

Whittlesea Planning Scheme Amendment C241

Shenstone Park Precinct Structure Plan

On behalf of Victorian Planning Authority

Expert Witness Statement of John Mitas

John Mitas Consulting

28 October 2020

1. Introduction

1. My name is John Mitas and my address is 10 Weyburn Place, Avondale Heights Victoria. I am the Managing Director of John Mitas Consulting of the same address.
2. I provide consulting services to the mining and quarrying sectors in the following areas:
 - Environmental Management
 - Mining and quarrying approvals
 - Regulatory practices and legislation
 - Stakeholder engagement
 - OHS Management
3. I have over forty years experience in the minerals and extractive sectors with senior roles in both government and industry.
4. In my role as Chief Inspector of Mines and Quarries with Earth Resources Regulation (ERR), which was part of the Department of Economic Development Jobs Transport, and Resources, I was the delegate of the Secretary for the approval of all work plans for mines and quarries in Victoria. Over this time I have developed a good understanding of operational and strategic issues facing the quarrying industry.
5. In my time with Boral Resources, I had the opportunity to work in various roles in a number of quarries in Victoria and was the operations manager of the hard rock quarry in Queensland, responsible for all aspects of the operation including production, sales and quarry development.
6. In my current role I have worked on a number of mine and quarry projects, including work plan variations for mines and quarries. I am currently coordinating the approval for green field sand quarry that required an EES referral to the Minister for Planning and previously coordinated a work plan variation to extend the quarry reserves.
7. I am the author of this report and have the qualifications and experience to provide an opinion on the Woody Hill quarry and the proposed extensions of quarrying operations.
8. A copy of my Curriculum Vitae is provided in Appendix 1

2. Summary of Opinions

9. The Woody Hill quarry extracts a sedimentary rock called siltstone to produce a range of products, which include crushed rocks, aggregates and decorative stone. The extension of the quarry to extract basalt from a new work authority application adjacent to the current operation will allow the quarry to produce higher quality grades of crushed rock and aggregates.
10. The basalt reserves within Philips quarry area will also allow the quarry to expand production of high quality crushed rocks and aggregates and will substantially increase the reserves to the expanded Woody Hill quarry operations.
11. The expanded Woody Hill quarry operation incorporating the additional basalt reserves is a long-term strategic extractive resource for Victoria. The Woody Hill quarry is well located to supply the North Growth Corridor and the northern part of the Greater Melbourne region.
12. Work authority holders may vary the work authorities or the work plan to increase the area of extraction or to deal with any other operational issues as required. Of the 121 work plans that are active with ERR, 109 are variations of the approved work plans and 12 are new work plans. All work plans associated with current work authorities are work plan variations because an approved work plan is a prerequisite to the granting of a work authority.
13. Work plan and work authority variations initiated a number of years ago by a number of large well located quarries close to Melbourne have resulted in substantial increases to stone reserves and future work authority and work plan variations can be instrumental in dealing with increased supply pressures for the Greater Melbourne region.
14. The capital costs of setting up a large quarry are substantial and include the construction of the access road, the construction of a fixed and or mobile crushing and screening plant and the purchase of heavy mobile equipment. Extending existing quarries provide for effective use of capital, operational efficiencies and lower cost of production.
15. In Victoria the expansion of large well-located quarries has resulted in substantial benefits that flow from quarry products that are close to the market with lower transport costs and lower impacts on the transport network and the environment.
16. The Shenstone Park Precinct Structure Plan has identified the strategic extractive resources of the expanded Woody Hill quarry and Philips quarry areas and has set out a plan to protect them for the long term.

3. Instructions

17. On 23 September 2020, I received the following instructions from Harwood Andrews:

- Review the exhibited amendment and background materials (as relevant)
- Prepare an expert witness statement
- Appear at the panel hearing to provide expert evidence

The expert witness statement should, in addition to any other relevant matter, address the following issues:

- Provide advice on your background and experience in the quarrying industry
- Provide your understanding of the range of products that basalt and stone quarries such as Woody Hill and the proposed Philips Quarry would produce and your understanding of the issues.
- Provide an opinion on whether in your experience extractive industry operators vary work plans and other permissions during the life of large quarries.
- Provide an opinion upon whether there are operational efficiencies and benefits in extensions to existing quarries over identification of new sites. If so, what are those benefits.

18. The following documents have been supplied:

- All the documents associated with the Exhibited Amendment
- All the documents associated with the Shenstone Park Precinct Structure Plan
- Extractive resources background material
- PPV Guide to expert evidence
- Panel Documents
- Submissions

4. Woody Hill Quarry

19. The Barro Group Pty Ltd (Barro) is the work authority holder of Work Authority WA492 with an area of 42.49 Ha issued under the *Mineral Resources (Sustainable Development) Act 1990* (MRSDA) known as Woody Hill quarry.
20. Barro has approval to extract and treat stone in accordance with the work authority, approved work plan and planning approval.

21. The quarry has been operating since the Extractive Industry Licence LIC1261 was granted on 29 March 1988. LIC1261 was converted to WA492 on 1 June 1996¹. During my time with ERR, I had the opportunity to inspect the quarry a number of times.
22. A current work plan variation application seeks to extend the extraction area and depth of extraction within the existing work authority boundary.
23. The range of products produced by the Woody Hill quarry include the following:
 - Aggregates for concrete and crushed rock
 - Commercial grades of crushed rock for road pavement
 - Landscaping products
24. A new Work Authority application WA006437 adjacent to the Woody Hill quarry shown in Figure1 below with an area of 33.06 Ha, will add additional reserves of basalt to the current extraction of siltstone from the current operation. It is intended that this additional resource will be extracted and processed using the plant and infrastructure at the Woody Hill Quarry.
25. The Woody Hill Work Authority application WA006437 is located on the same lava flow as the Hanson quarry and the proposed North Central Quarry to the north near Wallan. Barro will be quarrying the same lava flow and will be able to produce similar products including:
 - Crushed rock for road pavement to VicRoads specifications, class (1-4)
 - Aggregates for concrete and crushed rock
 - Commercial grades of crushed rock for road pavement
 - Landscaping products
26. The Extractive Resources In Victoria: Demand and Supply Study 2015-2050 by PwC recommends protection and the development of extractive resources within critical locations including Whittlesea. The expanded Woody Hill and Phillips quarry are well located and will have the reserves to supply the North Growth Corridor and the northern part of the Greater Melbourne region for the long term.

¹ GeoVic is a spatial mapping tool from the Geological Survey of Victoria

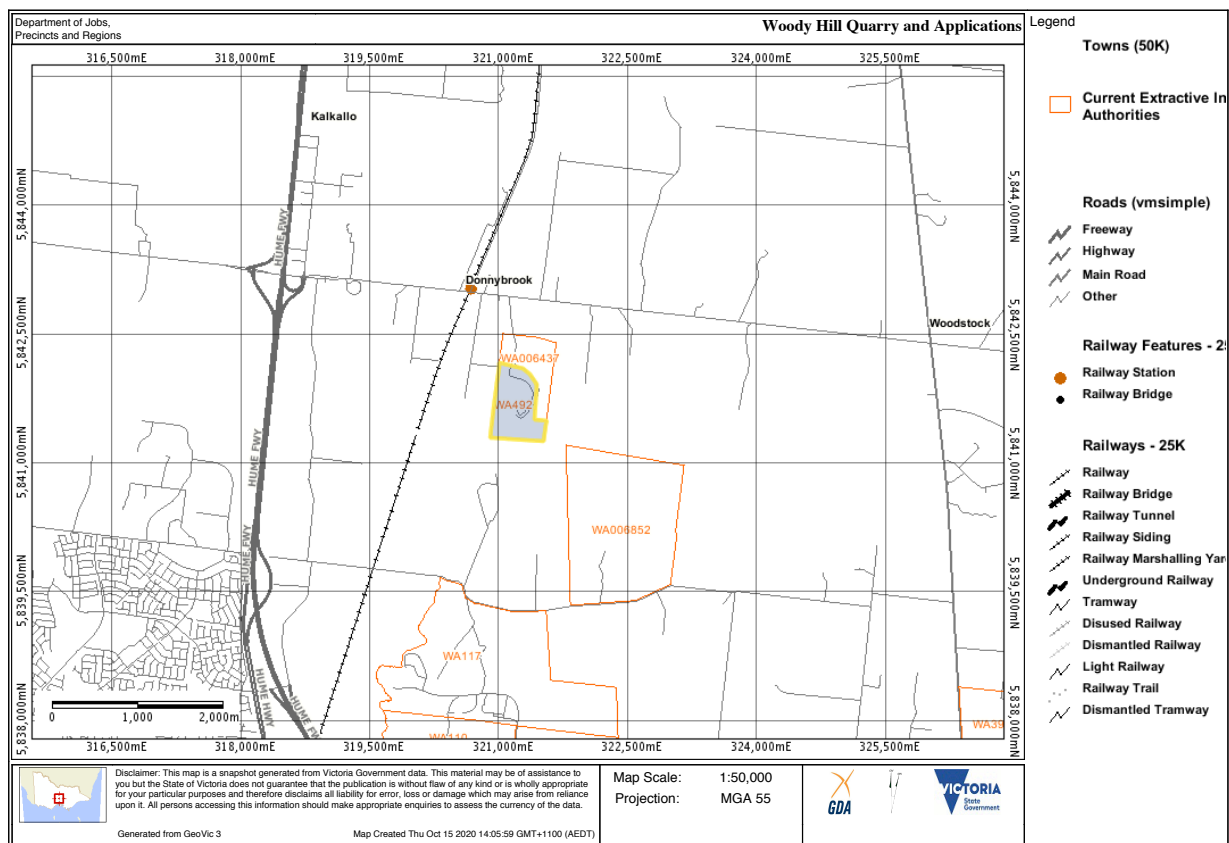


Figure 1 Woody Hill Quarry and applications (source: GeoVic)

5. Philips Quarry

27. Phillips quarry is the name given to the Work Authority Application WA006852 covering an area of 212.30 Ha, located south east of the Woody Hill quarry as shown in Figure 1 above.
28. Barro is the owner of the land and the Work Authority application. The area was previously covered by Work Authority WA160, which was initially granted as Extractive Industry Licence LIC1394 on 8 June 1995².
29. Figure 2 below sourced from GeoVic shows the geology of Woody Hill and Phillips quarry and the Shenstone Park Precinct Structure Plan.
30. Neo2 as shown in the map represents basalt flows defined by Geological Survey of Victoria as New Volcanic group Stony Rises basalt. This lava flow extends to the Hanson quarry operation (WA493) at Wollert, located south east of the Phillips quarry.

² GeoVic

The Hanson quarry is one of Victoria's major quarries and produces a range of products including:

- Crushed rock for road pavement to VicRoads specifications, class (1-4)
- Aggregates for concrete and crushed rock
- Commercial grades of crushed rock for road pavement
- Boulders for dimension stone
- Landscaping products.

31. The Philips quarry is located on the same lava flow as the Hanson quarry and the proposed North Central Quarry to the north near Wallan. The proposed Phillips quarry will be quarrying the same lava flow and will be able to produce similar products including:

- Crushed rock for road pavement to VicRoads specifications, class (1-4)
- Aggregates for concrete and crushed rock
- Commercial grades of crushed rock for road pavement
- Landscaping products

32. The proposed Phillips quarry application will add to the reserves to the expanded Woody Hill quarry operations, which is well located to supply the North Growth Corridor and the northern part of the Greater Melbourne region.

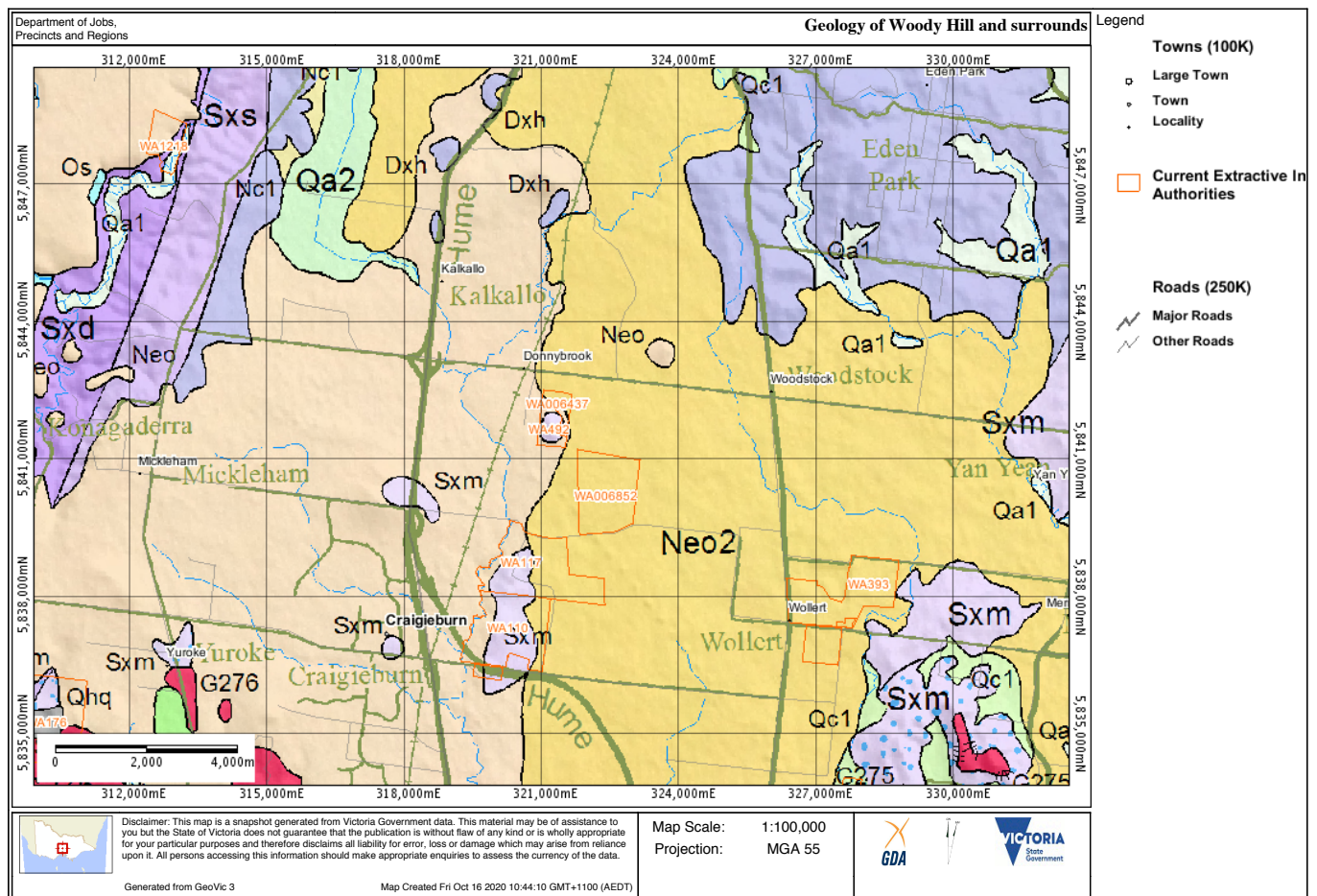


Figure 2 Geology of Woody Hill and Philips quarries (source: GeoVic)

4. Variation of work plans and work authorities

33. In accordance with Sections 77H and 77M of the MRSDA, work authority holders may apply to vary the approved work plan or the work authority respectively.
34. Work authority holders may vary the work authorities or the work plan to increase the area of extraction or to deal with any other operational issues as required. Of the 121 work plans that are active with ERR, 109 are variations of the approved work plans and 12 are new work plans. All work plans associated with current work authorities are work plan variations because an approved work plan is a prerequisite to the granting of a work authority.³
35. Work plan and work authority variations initiated by a number of large quarries a number of years ago in Victoria have resulted in substantial increases to their stone reserves which helped to deal with some of the increased demand generated by

³ <https://earthresources.vic.gov.au/legislation-and-regulations/regulator-performance-reporting/monthly-reports>

growth of the Greater Melbourne region. Some of these quarries are listed in Table 1 below compiled from information sourced from GeoVic. During my time with ERR, I had the opportunity to visit all the quarries in the table.

Table 1 Work plan and work authority variations for large quarries in Victoria

Owner/Quarry	WA	Initial area	Current area	Comments
Boral Deer Park	WA97	544.71 Ha	938.22 Ha	Basalt quarry with railway siting. Work plan and work authority variations resulted in substantial increases in area and equivalent increase to the reserves.
Holcim Pakenham	WA174	75.75Ha	122 Ha	Basalt quarry. Work plan and work authority variations resulted in substantial increases to the area of the work authority reserves of this multi bench quarry.
Holcim Oakland	WA176	316Ha	316Ha	Granite/hornfel quarry. Work plan variation resulted increasing the extraction area resulted in substantial increases to the reserves in this multi bench quarry.
Barro Point Wilson	WA41	133.31Ha	780.22Ha	Basalt quarry. Work plan and work authority variations resulted in substantial increases to the area and equivalent reserves.
Hanson Wollert	WA393	369Ha	290.15Ha	Basalt quarry. Work plan variation resulted in increase extraction area that resulted in substantial increases to reserves. The

				reduction in area over time is a result of excision of extracted areas.
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5. Operational efficiencies and benefits in extending existing quarries

36. The capital costs of setting up a large quarry are substantial and include the construction of the access road, the construction of a fixed and or mobile crushing and screening plant and the purchase of heavy mobile equipment. Extending existing quarries to utilize these expensive assets provides for operational efficiencies and effective use of capital and lower cost of production.
37. In Victoria the expansion of the large quarries has resulted in substantial increases to reserves and ensured that essential quarry products are close to the market with lower transport costs and related impacts on the transport network and the environment.
38. The expansion of large quarries can provide opportunities to reduce impacts on the communities by relocating crushing and screening plants in the quarry holes that have been created. By lowering the profile of the crushing plant and associated activities it can help with reduction of noise, dust and visual impact. A good example of this is the Conundrum Holdings quarry operation at Epping.
39. As well as all the benefits mentioned above, extending the Woody Hill quarry into the adjacent basalt flow, provides an opportunity to improve the quality and range of quarry products.

6. Declaration to the Panel

40. I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance which I, regard as relevant have to my knowledge been withheld from the Panel.

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final 'M'.

John Mitas

Managing Director

[John Mitas Consulting](#)

Appendix A - John Mitas Curriculum Vitae

Curriculum Vitae – John Mitas

Personal Details

Name: John Mitas

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Avondale Heights, Vic 3034

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Career Overview

I have worked in the quarrying and mining industries in the private and government sectors for over 40 years and have developed a good understanding of the operational, commercial and strategic issues facing the quarrying industry at the state and national levels.

I am currently the Managing Director of John Mitas Consulting providing consulting services to the earth resources sector in environmental management, mining and quarry approvals, regulatory practice and legislation, stakeholder engagement and OHS management.

Previously, I held the statutory position of Chief Inspector of Mines and Quarries for a number of years with the Department of Economic Development, Jobs, Transport and Resources In Victoria and was the delegate of the Secretary for approval of work plans and during this time.

I am a past President of the Institute of Quarrying Australia and I am a committee member of the Australian Institute of Quarrying Education Foundation, a non-for profit organisation, providing funding for education and training initiatives for the quarrying sector.

I represented Victoria on the Conference of the Chief Inspectors of Mines and the National Mine Safety Taskforce, a tripartite national committee working on a national safety framework.

I am currently the chairperson of the Mountain View Quarries Point Wilson operated by the Barro Group and the Grantville Environmental Review Committee, which represents a number of industry members including the Barro Group.

Professional Qualifications

- Graduate Diploma in Occupational Hazard Management, University of Ballarat
- Graduate Diploma in Business Administration, Swinburne University
- Diploma of Engineering (Mining), RMIT University
- Diploma of Civil Engineering, Swinburne University

Professional Development

- Quarry Management, Box Hill Institute
- Quarry Manager's Superintendent Certificate
- Risk Management, Box Hill Institute
- Internal (Quality) Auditor Course, TRS
- Noise and Vibration Course, Adelaide University

Relevant Experience and Achievements

John Mitas Consulting

February 2016 - Present: Managing Director

John Mitas consulting provides consulting services to the mining and quarrying sectors in the following areas:

- Mining and quarrying approvals
- Regulatory practice and legislation
- Stakeholder engagement
- Environmental management
- OHS management

Relevant experience and achievements:

- Past President of the Institute of Quarrying Australia.

- Director of the Australian Institute of Quarrying Education Foundation
- Chairperson of the Point Wilson ERC Quarry operated by the Barro Group
- Chairperson of the Grantville ERC for a group of quarries including one owned by the Barro Group
- Expert witness for sand quarry VCAT dispute
- Facilitated work plan variation to increase clay resources
- Project management of green field sand quarry that required an EES referral.

Department of Economic Development, Jobs, Transport and Resources

October 2004 – October 2015: Chief Inspector of Mines and Quarries and General Manager, Earth Resources Operations

The Earth Resources Operations Group was responsible for the regulation of the minerals and extractive sectors in Victoria. The group consisted of 22 staff of mining engineers, environmental science and other disciplines. Relevant experience and achievements:

- Delegate of the Secretary for approval of work plans and during this time,
- Lead the Department's response to mine stability incidents with the Latrobe Valley mines and the development of risk based legislation to ensure that mine stability risks are identified and appropriate controls are place.
- Chaired the interdepartmental committee overseen the Government's response to health concerns with elevated antimony levels at the Costerfield mine.

- Member of the Conference of the Chief Inspectors of Mines. Participated in the development of a national strategic framework for national consistency and for improving safety in the minerals sector.
- Member of the Earth Resources Steering Committee made up of Industry and Government overseeing the development of risk based work plans.
- Prepared submissions and represented the Department at a number VCAT and EES hearings
- As a member of the Conference of the Chief Inspectors of Mines and the NMSF Steering Group, participated in the development of a national strategic framework for national consistency and for improving safety in the minerals sector.

Department of Primary Industry

May 1998 – Oct 2004: Manager, Minerals and Extractive Operations (Southern Region)

The Southern Region in the Minerals and Petroleum Regulation Branch was

made up of Melbourne, Gippsland and South West Districts. The group consisted of 14 staff with mining engineering, environmental science and other disciplines. Relevant experience and achievements:

- Chaired the Quarry Manager's Advisory Panel.
- Worked with industry to change the regulatory model, from industry specific prescriptive regulations to an objective regulatory regime.
- Member of national committee for the review of the National Competency Standards for extractive industry.

Department of Manufacturing and industry Development

April 1987 – April 1998: District Inspector of Mines and Quarries

The mine and quarry inspectorate was responsible for the regulation of the minerals and extractive sector for OHS and the environment. The inspectorate provided technical input in the licensing and work plan approvals. Relevant experience and achievements:

- Chaired Extractive Industry Advisory Committee comprised representatives from the councils, extractive industry and the department. The key role of the committee was to provide advice to the Minister and councils on planning and operational issues.
- Represented the Department at Planning Appeals tribunals and VCAT hearings for the mining and extractive sectors.

Western Mining Corporation

Apr 1986 – Apr 1987: Underground Miner, Stawell Gold Mine

Worked at Stawell mine as a Graduate Mining Engineer. During this period I worked and gained experience in all aspects of underground and surface mining.

Department of Manufacturing and industry Development

June 1982 – April 1986: District Inspector of Quarries

The mine and quarry inspectorate was responsible for the regulation of the

minerals and extractive sector for OHS and the environment. The inspectorate provided technical input in the licensing and work plan approvals.

- Develop a risk management approach to regulating the earth resources sector.
- Developed and implemented audit protocols for the mining and extractive sector.

Boral Resources Limited

June 1979 – June 1982: Operations Manager, Caboolture Quarry

Caboolture Quarry is a basalt quarry supplying quarry products to fast growing Sunshine coast, Brisbane and Brisbane rail. The quarry was a new acquisition for Boral and experienced considerable operational and community issues prior to my appointment. Relevant experience and achievements:

- Managed the extraction and manufacturing of quarry products to meet quality standards and

specifications for a number of clients including state and local governments.

- Managed the successful resolution of community environmental complaints through effective consultation with key stakeholders in the community and government.

Boral Resources Limited

March 1974 – June 1979: Quarry Supervisor, Trainee Quarry Manager

Boral Resources is a multinational quarrying and construction company with a number of operations in Australia. I was part of the graduate recruitment programme as quarry manager in Victoria. Relevant experience and achievements:

- During this period I worked and gained experience in all aspects of quarry operations in a variety of quarries in Victoria
- Obtained Quarry Manager's Superintendent Certificate from Victorian Quarry Manager's Board.