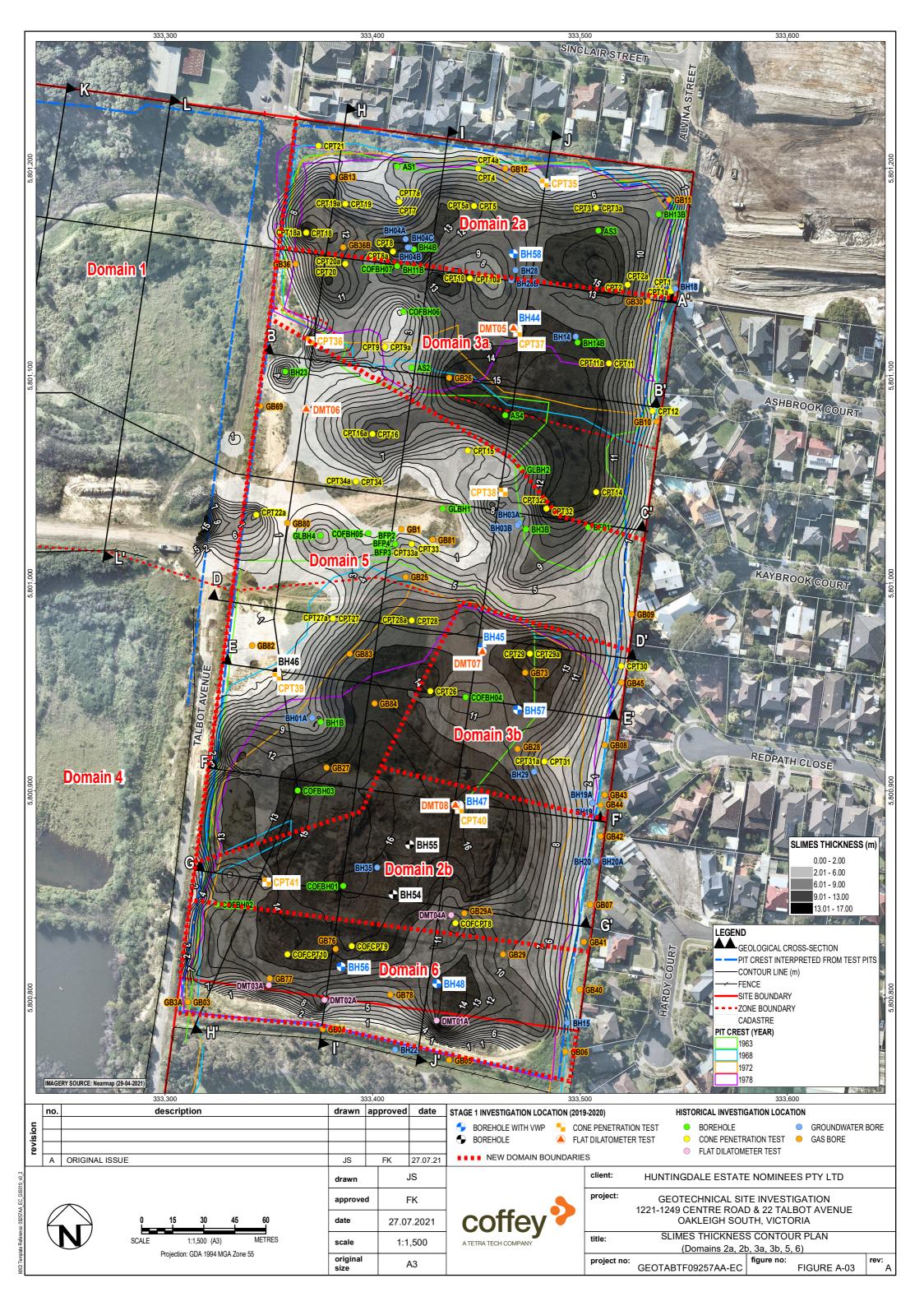
Attachment 4 – Objector Properties Location Map.

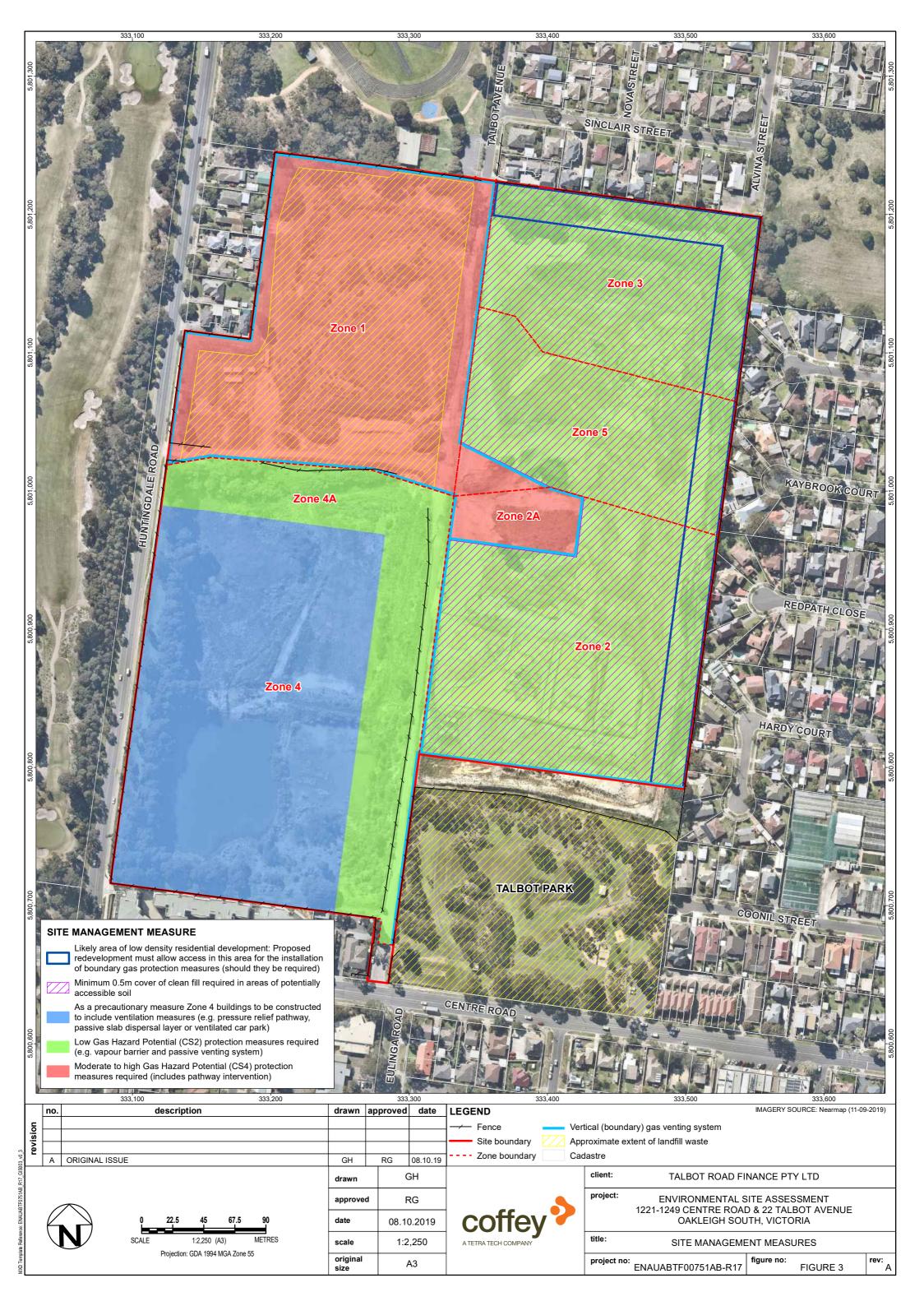


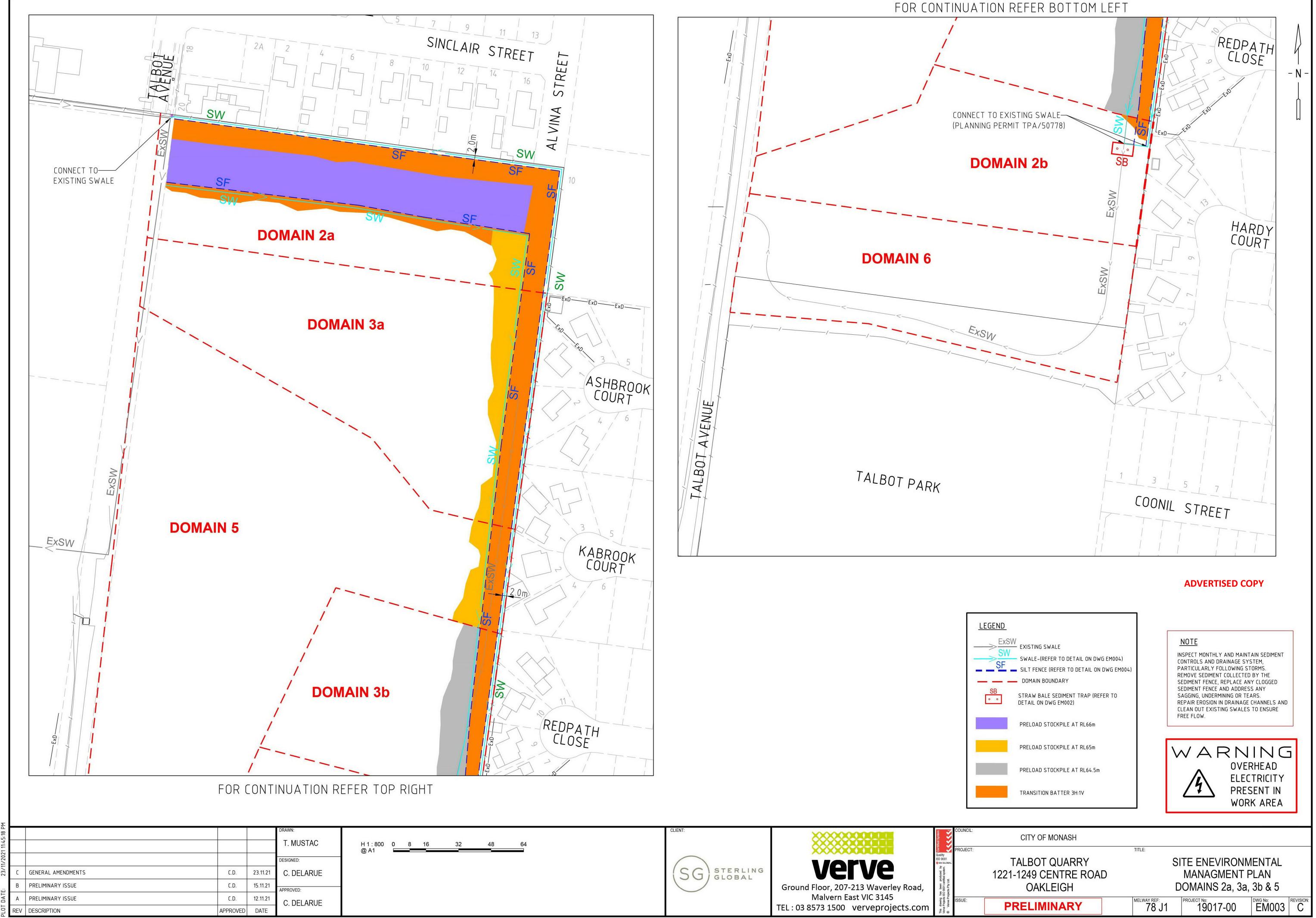




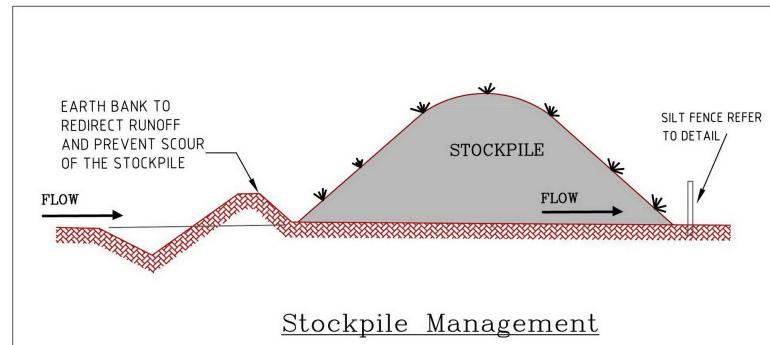




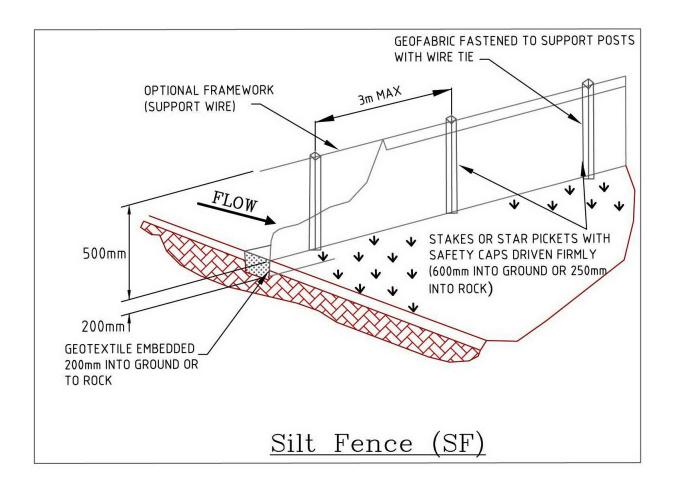


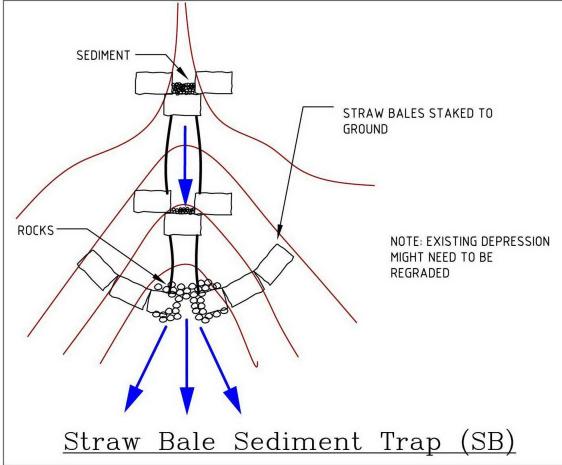


17-00-EM003.DWG



SEDIMENT -STRAW BALES STAKED TO





CITY OF MONASH T. MUSTAC NOT TO SCALE TALBOT QUARRY verve (SG) STERLING C. DELARUE 1221-1249 CENTRE ROAD SWALE BATTER AMENDED C.D. 16.11.21 Ground Floor, 207-213 Waverley Road, Malvern East VIC 3145 OAKLEIGH PRELIMINARY ISSUE 12.11.21 PRELIMINARY ISSUE C.D. C. DELARUE **PRELIMINARY** TEL: 03 8573 1500 verveprojects.com DATE

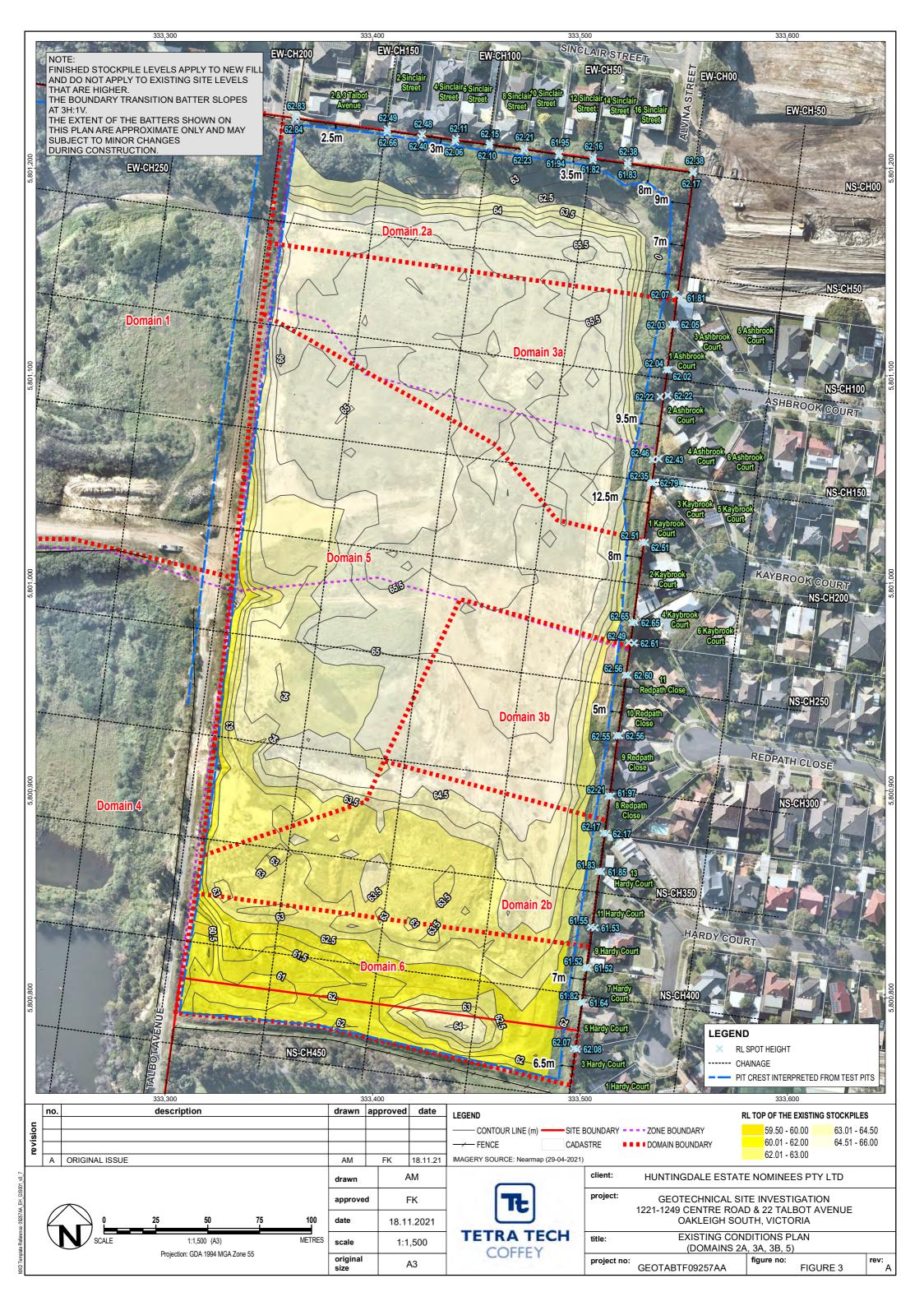
SITE ENVIRONMENTAL MANAGEMENT PLAN DOMAINS 2a, 3A, 3B & 5 MELWAY REF: 78 J1 PROJECT No: 19017-00 EM004 REVISION:

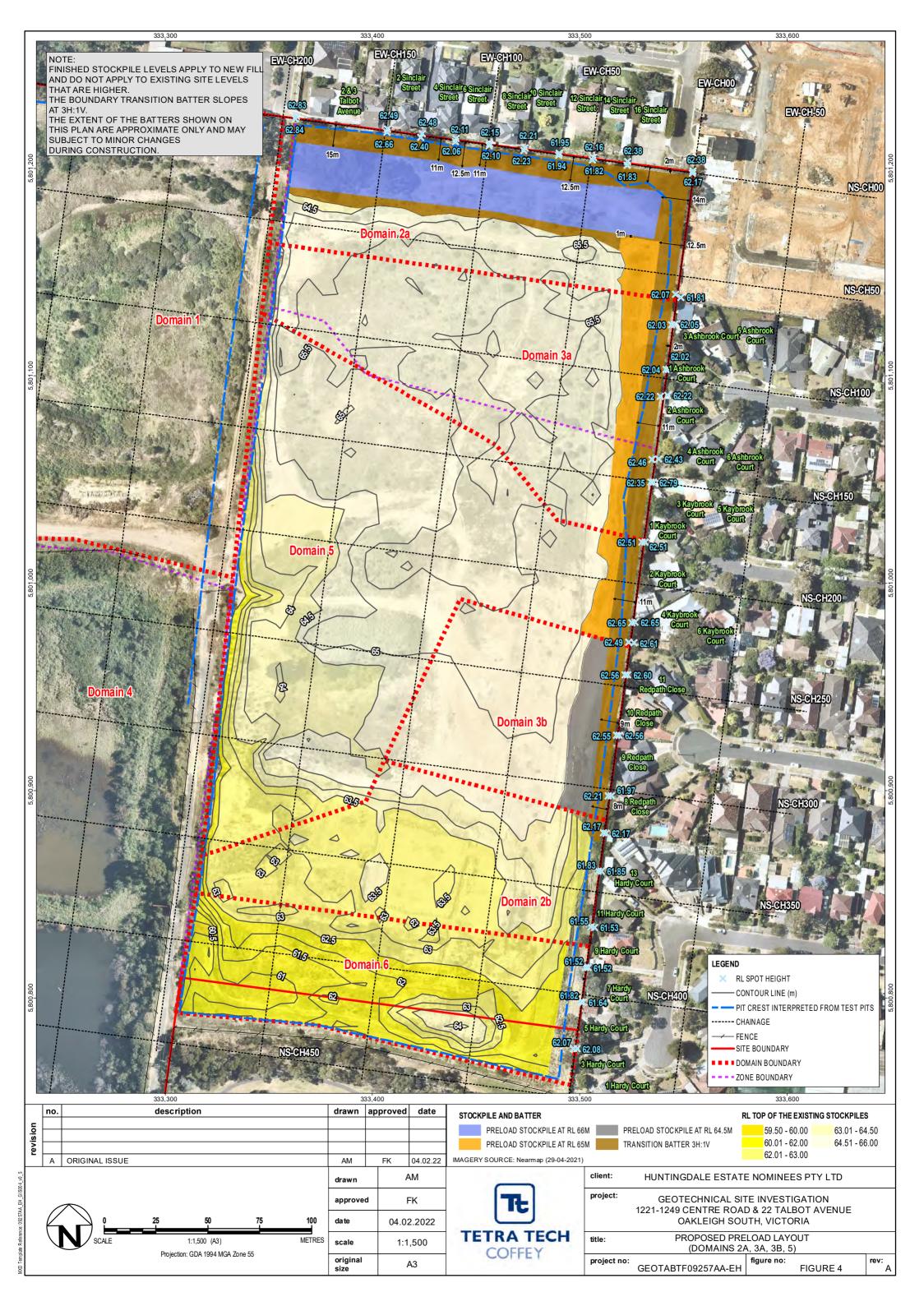
NOTES

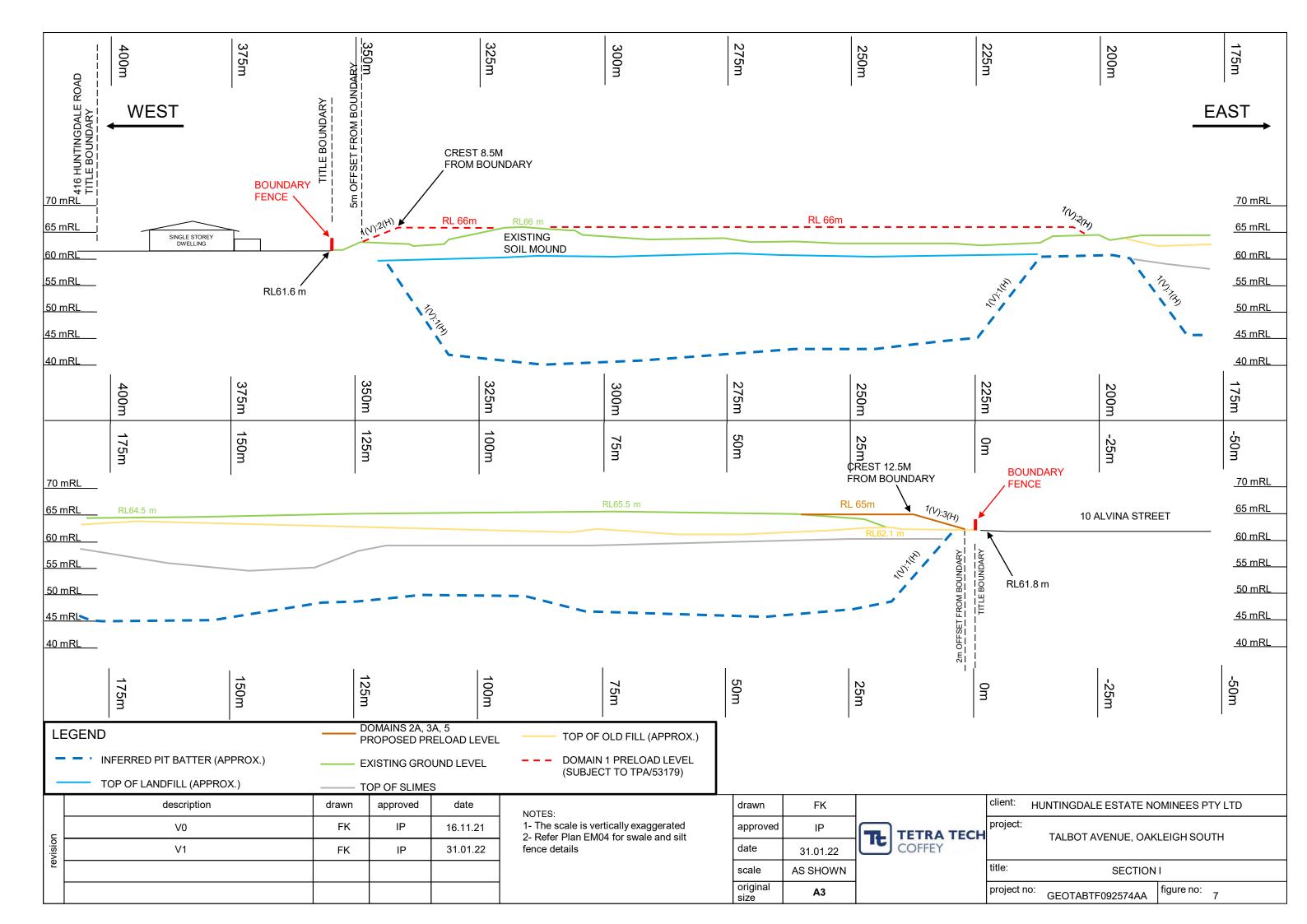
1. THE CONTRACTOR IS TO TAKE ALL NECESSARY

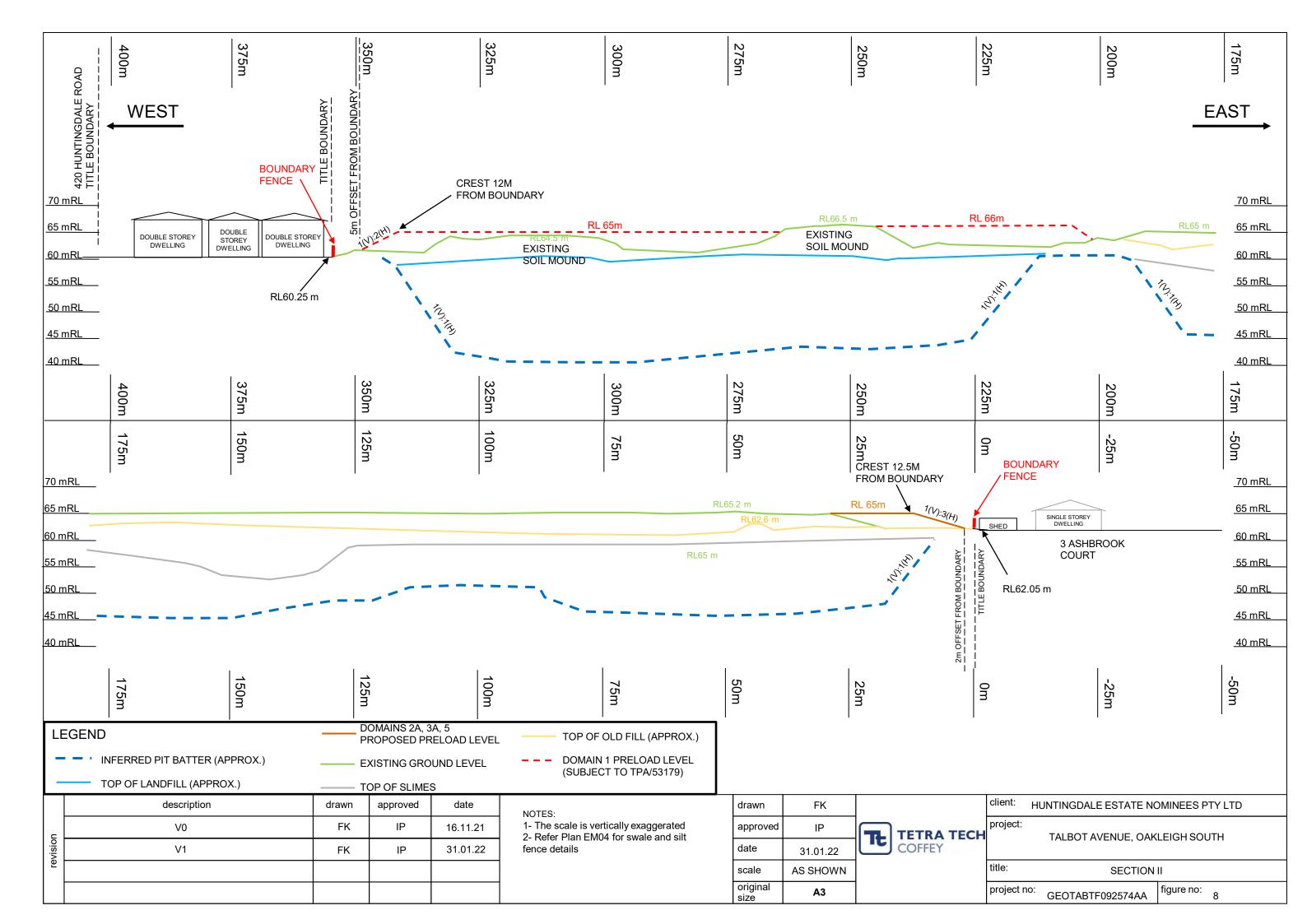
PRECAUTIONS TO CONTROL EROSION AND DOWNSTREAM SEDIMENTATION DURING ALL STAGES OF CONSTRUCTION INCLUDING THE MAINTENANCE PERIOD.

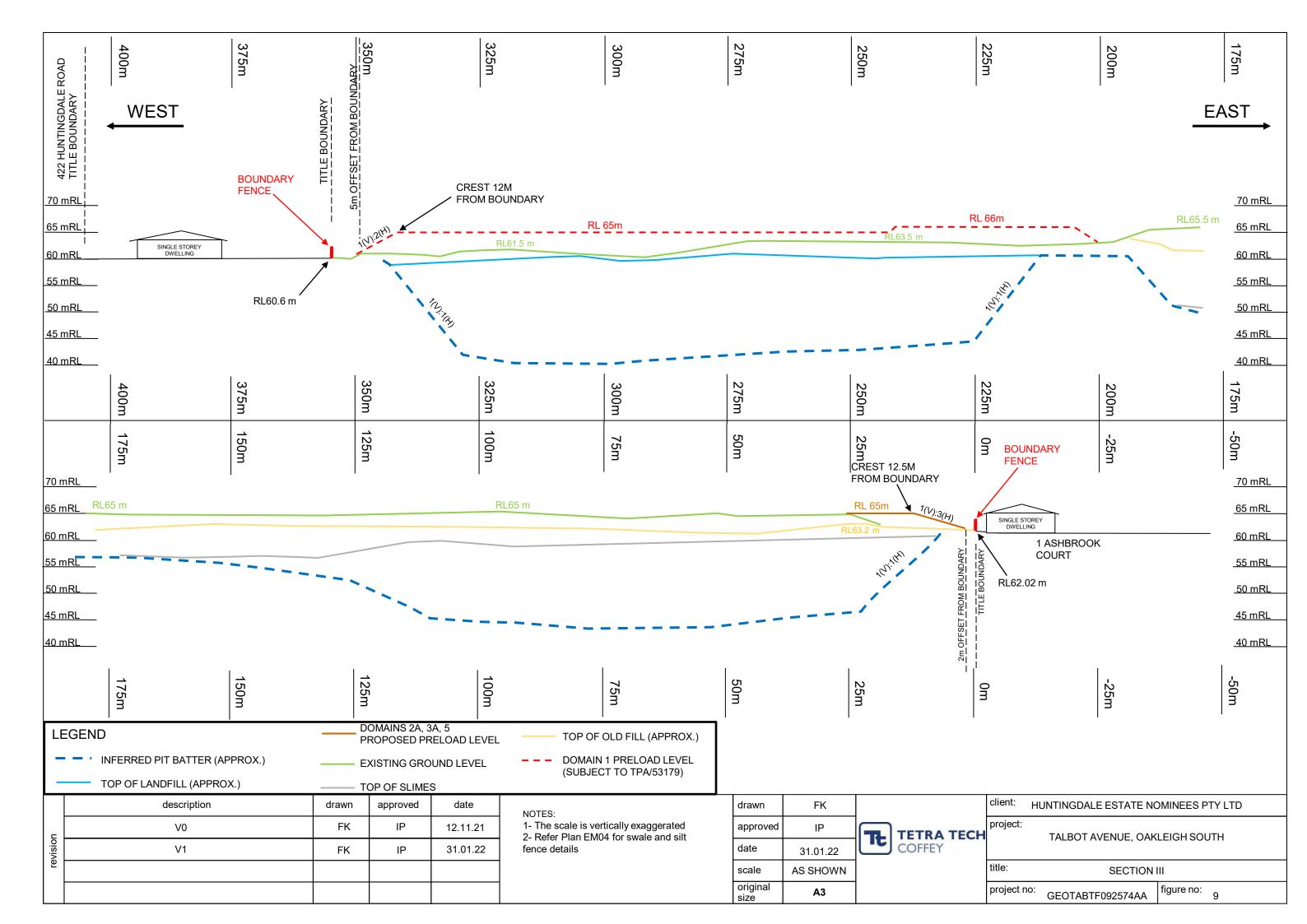
2. ALL SEDIMENT CONTROL DEVICES SHALL BE MONITORED CLEANED AS REQUIRED.

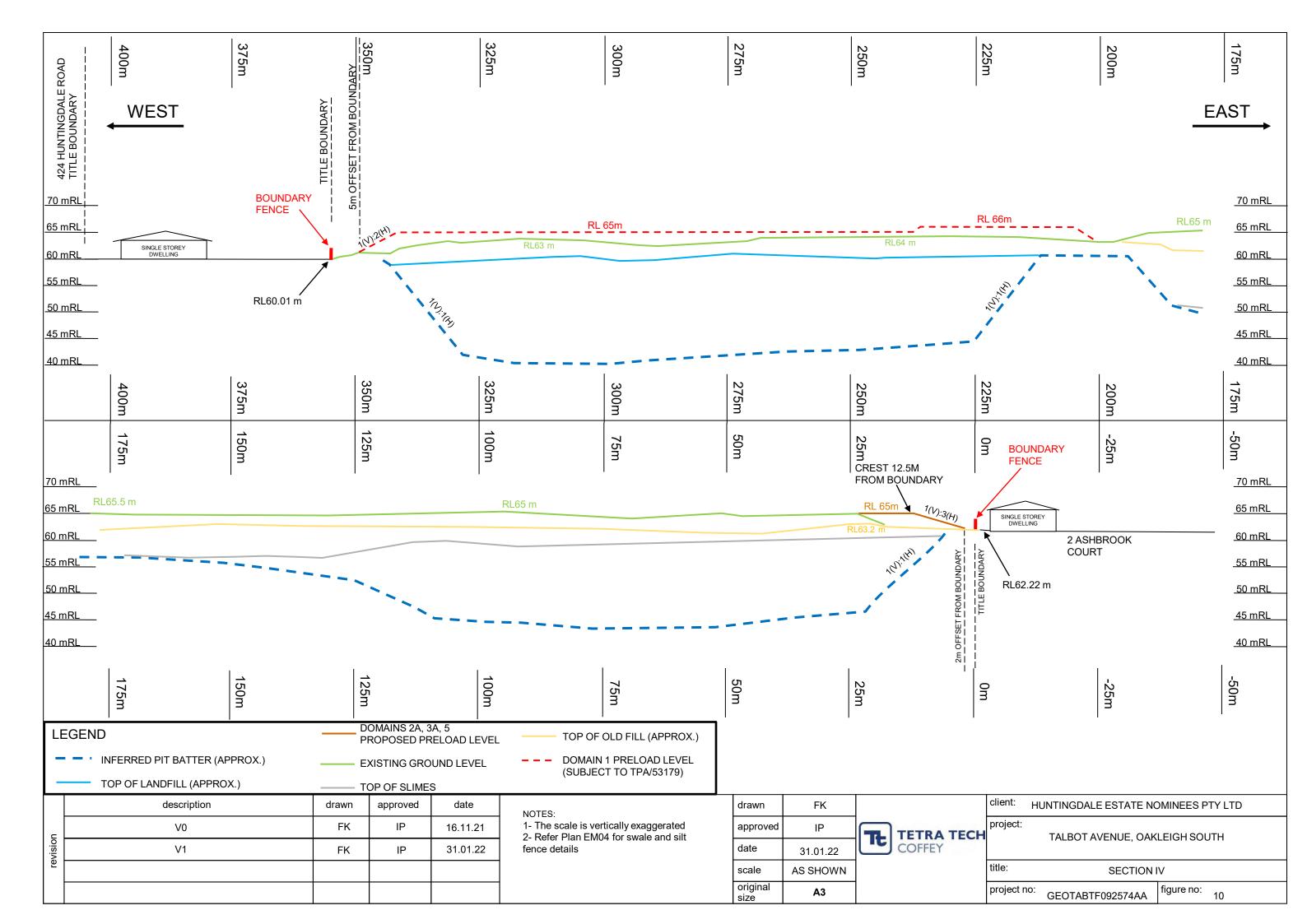


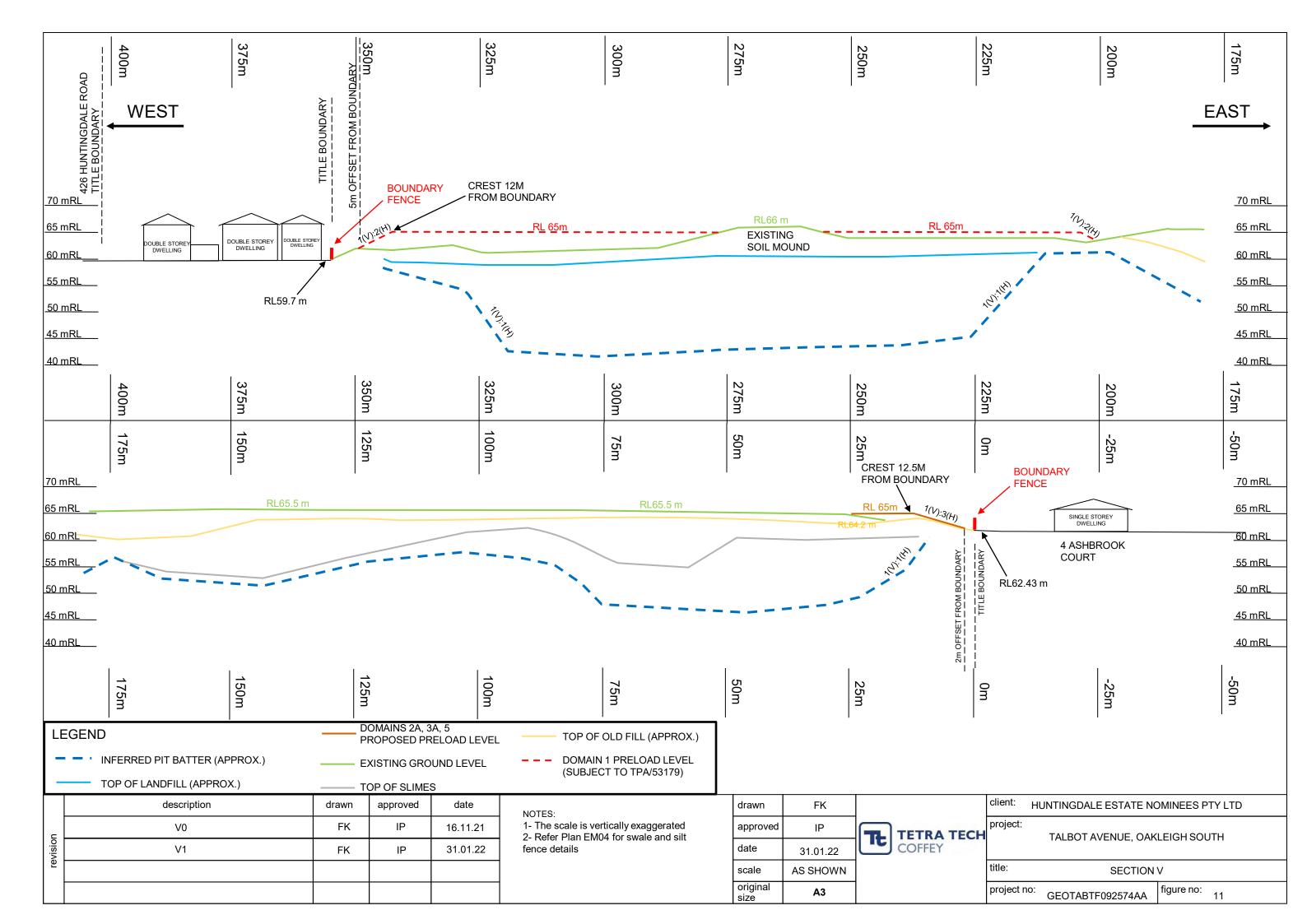


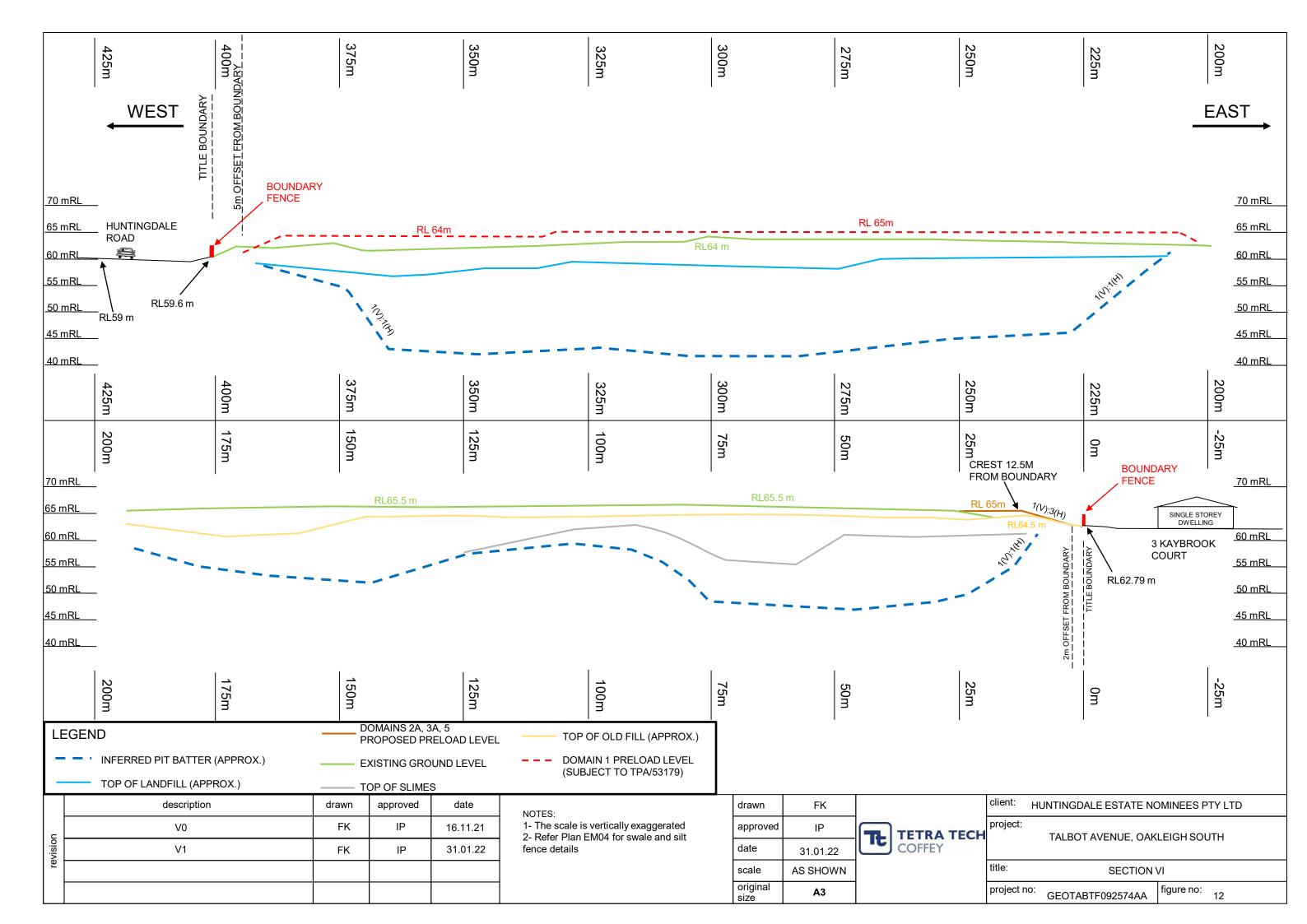


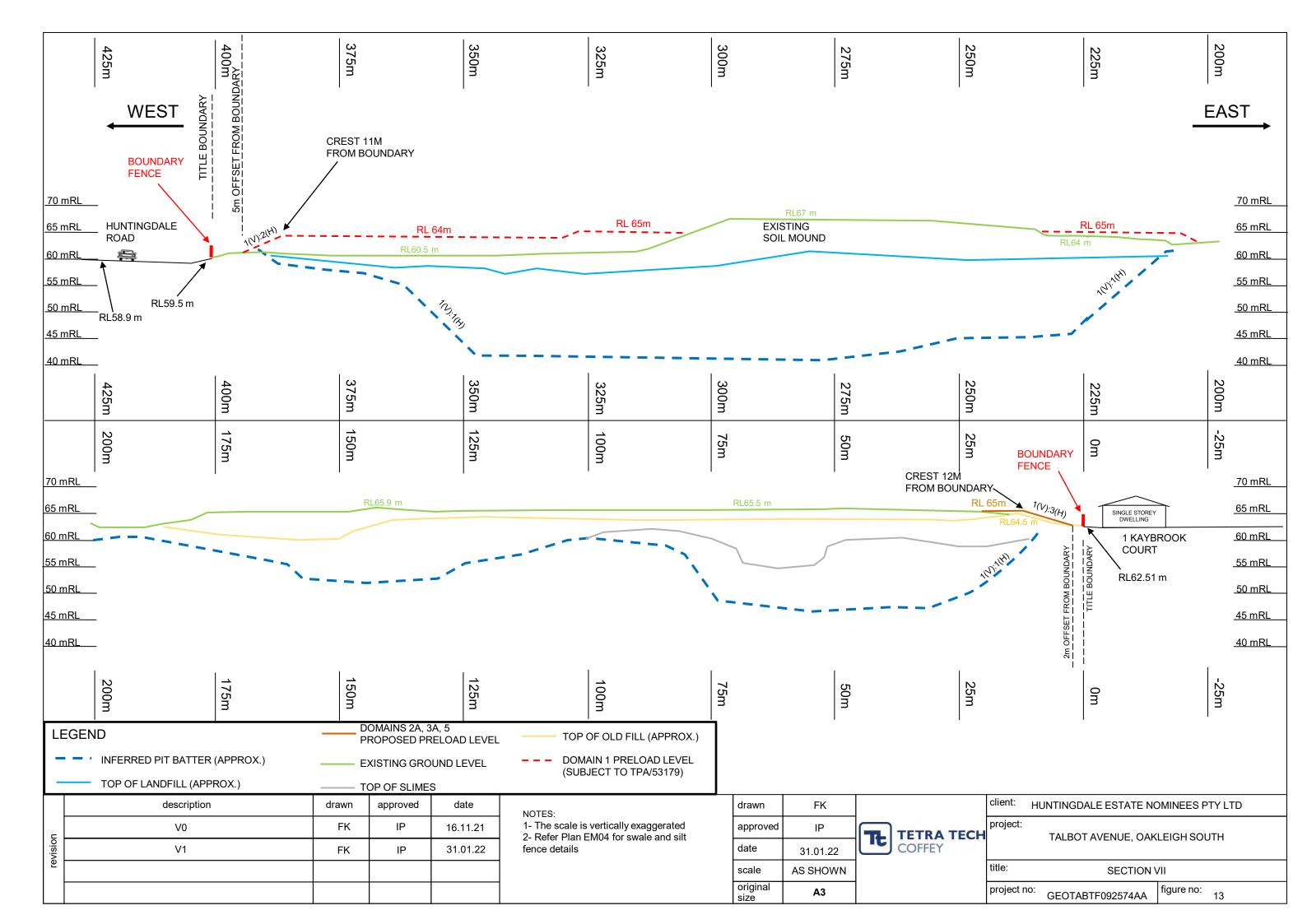


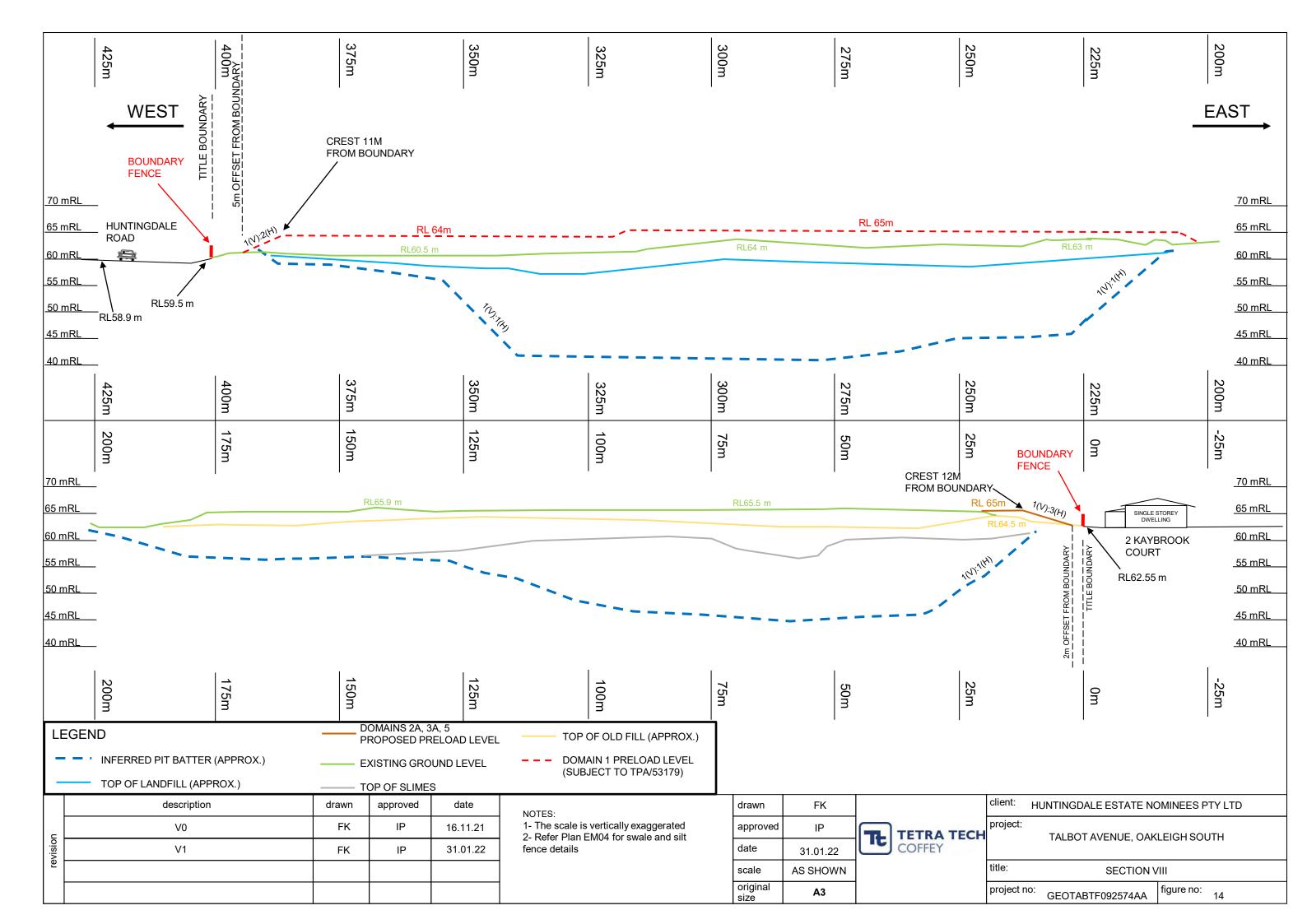


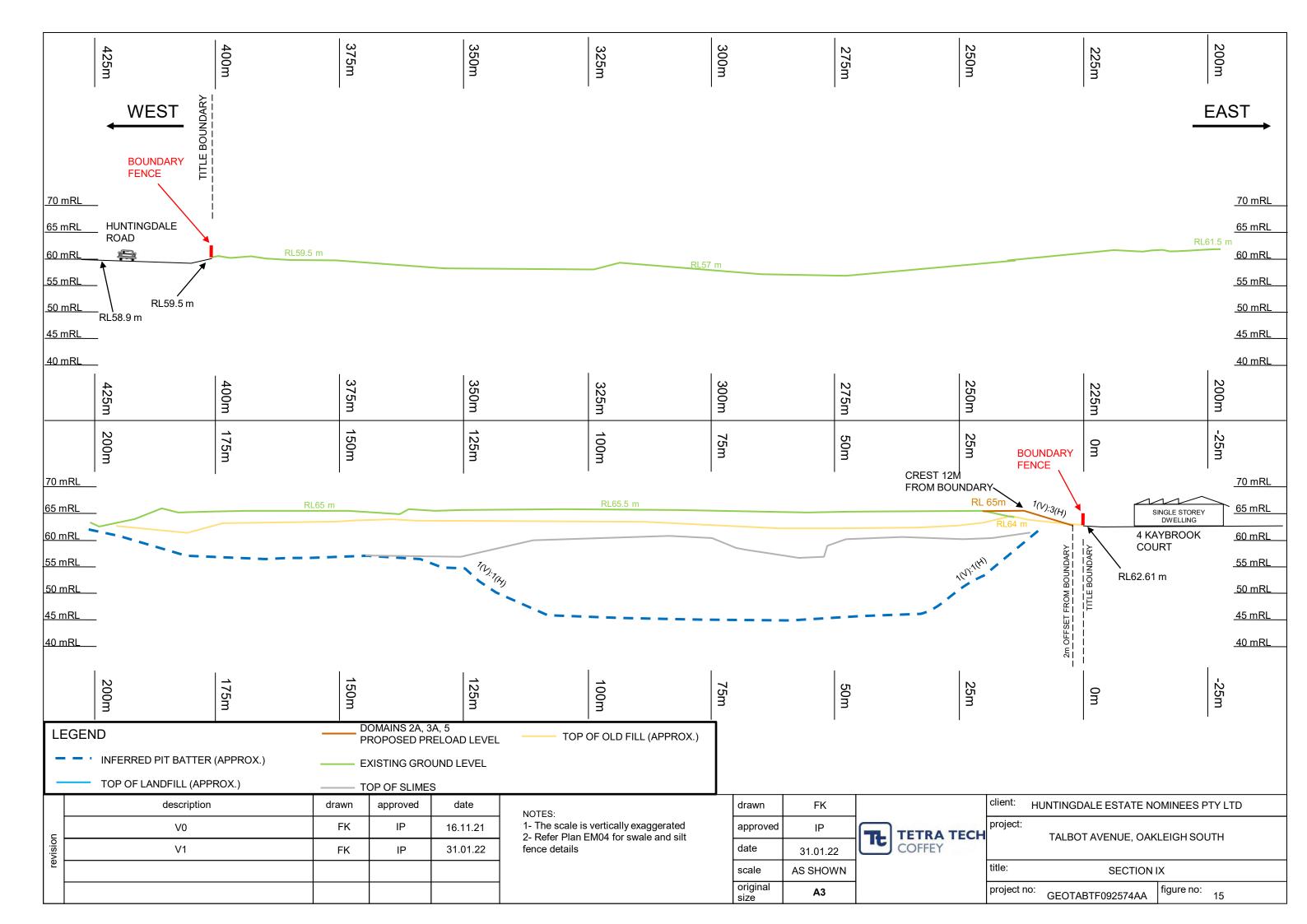


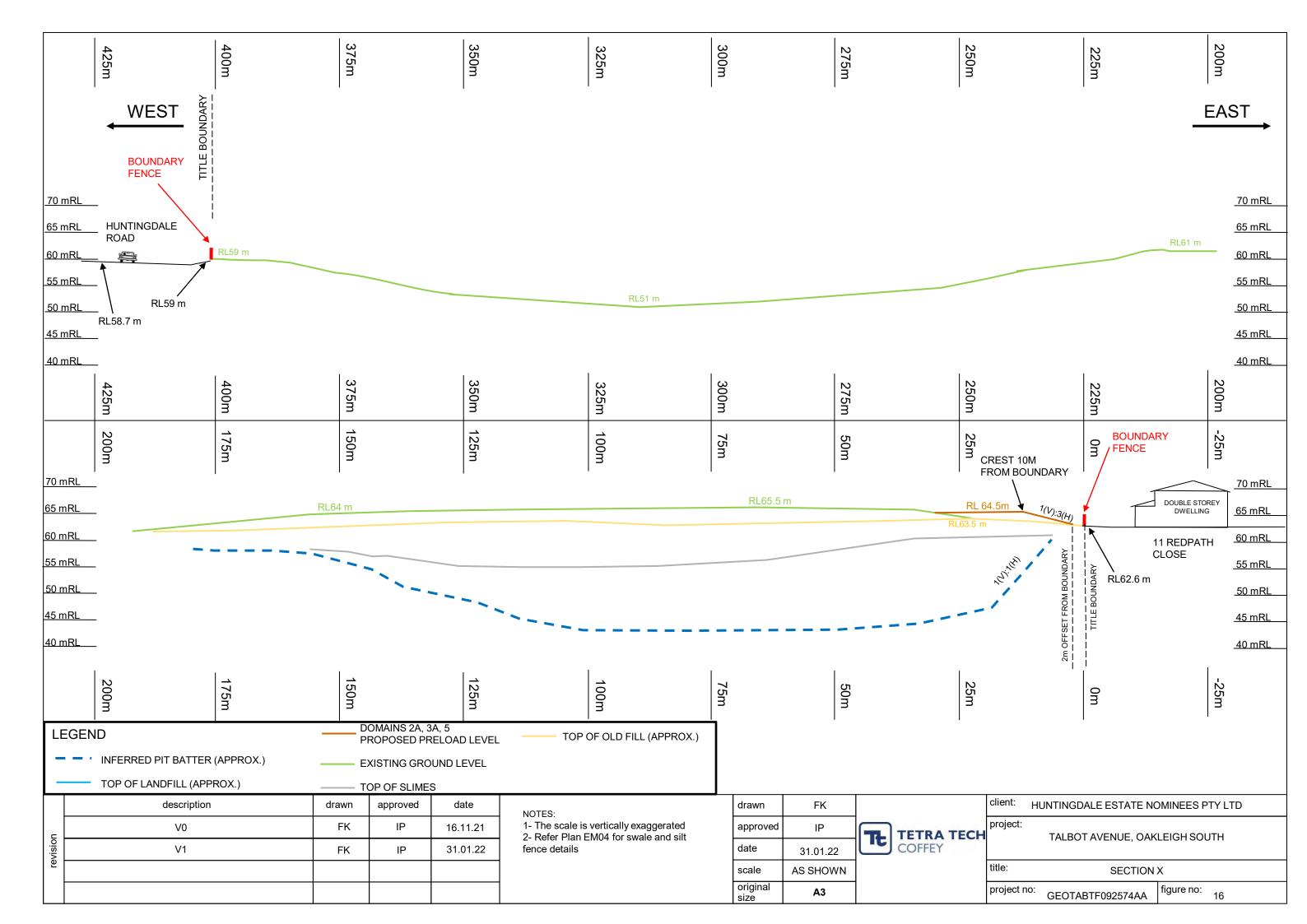


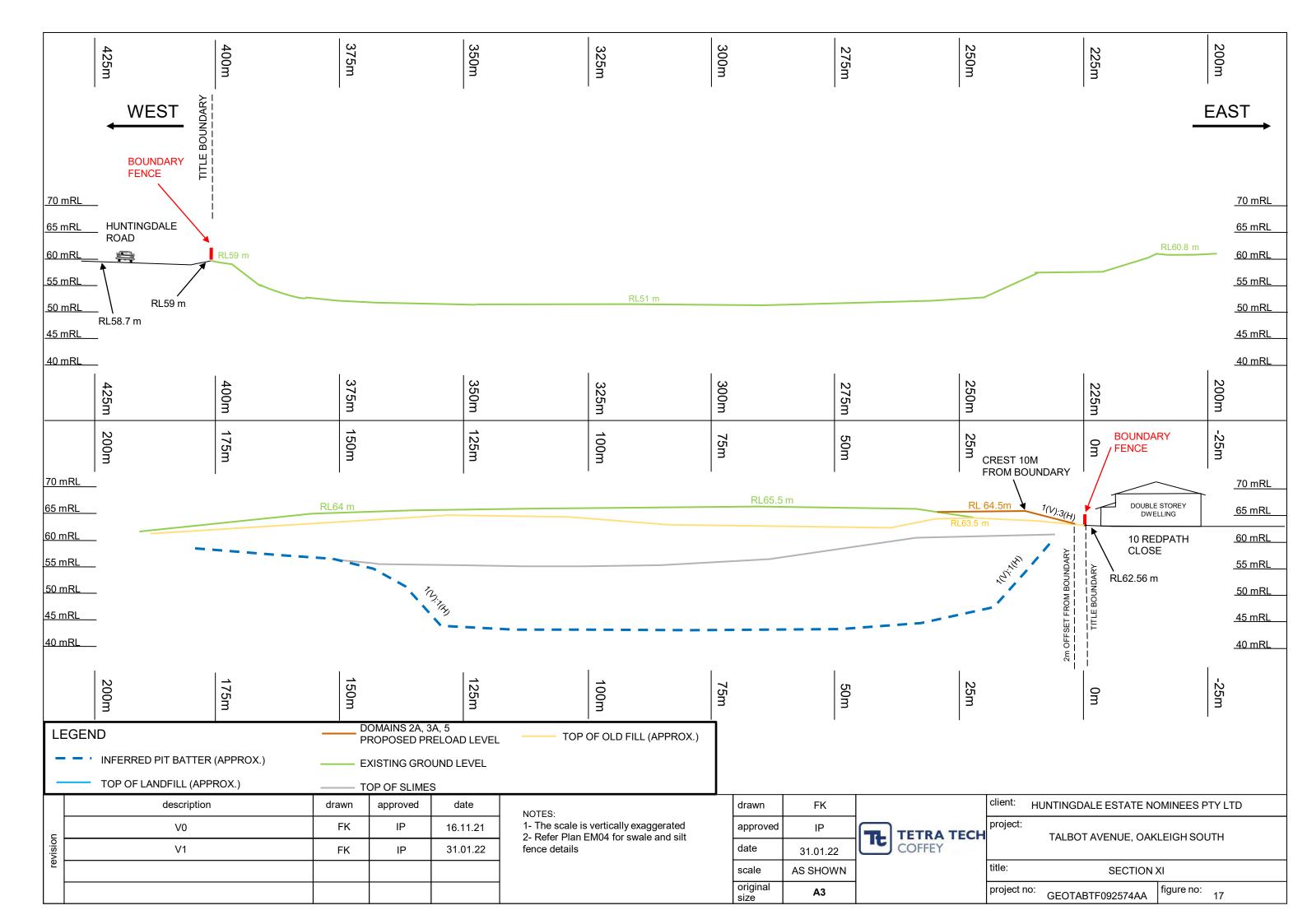


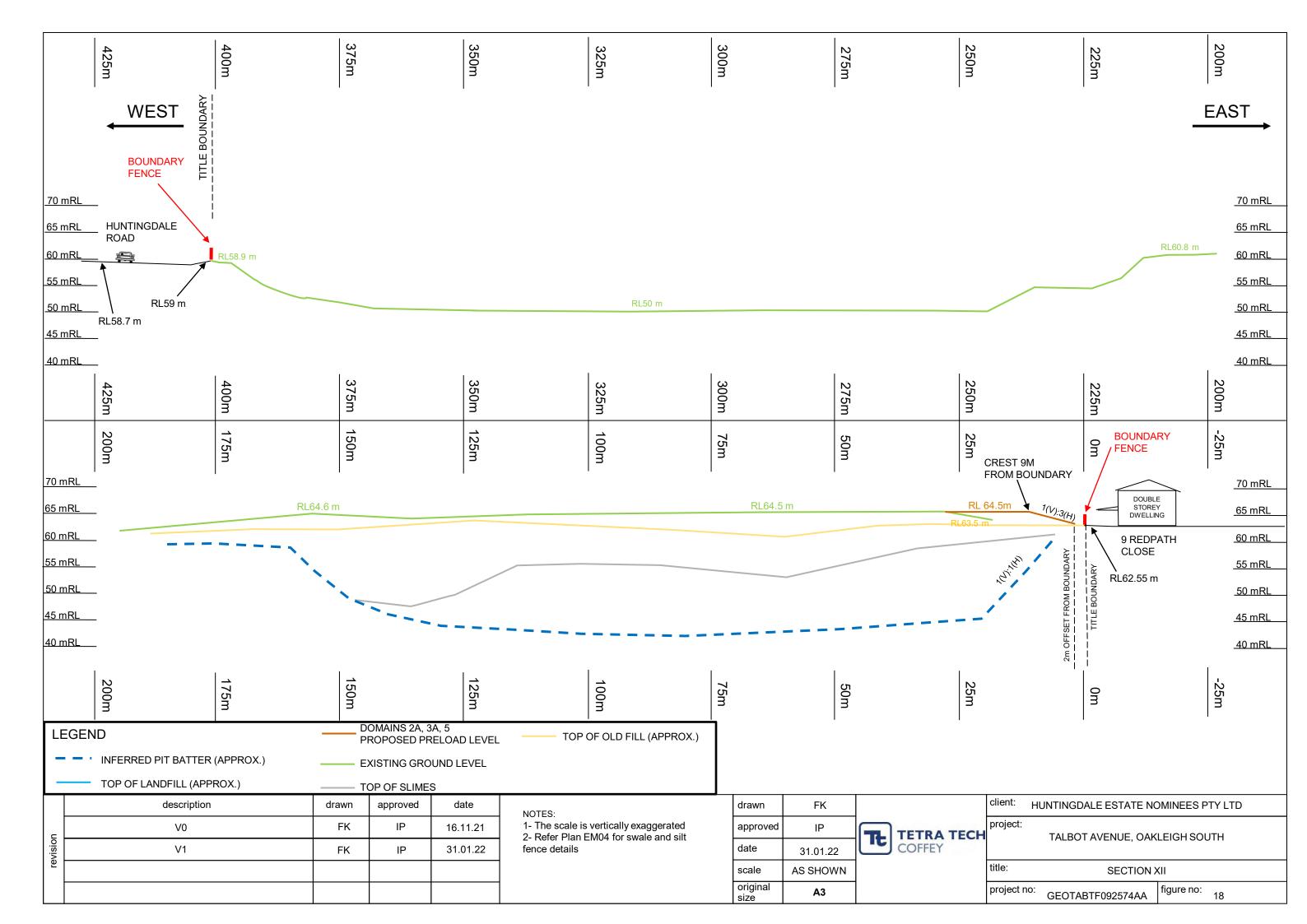


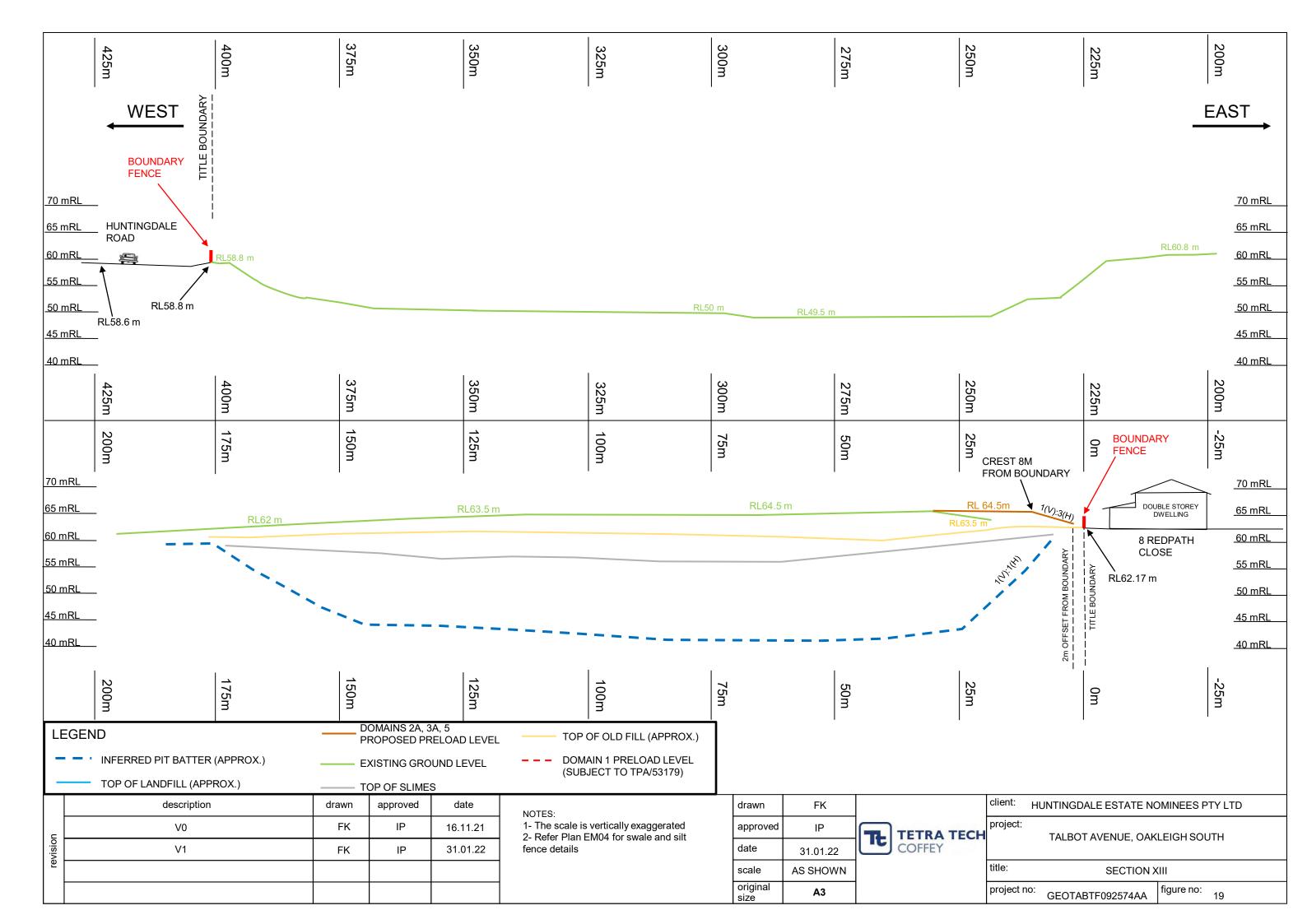


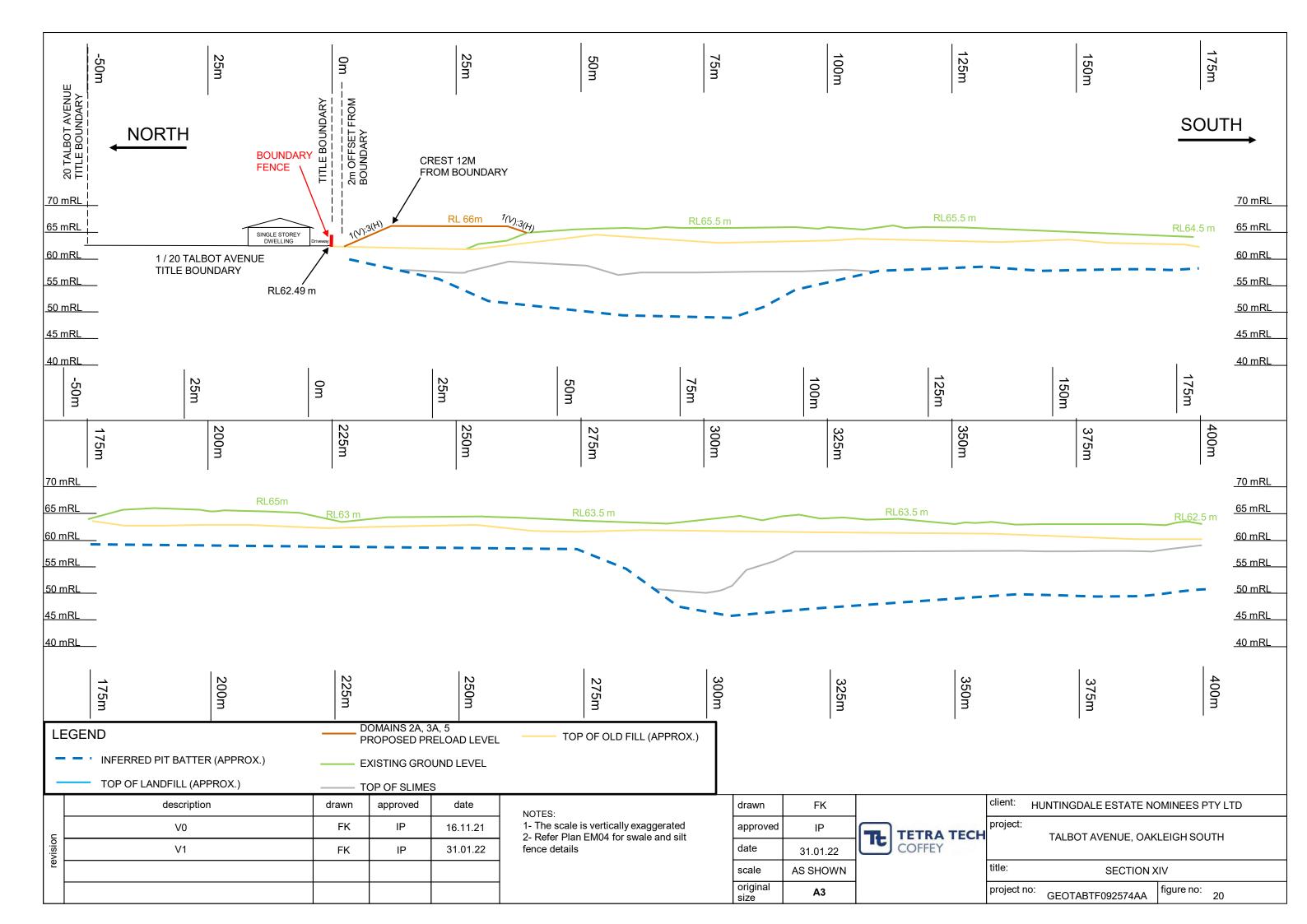


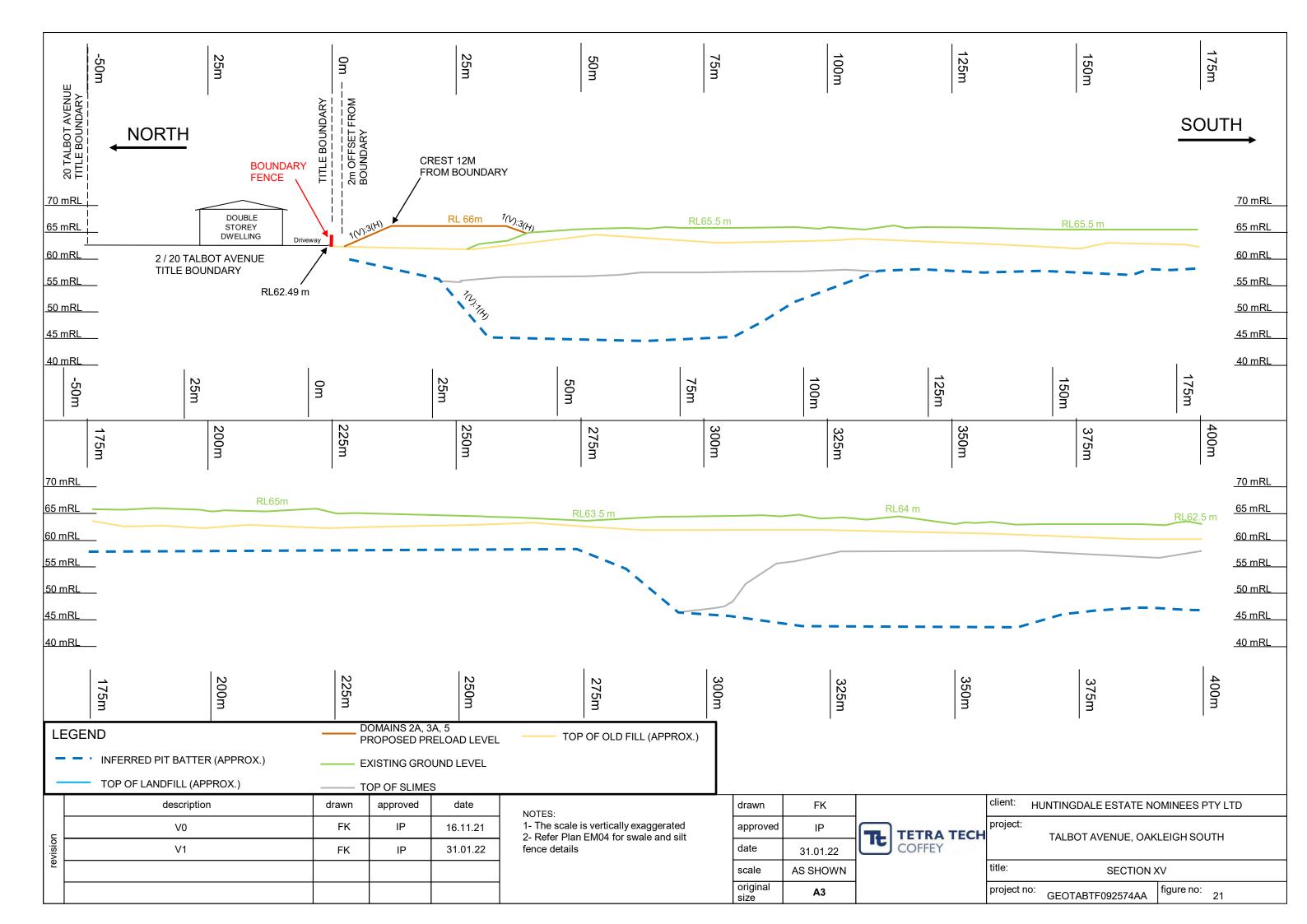


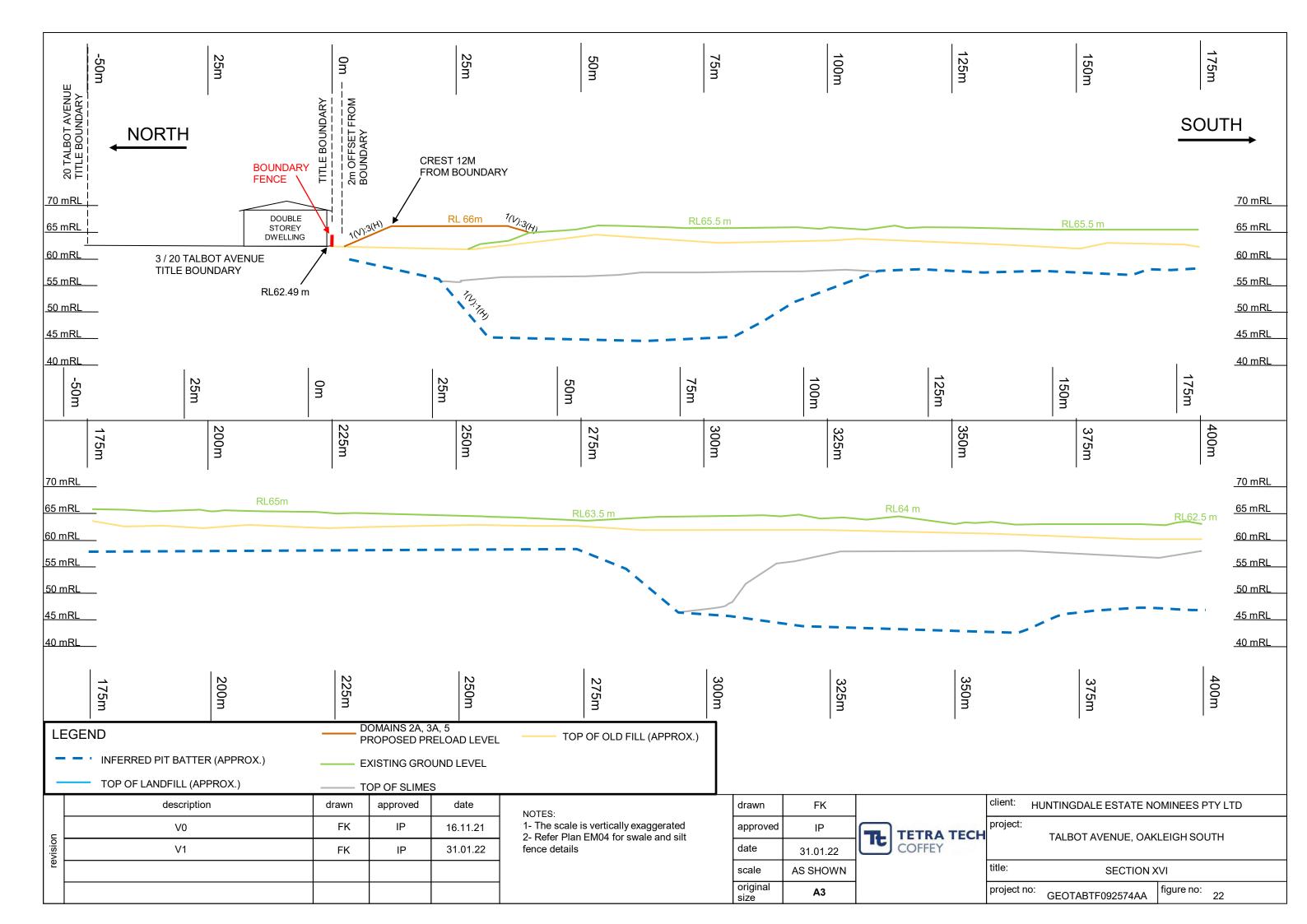


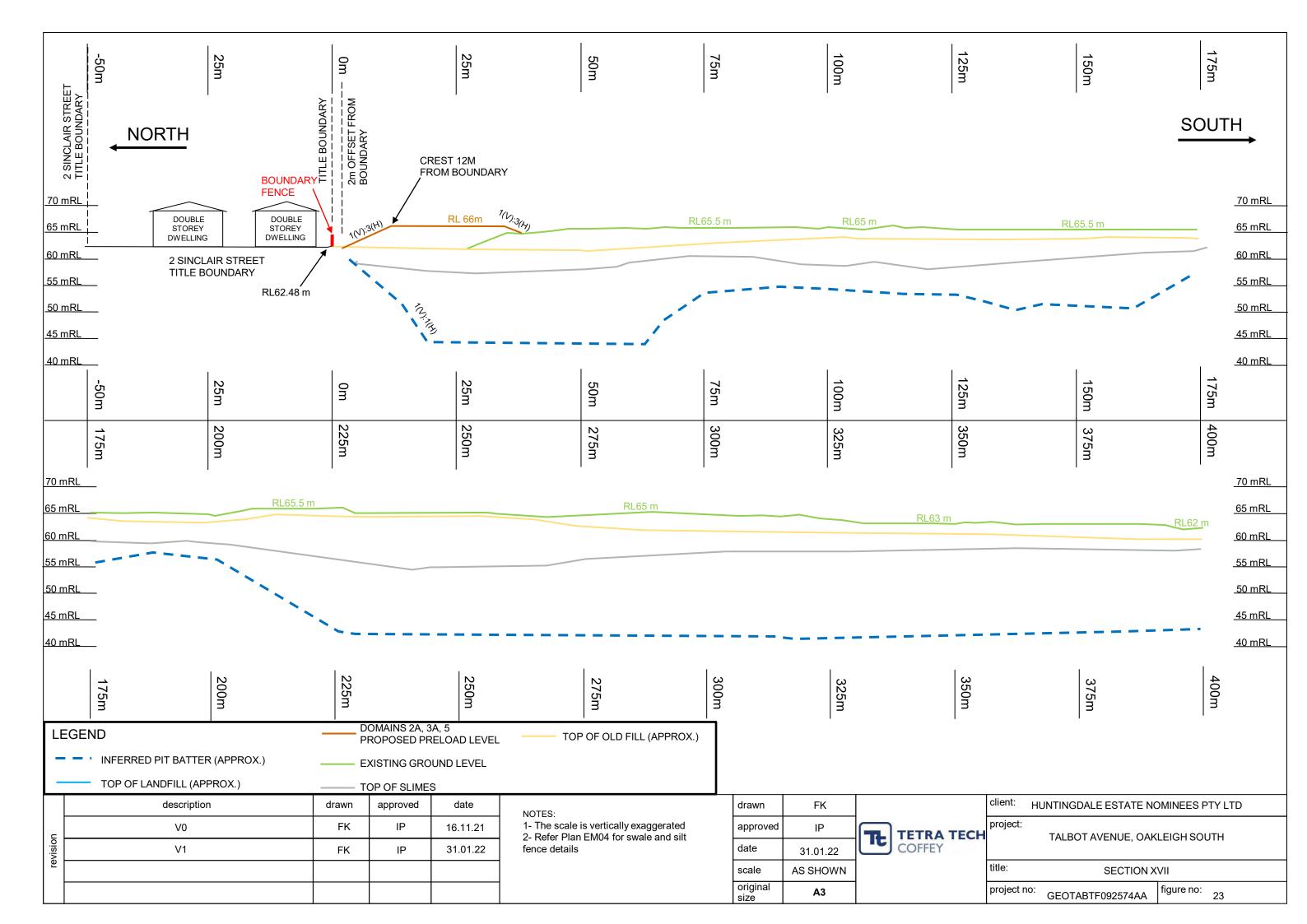


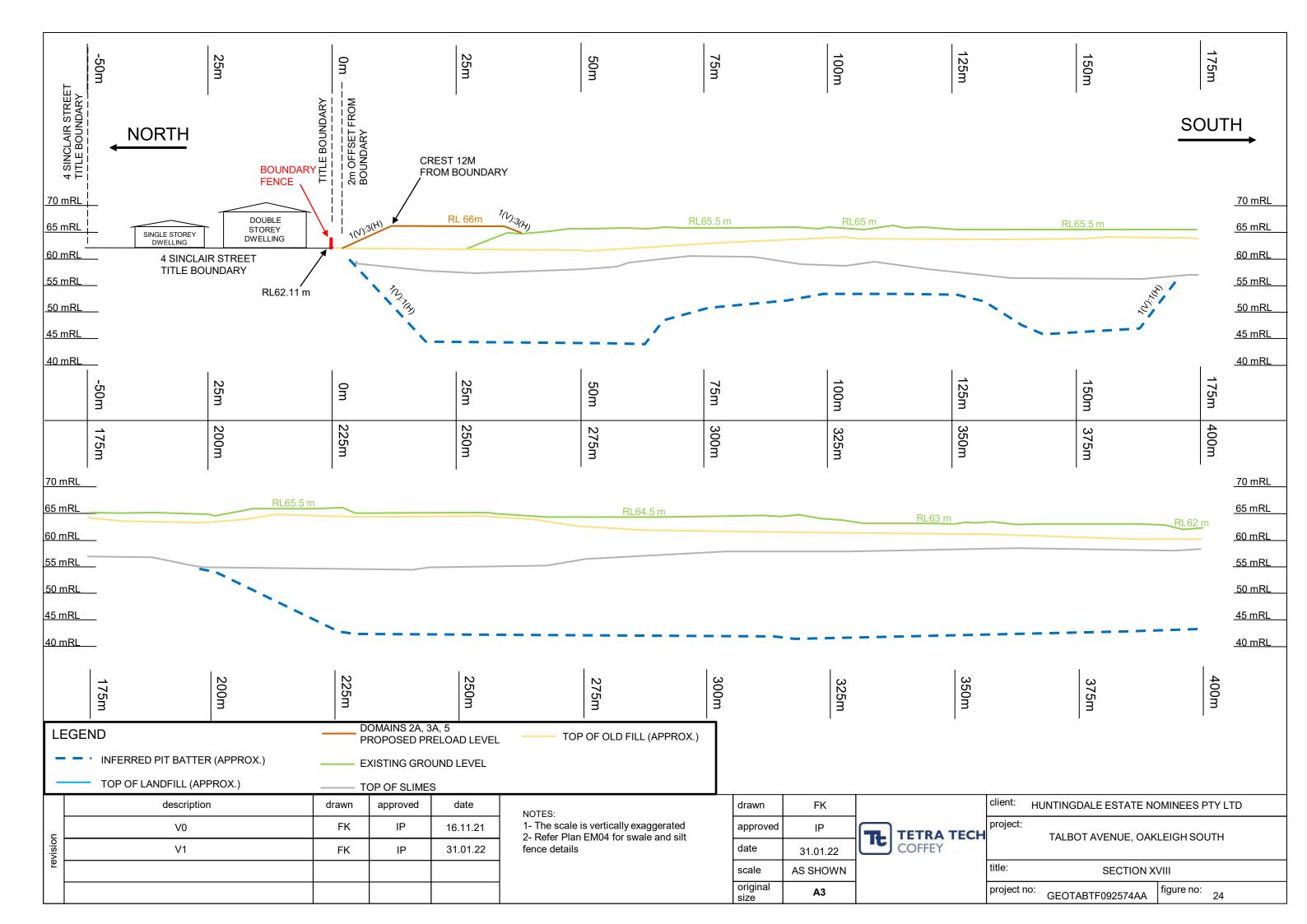


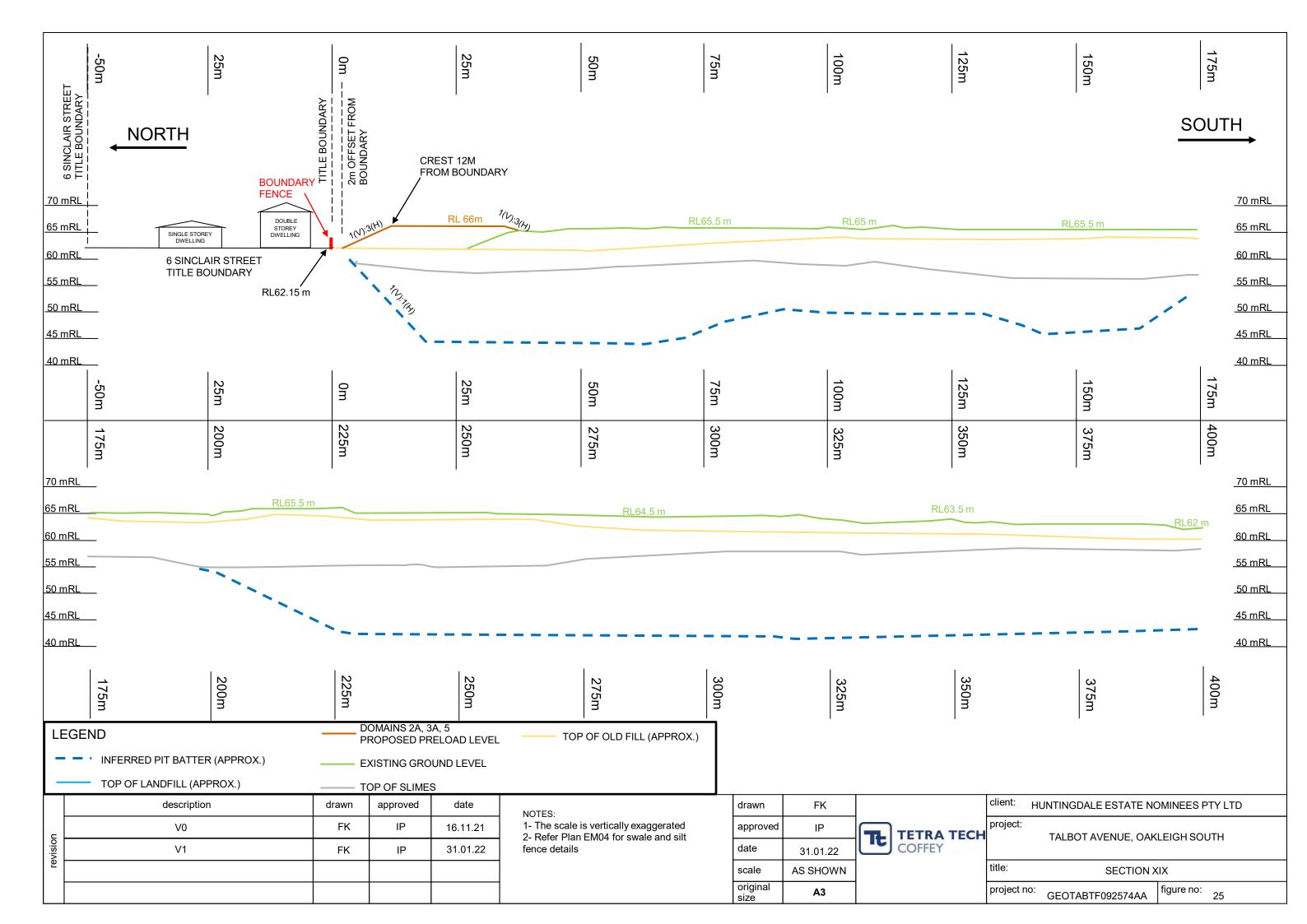


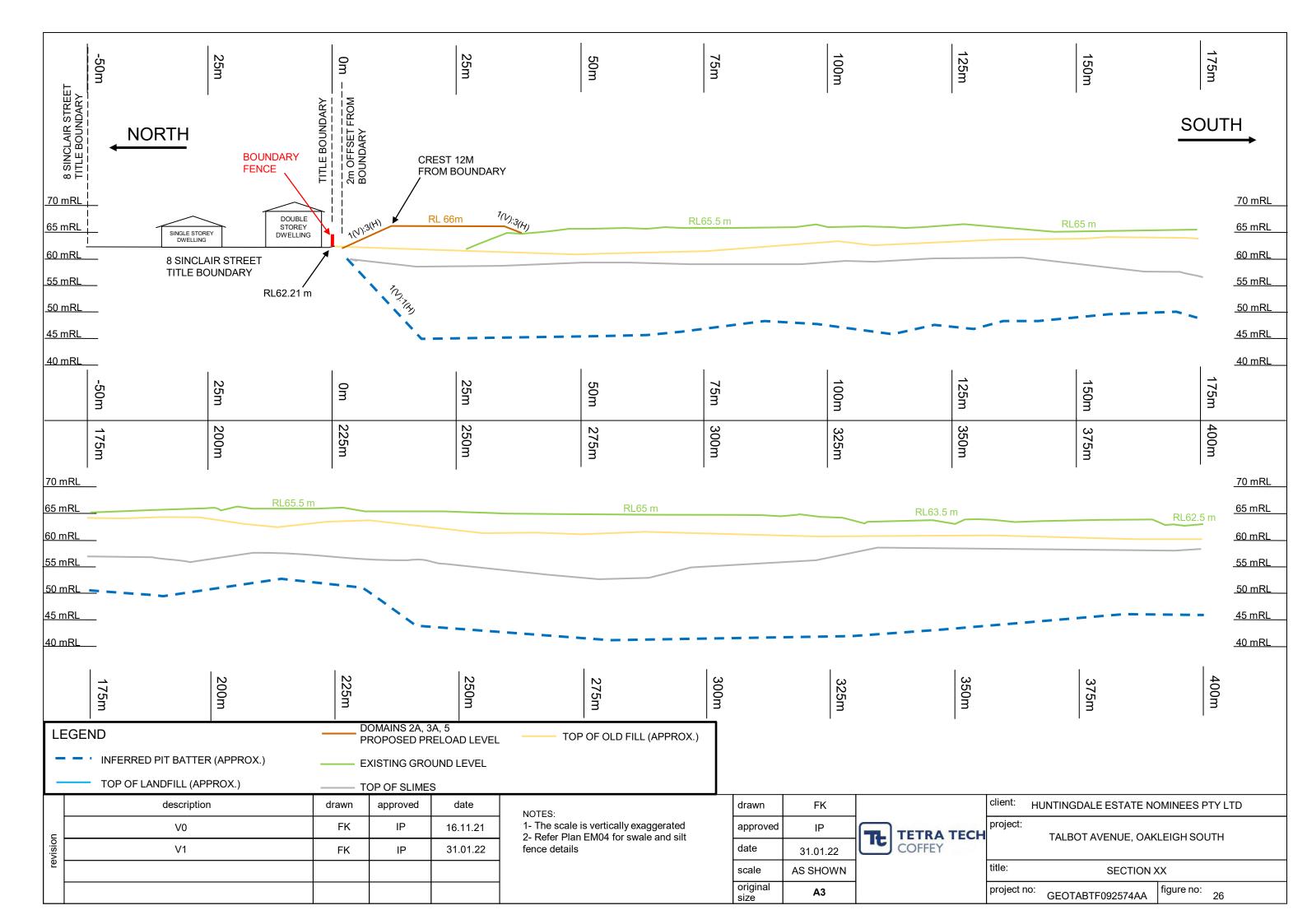


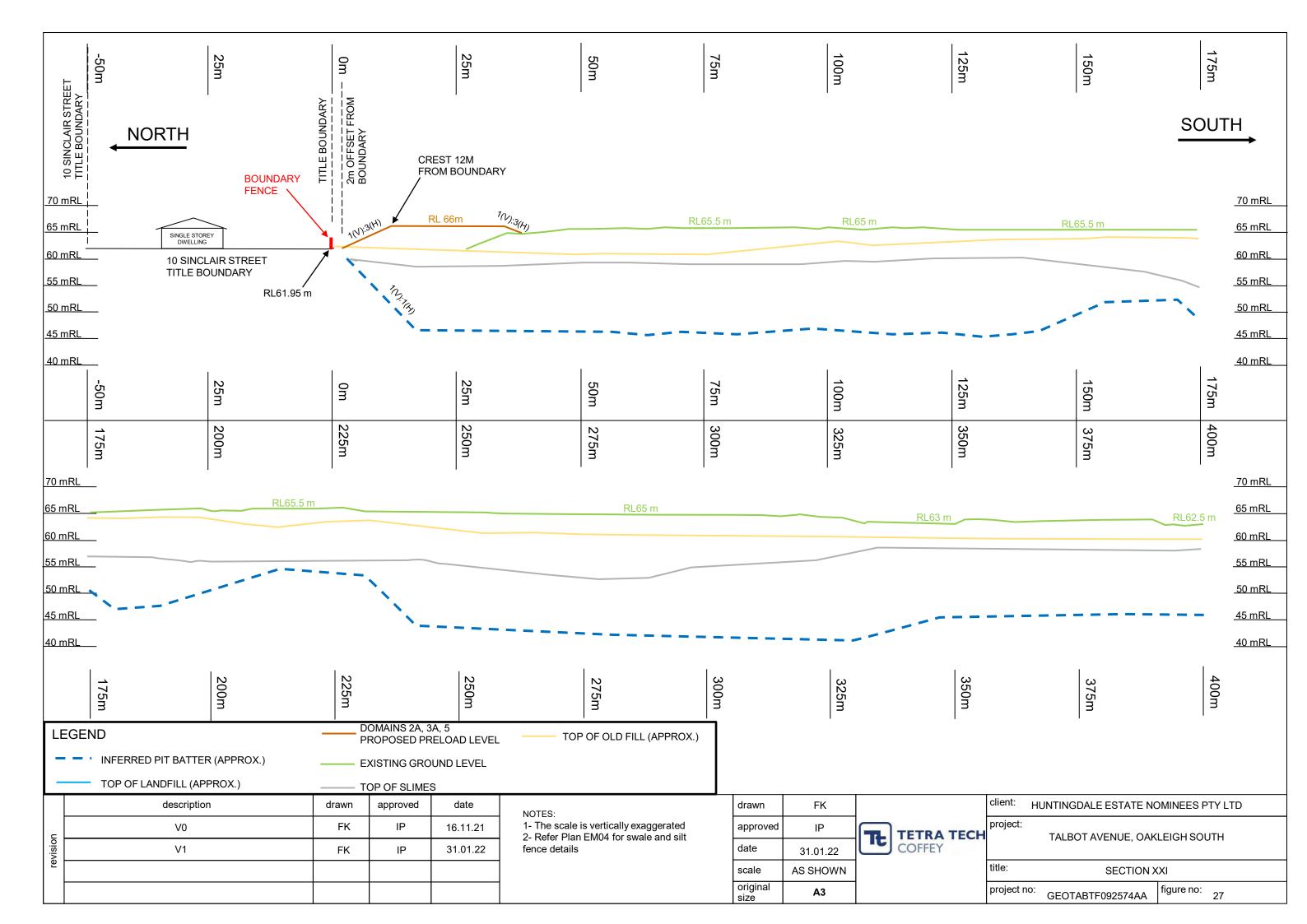


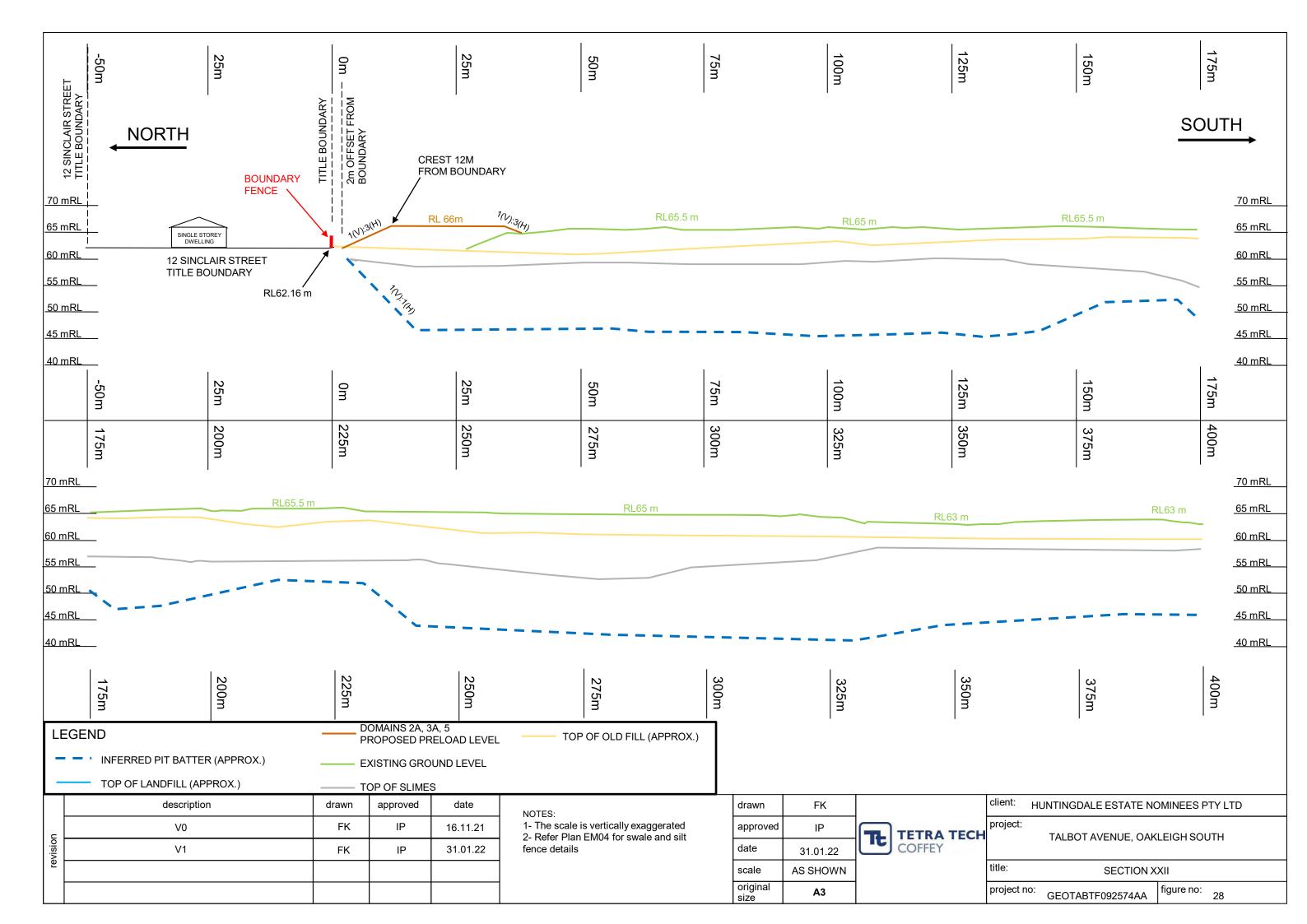


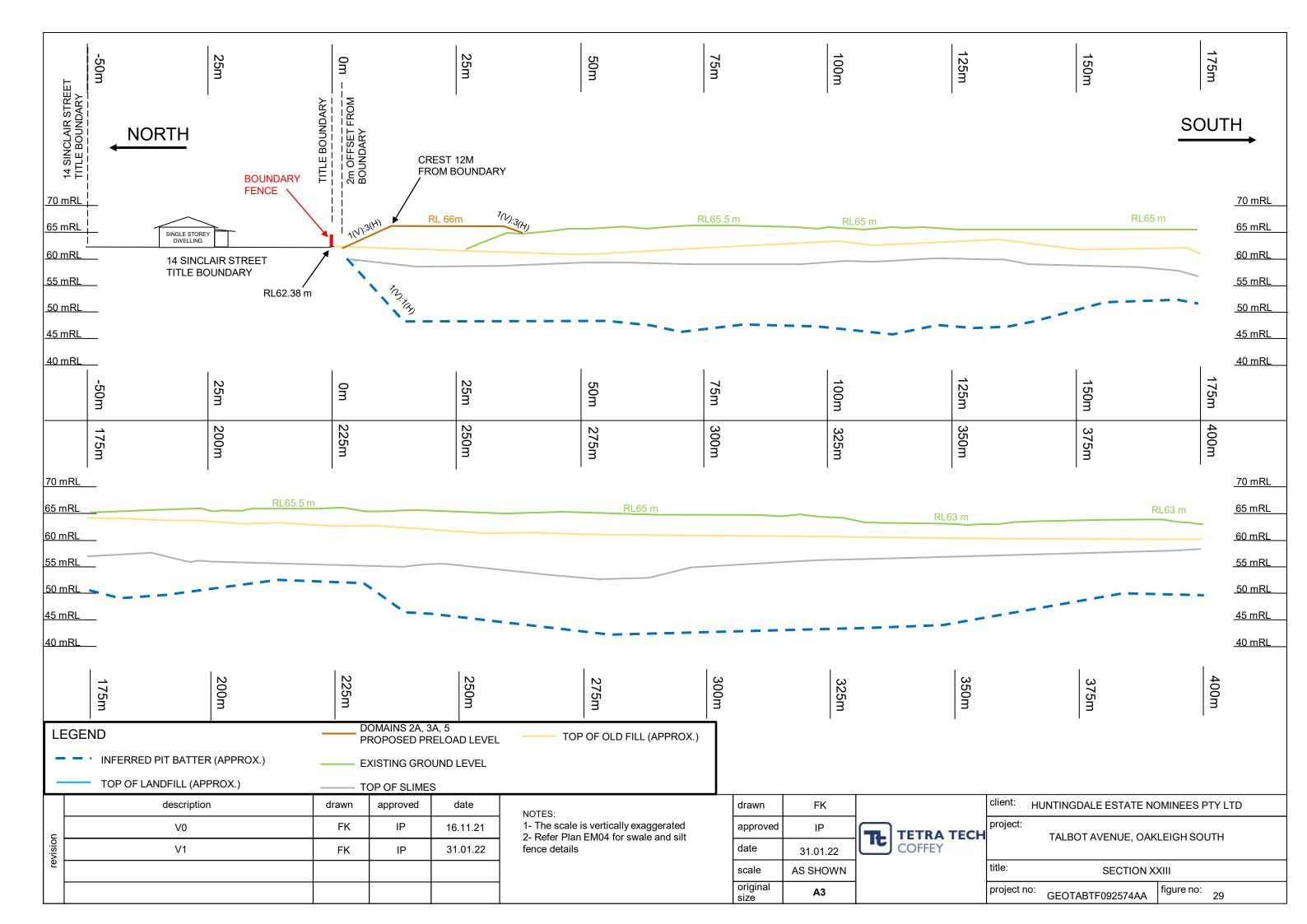


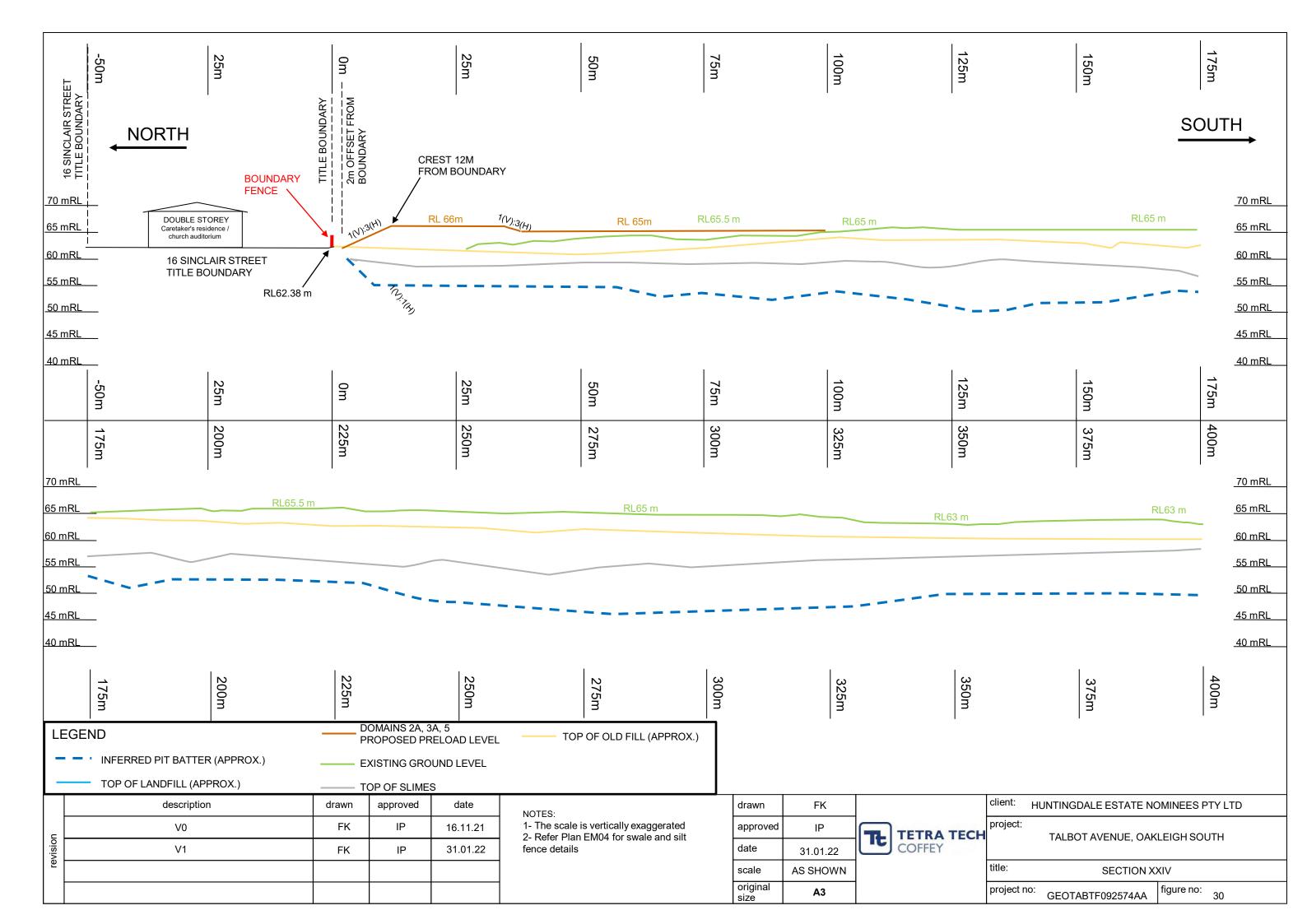


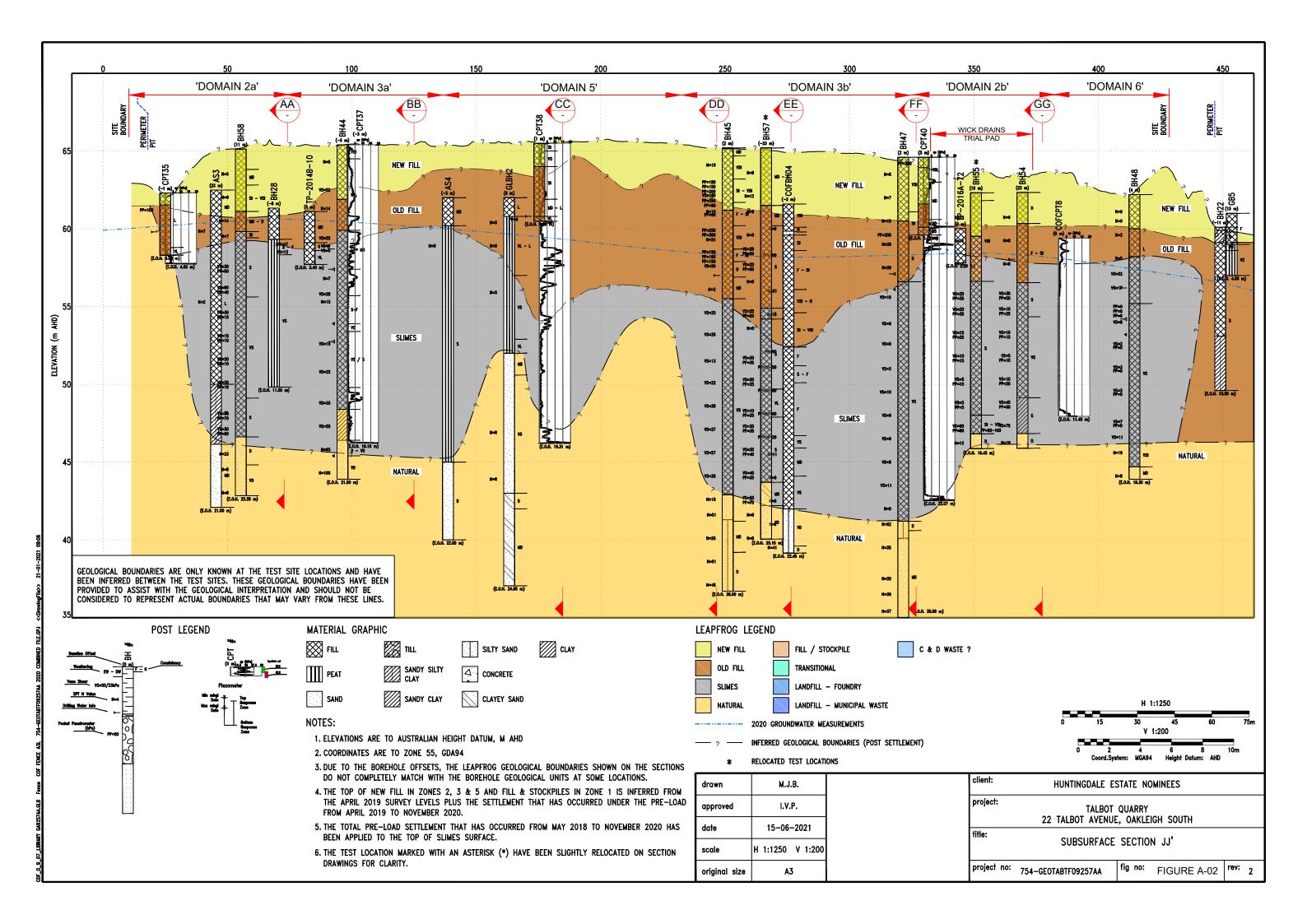




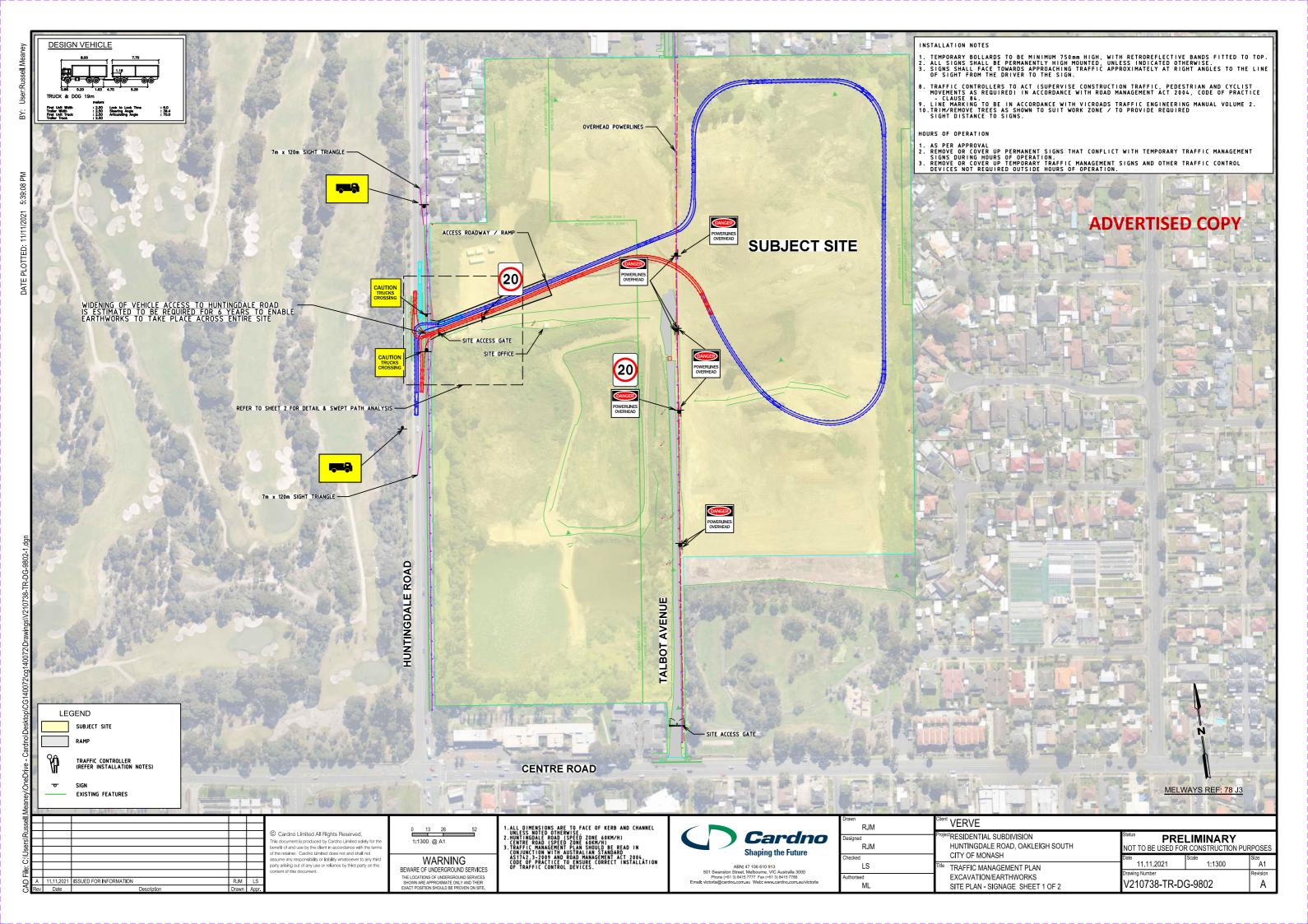


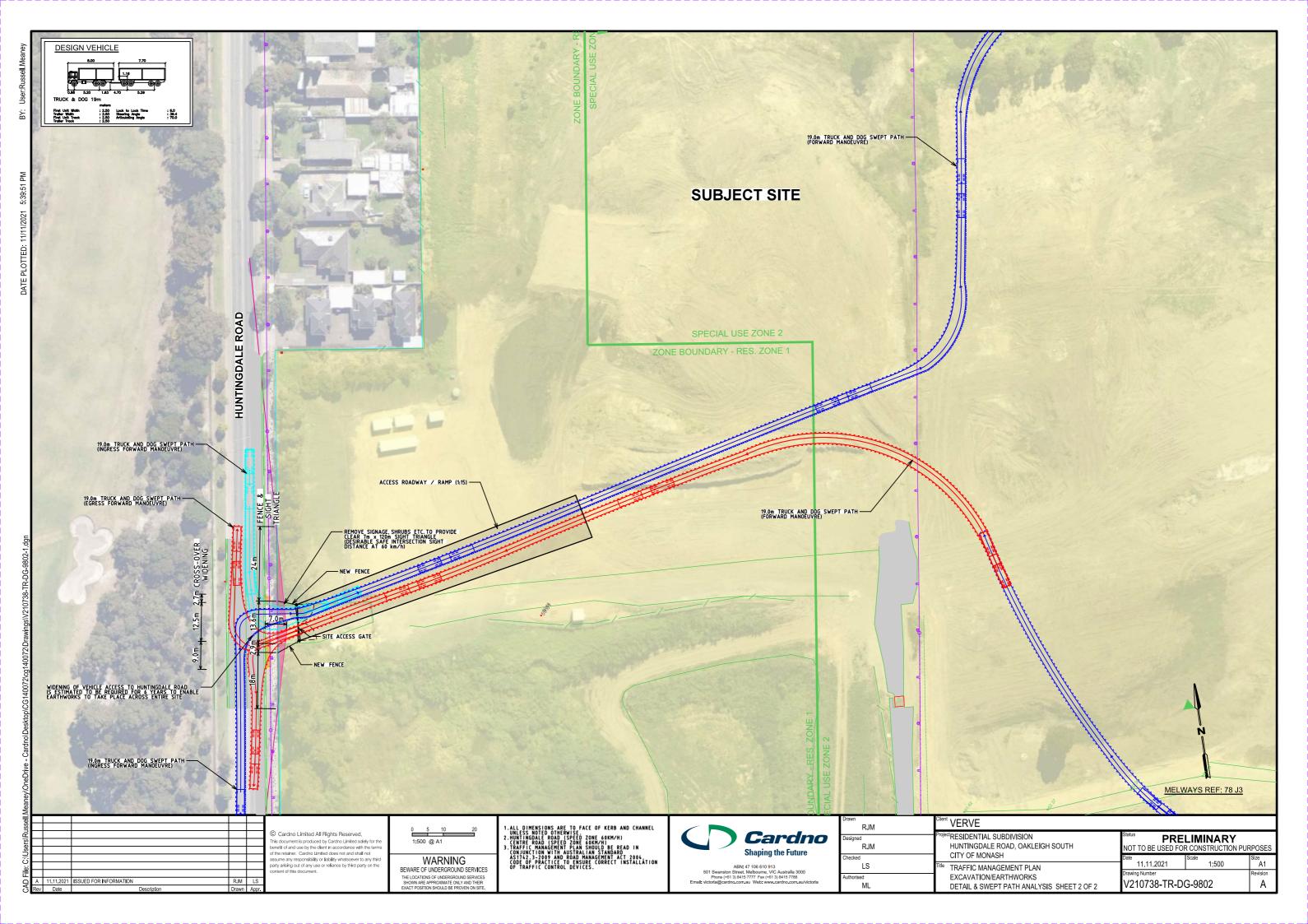










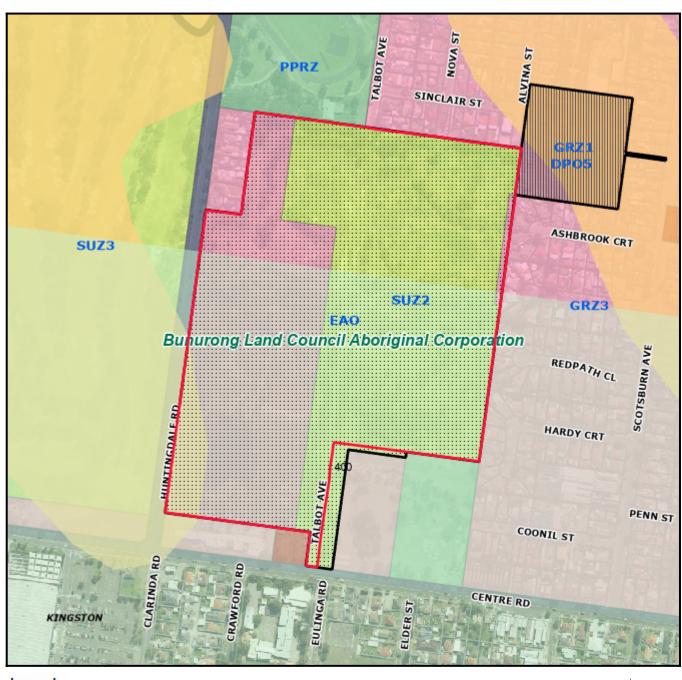


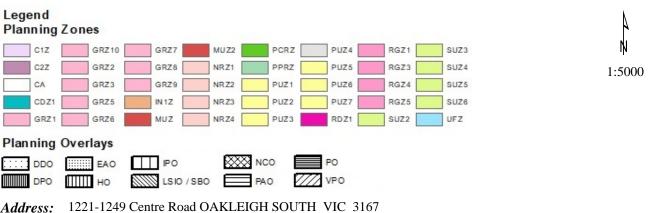
Attachment 2: 1221-1249 Centre Road, Oakleigh South





Planning Overlays and Zones

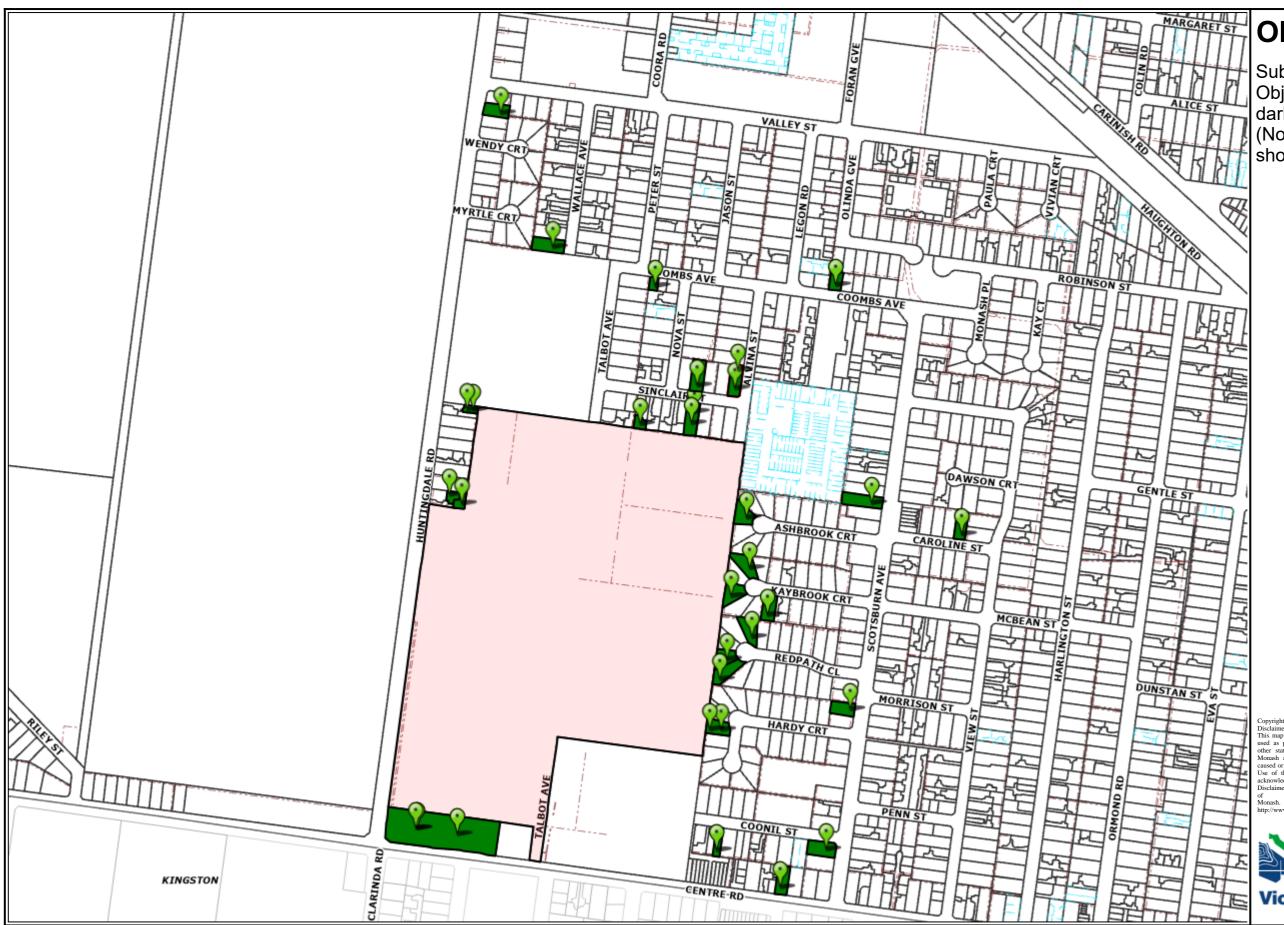




Address:

187190.00000 sqm Area:

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Objector Map

Subject land shaded light red.
Objector properties shaded
dark green and pinpointed.
(Not all objector properties
shown).

1:5000



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