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24<sup>th</sup> September 2025

Our Ref: ARVA03-250924

Mrs Nicole Embling  
Senior Coordinator Planning  
Mansfield Shire  
MANSFIELD VIC 3722  
[Nicole.Embling@mansfield.vic.gov.au](mailto:Nicole.Embling@mansfield.vic.gov.au)

Dear Nicole,

**RE: 131 Terry Road, Barwite, VIC 3722**

**Response to Objections - Permit Application PO30-25**

The owners of the aforementioned property have reviewed the 19 objections relating to the proposal and offer the following in response to the main issues that have been presented.

**1. Previous Rock Extraction Operations**

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It is important to clarify that the rock extraction activity at this site has been ongoing for over 10 years. Whilst it does provide some financial benefits through sale of the mudstone as a landscaping product, the activity is considered more of a land rehabilitation exercise due to the vast improvements in pasture that result from removal of the rock and subsequent rehabilitation.

The permit will formalise the previous, long-standing use in accordance with current regulatory requirements, and does not propose any expansion of operations in terms of scale or intensity.

The proposed works represent a resumption of previous, sustainable practices, as opposed to the beginning of a new or intensified extraction operation.

There will be:

- No increase in the volume of material previously extracted;
- No increase in truck movements or operational hours than what previously occurred.

**2. Truck Access and Road Safety**

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The applicant acknowledges concerns regarding traffic on Glenroy Road. However, we note that this road is currently being used by heavy vehicles for agricultural purposes, and has been for many years. The proposed traffic from the rock extraction will be minimal with the trucks being no wider or heavier than existing stock transport trucks.

The applicant would be prepared to contribute for maintenance of this road and dust suppression subject to negotiation with Council. A traffic management plan will be submitted to ensure safety for all road users, including farmers, cyclists, and wildlife.

With respect to access onto Mount Buller Road, we note that the Department of Transport and Planning have not objected to the proposal and thus do not consider there to be any safety issues associated with the truck route.

**3. Noise & Dust Impacts**

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**3.1. Noise**

It is noted that the works site is a significant distance from nearby residences and noise levels will remain within prescribed EPA Victoria limits for this zone. Operations will occur at times to manage and reduce the impact of noise pollution on people and the environment.

In addition:

- Machinery will be fitted with appropriate mufflers and maintained to minimise operational noise.
- The owner will carry out noise monitoring during active periods to ensure compliance.

The owners are mindful of neighbours' right to quiet enjoyment and will take all practical steps to reduce disruption.

The main noise generated by the rock extraction will be the hammering of mudstone and the loading of trucks.

- The truck will be loaded within working hours and generally at the following times: 9:30am, 1pm and 4pm.
- The applicant is happy to limit the rock breaker use to times that would best suit the community. For example, limit to two hours in the middle of the day on a Tuesday and a Thursday.

### **3.2. Dust**

Dust generated by the operations will be controlled on an as-needs basis with spraying by a water truck. Dust monitoring shall be carried out to ensure levels are kept within EPA guidelines.

With respect to dust generated from truck movements on Glenroy Road, it is submitted that the volumes of truck movements generated by the proposed operation fall within standards limits for this class of road.

Notwithstanding this, the landowner is prepared to consider maintenance contributions to Glenroy Road consistent with the scale of increased traffic movements generated by the operation.

## **4. Precedent & Mudstone Availability**

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While mudstone may be present in the area, this application does not create automatic precedent for wider extraction. The purpose of requiring permits is to ensure that both existing and future rock extraction sites in the community are subject to full council and community scrutiny, and each would require its own merit-based assessment, environmental studies, and planning process.

## **5. Community Benefit**

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The operation creates local employment opportunities within the region and provides a sought-after landscaping resource to customers locally and further afield. We submit that the significant improvements in the viability of the land for agricultural needs will serve the region for generations to come.

## **6. Environmental Damage, Erosion and Remediation**

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As extraction has occurred at the site for many years, any impacts are already observable and managed. The owners are committed to:

- Erosion control and land stability
- A rehabilitation plan that restores the land post-use

The priority of the proposal is land improvement and to maximise arable land.

## **7. Impact on Waterways**

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The operation site has been selected to adhere to statutory setbacks from waterways and the operations plan has specific sediment protection measures to protect downstream waterways.

Officers from the local Catchment Management Authority and Goulburn Murray Water have attended and placed no objection to the proposal provided the specified protection measures are implemented.

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## 8. Property Valuation

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We understand concerns regarding rural property values.

There is no evidence that this small-scale, well-established rural extraction has negatively impacted local property values in the past 10 years. The operations do not introduce new or intensified activity, and rehabilitation will ensure that the land remains viable for future agricultural use.

Data shows that property values have only increased over the time of operation.

Notwithstanding the above, it should be noted that impacts on property values are not a valid planning consideration.

## 9. Bushfire Risk

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We take fire safety seriously. Mitigation measures include:

- Daily machinery inspections during fire season.
- Operations will cease on Total Fire Ban days.
- On-site firefighting equipment (water tanks, hoses) will be kept on site and maintained.

## 10. Tourism Amenity

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We understand the concerns regarding the affect noise has on tourists, however maintain that given the significant distance to sensitive receptors, similar noise being generated in the precinct through farming activities and a review of the relevant EPA guidelines, that noise levels will not exceed prescribed EPA limits for this planning zone.

We also would like to emphasize that the stone extraction operations will not be taking place at times of high visitor occupancy such as weekends or public holidays. The operations would also be sporadic in nature and rarely in place on a full-time basis.

## 11. Significant Landscape Overlay SLO2 – Alpine Approach Significant Landscape

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Schedule 1 to clause 42.03 significant landscape Overlay specifies the protection of the visual landscape in the approaches to the local mountains and ranges.

Under Clause 5.0 “Decision Guidelines” of the ordinance, the following relevant guideline applies to the consideration of the permit: *“The impact of buildings and works on views to the land from any road, public viewpoints and private land.”*

In conjunction with the applicant, we have carried out observations to determine if there is a considerable impact on amenity for vehicles travelling along the Buller Road. The investigation consisted of:

1. Placing heavy equipment on the highest elevation of the proposed works area, including a light vehicle with lights on and facing Mt Buller Road;
2. Driving Mt Buller Road in both directions between Pollards Lane and Scullys Lane;
3. Making visual observation in the direction of the proposed works area with the naked eye and then with a phone camera at varying stages of magnification.

The investigation resulted in the following conclusions:

- a) The works area wasn’t visible to the naked eye from any of the above vantage points;
- b) We therefore have concluded that there is no impact on amenity for vehicles travelling along the Mt Buller Road due to the proposed works.

## 12. Conclusion

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The applicant respects the values and lifestyle of their neighbours and are committed to conducting operations in a manner that protects the land, community, and shared environment.

This permit application simply aims to regularise an activity that has been safely and sustainably conducted for on the land for many years. The site in question would undergo rock extraction and rehabilitation in a relatively short span of time – 5 years is anticipated.

The owners are committed to working with Council and the community to ensure activities remain compliant, environmentally responsible, and minimally disruptive.

We welcome any conditions Council sees fit to impose and remain open to further dialogue with neighbours and stakeholders.

I trust that this assists with providing an understanding of the applicants position on the objections and welcome any comments or queries relating to the above.

Yours Sincerely,



**Nick Malkin** BEng (Mining) MAusIMM, MIEAust NER

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Attachments: A      Summary of Objections