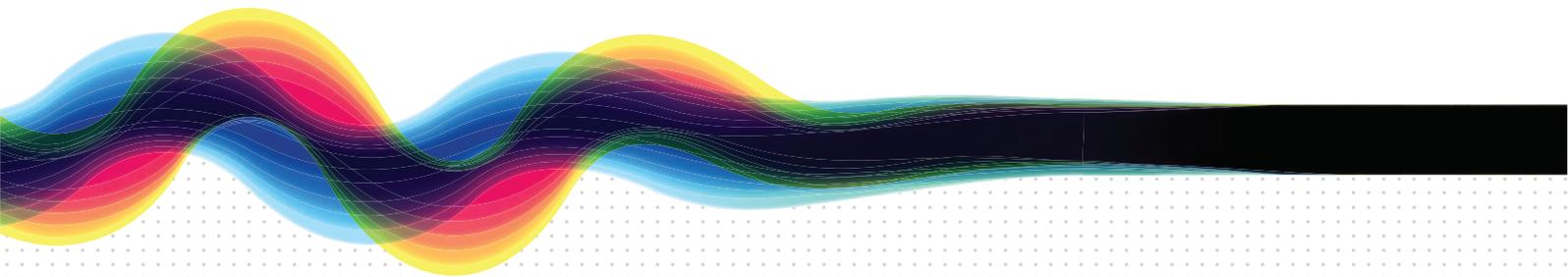


Proposed Industry Extractive

Lot 9 Brookton Highway, Karragullen

May 2021 | 20-112



element.
the art and science of place

We acknowledge the custodians of this land, the Whadjuk Nyoongar and their Elders past, present and emerging. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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1. Introduction

This Application for Development Approval proposes the expansion of the existing Industry Extractive on the subject site to allow for further extraction of the gravel resource.

The application proposes the development of an additional gravel quarry to the east of the existing extraction area. This will facilitate the removal of an additional gravel resource on site.

To support the Application for Development Approval the following reports have been prepared:

- Environmental Management Plan (including various supporting reports). Refer to Annexure A.
- Traffic Technical Note. Refer to Annexure B.

The new quarry is proposed to be open on the finalisation of the extraction of the existing resource within the existing quarry. Rehabilitation of the existing quarry will be ongoing whilst resources is extracted from the new quarry.

The new quarry has an area of approximately of 5.0ha and a has a volume of approximately 373,000m³ (excluding topsoil). The resource is proposed to be extracted over a period ten years. Extraction of the resource will be dependent on demand. A rehabilitation plan is also provided, demonstrating how the quarry will be rehabilitated post the removal of the gravel resource.

Existing remnant vegetation is proposed to be removed to facilitate the construction of the new quarry. In this regard, a Native Vegetation Clearing Permit and referral to the Department of Agriculture, Water and Environment under the Environmental Protection and Biodiversity Act (EPBC Act) will occur.

A Visual Impact Assessment (VIA) accompanies this application to which demonstrates that the visual impact of the proposal is limited and can be appropriately managed.

Concomitant to the Application for Development Approval an Application for an Extractive Industry Licence has been lodged. It is expected that this Application will be progressed concurrently with the Application for Development Approval.

2. Property Particulars

2.1 Subject Site

The subject site is known as:

- Lot 9 on diagram 42350.

The subject site has three encumbrances being:

- An easement in benefit to the subject site.
- A Caveat to Vinci Gravel Supplies.
- Mortgage to Westpac Banking.

The easement referred to above is utilised to access the subject site. A copy of the Certificate of Title is contained within Annexure C.

The subject site in part is cleared to accommodate existing gravel extraction operations and an equipment storage area. Rehabilitation of former quarried areas is also occurring.

To the south of the equipment storage area there is cleared land in dispersed with remnant vegetation. To the east of the proposed extraction area are rocky outcrops which align on a north south axis and extend into landholding to the south.

It is noted that based on a review of historical aerial photography that the subject site has been cleared to various extents since 1974.

Refer to the Location, Aerial Photograph and Site Plan.

2.2 Surrounds

Development and land use surrounding the subject site is described as follows:

- To the north and east the land is reserved for Parks and Recreation under the Metropolitan Region Scheme (MRS). This land contains remnant vegetation and forms part of the Midgegooroo and Korung National Parks. The Midgegooroo National Park is also a Priority 1 Water Resource Area however the proposed development is well setback from the boundary with the National Park.
- To the south properties are predominantly used for rural residential style development. South of these properties is Brookton Highway which serves a primary regional road function connecting to the wheatbelt region.
- To the west the adjoining property is primarily utilised as an Orchard with part of the land in the north eastern extent being pasture land based on the latest aerial photography.

Beyond the immediate surrounds of the subject site there is a mix of agricultural / horticultural uses, rural residential development and nature reserves.

Two additional uses are located in the vicinity of the site being Additional Use 6 (Service Station) and Additional Use 8 (Service Station) on Brookton Highway.

2.3 Zoning

2.3.1 Metropolitan Region Scheme

Under the Metropolitan Region Scheme (MRS) the subject site is zoned Rural.

In accordance with a Clause 32 Notice under the MRS all extractive industry applications within the Rural zone are to be referred to the Western Australian Planning Commission (WAPC) for approval.

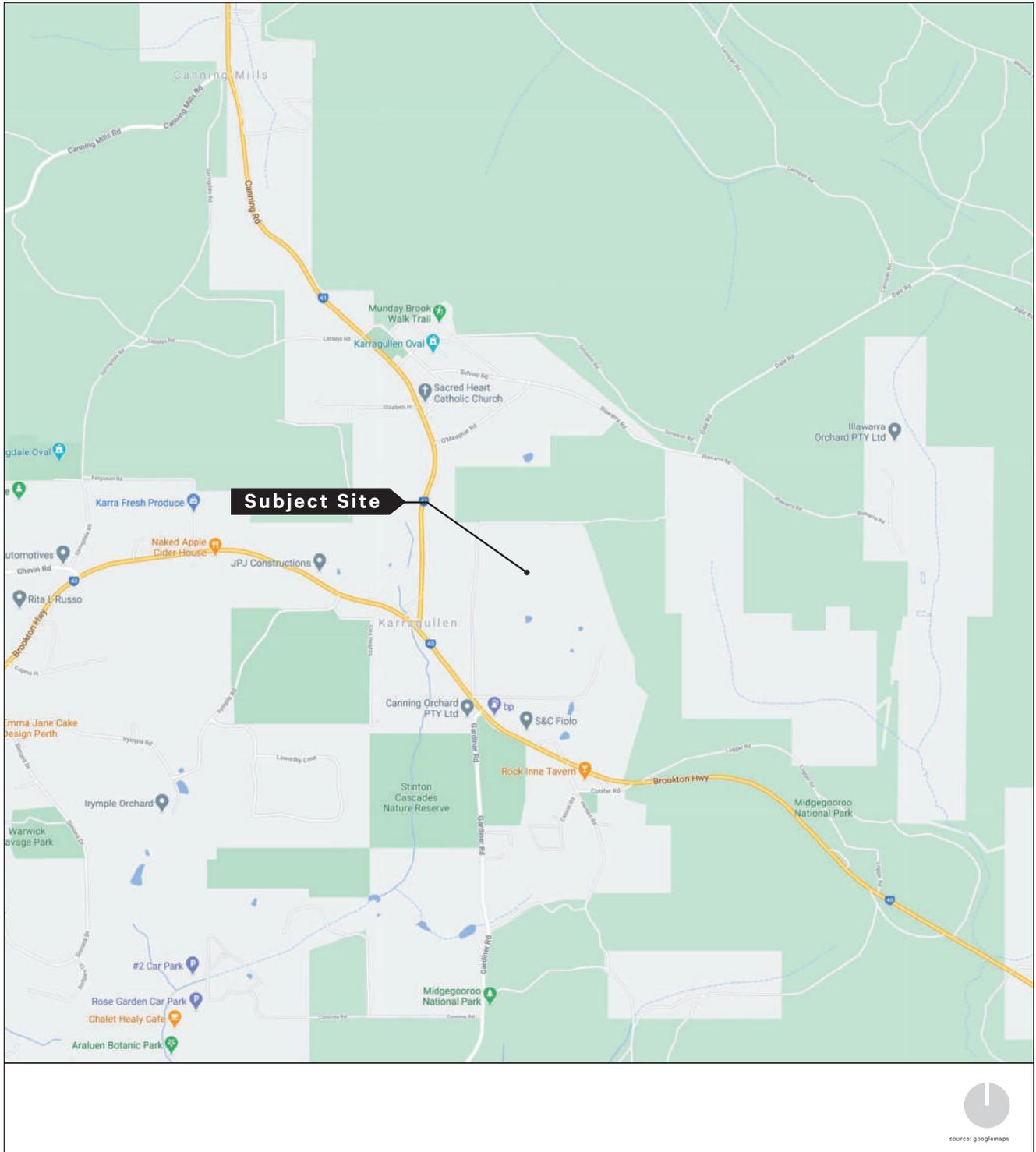


Figure 1. Location



Figure 2. Aerial Photograph

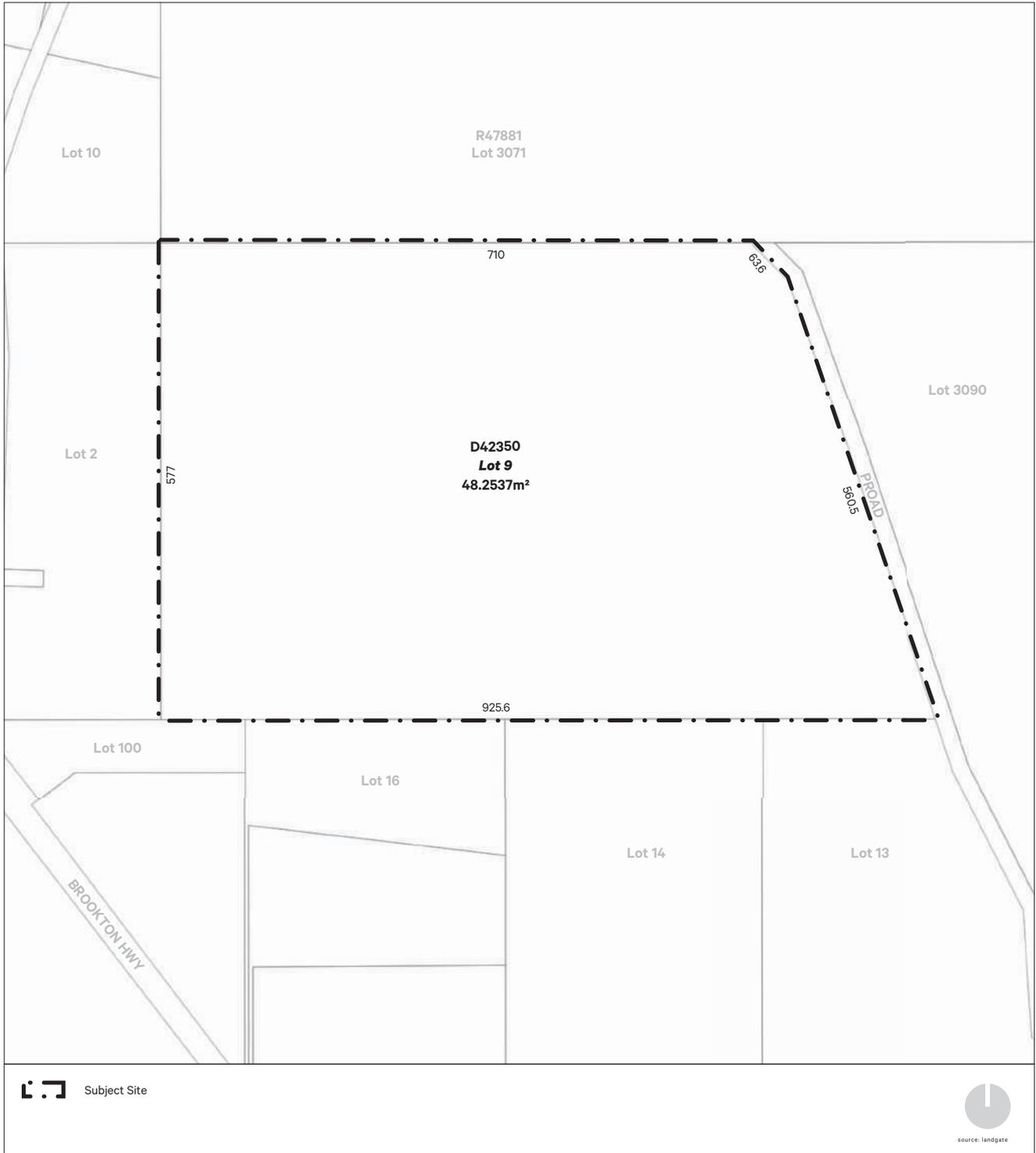


Figure 3. Site Plan

Under the MRS. Thus, this proposal will be required to be determined under both the MRS and the City's Local Planning Scheme No.4.

2.3.2 City of Armadale Local Planning Scheme No.4

Under the City's Local Planning Scheme No.4 (LPS4) the subject site is zoned General Rural.

The objectives of the General Rural zone under LPS4 are as follows:

3.2.4 General Rural

- a. *To provide for a wide variety of productive farming activities, ranging from broad acre grazing to intensive horticulture, depending on the defined lot sizes, land form and natural resource base.*
- b. *To provide for a range of associated compatible activities and development to complement the primary productive use of the land while preserving the rural character and amenity.*

The subject site is further contained within a Special Control Area (SCA). The SCA relates to the prime agricultural land protection area. In accordance with Clause 5.6 of LPS4:

- 5.6.1 *Prime Agricultural Land Protection Areas are defined on the Scheme Map based on the horticultural resource values of the Karragullen locality, taking into account the need for appropriate buffers. The purpose of this designation is to highlight the importance of these resources; to provide a basis for their on-going and sustainable use for a variety of productive agricultural purposes; to prevent incompatible land uses being established, impinging on current productive agricultural and horticultural uses; and to ensure human health and amenity is considered in any proposals involving creation of new lots or new dwellings.*
- 5.6.2 *All development other than agricultural or horticultural use and ancillary development, within Prime Agricultural Land Protection Areas, shall be subject to a requirement for development approval, and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.*
- 5.6.3 *In its determination of any application for development approval and its advice in relation to land subdivision, the local government is to have particular regard to:*
 - a. *the potential impact of the proposal on the value and continued productive agricultural use of the resource; and*
 - b. *the contribution (if any) of the proposed development to the on-going productive use of the land resource.*
- 5.6.4 *The local government may refuse any application for development approval or impose conditions on any development approval so as to:*
 - a. *protect the resource; and*
 - b. *require the registration of a notification under section 70A of the Transfer of Land Act 1893 on the title to the land giving notice of any limitations or constraints associated with the protection of the resource at the applicant's cost.*

3. Previous Approvals

3.1 Local Planning Scheme No.4

Under Local Planning Scheme No.4 (LPS4) the following Development Approvals have been granted:

- 26 February 2019 - State Administrative Tribunal Reconsideration Conditions 2 and 4 and Revised Plan to Development Approval 10.2017.154.1 Extractive Industry (Gravel) Stage 4.
- 24 May 2018 – Development Application Extractive Industry (Gravel) Stage Four Extraction Area.
- 5 April 2016 – Development Application Industry Extractive (Gravel).
- 29 July 2014 – Development Application Expansion of Existing Extractive Industry (Gravel Quarry).
- 28 October 2003 – Development Application – Proposed Extractive Industry Renewal.

3.2 Metropolitan Region Scheme

Under the Metropolitan Region Scheme (MRS) the following approvals have been granted:

- 15 May 2017 - Application for Development Approval for an Extractive Industry (Gravel).

3.3 Industry Extractive Approvals

Under the City's Extractive Industries Local Law (EI Local Law) the following approvals have been granted:

- 20 May 2019 - Extractive Industry License.

4. Proposed Development

The proposed development consists of a new extraction area to the east of the existing operational area. The new gravel quarry will operate in a similar manner to that which is currently existing. Gravel is removed from the site based on demand.

The quarry area is approximately 5.0ha in area to be developed in to separate stages (5A and 5B). Stage 5A (shown as Stage 1 on the Development Plan) will be complete before stage 5B (shown as Stage 2 on the Development Plan) commences. Extraction depth will be to a maximum of depth of 10m below the corresponding natural ground level. The extent of extraction will be dependent on the availability and quality of the resource. Batters of 1:3 are proposed to be quarry edges to maintain stability. Stage 5A is expected to be completed within three years, and stage 5B approximately 2 years.

A setback of 20.0m is proposed to the northern boundary consistent with the EI Local Law and to retain a vegetated buffer to the Parks and Recreation reserve to the north.

An estimated volume of 16,000m³ per year is proposed to be extracted in line with current quarry operations. Ongoing rehabilitation works will be undertaken following the completion of each stage. A copy of the quarry plan is contained in Annexure D.

As part of extraction operations, no trucks or storage or significant volume of fuels occurs on site. Trucks are parked at the landowner's premises offsite, and no more than the equivalent of three jerry cans of fuel are contained on site at any one time.

No significant servicing of vehicles occurs on site. Minor greasing of vehicles occasionally occurs.

A ten year approval is sought for the proposal. This ten year timeframe is required to allow for the extraction of resource over time (noting that demand fluctuates) and remove the administrative requirement for additional approvals to be granted if a five year approval is imposed. It is further noted that the likely quickest extraction of gravel from the site would be five years. Given the location of the subject site adjoining National Parks to the north and east and the agricultural value of adjoining land to the west and south it is unlikely that there will be a significant change in land use and development in the foreseeable future. Moreover, environmental mitigation strategies set out within the EMP will ensure that the proposal can operate appropriately in the context of the surrounding environment.

4.1 Extraction Methodology

The extraction methodology is summarised as follows:

- Topsoil (300-350mm) is removed and stockpiled in windrows.
- Underling resource is ripped to the maximum extraction depth and then stockpiled in the pit.
- The resource is then transported to a mobile crusher to be crushed.
- Crushed gravel is then loaded on trucks and removed from site. Removal of the processed resource occurs on an as required basis.

Once the resource is exhausted the pit will be progressively rehabilitated in accordance with the EMP which is attached within Annexure A.

Equipment used to extract the resource include a bulldozer, rock breaker, excavators, a loader and mobile crusher. Trucks utilised at the site are semi trucks or 6x4 trucks.

No blasting or dewatering is proposed to occur.

4.2 Hours of Operation

Hours of operation are proposed to match that of existing, operating between 6AM and 7PM Monday to Friday.

4.3 Number of Employees

A total of two to three employees will be present on the subject site at any one time.

Employee parking will either be within non-operational areas of the pit or the machinery compound located to the south of the extraction area. This is the same as the current car parking arrangements.

4.4 Vehicular Movements

Site access is proposed through the existing right of way which connects the subject site to Brookton Highway.

This is the same vehicular access used as part of the current quarry operations. No increase in vehicle movements is proposed and as such the vehicular access is suitable.

A Traffic Technical Note has also been prepared in respect to vehicular movements and is provided in Annexure B.

4.5 Pre-Lodgement Consultation

Prior to lodgement of this Application pre-lodgement consultation has occurred with the City of Armadale (City), Department of Planning, Lands and Heritage (DPLH) and Environmental Protection Authority (EPA).

Pre-lodgement consultation with the City including various meetings to discuss existing and proposed development on the subject site, primarily in relation to environmental constraints.

Consultation with the DPLH relates to regional considerations and approval timelines.

The EPA service unit did not raise any concerns with regard to the level of environmental investigations undertaken and the assessment of key environmental factors. It was considered likely that the proposal can be adequately regulated through State and Federal environmental and planning approvals without the need for further regulation through Section 38 Part IV of the Environmental Protection Act.

5. Planning Assessment

5.1 Use Class Permissibility

Under LPS4 an Industry-Extractive is a 'class A' use in the General Rural zone. An Industry-Extractive is defined under LPS4 as follows:

means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry – mining;

The proposed extraction and processing of the gravel resource on site is contained within the above-mentioned definition.

A 'class A' use in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 means:

class A use, in relation to a zone, means a use identified in the zoning table for this Scheme (regardless of the symbol used) as a use that is not permitted in the zone unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64;

Given the above, the proposal will be required to be advertised for public consultation in accordance with Clause 64 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations).

5.2 Part 4B General Rural Zone Requirements

Part 4B General Rural Zone Requirements provides development standards for the General Rural zone. An assessment of the proposal against the relevant requirements is detailed in the table below.

Requirement	Comment
4B.11 Where no development envelope has been identified for the particular site, the minimum setbacks from all lot boundaries shall be 15 metres, unless otherwise approved by the local government in accordance with the provisions of clause 4.5.	Whilst no built form development is proposed as part of this application the proposed quarry is set back a minimum of 20m from the lot boundaries.
4B.12 No building (including an outbuilding) may be erected: <ul style="list-style-type: none"> a. within 30 metres of the outer edge of an intermittent water course, or b. within 50 metres of the outer edge of a permanent water course, or c. within 50 metres of a protected wetland, or within such greater distance as may be required to achieve a 1 metre vertical separation between the natural ground level at that distance and the natural ground level of the adjacent wetland level vegetation, unless otherwise approved by the local government in accordance with the provisions of clause 4.5. 	As per above, built form is not proposed as part of the development. However, an ephemeral watercourse is located on the subject site. The setback to the water course is 30m which meets the minimum requirement of Clause 4B.12 (a) in the opposite column.
4B.21 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, no building is to be constructed so that: <ul style="list-style-type: none"> a. the height of walls exceeds 6 metres; or b. the overall height of roof exceeds 9.0 metres. 	No built form is proposed as part of this Application.
4B.22 No sand pad for the purpose of constructing a dwelling house or outbuilding may have a height exceeding 1.5m, unless otherwise approved by the local government in accordance with the provisions of clause 4.5.	
4B.31 Building coverage is not to exceed 500 square metres (including outbuildings), unless otherwise approved by the local government in accordance with the provisions of clause 4.5.	No built form is proposed as part of this Application.

Requirement	Comment
<p>4B.4.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 7A. Unless otherwise approved or required by the local government, required car parking is to be provided on the site of the proposed development.</p>	<p>Car parking is provided on site for the proposed development.</p>
<p>4B.4.2 Parking spaces and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 Off-street parking, and paved, kerbed, drained and marked to the satisfaction of the local government.</p>	<p>Two to three employees will be on site at any one time. Employee parking can be easily accommodated within the quarry area or machinery compound.</p>
<p>4B.4.3 Safe and convenient vehicular access is to be provided to all development sites, and where required by the local government, vehicular access is to be provided to service any required car parking or service areas provided on the development site.</p>	<p>In respect to the vehicular access requirements of Clause 4B.4.4 in the opposite column, it is proposed to utilize the existing vehicular access and crossover to the subject site. The Traffic Technical Note provided by Shawmac advises that this access is suitable. Furthermore, this application does not provide for additional vehicular movements beyond the current proposal.</p>
<p>4B.4.4 The location and design of vehicular access to any road is to be subject to the local government's approval in accordance with the provisions of the Scheme. In considering any proposal for new or modified vehicular access, the local government may, having regard to safety of pedestrian and vehicular traffic:</p> <ul style="list-style-type: none"> a. determine the width of the crossover and/or vehicular accessway; b. refuse to permit more than one vehicular access to any lot; c. require separate entrances and exits, and the provision of appropriate signage indicating the direction of movement; or d. require that entrances and exits be placed in positions nominated by the local government. 	<p>In respect to Clause 4B.4.5 all commercial vehicles associated with the development will be stored within the machinery compound or within the quarry area. Trucks however will be stored offsite.</p>
<p>4B.4.5 No person shall park a commercial vehicle except for immediate delivery or loading purposes normally associated with a domestic or rural use, unless approved by the local government except in accordance with the following requirements:</p> <ul style="list-style-type: none"> a. on-site provision for garaging or parking of the vehicle behind the front building setback line, is to be made in a manner satisfactory to the local government; and b. the amenity of the neighbourhood is not to be prejudicially affected by the emission of light, noise, vibration, smell, fumes, smoke or dust. 	
<p>4B.4.6 Nothing in sub-clause 4B.4.5 restricts the parking of a commercial vehicle used for the purpose of an approved rural use or rural industry.</p>	
<p>4B.4.7 An application for parking a commercial vehicle shall be subject to an application for annual approval and if in the opinion of the local government, a nuisance or annoyance to the owners or occupiers of land in the locality occurs as a consequence of the parking of a commercial vehicle, the local government may revoke or refuse to renew its approval.</p>	

Requirement	Comment
<p>4B.7.2 Subject to the provisions of Part 5, the local government may approve an application for clearing for a rural use, where it can be shown to the satisfaction of the local government that such clearing would not detrimentally affect the character or resource values of the locality, including water resources. Any such approval may be subject to conditions, which the local government may see fit, to maintain the character and resource values of the locality.</p> <p>4B.7.3 Where particular trees or areas of native vegetation are located within the General Rural zone and have been specifically identified for Tree Preservation under Schedule A – clause 80A or are located on a site for which a Development Envelope has been identified under the provisions of clause 4.7, those trees or areas shall be protected.</p>	<p>This application proposing clearing of native vegetation to allow for the extraction of the gravel resource. Clearing of vegetation is addressed under environmental considerations.</p> <p>No trees have been identified for preservation under Clause 4B7.3 of LPS4.</p>
<p>4B.9.1 Where a proposed development is likely if approved, to give rise to any significant off-site environmental impacts, including pollution (gaseous emissions, odours or noise) or risk, which is likely to result in nuisance or adverse impacts on adjacent areas, the local government may:</p> <ul style="list-style-type: none"> a. refuse the application; or b. approve the application subject to conditions designed to ameliorate any impact. <p>4B.9.2 In its determination of any application for development approval, the local government is to take into consideration the potential environmental impact on the use and enjoyment of adjacent land or property, having regard to:</p> <ul style="list-style-type: none"> a. the concentration of any pollutants (including gaseous emissions, odour and noise) or the level of risk, at the location of impact; b. the frequency and duration of events associated with the environmental impact; c. any relevant microclimatic factors likely to affect the distribution or dispersion of pollutants; d. the practicability and effectiveness of any amelioration measures which form part of the proposed development; and e. the zoning, use and likely future development or occupancy of the adjacent land or property upon which the environmental impacts will impinge. <p>4B.9.3 Before approving any application involving off-site environmental impacts, the local government is to have regard to any relevant buffer distances recommended by the Department of Environment.</p>	<p>Offsite impacts of the proposed development are addressed later in this advice and in the EMP.</p> <p>Refer to part 5.7 of this report.</p>

5.3 Special Control Area

As described earlier the subject site is contained within the Prime Agricultural Land Protection Area SCA under LPS4. The purpose of the SCA is to protect the area for agricultural and horticultural use. In addition, the SCA seeks to prevent incompatible land uses being established.

In respect to the SCA it is noted that an Industry-Extractive is already established on the land and is operation. Extraction of materials from the subject site has been occurring since circa 1970. Extensive clearing of the site, especially western extent, has occurred since 1974 based on aerial photography.

The proposed resource extraction area is approximately 340m from the nearest operating agricultural / horticulture land use being an orchard to the west of the subject site. It is noted that vegetation along the common western boundary provides screening to the adjoining property.

As a quarry has been operating on site, in closer proximity to that proposed as part of this application, it is considered that the proposal is unlikely to have a significant impact on the ongoing operation of the orchard having regard to the mitigation measures specified in the EMP. Furthermore, there is existing vegetation along the western border of the subject site which forms a landscape buffer as mentioned above. Further revegetation of the existing quarry will also provide additional screening.

In terms of the potential use of the subject site for agricultural / horticultural practices, it has been utilised for the extraction of gravel historically, and otherwise contains remnant vegetation. As such the subject site is not considered suitable for agricultural / horticultural use.

5.4 State Planning Policy 2.4 Basic Raw Materials

State Planning Policy 2.4 Basic Raw Materials (SPP2.4) applies to the proposal as gravel is considered a basic raw material under Clause 3.1 of the policy.

The objectives of SPP2.4 are as follows:

- identify the location and extent of known basic raw material resources;
- protect Priority Resource Locations, Key Extraction Areas and Extraction Areas from being developed for incompatible land uses which could limit future exploitation;
- ensure that the use and development of land for the extraction of basic raw materials does not adversely affect the environment or amenity in the locality of the operation during or after extraction;
- provide a consistent planning approval process for extractive industry proposals including the early consideration of sequential land uses.

Clause 6.3 of SPP2.4 sets out considerations in respect to determining an application for an extractive industry. These are set out in the table below:

Clause 6.3 Consideration	Response
<ul style="list-style-type: none"> • the significance of the resource in terms of its positioning in a priority resource location, key extraction area, or extraction area; 	<p>The resource is not identified as a priority location area or key extraction area in accordance with SPP2.4. However, the subject site has historically be utilised as a gravel resource area, and thus is of importance as a basic raw material area.</p>
<ul style="list-style-type: none"> • the effect of the proposed extractive industry on any native flora and fauna, the natural landscape, groundwater quality, quantity and use, surface drainage and surface water quality, and sites of cultural and historic significance on and near the land. An application in an environmentally significant area may require referral to the Department of Environmental Protection (refer to the Environmental and Conservation Reference Chart located on each of the Resource Protection Working Plans); 	<p>The EMP and associated environmental reporting indicate the proposal will not have any significant environmental impacts.</p> <p>A level 1 fauna survey was undertaken. A total of twenty five native and three introduced species (including Black Cockatoos) were directly or indirectly recorded.</p> <p>In respect to impact on Black Cockatoo habitat the proposal will be referred to the DAWE under the EPBC Act.</p>
<ul style="list-style-type: none"> • the effect of the proposed extractive industry on agricultural land; 	<p>Refer to previous comments in respect to the SCA under LPS4.</p>
<ul style="list-style-type: none"> • the effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area having regard to existing and future uses; 	<p>Noise, dust and vibration and mitigation measures are set out within the EMP. The EMP confirms that the proposal can operate without adversely impacting on surrounding development.</p>
<ul style="list-style-type: none"> • the ability to rehabilitate the land to a form or for a use which is compatible with the long-term planning for the site and surrounding area; 	<p>Once the resource is extracted the subject site will be rehabilitated in accordance with the EMP.</p>
<ul style="list-style-type: none"> • the availability and suitability of road access; 	<p>Brookton Highway provides a road connection to the subject site. This road has been, and is used for current operations and is considered suitable for use. Refer to the Traffic Technical Note in that regard.</p>
<ul style="list-style-type: none"> • the ability to stage the extraction operations to avoid conflicts with adjacent land uses. 	<p>It is considered that there is no conflict with surrounding uses given the separation distances of the proposal between sensitive uses and the management measures set out within the EMP.</p>

Clause 6.4 of SPP2.4 further requires the preparation of a management plan which addresses the following matters:

- *Demonstrates that sensitive land uses within 1,000 m of the proposal will not be adversely affected by the extractive industry operations;*
- *Identifies appropriate buffer distances, these being distances required for extraction that are needed to buffer the impact of operations to adjacent land uses.*
- *Provides details of the proposed use, development and management of the site including the environmental and water resource management standards, quarry areas, stock piles, machinery maintenance areas, processing plants, fuel storage and on-site access roads, parking for cars and other vehicles used on the site, and proposals for landscaping to screen activity on the site;*
- *Describes arrangements for access to the site, including the roads which it proposes will provide the main vehicular access and likely traffic flows; and*
- *Sets out proposals for the progressive and ultimate rehabilitation of the site for its intended long-term use.*

The attached EMP and this report addresses the above-mentioned matters.

Finally, SPP2.4 provides the following planning considerations under Clause 6.7.1:

- *minimise air, water, noise and visual pollution;*
- *stabilise excavations, stock piles and over-burden dumps;*
- *protect the amenity of adjacent land uses in the local community; and*
- *ensure the rehabilitation of the land is consistent with its long-term future use.*

The above-mentioned matters have been addressed in the EMP, and this report. It is demonstrated that the proposal can operate without adverse impacts on the amenity of the locality and rehabilitation will be appropriately undertaken.

5.5 Draft State Planning Policy 2.4 Basic Raw Materials

Draft State Planning Policy 2.4 Basic Raw Materials (draft SPP2.4) was released for public consultation with submissions closing on 25 January 2019. Draft SPP2.4 has been given due consideration in the preparation of this report.

Under the draft SPP2.4 the subject site would be classified as an extraction site (ES) as extraction of basic raw materials is occurring for commercial use.

Clause 6.6 of the Draft SPP2.4 provides the following considerations relevant to the development, expansion and modification of an extractive industry.

Clause 6.6 Consideration	Response
Extractive industry operations and related site rehabilitation, whether it is located within or outside SGS areas and ES should be managed to:	
<ul style="list-style-type: none"> • provide finished levels compatible with groundwater, infrastructure and engineering requirements for the intended long-term use, determined by reference to the Basic Raw Materials Guidelines and advice from relevant government authorities; 	It is proposed to excavate to a maximum depth of 10m below the natural site contours. Groundwater is not expected to be encountered.
<ul style="list-style-type: none"> • facilitate sequential land use by rehabilitating the land to a form or for a use which is compatible with the planned long-term development for the site and surrounding area; 	Upon the completion of each stage, it will be rehabilitated in accordance with the EMP.
<ul style="list-style-type: none"> • avoid and mitigate conflicts with and detrimental effects on existing and future sensitive land uses and agricultural land in the surrounding areas (noise, dust, vibration, blasting and vehicular traffic); 	Potential amenity impacts of the proposal are addressed within this report and EMP.
<ul style="list-style-type: none"> • avoid and mitigate transport related community and amenity impacts while operating in a safe manner. Depending on the size, number of truck movements, location and intended transport routes an operation may require a Transport Impact Assessment and Management Plan; 	<p>Transport related impacts from the proposal are considered to be limited, give the minimal traffic movements resulting from the proposal.</p> <p>A Traffic Technical Note has been prepared and accompanies the application demonstrating traffic movements and access are acceptable.</p>

Clause 6.6 Consideration	Response
<ul style="list-style-type: none"> minimise detrimental impacts on any native flora and fauna or ecological/wildlife corridors including the fragmentation and connectivity of remnant vegetation; 	To minimise impacts on fauna the EMP provides 6 management actions. These are discussed later in this advice.
<ul style="list-style-type: none"> minimise and mitigate detrimental impacts on landscape, surface drainage and surface water quality, public drinking water supply areas, sites of cultural and historic significance on and near the land, having regard to the likely impacts of any subsequent land use; 	<p>The EMP details surface and water management measures.</p> <p>A VIA has been completed demonstrating that the visual impact of the proposal is not adverse and can further be managed through the rehabilitation process.</p>
<ul style="list-style-type: none"> maintain groundwater quality, quantity and appropriate vertical separation between the highest groundwater table, during and post BRM, having regard for relevant DWER policy and guidance; and 	It is estimated that groundwater is 15m below natural ground surface. Groundwater has not been encountered during current excavations.
<ul style="list-style-type: none"> provide appropriate horizontal separation between extraction and water supply infrastructure. 	An ephemeral watercourse runs in an east to west direction across the subject site. A 30m buffer from the edge of the extraction area to the watercourse is maintained to ensure it is not adversely impacted upon.

5.6 State Planning Policy 3.7 Planning in Bushfire Prone Areas

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) is relevant to the proposal along with the Guidelines for Planning in Bushfire Prone areas.

Emerge Associate have contacted the City in respect to the requirement for a Bushfire Management Plan (BMP). Given the proposed use it was determined that a BMP is not required. In this regard refer to the EMP for further information.

5.7 Guidance for the Assessment of Environmental Factors – Separation Distance between Industrial and Sensitive Land Uses No.3 2005

Guidance for the Assessment of Environmental Factors – Separation Distance between Industrial and Sensitive Land Uses No.3 2005 (EPA Guidance) provides generic separation distances between industrial and sensitive land uses.

For a non-hard rock quarry the separate distance between industrial and sensitive land uses is to be determined on a case by case basis.

In terms of sensitive land uses:

- The nearest sensitive use (residential dwelling) is approximately 360m to the south.
- The nearest sensitive use (residential dwelling) is approximately 425m to the west.
- The nearest sensitive use (residential dwelling) is approximately 420m to the north.
- There are no sensitive uses in proximity to the site to the east.

In terms of separation between the proposed use and sensitive premises the key potential impacts are dust, noise and visual amenity.

The EMP addresses the matters of dust, noise and visual amenity through management actions set out within the EMP as well as those in the VIA. The EMP and management actions are discussed later within this advice.

Having regard to the above-mentioned matters, it is considered that the matter of separation has been adequately addressed. That is, all reasonable and practicable measures have been taken to address the potential impacts of the proposal via a site specific investigation of the proposal.

6. Environmental Context

6.1 Flora and Vegetation

A flora and vegetation assessment was undertaken by Emerge Associates between May and December 2020. Vegetation within the site was determined to be representatives of eight plant communities including cleared / planted vegetation. Approximately 70% of the site supports plant communities dominated by native vegetation.

Vegetation on the subject site mainly comprises of vegetation association 'West Darling 3'. This association consists of mainly Jarrah and Marri Trees. A small portion of the site in the south western portion comprises of 'West Darling 4' which is described as Jarrah, Marri and Wandoo.

Vegetation condition on the subject site ranges from 'excellent', 'very good', 'very good' to 'good', 'good', 'degraded' and 'completely degraded'. The majority of the vegetation on site is in 'very good' condition (15.24%) or completely degraded (12.44%).

As detailed earlier clearing of vegetation is required to accommodate the construction of a new quarry area. A Native Vegetation Clearing Permit pursuant to Part V of the Environmental Protection Act 1984 (EP Act) is to be sought from the Department of Water and Environmental Regulation (DWER). A previous approval has been granted by DWER to facilitate the stage 4 quarry.

Along with the Native Vegetation Clearing Permit a referral of the proposal to the DAWE under the EPBC Act will occur given the clearing of vegetation potentially impacts on black cockatoo habitat. The referral to DAWE is to occur concurrently with this application for development approval.

No threatened or priority ecological communities, conservation significant flora or environmentally sensitive areas were found on site.

6.2 Fauna

A level 1 fauna assessment was undertaken by Emerge Associates. A total of twenty five native and three introduced fauna species were indirectly or directly recorded during the field survey.

In addition, a target black cockatoo survey was undertaken with ecologist visiting the site multiple sites between September and December 2020. Four hundred and sixty eight habitat trees were recorded on site with two trees containing hollows suitable for breeding.

No evidence of black cockatoo rooting activity was observed within the site.

Refer to the EMP and associated targeted Black Cockatoo Habitat Assessment – Lot 9 Brookton Highway, Karragullen for further detail.

6.3 Hydrology

6.3.1 Surface Water

A tributary of Stinton Creek is located approximately within centre of the subject site to the south of the proposed quarry. The tributary flows towards a dam in the southern part of the subject site.

Two other ephemeral watercourses encroach in the south of the subject but are not impacted upon by the proposed quarry.

6.3.2 Groundwater

Groundwater is expected to be in excess of 15.0 metres below the natural surface level. No groundwater has been encountered with quarrying operations on the subject site.

6.3.3 Wetlands

No wetlands are located on, or in proximity to the subject site.

6.4 Heritage

No Aboriginal or non-indigenous sites affect the subject site.

7. Extractive Industries Local Law

7.1 Application Requirements

The table below sets out compliance with the City's EI Local Law.

Requirement	Comment
(a) 3 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing –	Provided, refer to site plan.
(i) the nature of the material proposed to be excavated;	Gravel.
(ii) the land on which the excavation site is to be located;	Refer to site plan.
(iii) the external surface dimensions of the land;	Refer to site plan.
(iv) the existing and proposed land contours plotted at 1 metre contour intervals;	Refer to site plan, survey contours are at 1.0m intervals.
(v) the location and depth of the existing and proposed excavation of the land;	Refer to site plan for existing and proposed extraction areas.
(vi) the location of existing and proposed roads or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;	Refer to site plan. Access through right of way to Brookton Highway.
(vii) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;	Refer to site plan to location of existing structures.
(viii) the location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;	Refer to site plan to location of existing structures.
(ix) the location of all existing dams, watercourses, drains or sumps on or adjacent to the land;	Refer to site plan for location of ephemeral water course.
(x) the maximum groundwater elevations plotted at 1 metre contour intervals:	Groundwater is expected to be in excess of 15m from the natural soil surface level. As excavation is proposed to a maximum deep of 10m groundwater is not expected to be encountered. Furthermore, groundwater has not be encountered during any previous excavation.
(xi) the location and description of existing and proposed fences, gates and warning signs around the land;	Appropriate signage and fencing will be established to the new quarry areas as part of commencement of works on the subject site.
(xii) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere; and	Refer to site plan.

Requirement	Comment
(xiii)the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals.	Refer to site plan.
(b) 3 copies of a works and excavation programme containing	
(i) the nature and estimated duration of the proposed excavation for which the licence is applied;	Excavation is proposed over a period of 10 years on based on demand.
(ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;	Two stages of excavation are shown as per the site plan.
(iii) details of the methods to be employed in the proposed excavation and a description of any on-site processing works;	Topsoil will be removed and stored on site. Gravel material will be removed via excavator, processed on site and trucked out. Refer to EMP for further detail.
(iv) details of the depth and extent of the existing and proposed excavation of the site;	Gravel resource will be extracted to a depth of 10m. Existing resource will be extracted in accordance with the current approval.
(v) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;	Approximately 300mm to 350mm of topsoil will be removed and stockpiled in windrows. This topsoil will be used in future rehabilitation.
(vi) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;	Refer to the EMP.
(vii) a description of the means of access to the excavation site and the types of roads to be constructed;	Vehicular access will be via the existing quarry access. The quarry accessway however will be extended to the new pit.
(viii)details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;	An average of 3.3 truck movements per day are expected from the subject site in accordance with current quarry operations.
(ix) a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;	No buildings are proposed to be constructed on site to facilitate the proposed use. An existing dam on site can provide a water supply.
(x) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;	Refer to the EMP.
(xi) a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;	Refer to the EMP.
(xii) if dewatering activities are proposed, details of the extent and depth of groundwater drawdown, effects on bores within the drawdown zones, the method of disposal of water from the dewatering activity and methods to ensure discharge water quality meets standards required to protect beneficial uses;	No dewatering is proposed.
(xiii)a description of the measures to be taken to comply with the Environmental Protection (Noise) Regulations 1997;	Refer to the EMP and Stage 5 Noise Assessment.

Requirement	Comment
(xiv) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;	Refer to the EMP.
(xv) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation; and	Refer to the EMP.
(c) 3 copies of a rehabilitation and decommissioning programme indicating –	Refer to EMP.
(i) the objectives of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;	
(ii) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;	
(iii) how any face is to be made safe and batters sloped;	
(iv) the method by which topsoil is to be replaced and revegetated;	
(v) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;	
(vi) how rehabilitated areas are to be maintained; and	
(vii) the programme for the removal of buildings, plant, waste and final site clean up	
(d) evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public carriageway or such other land in the vicinity;	Refer to attached survey plan and certification from the surveyor in Annexure D.
(e) a certificate from a licensed surveyor certifying the correctness of –	Refer to attached survey plan and certification from the surveyor in Annexure D.
(i) the plan referred to in paragraph (a); and	
(ii) the datum peg and related point referred to in paragraph (d);	
(f) evidence that the requirements of clause 2.2(1) and (2) have been carried out;	Based on advice from the City, advertising for the Extractive Industry Licence and Development Approval can occur concurrently.
(g) copies of all land use planning approvals required under any planning legislation;	The Application for Development Approval seeks the relevant 'planning approval' required.
(h) copies of any environmental approval required under any environmental legislation;	Environmental approvals are sought separately to this application.
(i) copies of any geotechnical information relating to the excavation site;	N/A
(l) any other information that the local government may reasonably require; and	N/A
(m) the licence application fee specified by the local government from time to time.	Fee provided within this Application.

8. Environmental Management Actions

An EMP has been prepared for the proposal.

The EMP consolidates existing environmental reporting, management plans and acoustic assessments for current quarrying operations on the subject site into one document.

The following summarizes the environmental management actions for the operation of the new quarry as set out within the EMP.

8.1 Stormwater, Soil and Erosion

Stormwater will be managed to control the severity and extent of soil erosion associated with the construction and operational phases of the development.

Eleven stormwater management and erosion control measures are proposed as set out within the EMP. Stormwater management actions include (summarised):

- Construct diversion banks and contour drains upslope of disturbed areas to allow clean surface water to return to natural watercourses.
- Construct catch drains to capture runoff from disturbed areas and direct into the quarry area to enable infiltration.
- Construct drainage works to mimic natural drainage patterns.
- Drains will discharge clean stormwater into vegetated natural drainage lines.
- No machinery or vehicles will enter the waterway 'avoidance area' either side of the Stinton Creek tributary to a width of 30m, and no clearing of this vegetation will be permitted.

Erosion management measures include (summarised):

- Use existing access tracks or roads wherever possible rather than creating new ones.
- Clearing will only be undertaken as required for quarrying operations and will not be conducted in adverse and extreme weather conditions.
- Stabilise disturbed land as soon as possible to minimise erosion.
- Level or gently sloping areas will be selected as stockpile sites to minimise erosion and potential soil loss.
- Appropriate sediment controls will be installed upslope of stockpiles to divert water around and downslope of the stockpiles to prevent soil loss.
- Provide adequate erosion control structures on sloping ground such as spur drains or contour banks at suitable intervals.

Further detail on the stormwater, soil and erosion management can be found within the EMP.

8.2 Native Vegetation

Native vegetation clearing will be limited as far as practicable. Clearing of native vegetation is limited to the access road extension and proposed extraction areas.

The following management actions are proposed in respect to native vegetation (summarised):

- Native vegetation to be retained will be visible delineated on site.
- Clearing of native vegetation will occur progressively in stages and rehabilitated in accordance with the Rehabilitation and Decommissioning Programme set out within the EMP.

Further detail on native vegetation management can be found within the EMP.

8.3 Fauna

It is proposed to limit fauna habitat disturbance on the site to the access road extension and extraction areas.

Management actions for fauna are set out within the EMP and are summarised as follows:

- Clearing of native vegetation will occur progressively in stages and rehabilitated following completion of works.
- Clearing to be undertaken outside of main bird breeding seasons.
- A pre-disturbance fauna inspection will be undertaken 1-2 days before clearing.
- As far as practical, clearing will be completed in a single direction without creating islands of vegetation.
- An experienced fauna specialist will be present as a fauna spotter during clearing of vegetation.
- Fauna must not be intentionally harmed and any feeding of or contact with native fauna is not permitted.
- Feral fauna species shall be recorded and reported. Control measures will be undertaken where necessary.
- Any instances of native fauna mortality will be reported immediately to the Site Manager and fauna habitats identified for protection not disturbed.
- Native fauna habitat to be retained which comprises high fauna habitat values suitable for a number of conservation significant fauna, including the three species of black cockatoo and the Chuditch, will be visibly delineated on site. No clearing of this vegetation is permitted.

Further detail on fauna management can be found within the EMP.

8.4 Weeds and Dieback

Weed invasion is a potential threat to the environmental values of the site and surrounding vegetated areas.

Two methods of weed control are utilized in the site being chemical and non-chemical. Based on the location and species of weeds present two chemical weed treatments are proposed being Glyphosate Spray and Selective Grass Spray. Table 8 of the EMP provides further detail on the use of these methods of weed control. Table 9 further details other weed management measures.

In terms of dieback Emerge Associates comment that:

While no evidence of phytophthora dieback infestation is currently present within the site, it has historically been present within the stage 4 extraction area and therefore could be dormant within material on the site. Hygiene procedures will be adopted during excavation in stage 5a and 5b to ensure that incidence of dieback is not increased.

Notwithstanding the above, management actions are proposed for dieback control within Table 9 of the EMP. These actions are considered appropriate for dieback management on the subject site.

8.5 Bushfire

The proposed quarry is not considered to be 'high risk land use' as per the definition contained within State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7).

The following activities will not occur on site:

- Construction of permanent or temporary buildings.
- Mass storage of fuel.
- Parking of trucks.
- Servicing of vehicles.

The absence of the above-mentioned activities on site limits the potential for additional bush fire risk resulting from the proposed quarry operations.

In addition to the above, fire breaks will be maintained in accordance with the City's Firebreak Notice.

8.6 Dust

Four management actions are proposed to address the potential for dust nuisance. Management actions include (summarised):

- Monitoring of weather forecasts for adverse conditions to quarry operations.
- In the event that weather conditions are unfavorable operations will be rescheduled or ceased.
- Water truck will be used to wet accessways/driveways and stockpiles when required.
- A 25kmph speed limit will be applied to all internal roads, driveways and vehicular accessways.

Further detail on dust management actions can be found within the EMP.

8.7 Noise

Lloyd George Acoustics have prepared a noise assessment for the proposal (Vinci Quarry Expansion Stage 5 Noise Assessment Lot 9 Brookton Highway, Karragullen (Stage 5 Noise Assessment)).

The assessment confirmed that the impact of excavation in this new area will continue to comply with the *Environmental Protection (Noise) Regulations 1997*, with the following management measures of truck/machinery (summarised):

- Works generating excessive noise and rock breaking will not occur outside the hours of 7AM to 7PM or on a Sunday or Public Holiday.
- Prior to 7AM from Monday to Saturday, works are limited to loading of a maximum of four front-end loaded trucks per hour.
- Front-end loader and crusher will operate from behind stockpiles of at least 4.0m height.
- Rock breaker and dozer will operate behind the 4.0m high pit face within the confines of the approved expansion area.
- Undertake regular maintenance of plant and ensuring acoustic enclosures or covers fitted to plant.
- A limit of two items of plant will be in operation at any one time due to the number of personnel of site.

The mitigation measures will be implemented through the EMP.

8.8 Visual Impact Assessment

Visual impact assessment management actions are set out within the EMP, and are summarised as follows:

- Retain temporary strip of vegetation over stage 5B during the stage 5A excavation activities for screening.
- Respread topsoil and progressively rehabilitate post-quarried areas so the exposed quarries are less visually prominent.
- Revegetate visual screening strip (zone 1) with planting dieback resistant tubestock in a linear arrangement and undertake weed control so the exposed gravel quarries are less visually prominent.
- Retain of a 10 m vegetation buffer from the extraction area to the site boundary to the north to provide a physical separation barrier.
- Ensure barriers, fences and gates are compatible with the semi-rural style of the surround land areas and natural landscape.
- Locate stockpiles within confines of a gravel quarry.

In addition to the management measures set out within the EMP, a VIA was prepared to support this application using the methodology as outlined in the Western Australian Planning Commission Visual Landscape Manual and is contained within the EMP. The VIA advises:

The VIA specifically:

- *Identifies the existing visual landscape characteristics of the site (prior to any works) and identifies visual landscape objectives.*
- *Identifies and maps the proposed expansion in the context of the existing landscape.*
- *Outlines visual design strategies for the proposed expansion.*
- *Assesses the visual impact created by the proposed expansion, through a viewshed analysis and site assessment, determining key views with regard to existing landform and vegetation that require further assessment/consideration.*
- *Outlines visual management measures that could be used to minimise visual impacts and provides an assessment of these management measures through the use of photomontages and cross-sections.*

The VIA identifies that the existing quarry is visible in the landscape, and that the quarry proposed as part of this Application may be visible:

- *At times by drivers along Brookton Highway in an easterly direction (depending on location) when climbing a ridgeline in front of the site.*
- *From residences to the west that are located on a small ridge with existing cleared agricultural landscapes providing views towards the site.*

The quarry will not be visible:

- *From Brookton Highway to users south of the site and Canning Road users to the north of the site, attributed to the presence of dense vegetation within landholdings, road reserves and vegetation contained within the site.*
- *From the scenic Munda Biddi Cycle Track to the east of the site, Springdale Road walking trail and vehicle access tracks to the north west of the site due to valley landforms, and existing vegetation*

The VIA further considers proposed visual management measures through cross sections and photomontages developed to accompany the proposal. In the short to medium term there will be some visual impacts associated within the quarry, however the staging of works (progressing from east to west) will assist in ameliorating potential visual amenity impacts due to existing vegetation screening works within stage 5A (stage 1 extraction area) prior to the commencement of stage 5B (stage 2 extraction area).

Further to the above, progressive topsoil application and rehabilitation in planting zone 1 (visual screen to internal access track), zone 2 (existing quarry area) and zone 3 (proposed quarry), as set out within the EMP, will reduce potential visual amenity impacts associated with stage 5 (predominately stage 5B).

Emerge concludes as follows in respect to visual management:

Based on the existing landform and vegetation and proposed management measures, the existing visual quality of both the rural and natural landscape character units can be maintained and protected in the long-term and short-to-medium term impacts can be minimised, achieving the objectives determined for this VIA.

9. Decommissioning and Rehabilitation

9.1 Restoration and Reinstatement of Excavated Areas

Progressive rehabilitation of excavated areas will be undertaken at the completion of each stage in accordance with the EMP

Where excavation has ceased the following is proposed:

- Prior to the ultimate re-forming of the area for revegetation works, slopes around the perimeter of the excavation area will be re-contoured to achieve gradients of less than 1:4, and the pit floor will have at least a 1:100 grade.
- The final landform is anticipated to be a gently sloping surface created by the gravel extraction. The floor of the excavated areas, which generally finishes in clayey material, will be deep ripped to provide a base for native revegetation.
- Topsoil stockpiled prior to excavation will be replaced to assist in re-establishing vegetation.
- Revegetation will occur using different methodologies for three separate zones.

Revegetation of excavated areas within three separate zones is discussed below.

9.2 Revegetation

In terms of revegetation, three zones have been identified and are shown at figure 12 of the EMP.

The zones and revegetation methodology are summarised in the table below. Further detail is provided within sections 6.4.1 to 6.4.2 of the EMP with management actions at 6.7.

Zone	Proposal
Zone 1 – Visual Screening	<p>It is proposed to improve the vegetation screen within the existing Stage 4 west of the access road.</p> <p>Tube stock will be used in this zone due to the small planting area and layout requirements. Provenance stock will be used to revegetate this zone.</p> <p>Planting will occur between May and July after substantial rains.</p>
Zone 2 – Native Vegetation	<p>Zone 2 consists of the Stage 4 extraction and rehabilitation areas.</p> <p>Zone 2 will continue to be completely revegetated with native species via direct seeding and infill planting to improve the overall success of existing revegetation.</p> <p>Two revegetation methodologies will be utilised within zone 2 with infill planting for areas semi established but plant density is below target, and direct seeding for areas where establishment has not been successful.</p>
Zone 3 – Native Vegetation	<p>Zone 3 consists of proposed stages 5A and 5B extraction areas.</p> <p>These areas will be revegetated with native species via direct seeding.</p> <p>Recommended sowing rates to ensure successful revegetation are based on 3kg to 6kg of seed per hectare.</p>

Maintenance will be undertaken post planting and seeding. This will include:

- Suppression of weeds and infill planting
- Watering, if required during the first summer after the tube stock have been planted (zone 1).

Further detail on maintenance is outlined at sections 6.5 of the EMP.

9.3 Monitoring and Reporting

Maintenance inspections will be undertaken annually in Spring and Autumn to determine the requirement for maintenance measures. No formal reporting is proposed with annual inspections.

Formal monitoring, by a qualified botanist, for native species establishment, invasive species, and erosion will be undertaken in Spring, every two years. The frequency of formal monitoring has regard to the variable germination rates between revegetated species and establishment time associated with direct seeding.

Formal monitoring within zone 1 will involve a visual inspection of plant numbers and species. For the remaining zones 2 and 3 formal monitoring will include an assessment of randomly selected quadrats within both zones.

A report will be prepared following each formal monitoring event and provided to the City by way of reporting on the successfulness of the rehabilitation program.

Completion criteria are further provided within the EMP to achieve the objectives of the Rehabilitation and Decommissioning Programme. Specific targets for each zone are set out in the EMP and are as follows:

Zone 1:

- *Establish three tree rows, 5 m apart, with one tree per 10 m and three shrub rows, 5 m apart, with one shrub per 2 m.*
- *Reduce weed cover to less than 10%.*

Zones 2 and 3:

- *A native density of approximately 0.8 plants/1m²*
- *No less than 15 species of tree, shrub and herbs*
- *Reduce weed cover to less than 10%.*

Maintenance will be undertaken until the above is achieved, or as otherwise may be agreed with the City. Following completion of revegetation and provision of a final report, it is expected that bond securing the implementation of Rehabilitation and Decommissioning Programme will be refunded.

9.4 Quarry Closure

Closure planning will be updated on an as required basis and is dependent on various factors including the demand for the resource.

Table 16 of the EMP sets out the closure measures for the site. Closure measures include:

- *All non-natural structures will be removed.*
- *All wastes will be removed from site.*
- *Provide a safe and stable landform.*
- *The land surface and soils are to be capable of supporting pasture/native vegetation.*
- *Soils and landforms exhibit erosion rates consistent with surrounding areas and do not compromise postmining land uses.*

Unexpected closure of the quarry will be completed in the same manner as a permanent closure.

The above ensures that the post closure the quarried area is left in an appropriate rehabilitated state. Further detail on closure planning is provided within the EMP.

10. Traffic Considerations

10.1 Traffic Technical Note

Shawmac Civil Engineers and Traffic Consultants (Shawmac) have prepared a Traffic Technical Note to support the Application for Development Approval given the relatively low traffic volumes generated from the proposal.

As described earlier within this advice vehicular movements are not proposed to increase as a result of the proposed quarry. The current quarry will close prior to the new quarry commencing operation, and vehicular movements are proposed to match that of the existing quarry operations:

In respect to the Traffic Technical Note prepared by Shawmac, Shawmac conclude as follows:

- *The expansion will not increase the traffic generation from the site beyond the current approved activities.*
- *The expected traffic generation is low and can be accommodated within the capacity of the existing road network.*
- *A review of the crash history did not identify any safety issues and there is no indication that the proposed expansion will increase the risk of crashes unacceptably.*
- *The expansion will not increase the traffic generation from the site beyond the current approved activities.*
- *The expected traffic generation is low and can be accommodated within the capacity of the existing road network.*
- *As the proposal will not increase traffic volumes, the current access layout is considered to be adequate. A review of the existing access indicates that there is adequate sight distance and that no further turning treatments are warranted by the traffic volumes.*
- *A review of the crash history did not identify any safety issues and there is no indication that the proposed expansion will increase the risk of crashes unacceptably.*

11. Conclusion

This application proposes the development of a new quarry site at Lot 9 Brookton Highway, Karragullen.

The subject site is currently utilized for the extraction of gravel, from a quarry site to the west of that proposed. The new quarry will replace the current quarry when the resource is exhausted.

The proposed quarry is approximately 5.0ha in area and will required the removal of remnant vegetation. The quarry operations will occur in two separate stages 5A and 5B with the first stage being the eastern extent of the quarry. This is to allow for screen vegetation to remain in place in stage 5B and for rehabilitation within the existing quarry to grow and form a vegetation screen.

In terms of visual impact, the VIA provided demonstrates that the proposal will not have a significant impact on visual amenity having regard to the staging strategy identified above and the screen effect from the rehabilitation of the of the existing extraction area.

In terms of potential impacts of the quarry on surrounding uses dust, noise and vibration can be appropriately managed through the implementation of the EMP. The proposed Rehabilitation and Decommissioning Programme contained within the EMP will ensure that the quarry is appropriately made safe and revegetated.

Traffic movements are proposed to be the same as the current proposal. As such there is not expected to be adverse impacts from traffic movements as the number of vehicular movements remain as per current.

Having regard to the above-mentioned matters it is requested that the Application for Development Approval be approved.

APPLICATION FOR DEVELOPMENT APPROVAL [cl 86(1)]

Owner Details		
Name(s): Refer to attached schedule		
Postal Address: Refer to attached schedule		
Contact Person: Leon Vinci		
Email: leon@westerntrucksales.com.au	Phone:	Mobile: 0417 920 022
* Signature: Refer to attached schedule		Date:
* Signature:		Date:
* The signature of all landowner(s) is required on all applications. This application will not proceed without that signature.		

Applicant Details		
Name(s) / Company Name: element		
Contact Person: Aaron Lohman		
Postal Address: Lvl 18 / 191 St Georges Terrace, Perth WA 6000		
Email: aaron.lohman@elementwa.com.au	Phone: 9289 8300	Mobile: 0448 803 356
* Signature: 		Date: 25/5/21
* Applicants are required to complete and submit all relevant checklists and pay the required fees as set out in the City's Schedule of Fees and Charges. Incomplete applications may be returned to the applicant.		
* The applicant acknowledges and accepts when lodging this application form, that the City may advertise, copy and/or reproduce any supporting plans and documentation submitted as part of this application.		

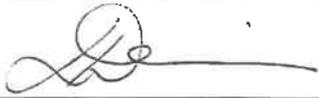
Property Details				
Lot No: 9	House/Street No:	Street Name: Brookton Highway		
Suburb: Karragullen	Diagram or Plan No: 42350	Vol. No: 1524	Folio: 914	
Title Encumbrances (e.g. easements, restrictive covenants): Easement (benefit) and Caveat				
(A copy of the Certificate of Title is required to accompany all applications for Grouped Dwellings or Multiple Dwellings)				

Building / Land Use				
Nature of development:	Works <input type="checkbox"/>	Use <input type="checkbox"/>	Works & Use <input checked="" type="checkbox"/>	Is Retrospective Approval being sought? <input type="checkbox"/> (If applicable)
Is an exemption from development claimed for part of the development?				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, is the exemption for:	Works <input type="checkbox"/>	Use <input type="checkbox"/>		
Description of proposed development and/or use: Industry-Extractive				
Description of exemption claimed (if relevant):				
Nature of any existing buildings and/or use: Industry-Extractive				
Approximate cost of proposed development (Excluding GST): -				
Estimated time of completion:				
Checklist has been included with application (Required):				Yes <input checked="" type="checkbox"/>

OFFICE USE ONLY	
Parcel No:	Date Received:
Application No:	
Fees Paid:	

**Property Schedule
Application for Development Approval – Industry Extractive
Lot 9 Brookton Highway, Karragullen**

The owners of Lot 9 Brookton Highway, Karragullen hereby consent to the lodgement of an Application for Development Approval for an Industry-Extractive. The below signatures are provided as owners of the land.

Owners	Signature
Lucia Domenica Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Mario Dennis Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Michael Angelo Vinci of 104 Pickering Brook Road, Pickering Brook in 2/8 share.	
Vinci & Son Pty Ltd of 85 Pickering Brook Road, Pickering Brook in 4/8 share as Tenants in common.	 

Additional Information to be provided on the MRS Form 1

- Is the development within a designated Bushfire Prone Area? Yes No
- If 'yes', have bushfire hazard issues been identified and addressed (e.g. by providing a BAL Assessment(s) or BAL Contour Map and a Bushfire Management Plan with the application)? Yes No
 N/A
- If NA is selected and the development is in a designated bushfire prone area then a short statement justifying why SPP 3.7 does not apply should be included.
- Does your application require determination by a Development Assessment Panel? (DAP) Yes No
- Please refer to the following website for DAP requirements: www.dplh.wa.gov.au/daps
- If yes, please complete DAP Application Form as per DAP requirements.

Checklist (supporting information)

Please complete the checklist below and ensure that all the relevant information is provided with the application.

1. Completed Metropolitan Region Scheme (MRS) Form 1
2. Plans at a scale not less than 1:500 (A3) showing:-
 - (i) the location of the site including street names, lot number(s), north point and the dimensions of the site;
 - (ii) the existing and proposed ground and floor levels over the whole of the land that is the subject of the application, including details of proposed cut and fill, and retaining walls;
 - (iii) the location, metric dimensions, materials, finishes and type of all existing and proposed structures, including services, on the land that is the subject of the application and all existing structures and vegetation proposed to be removed;
 - (iv) the existing and proposed use of the site, including proposed hours of operation and buildings to be erected on the site;
 - (v) the existing and proposed means of access and egress for pedestrians and vehicles to and from the site;
 - (vi) the location, number, dimensions and layout of all car parking spaces intended to be provided, including provision for the disabled;
 - (vii) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (viii) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop those areas;
 - (ix) the nature and extent of any open space and landscaping proposed for the site; and
 - (x) proposed external lighting and signage.
3. Plans, elevations and sections, as appropriate, of any building or structure proposed to be erected or altered and of any building or structure it is intended to retain;
4. Any specialist studies that the responsible authority may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies;
5. Any management plans the responsible authority may require to support or implement the application; and
6. Any other plan or information that the responsible authority may require to enable the application to be determined. This may include scale models or information in digital formats.

For additional information please refer to Development Control Policy 1.2
www.dplh.wa.gov.au/getmedia/37533b97-e0ad-4947-9d00-c4d62fa92746/DCP_1-2_general_principles

Development application checklist - lodgement requirements

Application signatures	<p>The MRS Form is to be signed by the registered proprietor/s as shown on the certificate/s of title.</p> <p>Where the landowner/s cannot sign, an authorised agent can sign and attach evidence of the authority.</p> <p>If the subject land is owned by a company, you must confirm whether it is a sole proprietorship company and state the full name/s and position/s of the company signatory/ies.</p> <p>Appropriate company signatory/ies include one director and the company seal, two directors, or one director and one secretary.</p> <p>Eg: _____</p> <p style="text-align: center;">John F. Smith - Director Peter S. James - Director Smith Pty Ltd Smith Pty Ltd</p> <p>Or _____</p> <p style="text-align: center;">John F. Smith - Sole Director Smith Pty Ltd</p> <p>If the subject land is owned by a strata company, consent can be signed by the strata company secretary or by an elected person of the strata company providing proof of authority either by letter of delegated authority, signed by all strata owners or minutes showing delegated authority.</p>
Certificate of Title	<p>Ensure the Certificate of Title/s is/are current (within 6 months) and provide copy/s.</p>
Change of name	<p>Applications made by either private owners or companies who have changed names to that depicted on the Certificate of Title, must provide supporting documentation showing the change of name such as:</p> <ul style="list-style-type: none"> • a transfer of land document that incorporates a lodgement receipt, • a company search from the Australian Securities and Investment Commission, • a marriage certificate or • a change of name certificate.
Contacts	<p>A contact name, phone and email address is essential, in the event more information is required and for issuing correspondence relating to the Department's decision.</p>
Contracts of sale	<p>Where the land is subject to a contract of sale or offer and acceptance, evidence of landowner's consent must be provided. Relevant evidence may include;</p> <ul style="list-style-type: none"> • an express provision of consent by the vendor on the contract of sale or offer and acceptance, • a letter of consent from the registered proprietor/s giving prospective purchaser/s consent to lodge the application or • a copy of the transfer of land document that incorporates a lodgement receipt.
Crown land	<p>Where the land is registered in the name of the Crown, the application form must be signed by an authorised officer of the Department of Lands, stating the name and position. Alternatively, a letter of consent from the authorised Crown land officer.</p>
Deceased estates	<p>Where the land is registered in joint tenants, a copy of the death certificate of the deceased landowner must be provided. Where the land is registered in tenants in common, a copy of the grant of probate or endorsed enduring power of attorney must be provided.</p>
Designated Bushfire Prone Area	<p>If the proposed development is located within a Bushfire Prone Area according to the Map of Bush Fire Prone Areas, then bushfire hazard issues should be identified and addressed (e.g. by providing a BAL assessment(s) or BAL Contour Map and a Bushfire Management Plan with the application). If NA is selected and the development is in a designated bushfire prone area then a short statement justifying why SPP 3.7 does not apply should be included.</p>
Emailed documents	<p>Emailed applications or documents are acceptable, however the application must be signed by the registered proprietor/s.</p>
Government agencies	<p>Where the land is registered in the name of a government authority, the application form must be signed by an authorised officer of the relevant authority, stating the name and position of the signatory/s. Alternatively, a letter of consent signed by an authorised officer.</p>

Property Schedule
Application for Development Approval – Industry Extractive
Lot 9 Brookton Highway, Karragullen

The owners of Lot 9 Brookton Highway, Karragullen hereby consent to the lodgement of an Application for Development Approval for an Industry-Extractive. The below signatures are provided as owners of the land.

Owners	Signature
Lucia Domenica Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Mario Dennis Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Michael Angelo Vinci of 104 Pickering Brook Road, Pickering Brook in 2/8 share.	
Vinci & Son Pty Ltd of 85 Pickering Brook Road, Pickering Brook in 4/8 share as Tenants in common.	 

Form 3

CITY OF ARMADALE

APPLICATION FOR AN
EXTRACTIVE INDUSTRY LICENCE

1. Name Vinci Gravel Supplies Pty Ltd.....(Applicant)
2. Address 109 Pickering Brook Road, Pickering Brook WA 6076.....
.....
3. Telephone 9293 8295..... Fax
4. Address and locality of proposed excavation site Lot 9 Brookton Highway Karagullen.....
.....
5. Lot No 9.....6. Location No
7. Plan or Diagram No 42350.....
8. Certificate of Title Volume 1524.....Folio 914.....
9. Owner of the land Refer to attached schedule.....
.....
10. Address of owner of the land Refer to the attached schedule.....
.....
11. Material to be excavated Gravel.....
12. If the application covers land that is the subject of an existing licence:
Date of Issue of that licence
- Date of expiration of that licence
- Conditions applicable to that licence
-
13. Term of licence sought 15 years.....
14. Submitted with this application are:
 - a) 3 copies of excavation site plans
 - b) 3 copies of works and excavation programme
 - c) 3 copies of rehabilitation and decommissioning programme
 - d) datum peg evidence
 - e) licensed surveyor's certificate certifying the correctness of (a) and (d)
 - f) evidence of compliance with clauses 2.2(1) and (2)

- g) copies of all land use planning approvals
- h) written consent of the owner of the excavation site
- i) any other information that the local government has required
- j) licence application fee of \$.....

The applicant applies for a licence in respect of the proposed excavation site in accordance with and subject to the City Of Armadale Local Law relating to Extractive Industries.

Dated this 6th day of January 2021

M. N. D. P. W.
D. M. P. W.

Signature of Applicant

M. N. D. P. W.
D. M. P. W.

Signature of Owner of the land

M. N. D. P. W.
D. M. P. W.

Signature of existing licensee
 (if applicable)

Property Schedule
Lot 9 Brookton Highway, Karragullen

The owners of Lot 9 Brookton Highway, Karragullen hereby consent to the lodgement of an Application for an Extractive Industry Licence.

Owners	Signature
Lucia Domenica Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Mario Dennis Vinci of 109 Pickering Brook Road, Pickering Brook in 1/8 share.	
Michael Angelo Vinci of 104 Pickering Brook Road, Pickering Brook in 2/8 share.	
Vinci & Son Pty Ltd of 85 Pickering Brook Road, Pickering Brook in 4/8 share as Tenants in common.	 

Annexure C

Certificate of Title

WESTERN



AUSTRALIA

REGISTER NUMBER 9/D42350	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 4/4/2012

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1524** FOLIO **914**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 9 ON DIAGRAM 42350

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

LUCIA DOMENICA VINCI OF 109 PICKERING BROOK ROAD, PICKERING BROOK
IN 1/8 SHARE
MARIO DENNIS VINCI OF 109 PICKERING BROOK ROAD, PICKERING BROOK
IN 1/8 SHARE
MICHAEL ANGELO VINCI OF 104 PICKERING BROOK ROAD, PICKERING BROOK
IN 2/8 SHARE
VINCI & SON PTY LTD OF 85 PICKERING BROOK ROAD, PICKERING BROOK
IN 4/8 SHARE
AS TENANTS IN COMMON

(T L891593) REGISTERED 26/3/2012

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. B650679 EASEMENT BENEFIT SEE SKETCH ON VOL 1524 FOL 914. REGISTERED 18/1/1979.
2. *L322030 CAVEAT BY VINCI GRAVEL SUPPLIES PTY LTD LODGED 21/5/2010.
3. L891594 MORTGAGE TO WESTPAC BANKING CORPORATION REGISTERED 26/3/2012.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1524-914 (9/D42350)
PREVIOUS TITLE: 580-57A
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY: CITY OF ARMADALE



Application B650680

WESTERN

AUSTRALIA



Volume 580 Folio 57A

1524 914

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Lumbrough



REGISTRAR OF TITLES

Dated 18th January, 1979

ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of each of Canning Locations 939 and 943 and being Lot 9 on Diagram 42350, delineated and coloured green on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 60.96 metres, together with a right of carriageway over the portion of Lot 15 on Plan 11639 coloured brown on the said map hereon as set out in Transfer B650679.

FIRST SCHEDULE (continued overleaf)

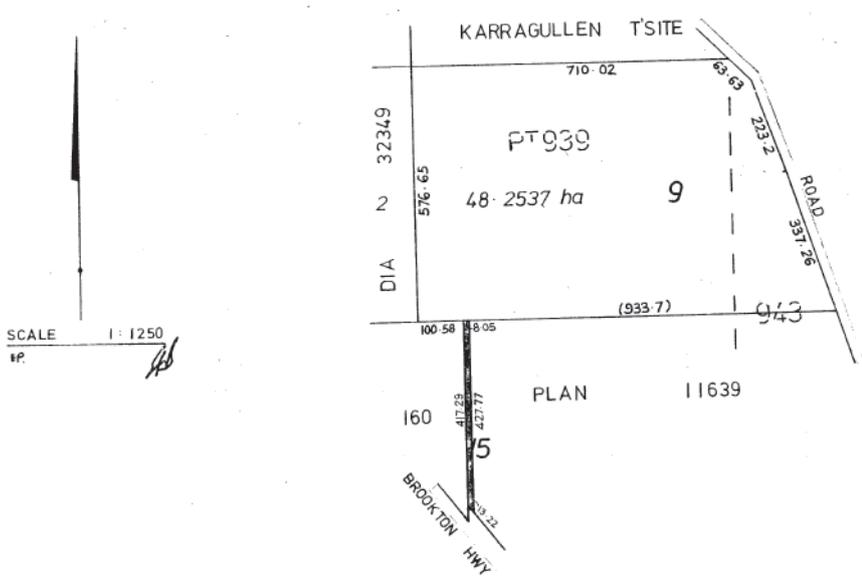
~~Gordon Frank Marsh, Earth Moving Contractor and Joan Ivy Marsh, Married Woman, both of 8 Wade Street, Coonells.~~

SECOND SCHEDULE (continued overleaf)

NIL

Lumbrough
REGISTRAR OF TITLES

THIRD SCHEDULE



NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

Superseded - Copy for Sketch Only

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON



