

20 December 2017

Our Ref: OPA17127032
File No: A1378
Your Ref:

Mr Daniel Palmer
Palmer Civil Construction
PO Box 207
ALBANY WA 6331

Dear Mr Palmer,

PLANNING DETERMINATION

I am pleased to advise that your application for development was considered by Council at its Ordinary Meeting held on the 18 December 2017 and has been approved. The attached Planning Approval details a number of conditions which must be met in the course of carrying out the development for which the approval has been granted.

The conditions have been imposed by Council under Clause 10.3 (a) of the Shire of Cranbrook Town Planning Scheme No. 4 and relate specifically to the plan attached to the Planning Application. Failure to comply with any condition of development approval constitutes an offence for which prosecution may be instituted under Part 14 of the Planning and Development Act 2005.

Yours sincerely,



Peter Northover
CHIEF EXECUTIVE OFFICER

DETERMINATION ON APPLICATION TO COMMENCE DEVELOPMENT

PLANNING DETERMINATION

Owner:	Mr Gordon Gibbon
Address:	Vasse Research Station 4703 Jalbarrugup Acton Road BUSSELTON WA 6280
Applicant:	Palmer Civil Construction
Address:	PO Box 207 Albany WA 6331
Description of proposed development:	Extractive Industry
Location:	Lot 8078 Climie Road Cranbrook WA 6321

The Council having considered the application received on the 10 November 2017 submitted by Palmer Civil Construction hereby advises that it has decided to APPROVE the application for Extractive Industry with the following conditions:

- 1. Approve the application for an extractive industry on Lot 8078 Climie Road Cranbrook subject to the following conditions and footnotes:**
 - a. The extractive industry use shall be carried out and fully implemented in accordance with the documentation lodged as part of the application including the mining proposal, project management plan, explosives management plan, mine closure plan and dieback management plan.**
 - b. The layout of the site and the size, design and location of the proposed works shall accord with the endorsed plan(s) unless otherwise approved in writing by the Chief Executive Officer.**
 - c. Prior to commencement of operation, the proponent is to lodge a revised 'Management Plan' for dust, noise and vibration to be approved separately in writing by the Chief Executive Officer. The revised Management Plan shall include:**
 - i. Explanation of pre site examination for ideal weather conditions prior to blasting.**
 - ii. Dust suppression mechanisms to be clearly explained similar to methods described in the more detailed 'Mining Proposal' including use of sprinklers on stockpiles, retention of vegetation buffers, water suppression during crushing etc**
 - iii. Dust, noise and vibration monitoring by suitably qualified external consultants on commencement of operations and lodgement of a report of the results to the Shire within a definitive timeframe.**
 - iv. Prior written notification to the Shire and surrounding landowners prior to blasting.**
 - v. A complaints management system should be in place and provide for corrective action if substantiated adverse impacts have occurred. All complaints should be logged and investigated with timely feedback provided to the complainant and Shire. Complaint forms should be kept and made available to relevant authorities and community members upon request.**
 - vi. Commitment to cease operations / blasting/ crushing where dust or noise cannot be adequately controlled due to factors such as lack of water , weather conditions etc**

- vii. Recognition and commitment to comply with the Environmental Protection (Noise) Regulations 1997 (as mentioned in the 'Mining proposal' document).
 - viii. Limitation of hours of operation (as stated in the application).
 - ix. A dust management program should detail any ongoing monitoring and the format for reporting monitoring results.
 - x. Personnel responsible for dust/ noise / vibration management and monitoring at the site should be specified. This could be the site manager, site supervisor, environmental manager etc. Their roles, responsibilities and contact details should also be specified.
 - xi. Incorporate the map showing surrounding landuse and location of sensitive receptors as an appendice.
 - xii. Include a map showing the seeded stockpile along the western boundary.
 - xiii. Provide the Shire of Cranbrook with an annual Certificate of Currency of Public Liability insurance to a minimum value of \$50,000,000.
 - xiv. Seal Climie Road from Albany Highway to the quarry entrance within three years of commencement of operations to the satisfaction of the CEO.
- d. The proponent to implement the measures and recommendations of a revised Management Plan approved by the Chief Executive Officer.
 - e. The proponent to undertake adequate precautions to protect the north 25 metre vegetation buffer, the west 10 metre vegetation buffer, and vegetation south of the quarry at all times, unless otherwise approved by Council.
 - f. The section of Climie Road used as the haul road is to be maintained to an appropriate standard and to the satisfaction of the local government during the operation of the extractive industry. Any damage caused to Climie Road as a consequence of the extractive industry is to be made good, to the satisfaction of the local government, at the proponents cost.
 - g. Adequate safety fencing and warning signs shall be placed around the perimeter of the extraction site and thereafter maintained for the life of the extractive industry as stated in the application.
 - h. A sign is to be located at the entrance to the property at all times to identify the quarry operator and a contact name and number of a responsible contact person for enquiries relating to the quarry operations.
 - i. Aggregate extraction is limited to an annual amount of 30,000 tonnes unless otherwise agreed to in writing by the Chief Executive Officer.
 - j. Hours of operation shall be limited to 7:00am to 6:00pm Monday to Saturday with no operations on Sundays or public holidays, unless otherwise approved in writing by the Chief Executive Officer.
 - k. The proponent is to monitor the maximum ground level prior to commencement of operation (as stated in the application), and ensure that the design pit depth is above the maximum seasonal ground water level at all times of operation. There shall be no interception of the quarry level and water table at at any time.
 - l. All stormwater runoff shall be fully contained within the lot boundaries at all times as stated in the application.
 - m. All storage of bulk oil, fuel or other potential contaminants must be fully contained within a self bunded facility.
 - n. All industrial and domestic waste is to be disposed of off-site.
 - o. The Mine Closure plan (including re-use of topsoil and removal of all structures) approved by the local government is to be adhered to and implemented at the cessation of extractive operations.
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- p. Detailed floor plans and elevations for ancillary buildings including the workshop, office, crib and ablutions are to be lodged to the Chief Executive Officer for endorsement prior to the issue of a Building Permit.
- q. The proponent to ensure that any road closures associated with blasting activities do not conflict or interfere with local school bus operational times.
- r. This approval is valid for a period of 23 years from the date of development approval.

Footnotes:

- (i) A planning consent is not an approval to commence any works. A building licence must be obtained for all works. Separate approval is also required for installation of on-site effluent disposal.
 - (ii) The extractive industry is required to comply with separate Environmental Protection (Noise) Regulations 1997.
 - (iii) In regards to condition 3, please be advised that a lot of the information is already contained in the Mining Proposal and other documents submitted, however it needs to be compiled into a more comprehensive Management Plan with a complaints procedure.
- 2. Note that the application has been advertised for public comment and one objection has been received. The issues raised in the objection are addressed in the application and / or through the recommended conditions.
 - 3. Note that proponent has applied for a clearing permit from the Department of Water and Environmental Regulation (DWER), and has approval for a major expansion/ change to existing operation from the Department of Mines, Industry Regulation and Safety (Resources Safety).



PETER NORTHOVER
CHIEF EXECUTIVE OFFICER

Date: 20 December 2017
