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3	TBC	Updates to reflect current planning framework

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1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as Local Planning Policy (LPP) No. 2.2 *Extractive Industry*.

2.0 INTRODUCTION

The Scheme and the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide a definition for Industry-Extractive. This definition is summarised as the extraction of Basic Raw Materials by a range of means.

State Planning Policy 2.4 Planning for Basic Raw Materials (BRM) Guidelines (SPP2.4) provides an overview of the issue of planning for BRM, including the approvals process, the role of various planning instruments and the matters to be considered as part of the assessment of extractive industries.

The supply of BRM is an important contributor to the economic development of the City of Greater Geraldton (the City) and the state as a whole. It is also a key component of the land development process.

This policy establishes the application requirements and the assessment process as it relates to Development Applications for Industry-Extractive on freehold land. The policy may be used by the local government to guide comments where a proposed Industry-Extractive is located on Crown or Reserved Land.

This policy should be read in conjunction with the Scheme, the Regulations and SPP2.4, State Planning Policy 4.1 Industrial Interface (SPP4.1), the Guidance for the Assessment of Environmental Factors Western Australia (in accordance with the Environmental Protection Act 1986) Environmental Protection Authority No. 3 June 2005 Separation Distances between Industrial and Sensitive Land Uses and any other relevant planning documents.

3.0 PLANNING POLICY

The objectives of this policy are:

- a) To set out the matters which are to be considered when assessing applications for an extractive industry.
- b) To detail the specific requirements and minimum standards for the establishment of an extractive industry.
- c) To ensure extractive industry occurs with minimal detriment to the local amenity and environment during or after excavation.
- d) To ensure extractive industry occurs in a manner which allows for future use and development consistent with long-term planning intentions for the area.
- e) To achieve a high quality of rehabilitation on site where clearing of native vegetation is proposed and approved.
- f) To achieve a high level of groundwater resource protection.

- g) To provide clarity of the development assessment process for proponents and the broader community.

4.0 APPLICABLE DEVELOPMENT

- 4.1 This policy applies to all development applications for Industry-Extractive uses on land zoned General Industry and Rural in the Scheme.
- 4.2 This policy does not apply to the following:
 - a) The extraction of basic raw materials on Crown land (including reserves and pastoral leases), which are covered by *the Mining Act 1978*. In providing advice on any mining proposal and its consistency with the provisions of the Scheme, regard will be given to the expectations of amenity and environmental effects set out by this Policy.
 - b) The extraction of basic raw materials to a depth of no more than 1m and an area of no more than 1ha where the material is to be used for improvements on the same property.
 - c) Extraction of basic raw material that falls under the definition of Public Work. While Public Work is exempt from the need for development approval it should be undertaken in accordance with the relevant provisions of this policy.

5.0 DEVELOPMENT REQUIREMENTS

5.1 General

- 5.1.1 Excavation should not generally occur within 20m of the boundary of any land on which the excavation site is located and within 40m of any road or watercourse.
- 5.1.2 The excavation area should be drained so as to prevent the accumulation of water.
- 5.1.3 Security fencing of the site may be required so as to prevent unauthorised access.
- 5.1.4 Explosives or explosive devices should not be stored on-site.
- 5.1.5 Hours of operation should generally be limited to 07:00 to 18:00 Monday to Saturday with no operations on Sundays or public holidays.
- 5.1.6 Blasting should only take place between 08:00 to 17:00 Monday to Friday.

5.2 Application Requirements

Applications shall include the following information:

5.2.1 A plan of the excavation site to a scale of between 1:500 and 1:2,000 showing:

- a) Existing and proposed land contours plotted at 1m contour intervals;
- b) The land on which the excavation site is to be located;
- c) External surface dimensions of the land;
- d) Location and depth of the existing and proposed excavation of the land;
- e) Location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
- f) Location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
- g) Location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered easement or other encumbrances over or in the vicinity of the land;
- h) Location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
- i) Location and description of existing and proposed fences, gates and warning signs around the land; and
- j) Location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere.

5.2.2 A management plan containing:

- a) The nature and estimated duration of the proposed excavation;
- b) The stages and the timing of the stages in which it is proposed to carry out the excavation;
- c) Details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
- d) Details of the depth and extent of the existing and proposed excavation of the site;
- e) An estimate of the depth of and description of the nature and quantity of the overburden to be removed;
- f) Description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
- g) Description of the means of access to the excavation site and the types of thoroughfares to be constructed;

- h) 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 (the local government may require contributions towards the upgrade of roads);
- i) Description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
- j) Details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
- k) Description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
- l) Description of the measures to be taken to comply with the applicable noise standards;
- m) 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;
- n) Details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the clearing of existing vegetation; and
- o) Description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.

5.2.3 A rehabilitation and decommissioning plan indicating:

- a) The objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
- b) Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
- c) How any face is to be made safe and batters sloped;
- d) The method by which topsoil is to be replaced and revegetated;
- e) The numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
- f) How rehabilitated areas are to be maintained;
- g) The program for the removal of buildings, plant, waste and final site clean up.
- h) The timing and method for the operator notifying City of Greater Geraldton of operations ceasing; and
- i) The identification of triggers for implementation of the rehabilitation and decommissioning plan.

5.3 Duration of Approvals

Planning approvals for extractive industries will be time limited to 5 years. This is to ensure potential detrimental impacts beyond the site are being appropriately managed and as a means of establishing that extractive industry activities have ceased - triggering commencement of site rehabilitation. Renewal of the approval is the responsibility of the applicant, and the local government will not automatically re-issue approvals.

5.4 Heavy Haulage Cost Recovery

The City of Greater Geraldton may seek to recover additional road maintenance costs resulting from heavy haulage vehicle usage of the City's road network associated with an extractive industry. Cost recovery will be considered against *City of Greater Geraldton Council Policy 2.7 Heavy Haulage Cost Recovery*.

6.0 CONSULTATION REQUIREMENTS

When considering a development application for Extractive Industry the City may consult with affected landowners at its discretion. Any consultation will be undertaken in accordance with the Scheme requirements and Local Planning Policy – Consultation for Town Planning Proposals.

7.0 DEFINITIONS

Terms in this policy have the same meaning as defined by the Scheme and the Regulations.