

BRIMBANK PLANNING COMPLIANCE UPDATE – BROOKLYN INDUSTRIAL PRECINCT

Brimbank's Planning Compliance Unit is continuing its pro-active enforcement of the Brooklyn Industrial precinct, with a key focus to address concerns relating to stockpiles and dust generating activities.

Stockpiles – City Circle, Delta & Western Land recycling operations

Council has issued amended planning permits for the City Circle and Delta recycling operations to reduce off-site impacts associated with the activities on the land. The amended permits were issued following more than 18 months of negotiating with the business/industrial owners to ensure that on-site operations were moving towards a best practice model.

The amendments have resulted in tighter enforceable conditions being placed on the planning permit, including maximum stockpile heights of up to 10 metres and maximum bund wall heights of up to 12 metres, which is a significant improvement from the 20 metre stockpile heights recorded prior to regulation by Council.

The amended permits also require the formalisation of landscaped bund walls around the perimeter of the site, which will act as a screen to minimise the internal stockpiles from wind exposure and will create a more visually pleasing amenity once landscaping is completed by no later than September 2018. The formalisation of bund walls is consistent with best practice operations used by the Alex Fraser Group recycling operations in Clarinda and Epping.

The amendment process has also resulted in entry/exit points and car parking areas of each site being sealed, truck wheel washes being installed and the incorporation of improved on-site drainage to increase water re-use and prevent mud and dust track out onto the road network.

Council is also working with the operators of Western Land Reclamation to finalise the amended planning permit application for the site. An amended permit is expected to be issued in the near future and will result in similar outcomes to those achieved at the City Circle and Delta Operations, including internal site sealing of heavily utilised access roads, significant landscaping at the frontage of the site and on formalised bund walls, improved on-site drainage and conditions restricting the maximum height of stockpiles. The operators are also likely to further enclose part of their recycling operation through the construction of a large shed that will cover an existing uncovered recycling area.

Brooklyn Stockpiles – before and after regulation

	Stockpile	Bund Wall
Unregulated	16 metres	16 metres
Regulated	10 metres	12 metres
	Stockpile	Bund Wall
Unregulated	24 metres	24 metres
Regulated	8 metres	10 metres



	Stockpile	Bund Wall
Unregulated	10+ metres	12+ metres
Regulated	8 metres	10 metres

Magistrate Court Prosecution

Council's Planning Compliance Unit has been pursuing a materials recycling company at 69 Bunting Road for more than 5 years for the continued operation without a planning permit. Council had previously tried to assist the business to obtain a planning permit on the basis that it put in place measures to improve on-site operations to minimise off-site impacts, however, we were unable to facilitate this outcome.

Council pursued the matter at the Victorian Civil and Administrative Tribunal (VCAT) and was successful in obtaining an Enforcement Order requiring the business to obtain a planning permit within a specified period or alternatively cease operation and move all goods and materials from the land. The Order was not complied with as no permit has been obtained and the business continues to operate.

Council has since sought to resolve the matter by seeking to prosecute the company at the Magistrates Court for breaches to the Brimbank Planning Scheme and failure to comply with an Order of VCAT. The matter has been on-going since October 2016 and to date the matter has been adjournment on three occasions. A contested hearing is now listed for March 2018 and Council is hopeful that this will bring a resolution to the matter.



Planning Compliance Status Map

Green/lime = compliance achieved or close

Yellow = EPA leading compliance with Council support

Orange = potential development

Red = current enforcement

Blue = VCAT/Magistrates Court prosecution