

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
27 March 2025 to 2 April 2025

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
27/03/2025	P225225	15 (Lot 20) Hideaway Entrance, Cowaramup	Outbuilding (Shed)
27/03/2025	P225227	38 (Lot 43) Townview Terrace, Margaret River	Holiday House Renewal
27/03/2025	P225231	139 (Lot 1029) Heron Drive, Margaret River	Building Envelope Variation & Outbuilding (Shed)
28/03/2025	P225233	Unit 1/38 (Lot1) Georgette Road, Gracetown	Holiday House
28/03/2025	P225234	25 (Lot 131) Matthews Road, Augusta	Agriculture Intensive (Truffle Plantation)
31/03/2025	P225244	114 (Lot 145) Brookfield Avenue, Margaret River	Single House
01/04/2025	P225246	6 (Lot 535) Bushland Rise, Margaret River WA 6285	Cancellation of Planning Approval (P222007)
01/04/2025	P225247	8 (Lot 315) Heppingstone View, Augusta	Grouped Dwellings
02/04/2025	P225248	5 (Lot 48) Groupthree Drive, Kudardup	Outbuilding (Shed)
02/04/2025	P225249	48 (Lot 271) Illawarra Avenue, Margaret River	Building Envelope Variation
BUILDING			
27/03/2025	225235	3 (Lot 231) Hardwood Loop, Cowaramup	Single Dwelling, Garage & Alfresco
27/03/2025	225236	1 (Lot 264) Paroo Street, Margaret River	Single Dwelling, Garage and Alfresco
27/03/2025	225237	175 (Lot 1033) Redgate Road, Witchcliffe	Alterations to Existing Carport
27/03/2025	225238	82 (Lot 22) Blackwood Avenue, Augusta	Retrospective Change of Use Shed to Ancillary Dwelling and Patio and Deck to Main Dwelling
28/03/2025	225239	Lot 23 Twenty Four Road, Karridale	Single Dwelling, Carport, Alfresco, Shed and Water Tank
28/03/2025	225240	17 (Lot 225) Hardwood Loop, Cowaramup	Single Dwelling, Garage, Alfresco and Additional Garage
28/03/2025	225241	351 (Lot 1001) Redgate Road, Witchcliffe	Single Dwelling, Garage, Alfresco, Pergola and Water Tank
31/03/2025	225242	141 (Lot 259) Brookfield Avenue, Margaret River	Single Dwelling, Garage and Alfresco
31/03/2025	225243	14 (Lot 610) Truffle Circuit, Cowaramup	Single Dwelling, Garage and Alfresco
31/03/2025	225244	752 (Lot 101) Wallcliffe Road, Margaret River	Staged Works - Earthworks, Drainage, In-Ground Services Shed Structure (Estate Management), Retaining Walls and Water Treatment Plant - Floor, Walls and Tanks
31/03/2025	225245	33 (Lot 8) Wambenga Retreat, Witchcliffe	Single Dwelling and Alfresco
31/03/2025	225246	36 (Lot 18) Mulal Avenue, Witchcliffe	Single Dwelling, Carport and Water Tanks x 2
31/03/2025	225247	13 (Lot 510) Powderbark Way, Witchcliffe	Single Dwelling, Carport, Alfresco and Water Tank
31/03/2025	225248	90 (Lot 801) Manear Road, Rosa Glen	Shed
31/03/2025	225249	32 (Lot 374) Georgiana Cross, Cowaramup	Studio
31/03/2025	225250	8 (Lot 603) Homestead Way, Margaret River	Patio (Replace Existing)
31/03/2025	225251	17 (Lot 313) Wandoo Place, Cowaramup	Shed
31/03/2025	225252	Lot 601 Grosse Road, Hamelin Bay	Single Dwelling and Carport

Exploration Licenses for Comment
Nil

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
24/10/2024	P224764	48 (Lot 3) Le Souef Street, Margaret River	x3 Grouped Dwellings	Approved
05/12/2024	P224925	3 (Lot 124) Deere Street, Augusta	Holiday House Renewal	Approved
17/12/2024	P224966	40 (Lot 523) Powderbark Way, Witchcliffe	Outbuilding (Water Tank)	Approved
19/12/2024	P224977	33 (Lot 329) Firetail Rise, Karridale	Single House and Garage	Approved
07/01/2025	P225005	10 (Lot 332) Churchill Avenue, Margaret River	Holiday House (Renewal)	Approved
13/01/2025	P225019	3 (Lot 160) Quinda Place, Margaret River	Ancillary Dwelling	Approved
31/01/2025	P225068	Unit 1/2 (Lot 1) Churchill Avenue, Margaret River	Holiday House	Approved
05/02/2025	P225084	12 (Lot 77) Holly Place, Cowaramup	Carport	Approved
SUBDIVISIONS				
18/02/2025	P225135	17 (Lot 396) Maclaren Crescent, Margaret River	Subdivision	Not Supported
LOCAL LAW PERMITS				
27/01/2025	P225088	Reserve 22636, Cowaramup adjacent to Basketball courts	Amendment to local law permit trading days - Hungry Brown Cow	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
14/03/2024	P224199	10568 (Lot 2185) Bussell Highway, Witchcliffe	Transport Depot	Approve with conditions
05/04/2024	P224245	Lot 4154 Governor Broome Road, Scott River	Extractive Industry	Approve with conditions

DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

Assessment of Development Applications (DAs)

For the purposes of this procedure there are three types of development applications:

Level 1

DA not advertised

Level 2

DA is advertised; and

- No submissions; or
- Submission received but meets one of the following:
 - Not related to the reason the DA was advertised.
 - The development is modified to comply or to remove the element of concern to the submitter.
 - Submission is either of support, conditional support or is 'indifferent'; or is from a non-affected person.

Level 3

A submission in opposition is received from an 'affected' person or special interest group in relation to the reason the DA is advertised or the development application is recommended for refusal.

Note: This procedure applies to development applications only. It does not apply to structure plans, scheme amendments or other types of planning proposals.



General Details

Reporting Officer	Tessa Ashworth
Disclosure of Interest	Nil
Assessment Level	Level 3

Application Details

Address	Transport Depot 10568 (Lot 2185) Bussell Highway, Witchcliffe		
Proposed Development	Transport Depot for earthmoving, transport and mechanical services for agricultural uses. Includes proposed 8000m ² set down area and workshop in existing 220m ² shed		
Zoning	Priority Agriculture		
Lot Area	74ha (includes both sides of Wadandi track)		
Use Class and Permissibility	'A'		
Heritage/Aboriginal Sites	None		
Other Considerations	Visual Management Area	<input checked="" type="checkbox"/>	Sewerage Sensitive Area <input type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers <input type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas <input type="checkbox"/>
Structure Plans/LDP's	None		
Easements/Encumbrances	None		
Why is Development Approval Required?	'A' use in the zone		

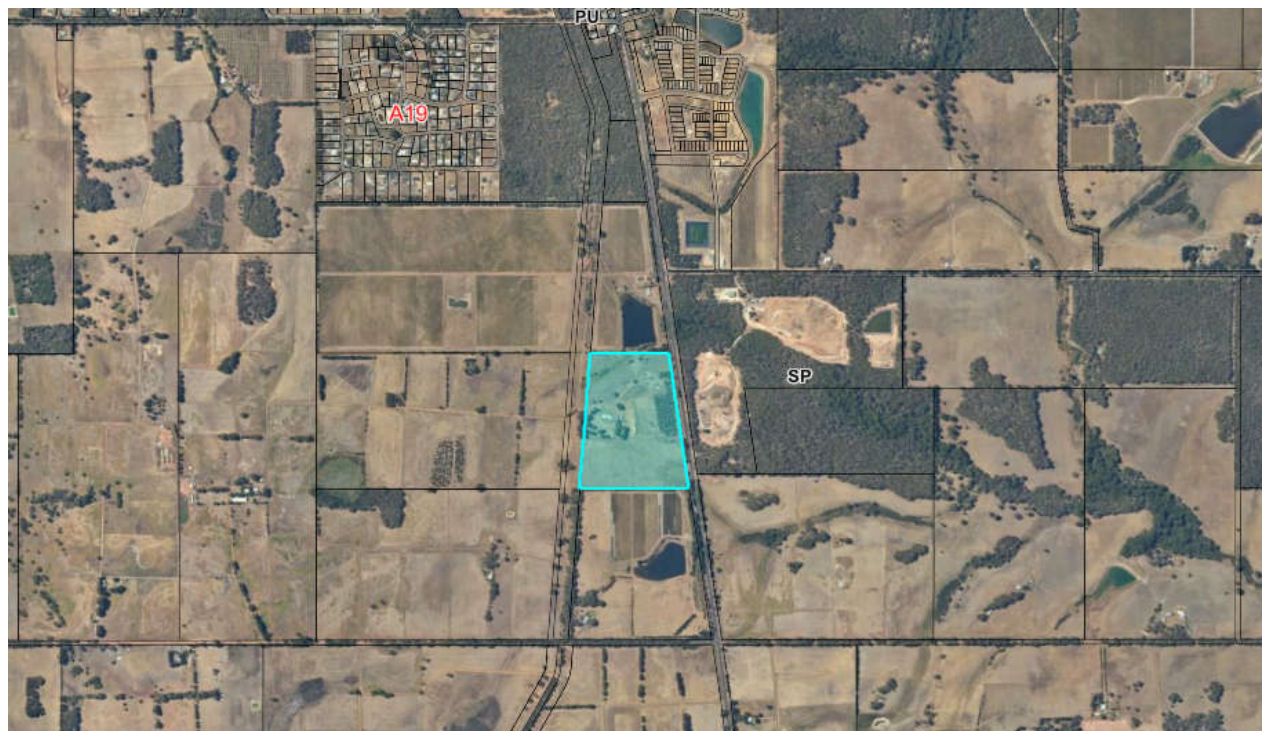


Figure 1: Location of development



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Main Roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Internal Shire Departments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Infrastructure / Environmental Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments		
Department	Department Comments	Officer Comments
Environmental Health	<p>The shed does not contain a bathroom or toilet but this may not be required.</p> <p>May need to address the disposal of oils or ask for grease interceptor or something similar for washdown. Refer to the Environment and Landcare team.</p>	<p>The applicant has confirmed that a toilet is in the shed.</p> <p>The applicant has confirmed that all workshop repairs and servicing are undertaken within the workshop which has a full concrete hardstand. Waste Oils from the workshop are captured and stored on-site and collected by an approved controlled waste contractor. Fuel tank for refuelling is located on hard stand.</p> <p>Further details are required in terms of how oil, fuel etc. will be contained on site so as to not contaminate the ground water or surface water. Environment have recommended a stormwater management plan be applied as a condition of approval to address this.</p>
Infrastructure	<p>The issues expressed by MRWA appear not to be based on road safety, rather they relate to the proposed land use. Improvements can be made by a reduction of the speed limit past the development. MRWA have done this at other locations such as the Karridale Primary school as an example.</p>	<p>Noted – see discussion on traffic below</p>
Environment	<p>Landscape plan recommended to mitigate visual impact.</p> <p>Stormwater management plan recommended to be applied.</p> <p>What is needed to be included in this will depend on the number of vehicles parked at the site.</p>	<p>Stormwater conditions and advice note applied at a level required for the number of vehicles the applicant has stated will be on the site.</p>
External Agency Comments		
Department	Department Comments	Officer Comments



Main Roads WA	<ul style="list-style-type: none"> Advise that Main Roads does not support the proposed development. The proposed development with increased traffic demands including heavy vehicles will increase the potential for vehicle conflicts at the access/driveway and along the highway. Bussell Highway is a high speed rural highway with significant and increasing traffic demands which needs to be maintained. The proposed development is an ad hoc industrial use which will increase traffic demands at the property which could detract from the function and safety of the highway It is generally considered that such industrial uses would more appropriately be established in a suitable industrial area without direct access to the highway. Approval of the current proposal will create an undesirable precedent for other industrial/ commercial uses along the highway. Also, it is noted that sightlines to the south of the existing access/ driveway are partially obscured by a crest on the highway which could further create potential for vehicle conflicts. Further, the existing access/ driveway is narrow and with the steep grade could create issues for heavy vehicles entering and leaving the property. 	Noted – see discussion on traffic below.
Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1 – object	<ul style="list-style-type: none"> Changes the amenity of the area from rural farm use to industrial type use Potential negative impact on surrounding farming area Precedence for further surrounding industrial use 	<p>For land use acceptability – see discussion below.</p> <p>Negative impacts can be addressed through conditions of approval (e.g. stormwater management).</p> <p>The use is of a type that can be contemplated within the zone subject to the Shire's assessment of the proposal on its merits.</p>
Private Submitter 2 – support	<ul style="list-style-type: none"> No comment 	Noted
Private Submitter 2 – indifferent	<ul style="list-style-type: none"> Do not object as long as facility area and hours/days of operation do not impact on the amenity of the area and disrupt surrounding business operations. 	A restriction on operating hours and limit to set down area are applied.



Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Setback (Front)	60m	161m - complies
Setback (Side) – South	20m	223m – complies
Setback (Side) – North	20m	220m – complies
Setback (Rear)	20m	125m – complies
Site Coverage	N/A	
Plot Ratio	N/A	
Landscaping	N/A	
Car Parking		
Standard	Required	Provided
Local Planning Scheme No.1 (insert ratio)	1 space for each transport vehicle capable of being accommodated on the site	Sufficient space
Design	Forward entry into the Street/AS 2890.1 Parking Facilities: Off street car parking/AS 2890.6 Parking Facilities: Off street parking for people with disabilities	Ample turn around area in the proposed set down area.

Discussion

Proposal

- The applicant is proposing to provide earthmoving, transport and mechanical services with much of the work intended to service the agricultural sector. Works include:
 - Road building and maintenance
 - Dam construction, cleaning and maintenance
 - Rehabilitation work to clear felled plantations
 - Vineyard establishment and maintenance
 - Preparation and earthworks for buildings
 - Transport solutions for the agricultural and viticultural industry.
- 5 trucks (3 only being used at one time) and 15 items of earthmoving equipment including excavators, skid steers, wheel loaders etc.).
- Employs 4 full time equivalent staff.
- Fleet vehicle mechanical servicing to occur in existing farm shed.
- Expected truck movements would be an average of 4-8 per day (Monday to Friday) and most would occur between 7am and 8am, and 4.30pm and 5.30pm.
- Access is directly onto Bussell Hwy. Largest truck is to be a semi-trailer.

Background

A fundamental issue in this application is that it is sited on a Main Roads WA (MRWA) managed road, Bussell Highway, and they have objected to the proposal. In response to their concerns, the applicant provided a traffic engineering report to support the proposed use of the crossover onto Bussell Hwy. MRWA did not accept this report, and further conversations were had between the Shire's Manager of Planning and Development Services and senior management of MRWA to see if there was any possible means of them supporting the proposal. MRWA held their objection, and the application has been on hold awaiting any further progress between the applicant and MRWA in this respect. A letter was subsequently received from the applicant's lawyer that a determination should be made and need not be bound by the MRWA response.



Land Use

The proposal broadly sits in the land use classification of a 'transport depot' which, according to the planning scheme definition – *means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.*

A 'transport depot' is an 'A' use in the Priority Agriculture zone and therefore can be considered in the zone. There are no particular provisions regarding this land use and therefore relies on the purpose and objectives of the zone to be assessed for its acceptability.

The relationship that the transport depot has to agricultural activities has merit in that it can be considered a compatible non-rural use (clause 4.2.2.1). Due to the small scale of the proposal, it is also incidental to the predominant rural use of the dairy farm that is in existence on the subject lot. Also to be considered is whether the land use will take away from the agricultural use of the land. The land area which the transport depot takes up is around 8000m². However, with the total land area being 74ha, this is around 1% of the total lot area. This is relatively minor, and the proposal is considered acceptable in terms of the land use. The change is not irreversible, and the area subject of the farming could be integrated back into farming operations on site.

It is important to ensure that the servicing of motor vehicles is restricted to the approved use. 'Motor vehicle repairs' is not a permitted use in the agricultural zone and raises environmental concerns due to potential hydrocarbon pollution. This can be confined by a condition.

Visual Amenity

The proposal complies with the 60m setback requirement as required under the scheme for development adjoining highways, main roads and travel route corridors (4.33.2). In clause 4.33.1 of the scheme, development seen from a travel route corridor shall be designed and sited to comply with objectives of LNRSP to minimise any adverse impacts on rural character, amenity and landscape values. The subject site is in Visual Management Area A for landscape protection as per the LNRSP. This is most likely due to the topography of a small hill on which the subject site sits, making it visually more exposed to views from the highway.



Figure 2: Landscape protection area as per LNRSP

A bund to the east of the set down area as well as the existing plantation screens the development from Bussell Highway southbound. However, the development, including trucks in the set down area can be viewed northbound. The applicant has noted that some trees have been planted along the south of the set down area to try and mitigate visual impacts. The proposed plan provided by the applicant shows screen planting along the east and south of the set down area. A landscape plan is applied as a condition of approval to ensure that a suitable landscape buffer is implemented.



Figure 3: View of development heading northbound on Bussell Hwy.

Traffic

Development Control Policy (DC) 5.1 – Regional Roads (Vehicle Access)

This WAPC policy sets out the principles to be applied when considering proposals for vehicle access to and from development abutting regional roads, which includes Bussell Highway. Ideally there should be no vehicular access to and from properties abutting a regional road (3.1.1). In considering applications for access onto regional roads, traffic flow and road safety are the primary consideration. The more important the regional road, the greater importance attached to these factors (3.3.1). On regional roads, there is a general presumption on traffic and safety grounds against the increased use of existing access to these roads (3.3.2).

As noted above, MRWA do not support the proposal. In general, they do not support intensification of land use proposals with direct access onto Bussell Hwy as it is a high speed rural highway with significant and increasing traffic demands which needs to be maintained. They raise some concerns regarding safety in terms of sight lines due to the crest of the hill and the steepness of the driveway/crossover.

The applicant provided a report from Shawmac Traffic Engineers to assess the issue of the site lines raised by MRWA. Feedback from the Shire's infrastructure team is that the methodology used by the traffic engineer is considered satisfactory and is generally consistent with the relevant AustRoad standards.

The proposed 4-8 truck movements a day is relatively minor in terms of impact on traffic flow. The resolution of safety issues (site lines and steepness of driveway), however will need to be resolved via a separate process administered by Main Roads through an alternative access or upgrades. An advice note is recommended which confirms this given that a condition which requires separate approval by a decision maker other than the Shire, would not be legally sound.

Conclusion

The proposal is acceptable in terms of land use and amenity. While MRWA have objected to the proposal, given the low truck movements and therefore impact on traffic flow, the Shire sees the traffic impacts as acceptable as long as access meets all relevant AustRoad guidelines for safety. Therefore, an advice note is added to the approval which will give the applicant opportunity to resolve the issue with MRWA.

Determination

That the Coordinator Planning Services Grant Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the Transport Depot at 10568 (Lot 2185) Bussell Highway, Witchcliffe subject to compliance with the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	Plan 1 received by the Shire on 14 March 2024
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2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. The transport depot is only permitted to operate within the hours of 7am to 5.30pm Monday - Friday.
4. A maximum number of 8 truck movements is allowed on any one day.
5. The transport depot use shall be limited to the set down area as shown in the approved Plan 1.
6. This approval does not authorise commercial motor vehicle repairs to be carried out at the site other than those associated with the approved use.
7. No offsite materials/fill can be stored permanently at the site.
8. Noise emissions (sound levels) shall comply with the *Environmental Protection (Noise) Regulations 1997*.
9. The development or use of the land shall not cause or permit to cause the escape of dust, smoke, fumes, offensive matter or foul odours in such quantity or of such nature as to unreasonably impact on the amenity of the locality.
10. Prior to the commencement of the use a Landscape Plan shall be prepared to the satisfaction of the Shire. The Landscape Plan shall be drawn to scale and show the following:
 - a. The location, name and mature heights of existing and proposed trees and shrubs;
 - b. Any earth bunds;
 - c. Any natural landscaped areas to be retained; and
 - d. Those areas that are to be reticulated or irrigated are demonstrated to be designed using water sensitive principles.
11. Prior to commencement of the use the approved Landscape Plan shall be implemented and thereafter shall be maintained at all times.
12. A detailed Stormwater Management Engineering Plan shall be prepared to the satisfaction of the Shire within 90 days of the commencement of the use and is to include the requirements set down in advice note 'a'. The Shire's written acceptance of the Stormwater Management Plan must be provided (refer to advice note 'a').

Advice Notes

- a) The Stormwater Management Plan is required to manage potential onsite contamination shall include the following:
 - Details of operational and management measures for the handling of fuel are requested (type of fuel tank storage system, run off management methods and treatment to wash down areas).
 - Addresses the management of hydrocarbons (and potential contaminants), including contingency measures against spills; drawing on information and advice from Department of Water and Environmental Regulation (DWER) where appropriate.
 - Details are required to be provided including the location of new stormwater pits/soakwells, stormwater flow directions, bunds, oil traps and wastewater treatment systems (including hydrocarbon disposal details) in a clearly labelled plan to demonstrate how the risks to water resources can be appropriately managed.
 - Hydrocarbons, chemicals and other toxic or hazardous substances should be stored so there is no discernible contamination of groundwater or surface water. This should include effective secondary barriers to contain the system such as bunds. Details are required regarding storage of toxic substances.
 - In accordance to *Water Quality Protection Note No.10 - 'Contaminant spills – emergency response (February 2006)'*, an effective Emergency Response Plan (ERP) should be prepared, particularly to ensure that any toxic spill should be contained then recovered as practical prior to any escape of residues into the environment.
 - Flow directions of contaminated stormwater and proposed grades to ensure that contaminated stormwater is directed to the collection grates for treatment (avoiding the risk of contaminated water by-passing the grates)



- Bunding where necessary/appropriate to site conditions.
- b) Main Roads WA advise that prior to the commencement of the use, the existing driveway to service the development is required to be upgraded.



General Details

Reporting Officer	Grace Graham
Disclosure of Interest	Nil.
Assessment Level	Major Level 3

Application Details

Address	Lot 4154 Governor Broome Road, Scott River			
Proposed Development	Extractive Industry			
Zoning	General Agriculture			
Lot Area	204ha			
Use Class and Permissibility	'A' – discretionary use			
Heritage/Aboriginal Sites	Yes			
Other Considerations	Visual Management Area	<input type="checkbox"/>	Sewerage Sensitive Area	<input checked="" type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input checked="" type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input checked="" type="checkbox"/>
Structure Plans/LDP's	None			
Easements/Encumbrances	None that affect this application.			
Why is Development Approval Required?	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval			

Site Image





Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners / 2km Radius (Non Rural use in Rural Zone) – 3 Submissions Received	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies DBCA / DWER / DPLH Aboriginal Heritage / DPIRD	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Internal Shire Departments Infrastructure / Environmental Health / Environment/Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments		
Department	Department Comments	Officer Comments
Environment Department	<p>Review completed by environmental officer including review of referral comments from DWER and DBCA and further information received by the applicant.</p> <p>A list of site-specific conditions have been recommended following discussions with referral agencies.</p>	<p>Noted – Recommended Conditions Adopted.</p>
Infrastructure Department	<p>Infrastructure team have read the application details and are familiar with the site. Conditions have been recommended.</p>	<p>Noted – Recommended Conditions Adopted.</p>
Environmental Health	<p>Comments received 14 February 2025 – following receipt of Noise Impact Assessment dated Jan 2025 by consultant.</p> <p>Acoustic assessment findings:</p> <ol style="list-style-type: none"> noise levels from the operation will comply at the existing residences R1-5. Sensitive receivers C1 & 2 were included in the assessment however not deemed assessable locations by the applicant as they have the same ownership as the subject site. For the proposed future chalets at 1165 Scott River Rd, noise emissions from the Scraper operations (at the nearest point in Cell1 or 2) do not comply and could be as high as 50db(A). Once the clearing of the topsoil and overburden in Cell 1 and 2 is complete, operations noise will reduce to a level of compliance. <p>Implement/condition 2 possible recommendations as per the page 13 of the report to ensure compliance at the future chalets.</p>	<p>Noted -</p> <p>Further detailed review was completed by DWER. Comments discussed below.</p> <p>Recommended Conditions Adopted.</p>

External Agency Comments		
Department	Department Comments	Officer Comments
Department of Planning, Lands and Heritage (DPLH), Aboriginal Heritage Conservation	<p>A review of the Register of Places and Objects, as well as the DPLH Aboriginal Heritage Database concludes that the subject Lot being Lot 4154 on DP 207769 partially intersects the boundary of Aboriginal Heritage Place Scott River (ID 22928) near its North-Western border. The proposed works area, as shown in the development application, does not seem to intersect the boundary of the above Aboriginal Heritage Place.</p> <p>Therefore, based on the current information held by DPLH approvals under the <i>Aboriginal Heritage Act 1972</i> (AHA) may not be required in this instance if any proposed works does not intersect the boundary of above lodged Aboriginal Heritage Place.</p>	<p>Noted. Applicant was advised of agency comments and overlay of aboriginal heritage conservation and the minor water way in question.</p> <p>Plans have been updated with a setback from the extraction site to the minor way.</p>



	<p>Aboriginal Cultural Heritage Inquiry System Map of Aboriginal Cultural Heritage (ACH) Lodged</p>	
<p>DBCA</p>	<p>A summary of the comments from the DBCA are as follows:</p> <ol style="list-style-type: none"> Threatened Ecological Community (TEC) Risks: <ul style="list-style-type: none"> Scott River Ironstone TEC is Critically Endangered Two narrow occurrences along Governor Broome Road at high risk - within 200m recommended buffer Second largest known TEC occurrence (17% of total) at risk – along haulage route Proposed 50m buffer to TEC within Governor Broome Road insufficient (200m recommended) Flora & Wetland Impacts: <ul style="list-style-type: none"> Multiple threatened and priority flora species at risk Wetlands (palusplain, sumplands) within/near extraction area Incomplete assessment (only Stage 1 covered) Hydrological changes could affect both TEC and wetlands Transport Route Concerns: <ul style="list-style-type: none"> Road runs through TEC area Risk of disease spread (Phytophthora dieback) Seasonal road deterioration issues Dust impacts on vegetation <ul style="list-style-type: none"> Cattle fence damage risks Site Access <ul style="list-style-type: none"> Only the demarcated entry point on EMP Figure 5 should be used for access to Lot 4154, with other access points potentially increasing risks to TEC and threatened flora; DBCA recommends blocking unused access points to prevent unauthorized entry. Required Actions: <ul style="list-style-type: none"> Site-specific hydrological study needed to determine impacts to TECs BC Act may require authorisation under s45 of the <i>Biodiversity Conservation Act 2016</i> for the modification of a TEC due to potential indirect impacts to the TEC, such as weeds, dust and hydrological impacts. <p>Summary of outstanding concerns following a review of the updated environmental management plan dated Jan 2025.</p> <ul style="list-style-type: none"> Travel haulage route – impact on TEC in road reserve along the route – concern for potential impact caused by road deterioration due to increase truck movements. Deterioration resulting in vehicles navigating through TEC to avoid bad roads conditions. Concerns of dieback along haulage routes through both dry and wet periods – management plan is required on how this is treated on and off site with trucks coming and going 	<p>1 – Risk to TECs in area is noted. TECs along haulage route are outside the 200m buffer from extraction site. Condition is recommended regarding road maintenance and management of dieback risk. TECs in verge (north of site) within 200m but outside 50m are noted and custom conditions are recommended requesting that any extraction work or piles within the 200m buffer is only accepted once a hydrology report is completed as requested by DBCA.</p> <p>2 - A buffer of 350 m from the three sump lands located closest to the stage 1 extraction area has been proposed. Further stages will require further investigation and assessment from an environmental specialist consultant to be considered as future development</p> <p>3 – addressed above in item 1</p>



	<ul style="list-style-type: none"> Lack of information presented for DBCA to determine impact of proposed extraction, rehabilitation, and associated change in surface water hydrology to surrounding TECs in particular along the northern site boundary in the road reserve (within the recommended 200m buffer). <p>Summary comments DBCA advises that the proposal has the potential to significantly impact the Scott Ironstone TEC, threatened flora and wetland areas and the proposed extraction site is wholly within ESA buffer areas. The extraction site buffers to conservation significant areas are considerably less than those recommended in the IRP, and wetland buffer distances appear to be less than anticipated by the EMP.</p> <p>Depending on the outcomes of a site-specific hydrological study and proposed mitigation measures, the proponents may need to consider requirements for referral of the proposal to the Federal <i>Department of Climate Change, Energy, the Environment and Water</i> (DCCEEW) and the Environmental Protection Authority (EPA), pursuant to Part IV of the <i>Environmental Protection Act 1986</i>, for assessment in relation to hydrological impacts to the Scott Ironstone TEC vegetation, in accordance with the EPBC Act.</p>	<p>4 - A dust management plan has been provided by the applicant and is recommended to be conditioned.</p> <p>5 - condition recommended for site entry and exit</p> <p>6 - see item 1 comments regarding conditioning hydrology report for work within 200m of extraction areas.</p>
DWER	<p>The following agency comments have been summarised.</p> <p>Summary of comments/key items of concern raised Oct 2025 are as follows:</p> <p>Issue 1: Groundwater Management Localised data is required to confirm site groundwater conditions.</p> <p>Issue 2: Stormwater Management The Department notes the risk assessment associated with surface water and stormwater runoff (Table 2, WMP) which states that the residual risk associated with sedimentation and erosion from stormwater runoff during the operation of the extractive industry is considered low. However, a discrete 'Stormwater Management Plan' will enable clarity for on-ground operations. Advice note recommended.</p> <p>Issue 3: Crushing and Screening The proposal involves crushing and screening gravel onsite. If the equipment's design capacity meets or exceeds certain production thresholds, the operation may be subject to regulation under Part V Division 3 of the Environmental Protection Act (EP Act). Advice note recommended.</p> <p>Issue 4: Noise Management C1 & 2 although not deemed assessable locations by the applicant, should be deemed assessable irrespective of whether or not the emitting and receiving premises are under the same ownership. Should a noise complaint arise from C1 or 2 the applicant is to fulfill their obligations under the Environmental Protection Act 1986.</p> <p>Table 3.1 of the HSA report provides a list of sound power levels (SWL) for a range of plant that may be used as part of the operations. DWERs review indicates that the sound power levels for the proposed plant may be considerably higher than what is assumed by HSA. Understated sound power levels will result in an underprediction of the received noise levels at receiving premise.</p>	<p>Noted.</p> <p>Issue 1: WMP prepared, localised onsite investigations undertaken confirming that ground water will not be intercepted. Conditions to be adopted relating to risk of interception.</p> <p>Issue 2: WMP prepared, surface water/stormwater to be managed onsite. Recommended conditions are applied.</p> <p>Issue 3: Recommended advice note adopted.</p> <p>Issue 4: Recommended conditions to be adopted regarding sound power levels not exceeding those in the HAS report. And condition to monitor this.</p>



	<p>Issue 5: Water Supply The proponent has advised that water required for the operation will be drawn from the property, without specifying a source. The property is located within the Blackwood Groundwater Area, proclaimed under the 'Rights in Water and Irrigation Act 1914' (RIWI), and as such an appropriate water licence may be required. Advice note recommended.</p> <p>Issue 6: Dieback Management The proponent has advised that there is no evidence of dieback on Lot 4154, however has included and will implement a 'Dieback Management Plan' (DMP).</p> <p>Issue 7: Dust Management The proponent is responsible for controlling and minimising the generation of dust from the EI site, stockpiles and haulage routes. Measures to control and limit dust and air pollution generated from the EI are outlined in the DMP from the commencement date to completion.</p>	<p>Issue 5: Recommended advice note adopted.</p> <p>Issue 6: Condition and advice note adopted.</p> <p>Issue 7: Condition and advice note adopted.</p>
Community Engagement		
Submitter	Submitter Comments	Officer Comments
2 x Private Submitters Object	<p>The following comments have been summarised from the two (2) submitter objections.</p> <ol style="list-style-type: none"> Water & Environmental Risks: <ul style="list-style-type: none"> Interference with groundwater flow affecting bore-water supplies High risk of Potential Acid Sulphate Soils (PASS) disturbance Registered Aboriginal heritage winter creek impact High water table (1.5m) vs extraction depth (2.0m) Risk of hydrocarbon contamination Winter rainfall management (over 1.0m annually) Competing Development & Land Use: <ul style="list-style-type: none"> Existing DA for holiday chalets in close proximity to subject site Gravel operation conflicts with planned tourism development Threatened ironstone ecological community nearby Currently productive agricultural land Safety & Operation Impacts: <ul style="list-style-type: none"> Poor road conditions on Scott River/Governor Broome Roads Safety risks from increased gravel truck traffic Noise impacts on planned accommodation Visual impacts due to 12m elevation change Dust generation affecting neighbours Potential cumulative noise with proposed wind farm Historical & Planning Context: <ul style="list-style-type: none"> Concerns about large-scale soil disturbance Need for comprehensive management plans Request for access to environmental and noise management documentation In summary: Both objections emphasize environmental risks, road safety concerns, and the potential negative impact on existing and planned developments in the area. 	<p>All concerns raised by the submitters have been addressed as part of the assessment process. Some concerns aligned with those raised by referral agencies and have been discussed in further detail in the report body below.</p> <p>Conditions and advice notes related to concerns raised are to be adopted.</p>
Private Submitter 3 - Support	<p>Please be advised of my absolute support for the application. I see this as a good opportunity for gravel to be extracted in an area with a current short supply of gravel and will give benefits well into the future with reduced cartage distances from current supplies.</p>	Noted.



Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Setback (Front)	30m	50m – Complies
Setback (Side - West)	20m	50m – Complies
Setback (Side - East)	20m	>20m – Complies
Setback (Rear)	20m	>20m – Complies
Setback Waterway	30m	>30m – Complies

Discussion

Application Summary

Planning Approval is sought for a five year approval for stage 1 (16.7ha) extractive industry on a 204-hectare priority agricultural lot in the Scott River.

Type of material to be excavated: gravel

Type of equipment to be used: Rock Grinders, Excavators, Loaders, Graders, Scrapers and Haul Trucks. Note Blasting, Rock Breakers, Dozers, Ripper Picks will not be used

Extraction area: Total gravel quarry 56.9ha, **Stage 1 – 16.7ha**

Estimated deposit volume: Total approximately 1,138,000m³, **Stage 1 – approximately 210,800m³**

Period over which operation is to occur: Five years with possible extensions of three times five years if needed (subject to future applications). Total Estimated is Twenty (20) Years. Over the first five year period, a maximum of approximately 45,000 m³ will be excavated each year, depending on supply and demand and to the maximum deposit volume for stage 1 being approximately 210,800m³.

Days and hours of operation:

- Monday to Friday 7am - 5pm
- Saturday 8am – 1pm
- No operation on public holidays.

Staging details: Stage 1 is broken down into 4 cells totalling 16.7 hectares.

- Prior to excavation commencing the site will be ground surveyed, the excavation footprint marked out and a 1 m contour plan developed.
- The topsoil/overburden will be stripped and used to construct earthen bunds using a loader.
- A surface miner will be used to dig the gravel, grind and crush it and then transport it to a stockpile.
- Any areas of deeper sand will also be stripped and stockpiled for reuse.
- The gravel will then be picked up by a loader and loaded to trucks for transport.
- Upon completion of each section of quarry, the section will be reformed and back filled, where subgrade material is available, to achieve the proposed final contours.
- At the end of excavation, the floor of the quarry will be deep ripped, covered by overburden and topsoil, and rehabilitated to a constructed soil.

Stockpiling onsite: Stockpile area is a 200m x 20m strip along the northern boundary adjacent to the haul road. Removed product will not be stacked any higher than three (3) meters. Stockpile will be placed in a way that a water truck can access all sides and be side sprayed if needed.



Access: Access to the proposed extraction will be via Governor Broome Road to Scott River Road, including construction of suitable crossover. Truck numbers will vary from day to day, heavier in summer, minimal in winter. As a supplier, product will leave on various contractors' trucks, and types and size of trucks/machinery to be used are semi trailers and loaders.

Assessment Process

The application was accepted with a Noise Management Plan, Dieback Management Plan, Dust Management Plan, Ground Water and Stormwater Management Plan, and Rehabilitation Plan. These plans were produced by the applicant, which was deemed not suitable for the application to be progressed to advertising to surrounding owners, internal shire teams or state government referral agencies. The applicant was advised in May 2024 to prepare and submit a stormwater management plan and environmental plan by a suitability qualified consultant before advertising could commence. A site plan showing staging was also requested to demonstrate locations of stockpiling, noise & stormwater bunds, and any vegetation buffers. At this stage a noise assessment report wasn't required due to the lack of sensitive receivers within a 500m distance from the extraction sites.

An environmental consultant was engaged by the applicant to undertake the environment report and stormwater management plan. The plans were received, and mandatory advertising was commenced in September 2024, with results of the advertising being shown in the tables above. Upon completion of the advertising period, results of advertising were provided to the applicant and consultant in November 2024.

Prior to the advertising commencing an application for chalets was received on the neighbouring lot to the west of the subject site in August 2024. The proposed chalets are within a 500m distance from the stage 1 cell 1 & 2 extraction site. Due to the possibility of the chalets being situated on the neighbouring property it was advised by DWER that the applicant should undertake a noise assessment that should also be reviewed by DWER. See below further discussion regarding the amenity impacts and recommended conditions. The advertising also identified further information by DWER & DBCA regarding ground water and surface water, as well as Threatened Ecological Community (TEC) Risks, Flora & Wetland Impacts, Transport Route Concerns, and Dust impacts on vegetation.

Responses to the raised issues in November 2024 were provided in January 2025 with the updated Environment Management Plan, updated Stormwater Management Plan and Acoustic Assessment received. These reports were sent to DWER and DBCA for further consideration and comment. A final Stormwater Management Plan version 3 was accepted by DWER with conditions recommended for implementation. A summary of the Stormwater Management Plan is provided in below discussion.

Further comments were received by DBCA on the 16th of February, with concerns outstanding regarding potential impacts on TECs, with a hydrology report not being completed by the applicant. Items of concern outstanding have been discussed with DBCA and the Shires Environmental Officer. Conditions have been recommended to address the concerns and potential risks.

Advertising – Submitter Concerns Addressed

The application was advertised to surrounding landowners within a 2km radius, with three (3) submissions received. One (1) submission of support and two (2) submissions of objection. The key items of concern raised by the objectors are summarised in the table above. All concerns raised by the submitters have been addressed as part of the assessment process. Some concerns aligned with those similarly raised by referral agencies have been discussed in further detail in the report body below.

Amenity - Acoustic & Separation Buffers

The proposed extraction stage 1 site is located in the Northwestern Corner of the subject lot. Local Planning Policy 3 (LPP3) Extractive Industries outlines acceptable development requirements including buffer zones for different types of extractive activities. The proposed extractive industry is assessed against AD 1.3.4 Gravel extraction processed by grinding, milling or separated by sieving, aeration etc. – which requires a buffer distance of 500m. The figure below shows a 500m buffer distance from the stage 1 extraction site with a purple outline.

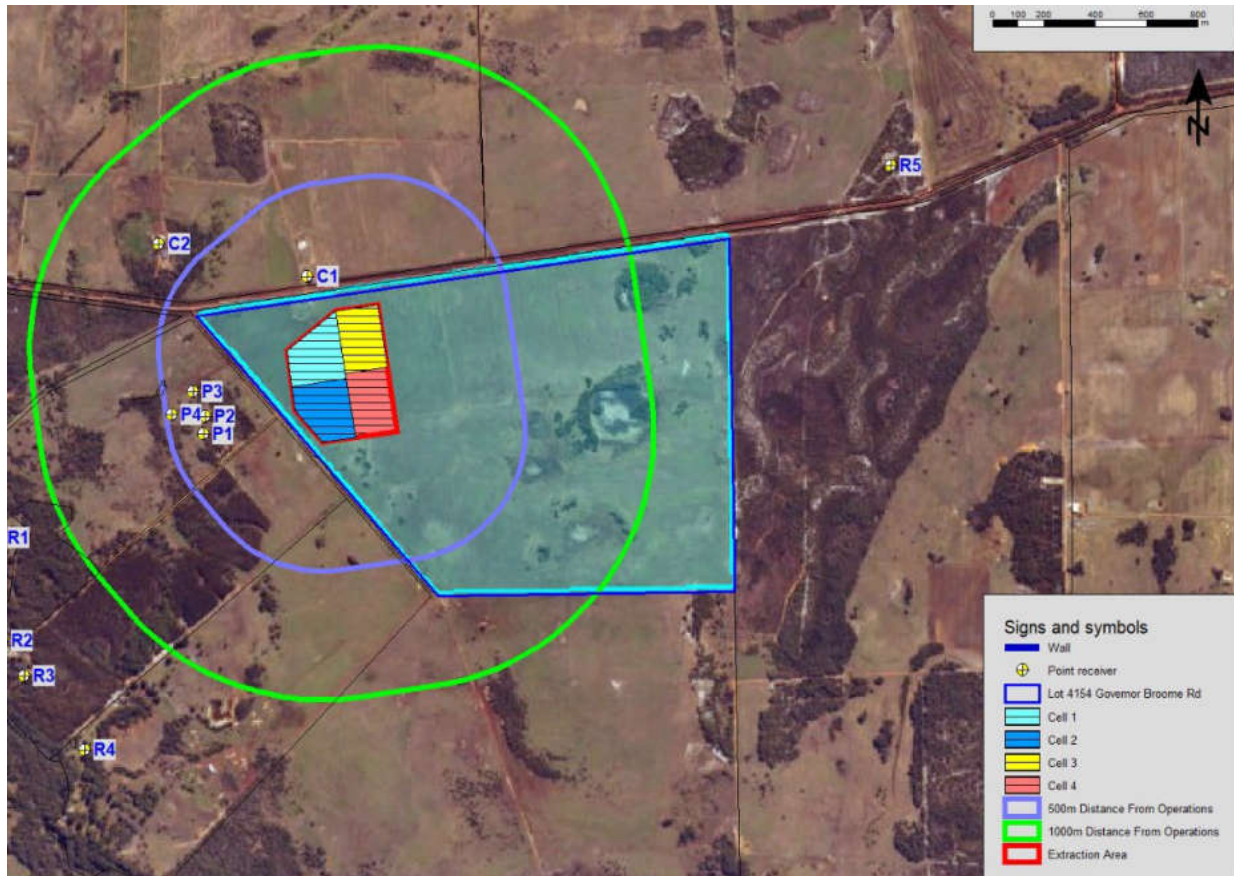


Figure 1 Extractive Operations - 500m Buffer to Sensitive Receivers

There is only one (1) existing sensitive receiver (C1) within a 500m distance from the stage 1 extraction zone, located at approximately 170m. As per the acoustic assessment C1 proposed noise levels exceed the assigned LA10 day period noise level of 45dB(A) at 58-59dB(A). This sensitive receiver is owned by the owner of the subject site for extraction, and as such the applicant has deemed this lot non assessable. A letter of support has been provided by the land owner which also states that *"we wish to provide assurance that our properties are not for sale in the foreseeable future. And if in the unlikely event that they were sold, a condition of the sale would be that the gravel extraction agreement would form part of that sale agreement."*

There are also some proposed sensitive receivers P1-P4, which are proposed chalets on the neighbouring property to the West. These chalets are not yet built and are still awaiting planning approval. The Acoustic Assessment addresses these and recommends 2 options for sound mitigation based on when/if the chalets are built. Option 2 outlined in the assessment proposes 3-4m bunding on the western border of Cell 1 and 2 whilst Scraper operations are present (in Cell1 and 2). Conditions are recommended for the development to be conducted in accordance with any management controls detailed in the Environmental Noise Assessment undertaken by Herring Storer Acoustics dated January 2025.

A Noise management plan has also been provided as part of the application. All neighbouring residential properties will have the applicant's contact details and the ability to notify the applicant of their complaint directly. Should a complaint be received, they will be addressed immediately. Action will be taken by meeting with the complainant on site where noise is hazardous and noise level readings will be taken via decibel reader. Should readings be higher than acceptable in accordance with the Environmental Protection (Noise) Regulations 1997, work will cease immediately until the source is rectified. Loading of trucks will happen when needed throughout the year, within the designated hours and noise levels will be continuously monitored throughout the project.

Stormwater & Ground Water

The applicant has provided a Water Management Plan completed by a qualified consultant. The Water Management Plan has been reviewed by DWER with any issues raised being addressed throughout the assessment. Ground water management, stormwater management, water supply relating to dust management, and dieback management were addressed in the plan.

In summary across stage 1 there is a proposed extraction of 0-6m across cells 2-4 West to East, with the natural ground level at 22m to 28m AHD. The ground water levels determined for stage 1 are 18.74-19.01m AHD, which was derived from both DWER bore information from 1994 to 2024 and test pit data undertaken in October 2024.

Given a maximum excavation depth of 22.5m AHD, the minimum separation to groundwater will be in excess of 3 m. See figure 2 showing a cross section across stage 1.

No ground water will be intercepted during the excavation. Conditions are recommended to reinforce this objective.

In regards to surface water the current water cycle within the subject site consists of inputs from rainwater flowing downhill in a north westerly direction into the wider drainage system. The development is not proposing to alter this process and the development will maintain this process, with all surface water being retained within the excavated areas before being directed to an infiltration pit to the west of the extraction area to ensure water quality is maintained.

Potential associated impacts on surrounding environment from water drainage (sedimentation and erosion from stormwater) during the operation of the quarry will be minimised by the construction of diversion bunds around the excavation areas to the south and east of each stage to divert clean water away from the pit and contain any potentially sediment laden surface water within the pit. A risk assessment has been undertaken resulting in a low residual risk. Further engineering detailing is required prior to the construction of the bunds, which are to be outlined in an updated water management plan.

A condition is recommended to update the Water Management Plan to be prepared in accordance with the Stormwater Management Manual for Western Australia (DWER, 2022) to ensure stormwater is properly managed and does not adversely impact identified Threatened Ecological Communities (TEC) and other areas of native vegetation. Potential impact TECs are discussed further below.

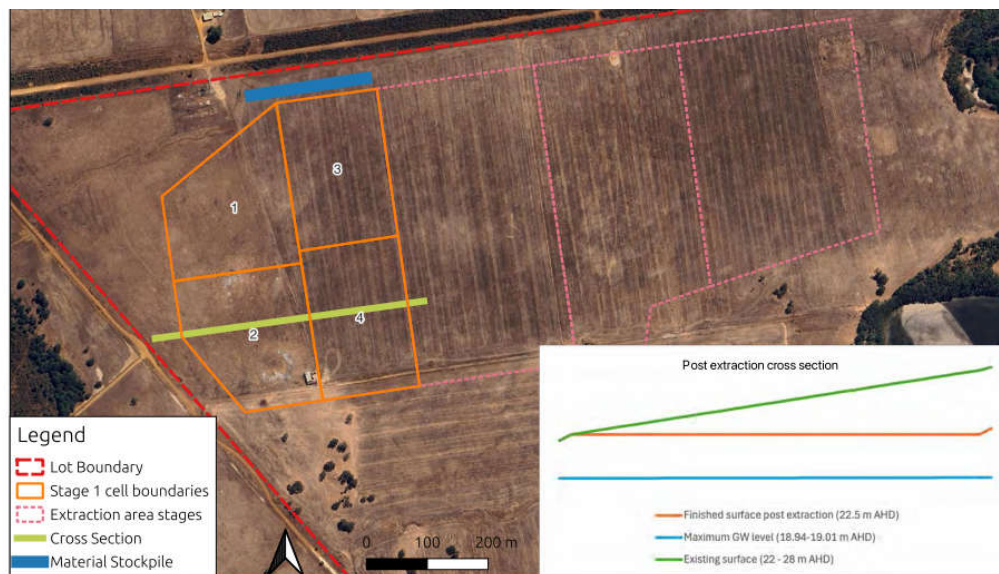


Figure 2 WMP Ground water, extraction and natural ground levels

Additionally, in response to concerns raised by submitters regarding hydrocarbon contamination risk, the WMP addresses this risk and provides management measures. Also the risk of acid sulphate soils are expected to be low



based on the proposal involving the excavation of material above the water table and no dewatering taking place during excavation works.

Environment – TEC

An Environmental Management Plan (EMP) was developed for stage 1 of the project which has a proposed insitu volume of approximately 210,800 m³. The EMP was reviewed by Department of Biodiversity, Conservation and Attractions (DBCA), with most items of concern being addressed by the applicant in the second version of the plan dated January 2025. DBCA's most recent review and correspondence indicate that further investigations should be completed to assess the potential hydrology changes and impact of nearby Threatened Ecological Communities (TEC).

The subject site has been described by the applicant as degraded due to prolonged land degradation processes including land clearing and livestock grazing. No clearing is proposed as part of the proposal, and no vegetation associated with the Threatened Ecological Community (TEC) is located on the property.

The site is located within a TEC buffer which can be seen in figure 3 and encompasses a large majority of the Scott River. Larger clusters of TECs are identified to the East and West of the subject site (in green), and some TECs are identified in the road verge to the north of the site along Governor Broome Road.

The applicant has proposed a 50m buffer to identified TEC occurrences as per the Federal government's conservation advice.



Figure 3 DBCA TEC Buffer and Identified Locations

The Federal government's conservation advice refers to "at least a 50m buffer zone" to the TEC – *however the width of the buffer may be greater depending on the type of threat (including hydrology) and other factors*. No development should be within the buffer, including the stockpiling of materials. The Federal government conservation advice also refers to minimising disruptions to the local landscape that may influence the pattern of winter rain inundation, such as smoothing out depressions.

DBCA advise that they are not satisfied that the 50m buffer is sufficient based on lack of hydrological information presented by the applicant.

In the absence of a hydrology report DBCA recommend the extraction area be situated outside a 200m buffer as recommended in an Interim Recovery Plan which is plan prepared by DBCA for the specific purpose of protecting Scott River Ironstone TEC.

A condition has been recommended for a hydrology report to be prepared prior to any works being undertaken in proposed extraction areas within a 200m distance from the TEC. This includes stockpiling and any associated works with the extraction of gravel. This allows extraction to commence in cells 2 & 4 outside the 200m buffer and therefore addresses DBCA's concerns.



In addition to the above DBCA had outstanding concerns regarding possible disruption to the TEC on the haulage route to the West along Governor Broome Road and issues related to dieback. A dieback management plan is to be prepared to address these concerns and a haulage management plan, including provisions to minimise impacts on the TEC/DRF along Governor Broome Road. Both have been conditioned.

Rehabilitation

The intended end use for this site will be primarily for farming. A rehabilitation plan has been provided as part of the application. The applicant proposes to transform the surface from an uneven, rocky surface, to an even surface with an even coverage of sand and topsoil, to create user friendly and productive land for general farming.

Dust

Dust Management Plan has been completed by the applicant and conditions are recommend to reduce risks.

Conclusion

The two main issues arising from the assessment process are potential noise impacts (on as yet unapproved/unconstructed) chalets and potential impacts on TEC's. By commencing extraction in the areas closest to the future chalet sites, the development will move away from future sensitive receiver locations and together with noise mitigation measures this issue is resolved.

The strong concerns of DBCA regarding potential impact on TEC's are also fully resolved by conditions which prevent extraction occurring (without further hydrological information) within 200m of TEC's which accords with DBCA's interim recovery plan for the species. Furthermore, the proposal is limited to just stage 1 of a multi stage proposal thus reducing overall impacts.

Determination

That the (Director of Sustainable Development / Manager of Planning and Regulatory Services / Coordinator Planning Services / Senior Planning Officer) Grant / Refuse to Grant Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the Extractive Industry at Lot 4154 Governor Broome Road, Scott River subject to compliance with the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	Plan P1 received by the Shire on the 19/2/2025 – Officer Markups in Red dated 3/4/2025 Water Management Plan – Accendo Australia - February 2025 Environmental Management Plan – Accendo Australia – January 2025 Acoustic Assessment – Herring Storer Acoustics – January 2025
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2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. This approval is valid for a period of five (5) years starting on the date this approval is granted.
4. The pit operations and extraction, including associated site construction, truck movement and rehabilitation, shall not operate outside of the hours of 7.00am to 5.00pm Monday to Friday and 8am to 1pm on Saturdays. The operations and extraction shall not operate on Sundays and public holidays.
5. The extraction area and all stockpiles are to be setback a minimum of 30m from the naturally occurring watercourse on the site. The 30m setback shall be clearly demarcated.
6. Storage of material excavated offsite is prohibited.
7. A surveyed plan of each stage is to be provided prior to extraction commencing. Each stage is to be clearly marked on site for the duration of extraction.
8. An Annual Audit of Compliance shall be prepared by a suitably qualified independent expert and submitted to the



Shire annually. The Annual Audit of Compliance shall include:

- a) Details to demonstrate compliance with the conditions of this Development Approval;
- b) Tonnage of gravel removed from the site and the period within which the gravel was removed;
- c) Progress report on the approved Rehabilitation Management and Monitoring Plan including:
 - i. Details of completed, ongoing and future rehabilitation areas
 - ii. Photos of rehabilitated areas
 - iii. Monitoring and reporting details, if available

Amenity

9. The extractive industry shall be conducted in accordance with any management controls detailed in the Environmental Noise Assessment undertaken by Herring Storer Acoustics dated January 2025. (refer to advice note c).
10. Noise emissions resulting from development/use of premises for the approved purpose shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997, and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises.
11. A Noise Management Plan shall be provided within 60 days of the date of this approval to the satisfaction of the Shire, to measure, verify and report on the sound power levels once operations commence, including any plant used as part of the approved works.
12. Noise bunds are not to exceed the heights set out by the Herring Storer Acoustics report dated January 2025 being 3-4m.
13. Stockpiles are not to exceed a height of 3m.
14. No blasting is permitted under this approval. Rock breakers, dozers and ripper picks will not be used
15. A Dust Management Plan shall be provided within 60 days of the date of this approval to the satisfaction of the Shire.
16. Works shall be conducted at all times in accordance with the accepted Dust Management Plan. (refer to advice notes 'i, p, m').

Infrastructure

17. The proponent shall be responsible for the cost of maintaining, and repairing damage to, the roads controlled by the local government which are used by haulage traffic associated with the development, to the extent that the traffic generated by the development contributes to the need for such maintenance and repair. Prior to the operation of the extractive industry commencing a Road Maintenance Plan (RMP) incorporating:
 - the abovementioned principle.
 - an audit of the condition of relevant roads.
 - maintenance standards and associated requirements and responsibilities as agreed with the Shire; and
 - the estimated cost of road maintenance and repairs for the life of the development.shall be lodged with the Shire for approval within 60 days of the determination. The approved plan shall be implemented throughout the duration of the project.
18. Prior to the operation of the extractive industry commencing, the proponent is to pay to the local government a bond or equivalent acceptable to the Shire sufficient to secure the road maintenance and repair obligations contained in the approved Road Maintenance Plan (RMP), within 60 days of the determination.
19. No haulage is to be undertaken on haulage routes during school the times that school buses are operating. Operators must contact the relevant schools directly for school bus timetables; or where direct contact can be made



with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs / pick-ups have been completed on the particular road.

20. Prior to the operation of the extractive industry commencing two (W5-22) advanced warning signs shall be installed at appropriate distances from the access and egress of the property. All signs shall indicate "Trucks Crossing or Entering" ahead and shall comply with Main Roads Warning signs- Category 2.
21. At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and managed to predevelopment flow regimes.

Environment

22. Prior to commencement of works, a Rehabilitation Plan shall be prepared to the satisfaction of the Shire and shall be submitted for the approval of the Shire (please refer to advice note 'b'). The Rehabilitation Plan shall indicate the following:
 - a. the method of revegetation.
 - a. any soil treatment including topsoil depth for rehabilitation areas.
 - b. details of any weed control and maintenance; and
 - c. completion criteria
23. All excavation and storage areas shall be rehabilitated to the satisfaction of the Shire within 12 months from the expiry date of this approval, or, within 12 months of depletion of the resource, whichever occurs first. (See advice note 'b').
24. The proponent shall pay a **rehabilitation bond** within 60 days of the date of this approval to be held against satisfactory completion of rehabilitations works required as a condition of this approval. The rehabilitation bond shall be calculated on the basis that the site will be rehabilitated according to the rehabilitation plan. (See advice note 'h')
25. Excavation, stockpiles and associated earthworks shall not be undertaken within 200m of the Threatened Ecological Communities (TEC) located in the Governor Broome Road reserve until/unless a hydrology report has been submitted and approved by the Shire on advice from the Department of Biodiversity, Conservation and Attractions of (see advice note 'n').
26. Prior to commencement of works a Water Management Plan (dated February 2025 by Accendo Australia) shall be updated in accordance with the Stormwater Management Manual for Western Australia (DWER, 2022) to ensure stormwater is properly managed and does not adversely impact identified Threatened Ecological Communities and other areas of native vegetation. (please refer to advice note 'a,f, j-k')
27. Prior to commencement of works a Haulage Management Plan shall be prepared which is to include measures to minimise impacts on the identified Threatened Ecological Communities along Governor Broome Road.
28. Prior to the commencement of works, a Dieback Management Plan shall be prepared to the satisfaction of the Shire and shall be submitted for the approval of the Shire. Works shall be conducted on site at all times in accordance with the approved Dieback Management Plan.
29. Dewatering of the extraction area is not permitted and the excavation shall not intercept the water table. Extraction must be maintained above the seasonal ground water table as determined by the Department of Water and Environmental Regulation. Works must immediately cease in the event the water table is intercepted and remedial actions implemented to the satisfaction of the Shire (see advice note 'e').
30. There shall be no standing water occurring at the end of the extractive operation.
31. This approval allows for excavation to be no deeper than 22.5m AHD.
32. The proponent shall implement all measures necessary to prevent erosion, or airborne or waterborne transmission of soil and sediment from the development and tracking of soil by vehicle tyres onto the road during the extraction



period.

Advice Notes

- a) The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 '*Basic raw materials extraction*' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated
- b) In regard to rehabilitation of the site reference should be made to the 'Guidelines for Preparing Mine Closure Plans', Department of Mines and Petroleum and Environmental Protection Authority, June 2011'.
- c) The Proponent is required to ensure that ongoing operational activities associated with the approved development including processing and transportation, and any other works that cannot be considered as construction site work, complies with the standard prescribed under the *Environmental Protection (Noise) Regulations 1997*.
- d) Works in a road reserve, including any pruning or clearing of vegetation, are prohibited without first obtaining written approval of the Shire. The proponent will be required to submit and implement a Traffic Management Plan for all works in a road reserve. The TMP is required to be prepared by a licenced Traffic Manager in accordance with MRWA Traffic Management Code of Practice and Australian Standards AS1742.3-2002 for any works on or within the road reserve (including road)".
- e) If interception of ground water occurs, the Shire shall be advised within 24 hours and agreed remedial action undertaken to the specifications of the Department of Water and Environmental Regulation and to the satisfaction of the Shire.
- f) The proponent is advised to refer to the principles of best practice drainage design as described in the Stormwater Management Manual for Western Australia
- g) The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at <http://www.der.wa.gov.au/our-work/licences-and-works-approvals> and / or if they have queries relating to works approvals and licences to contact DWER at info@dwer.wa.gov.au or 6364 7000
- h) The proponent shall enter into a deed with the Shire to detail the rights of the Shire to call upon or retain the bond. The rehabilitation bond is to be made in a cash payment or a bank guarantee and is held against satisfactory completion of rehabilitation works. In the event remedial works are required, and not completed to the satisfaction of the Shire, the Shire and/or its contractors may carry out the required works. The proponent may request a return of the bond following completion of rehabilitation works.
- i) The development or use of the land shall not cause or permit to cause the escape of dust, smoke, fumes, offensive matter or foul odours in such quantity or of such nature as to unreasonably impact on the amenity of the locality. (EH)
- j) The Water Management Plan shall address the following:
 - a. The management of stormwater from the extraction area. No unmanaged stormwater is to leave the extractive areas and shall be managed at all times (via measures where appropriate such as the use of bunds, retention basins or drains).
 - b. Details of the location of plant and equipment, including refuelling activities, which should be undertaken away from any waterways to minimise any risks to surface and ground water.
 - c. A 'spill management plan' in the case of spills during refuelling.
 - d. Sediment control measures i.e. sediment fences
 - e. Monitoring of surface water quality adjacent to lot boundaries
- k) The Water Management Plan shall cover the proposed extraction area, haulage routes and stockpiles within the property boundary, taking into account, but not limited to the following:
 - o compliance with the 'Rights in Water and Irrigation Act 1914',
 - o compliance with the 'Environmental Protection Act 1986',



- sediment and erosion control,
 - waterway/wetland impacts,
 - management of road infrastructure (e.g. crossings).
- l) The applicant is advised that they may meet the requirement for Prescribed Premises as per Schedule 1 of the 'Environmental Protection Regulations 1987' (Regulations) and as such, may require a works approval to construct/install the crushing/screening equipment (mobile or otherwise) and a licence or registration to operate. The applicant is therefore advised to refer to the information and Industry Regulation Guide to Licensing available at <http://www.der.wa.gov.au/our-work/licences-and-works-approvals> and / or if they have queries relating to works approvals and licences to contact the Department at info@dwer.wa.gov.au or 6364 7000.
- m) The applicant is advised to contact the Department of Water and Environmental Regulation to ensure that any groundwater used for dust suppression, or otherwise used for the proposed EI, is (if necessary) appropriately authorised under the 'Rights in Water and Irrigation Act 1914'.
- n) A map shall be prepared identifying the 200m & 50m Threatened Ecological Communities buffer and provided to contractors.
- o) Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a high to moderate risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's (DWER) acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works: <https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>.
- p) The Proponent is advised that the following dust minimisation practises should be included in the required Dust Management Plan:
- a. Stockpiles of processed material will be sprayed with water and compacted as required;
 - b. Green belts will be used to augment the adjoining road reserve in reducing wind-speed through the pit-operations and to assist with trapping any resulting dust;
 - c. Completed sections of the pit will be rehabilitated as soon as practicable to reduce the area of open ground and help reduce wind speed;
 - d. The top soil/root layer will not be removed until immediately prior to the commencement of sand extraction;
 - e. Covering of loads before leaving property;
 - f. Stabilisation of areas completed over summer (when vegetation stabilisation is impracticable) is to be achieved by spreading mulch;
 - g. Induction of employees and contractors includes awareness of dust generation and management measures;
 - h. Complaint response procedure.
- q) The clearing of native vegetation is prohibited, unless clearing is authorised by a clearing permit obtained from the Department of Water and Environmental Regulation, or is of a kind that is exempt in accordance with Schedule 6, of Regulation 5 (contained in the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*). Please note, any development which causes harm and can result in the death of vegetation may constitute clearing and be subject to the relevant clearing permit.
- r) Broadband reversing alarms are recommended to be used on vehicles and plant equipment when in use on the site.