

Anonymous, 3498

What do you think are the key environmental challenges which will impact the EPA in the future?

1. Growing Population, Changing demographics. More Hazardous materials will be identified.

What aspects of the EPA's work do you value and wish to preserve in the future?

2. All current policies, better staffing levels, Communication availability.

How can the EPA effectively work in partnership with other government agencies to meet the environmental challenges of the future?

3. Ensure that the other agency's Do don't have hidden agenda's with financial & other benefits to their gain. EG: pass poor reports including Lies & falsehoods, not declaring conflicts of interest. To get large businesses approvals Permits. Approved. As has happened in the past.

How can the EPA's role in safeguarding the community against the health impacts of pollution be clarified or strengthened?

4. By including small numbers of reporting Staff in remote areas outside the major city's EG: More than 300km's from Melbourne maybe in each major city outside this area This would allow faster response to complaints in these areas most of the time the problems are not there the next day. But still happen again later.

How could statutory frameworks more effectively prevent future environmental risks and land use conflicts?

This more controlled by legislation. May extensive pressure on governing body the day, as they are quite often influenced by business interests. May be this could be included in the constitution.

What role should the EPA play in emergency management?

6. Take Charge with Qualified Personal. Do not leave it to an unqualified person EG: dog catchers cleaning up Chemical spills.

How can the EPA better identify and, where necessary, address problems that are the result of past activity?

7. This would take a bit of research perhaps community surveys conducted By the EPA, Not Local government. As they don't mind covering up their previous sins.

What role should the EPA play in improving environmental outcomes beyond those necessary to safeguard human health?

9. It should include contamination to farming, Native flora & fauna, Waterways & the general environment.

What role should the EPA play in reducing greenhouse gas emissions?

10. Play hard with polluters

How do you see environmental justice being applied to the work of the EPA?

11. This is extremely important Some has to police environmental protection.

What can we adopt from other regulators and regulatory models to implement best-practice approaches and ensure that the EPA can rise to key future challenges?

12. Basically keep your hand on the pulse, utilise any resources available. Try to get legislation from government to help.

Are there any other issues relevant to the Terms of Reference that you would like to raise?

13. I see pollution nearly every day from industries near my house the local council will not deal with it. Rules don't apply to them. The council claim that we have to live with it. They don't have any air quality testing gear & don't intend getting any, as they use these product nearly every day. A number of locals have now developed health issues.

What can the EPA do to avoid potential future problems?

8. Apart from the crystal ball. Perhaps more patrolling new & existing industries. Have an open hotline where people may report suspicious activity, (this may already exist), this number should be displayed in the emergency section of the white pages.

13.9 BUILDINGS AND WORKS (INSTALLATION OF A NEW BATCHING PLANT) AND 24 HOUR OPERATION - 768 TWENTIETH STREET IRYMPLE, BENETOOK AVENUE IRYMPLE

File Number: P94/041
Officer: General Manager Development

1. Summary

Date Received:	4 September 2014
Subject Property:	768 Twentieth Street IRYMPLE, Benetook Avenue IRYMPLE (Lot: 2 Sec: 114 Blk: F TP: 188331L, Lot: 1 Sec: 114 Blk: F TP: 188331L, Lot: 1 Sec: 114 Blk: F TP: 430205U)
Proposed Use/Development:	Buildings and works (installation of a new batching plant) and 24 hour operation
Zone:	Industrial 1 Zone
Overlays:	Design and Development Overlay Schedule 4 Design and Development Overlay Schedule 8
Applicant:	Fulton Hogan Industries Pty Ltd
Application Triggers:	Clause 33.01 Building and works
Relevant Provisions:	Clause 13.03 Soil Degradation Clause 13.04 Noise Abatement Clause 21.08 Industry Clause 33.01 Industrial 1 Zone Clause 42.01 Environmental Significance Overlay Clause 43.02 Design and Development Overlay Clause 52.10 Uses with adverse amenity impact Clause 65 Decision Guidelines Clause 66 Referral and Notice provisions
Objections Received	16

Planning Permit P41/94 was issued on 13 September 1994 by the former Shire of Mildura for the *“Manufacture of Asphalt for Roadmaking Purposes in an Existing Asphalt Plant in the Rural A Zone”*.

Condition 8 of the permit states as follows:

No process of:

- (i) asphalt batching*
- (ii) stockpiling*
- (iii) delivery to the site of aggregate, sand or bitumen, or*
- (iv) removal from the site of asphalt*
- (v) maintenance to or the operation of plant*

shall be carried out except between the hours of 7.00 am and 6.00 pm, Monday to Friday inclusive, (excluding public holidays) with the exception of the 24 hour operation of a mobile asphalt plant associated with the Mildura Airport Upgrade Project which may continue from 9 February 2009 to 30 June 2009.

The applicant has requested changes to the permit to allow 24 hour operation of the asphalt plant in order to again cater for the upgrade of the Mildura Airport, which is anticipated in the future.

As well, the applicant is proposing to replace the existing asphalt plant with a newer model. The new plant will be capable of producing 100 tonnes per hour in comparison to the current production rate of 20 tonnes per hour allowing the plant to reduce their overall operating hours.

The new plant would be subject to the issuing of a works order by the EPA prior to commencing operation.

All existing amenity conditions will remain on the permit.

Council has received 16 objections to date. The key issues that were raised in the objections are:

- the granting of the permit would allow business to operate 24/7 and increase noise, odour and emissions;
- safety of children with a potential increase in truck movements at the intersection of Twentieth Street and Benetook Avenue;
- smoke and dust emitting from the site; and
- health issues in relation to emissions.

A consultation meeting was held between the applicant and objectors on 2 December 2014 however no resolution could be reached in regard to objector concerns. Following the meeting, Fulton Hogan provided additional information to address the issues raised at the meeting. This information has been circulated to all objectors and councillors for their information and a full summary is contained in the attached report.

2. Recommendation

That Council:

- i. amend the description of what the permit allows to include buildings and works (installation of a new batching plant).**
- ii. amend Condition 8 which currently reads:**

No process of:

- (i) asphalt batching**
- (ii) stockpiling**
- (iii) delivery to the site of aggregate, sand or bitumen, or**
- (iv) removal from the site of asphalt**
- (v) maintenance to or the operation of plant**

shall be carried out except between the hours of 7.00 am and 6.00 pm, Monday to Friday inclusive, (excluding public holidays) and 7.00 am and 1.00 pm Saturday, (excluding public holidays) with the exception of the 24 hour operation of a mobile asphalt plant associated with the Mildura Airport Upgrade Project, which may continue from 9 February 2009 until 30 June 2009”, to an amended condition which will now read;

No process of:

- (i) asphalt batching
- (ii) stockpiling
- (iii) delivery to the site of aggregate, sand or bitumen, or
- (iv) removal from the site of asphalt
- (v) maintenance to or the operation of plant

shall be carried out except between the hours of 6.00 am and 6.00 pm, Monday to Friday inclusive, (excluding public holidays) and 7.00 am and 1.00 pm Saturday, (excluding public holidays), without the prior written consent of the responsible authority. Prior to any consent being granted the applicant will be required to notify adjoining property owners in writing of the times and dates of the proposed variation.

- iii. add an additional condition to the permit relating to Environmental Protection Authority (EPA) requirements for a works approval (this condition would read “the proponent must apply for and be issued with a works approval from Environmental Protection Authority prior to any works beginning”).

3. Time Frame

Application Received	4 September 2014
Application Referred	19 September 2014
Application Notified	22 October 2014
Objector Consultation Meeting	2 December 2014
Amended Plans Received	N/A
Amended Plans Notified	N/A

Include any other key dates necessary

4. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

2.5 Strategic Land Use

Goal to be achieved:

- a well developed long-term land use vision.

5. Asset Management Policy/Plan Alignment

This is not relevant to the subject application.

6. Implications - Assessment of the Application

Policy Implications

The State Planning Policy Framework (SPPF), Local Planning Policy Framework (LPPF) and the Planning Scheme Revisions are as detailed in the Assessment of the Application.

Legal/Statutory Implications

Council is required to determine the application pursuant to Section 61 of the Planning and Environment Act 1987. Council’s decision is subject to possible review by the Victorian Civil and Administrative Tribunal (VCAT).

Financial Implications

All relevant fees have been paid. In the event of an application for review by VCAT, each party will be required to bear their own costs.

Environmental Implications

As detailed in the Assessment of the Application.

Social Implications

As detailed in the Assessment of the Application.

7. Risk Assessment

Council’s decision is subject to possible review by the Victorian Civil and Administrative Tribunal. In the event of an application for review by VCAT, each party will be required to bear their own costs.

8. Conflicts of Interest



No conflicts of interest were declared during the preparation of this report.

9. Conclusion

It is considered that the proposal meets the relevant provisions of the State and Local Planning Policy Frameworks and Zone. It is recommended that the permit be amended pursuant to Section 74 of the Planning and Environment Act 1987 to allow the development of the upgraded asphalt plant.

However, it is recommended that the request to amend Condition 8 to allow for 24 hour operation be refused. Instead it is recommended that the condition be amended to require written permission from Council for any night work. Prior to granting of any night work the applicant would be required to notify adjoining land owners of dates and times of proposed work.

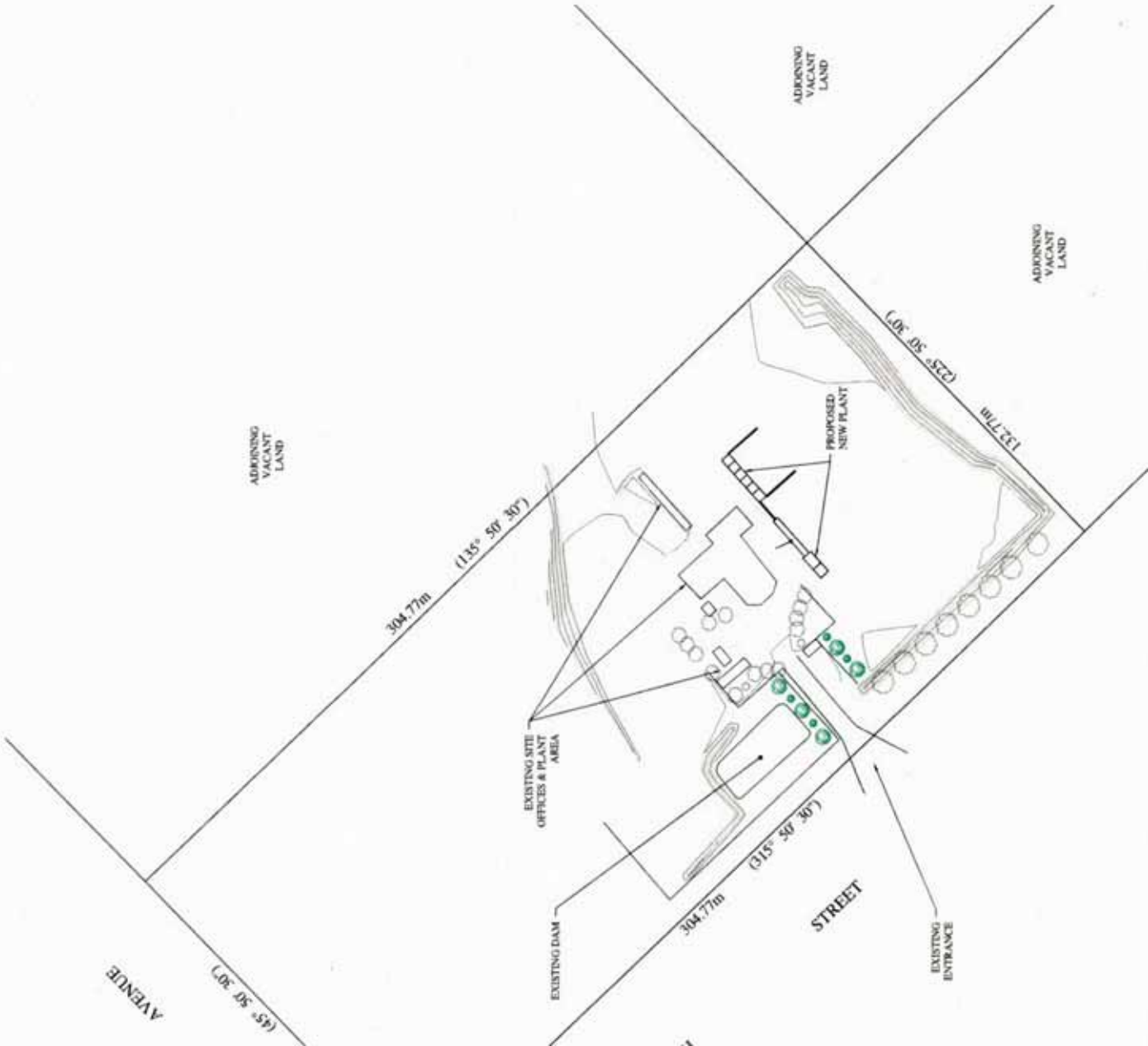
Attachments

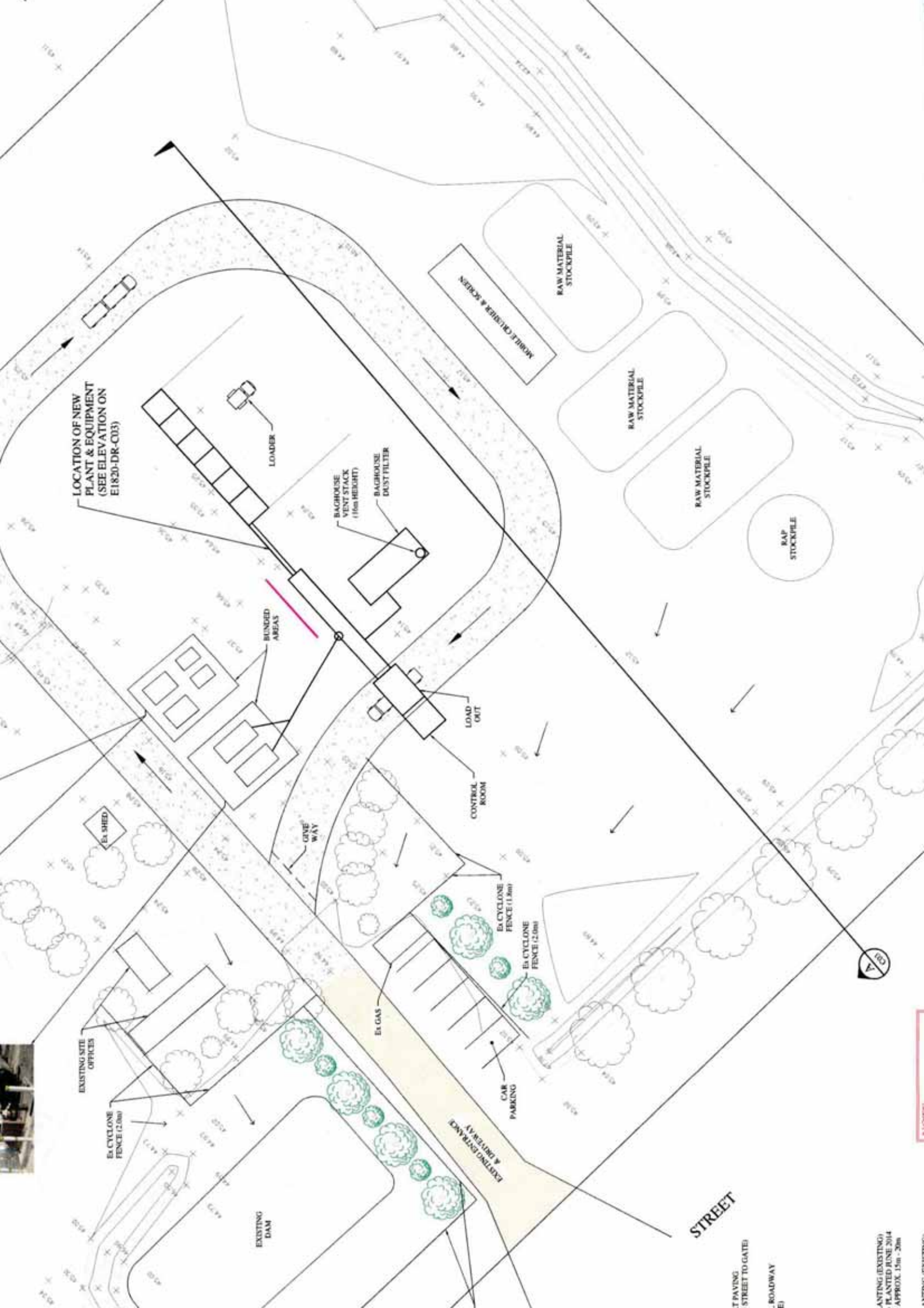
- 1 Plans 
- 2 Site Photo 

DRAWING REGISTER	
DRAWING No	DESCRIPTION
E1120-DR-C01	LOCALITY PLAN, NOTES & DRAWING REGISTER
E1120-DR-C02	SITE LAYOUT & DRAINAGE PLAN
E1120-DR-C03	ELEVATIONS & DETAILS

GENERAL NOTES.

1. ALL WORKS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED CONSTRUCTION PLANS, INSTRUMENTAL DESIGN MANUAL & STANDARD DRAWINGS, SPECIFICATIONS AND CURRENT AUSTRALIAN STANDARD GENERAL CONDITIONS OF CONTRACT.
2. WHERE PROPOSED CONSTRUCTION WORKS ARE EITHER ON OR AFFECT PRIVATE PROPERTY OTHER THAN THE DEVELOPER'S LAND, THE CONTRACTOR CANNOT COMMENCE CONSTRUCTION WORKS ON THE PRIVATE PROPERTY UNTIL HE HAS RECEIVED A COPY OF THE OWNER'S CONSENT LETTER FROM THE CONSULTANT ENGINEER.
3. THE CONTRACTOR IS TO GIVE THE OWNER OF THE PROPERTY SEVEN (7) CLEAR DAYS NOTICE IN WRITING, OF HIS INTENTION TO COMMENCE CONSTRUCTION WORKS.
THE CONTRACTOR WILL NOTIFY AND ARRANGE WITH COUNCIL, TWO CLEAR DAYS PRIOR TO THE CONTRACTORS INTENTION TO COMMENCE THE CONSTRUCTION WORKS.
(a) AN ON-SITE INSPECTION WITH SUPERVISING ENGINEER OF ALL THE EXISTING SURROUNDING WORKS TO ASCERTAIN IF ANY PREVIOUS DAMAGE HAS OCCURRED, OTHERWISE THE CONTRACTOR WILL BE HELD LIABLE FOR ALL THE EXISTING DAMAGED WORKS.
(b) AN ON-SITE INSPECTION OF THE PROPOSED ALIGNMENT, LEVEL AND VERTICAL GRADING OF THE PROPOSED WORKS TO ENSURE THAT A SATISFACTORY CONNECTION CAN BE MADE BETWEEN THE EXISTING AND DEVELOPER'S EXPENSE, IF SATISFACTORY CONNECTION CANNOT BE MADE.
ALL ROAD PROPERTY BOUNDARIES THAT ARE ON A CURVILINEAR ALIGNMENT GREATER THAN 30 METRES RADII AND DO NOT HAVE THE RELEVANT CHORD/OFFSET INFORMATION ON THE CONSTRUCTION PLANS ARE TO BE PEGGED BY A LICENSED SURVEYOR AT A MAXIMUM INTERVAL OF EIGHT METRES. IF THESE PEGS ARE NOT AVAILABLE OR APPEAR NOT TO BE ON ALIGNMENT AT THE TIME OF CONSTRUCTION OF FOOTPATH, KERB AND CHANNEL, ROAD CONSTRUCTION, PITS, ETC. THEN THE PROPOSED CONSTRUCTION WORKS CANNOT PROCEED UNTIL THESE PEGS HAVE BEEN ESTABLISHED CORRECTLY.
4. ALL TREES, SHRUBS, ETC. ARE TO BE RETAINED.





LOCATION OF NEW PLANT & EQUIPMENT (SEE ELEVATION ON E1820-DR-C03)

LOADER

BAGHOUSE VENT STACK (16m HEIGHT)

BAGHOUSE DUST FILTER

MODEL CRIBBER & SCREEN

RAW MATERIAL STOCKPILE

RAW MATERIAL STOCKPILE

RAW MATERIAL STOCKPILE

RAW STOCKPILE

BUNDLED AREAS

LOAD OUT

CONTROL ROOM

GIVE WAY

E/CYCLONE FENCE (1.8m)

E/CYCLONE FENCE (2.0m)

EXISTING GAS

EXISTING ESTIMATED DRIVEWAY

CAR PARKING

EXISTING SITE OFFICES

E/CYCLONE FENCE (2.0m)

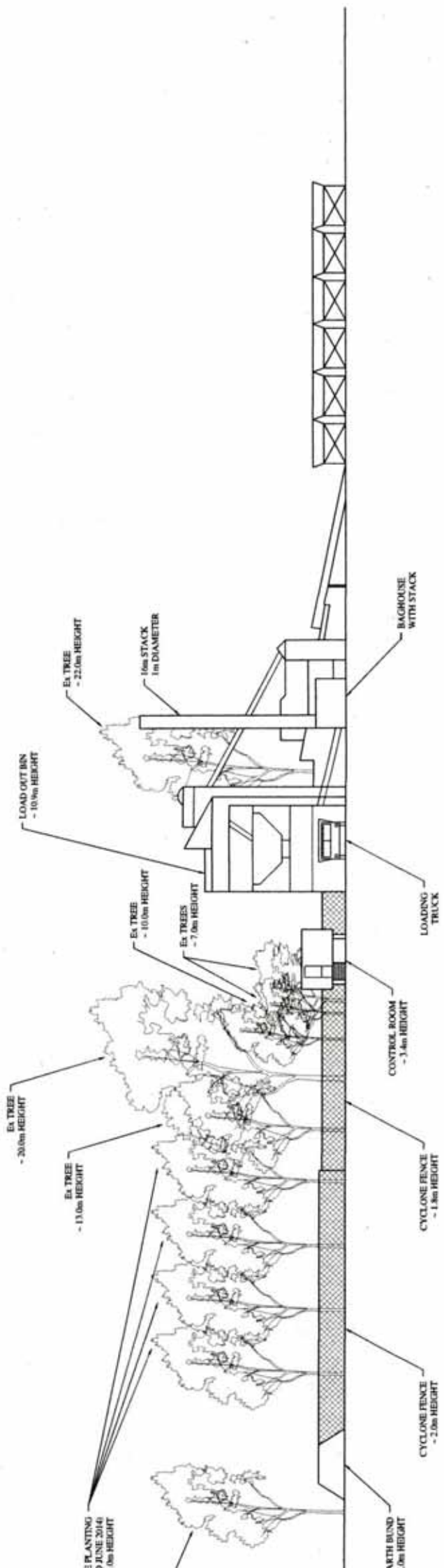
EXISTING DAM

STREET

ASPHALT PAVING (STREET TO GATE)

ROADWAY (E)

PLANTING (EXISTING)
PLANTED JUNE 2014
APPROX. 15m - 20m



SECTION A

