



Development Services

City of Albany
Policy

DRAFT EXTRACTIVE INDUSTRIES AND MINING

EXTRACTIVE INDUSTRIES AND MINING

Objectives:

- *Minimising the adverse impacts extractive industries have on the environment or amenity of the locality during or after extraction.*
- *Extractive industries being located in the most appropriate areas of the City.*
- *Extractive industries are located and undertaken in a manner which does not unduly disrupt surrounding residents by way of noise, dust, blasting and vibration.*
- *Extraction should occur where the available haulage routes and road hierarchy are satisfactory or can be upgraded to support an extractive industry without affecting the quality and safety of the road network.*
- *Development is located so as to minimise impact upon native flora and fauna; groundwater quality, quantity and use; surface drainage and surface water quality including discharge of sediment and sites of cultural and/or historic significance on or near the land.*

Background

1. The supply of basic raw materials such as clay, gravel, sand and lime, etc, is recognised by the City of Albany as being an important factor to the economic development of the City, as well as being a critical component of key infrastructure and the land development process.
2. The City of Albany can consider extractive industries in appropriate locations where transport infrastructure is available or can be upgraded to adequately service the project, and where land use conflicts can be avoided or minimised through careful site planning and operational land use control.

Policy Statement

3. This Policy seeks to ensure that extractive industries are appropriately located and managed in order to not cause disruption to amenity, the environment and the quality of the road network. The policy provides guidance on the application of Local Planning Scheme No.1 and the City of Albany Extractive Industry Local Law.

Scope

4. The policy is applicable to all proposals on zoned land where Extractive Industry is a discretionary use under Local Planning Scheme No.1, with the exception of;
 - Mining works under Section 120 of the *Mining Act 1978*;

- Extraction of material ancillary to a normal rural activity, where for use on the same site, and where no processing of the material is required;
 - Extraction of material for use in developing an approved subdivision works on the same site; and
 - Extraction of material coming under the definition of Public Works.
5. Where there is no requirement to obtain development approval, the City of Albany will advocate that operations be undertaken in accordance with the requirements of this Policy.
 6. This policy is to be applied in conjunction with the requirements of Local Planning Scheme No.1 and the Extractive Industries Local Law.

Policy Measures

7. The main elements below provide policy objectives and methods of how an applicant can meet these objectives. The requirements the City of Albany may impose to meet these objectives is also detailed.
8. Landholder obligations in relation to a development approval for an extractive industry are transferred to any new owners of the land. Responsibility rests with the landholder to notify prospective landholders of obligations in relation to any extractive industry and to resolve any bond agreements.

Advertising

9. All extractive industry proposals shall involve, at a minimum, the consultation of landowners within a 1.0 km radius of the site. **A greater area of radius for consultation may be required at the discretion of the City of Albany, particularly in reference to transport routes.** Relevant agencies will also be referred the proposal for comment.

Buffers

Objective - *Extractive industries are located and undertaken in a manner which does not unduly disrupt surrounding residents by way of noise, dust, blasting and vibration.*

10. Where the applicant has not provided management plans or technical studies, buffers are as per the default guideline values under *Guidance Note 3 – Separation Distances Between Industrial and Sensitive Land Uses (EPA – 2005)*, as follows;

Quarry of hard rock (including blasting), crushing and screening	Buffer distance of 1000m
Quarry (not hard rock). Processing rock ore etc by blasting, grinding and milling works – material processed by grinding, milling or separated by sieving, aeration etc	Buffer distance of 1000m
Quarry (no blasting) - material processed by grinding, milling or separated by sieving, aeration etc	Buffer distance of 500m

Sand and limestone extraction with no grinding or milling works	Buffer distance of 500m.

11. Where an extractive industry is within 1km of a residence or tourist accommodation or attraction, additional conditions to reduce amenity impacts from noise, dust and vehicles may be imposed.
12. No extractive industry is to be located within 500m of a residence where the owner or resident provides objection to the proposal.
13. Notwithstanding the above, the extraction of sand and gravel may be located less than 500m, but generally no closer than 300m from a sensitive land use, subject to additional mitigation measures, including, but not limited to, those from the list below;
 - Provision of suitable Dust and Noise Management plans prepared by a suitably qualified professional;
 - Reduced nature and scale of the operations;
 - Reduced operating days and hours;
 - Restrictions on vehicle movements;
 - Performance bonds;
 - The provision and justification of additional mitigation measures, including screening, bunds, vegetation planting and neighbour agreements;
 - Submitting GPS coordinates of pit areas; and
 - Any other mitigation measures deemed necessary by the City of Albany.
14. The extraction of granite and other hard rock quarrying shall generally be a minimum of 1000m to a sensitive land use.

Transport

Objective - *Extraction should occur where the available haulage routes and road hierarchy are satisfactory or can be upgraded to support an extractive industry without affecting the quality and safety of the road network.*

15. The applicant is to provide detail of the following as deemed necessary by the City of Albany;
 - Size of trucks and number of truck movements;
 - Potential vehicle conflict;
 - Proximity to and interaction with school bus routes;

- Existing condition of the road and the likely impact of the operations on the network quality and safety;
- Pre application consultation with Main Roads WA (if applicable) to address RAV route usage or access matters.
- Access points to the operation site; and
- Existence of any other extractive industry or heavy haulage operations in the vicinity and the cumulative effects on the transport network.

16. In order to address the above matters, the City of Albany may require, and impose, the following;

- Comments and conditions from Main Roads WA.
- The preparation and implementation of any outcomes of a prepared Traffic Impact Assessment or Road Safety Audit.
- Evidence of an agreement between the school bus operator and the extractive industry operator. If this does not occur, a prohibition of truck movements during school bus times may be imposed.
- Time limited approvals.
- **Restricted number of vehicle movements.**
- Where the proposed route or vehicle numbers warrant, the City may require upgrading of roads to improve the standard of access and safety, this may be through contributions, in-kind works, or a levy.
- Construction of crossovers to City of Albany or Main Roads WA standard.
- Controlled trucking hours.

Environment

Objective - *Development is located so as to minimise impact upon native flora and fauna; groundwater quality, quantity and use; surface drainage and surface water quality including discharge of sediment and sites of cultural and/or historic significance on or near the land.*

17. The applicant is to provide detail of the following as deemed necessary by the City of Albany;

- Surface Water Management Plan;
- Dieback Management Plan;
- Rehabilitation Plan;
- Acid sulphate soils assessment;

- Demonstrating evidence of pre application due diligence through environmental and cultural agency databases (Indigenous Affairs, Environment Protection and Biodiversity Conservation, priority flora and fauna; and
- Details of proposed clearing of remnant vegetation to access basic raw materials. Where vegetation is affected as part of the proposal, the City of Albany will consider the advice from the appropriate authority. There is a general presumption against vegetation clearing for the purpose of extraction.

18. In order to address the above matters, the City of Albany may require, and impose, the following;

- Department of Water and Environmental Regulation conditions;
- Implementation of dieback, rehabilitation and surface water management plans;
- Modification of the proposal;
- Limiting the size of open pit areas;
- Additional replanting;
- Performance bonds; and
- Rehabilitation Bonds;

Visual Impact

Objective - *Extractive industries not adversely affecting the environment or amenity of the locality during or after extraction.*

19. The applicant is to provide detail of the following as deemed necessary by the City of Albany;

- Visual Impact Statement or review of impact on views of significance.
- Details of measures being taken to screen the extractive industry from nearby properties and major tourist routes. Measures may include planting established tree stock, bunds or reducing extraction area.
- Rehabilitation Plans

20. In order to address the above matters, the City of Albany may require, and impose, the following;

- Limiting the size of open pit areas;
- Time limited approvals;
- Increased setbacks;

- Additional screening being implemented; and
- Implementation and bonding of site rehabilitation

Note: If an extractive industry is visible it does not mean it is automatically classified as being visually unacceptable.

Existing Extractive Industries

21. It is acknowledged that there are a number of extractive industries currently operating which have now been surrounded by development. The assessment of these proposals for renewal will be considered on a case by case basis against policy measures.

Length of approval

22. Approvals may be granted for a maximum of *five years*, after which a renewed approval is required. When renewing an application, applicants are advised to consider the development application processing time to avoid operational continuity issues.

Application Requirements

23. Prior to commencing preparation or lodging an application for development approval, it is highly recommended making an appointment with a City of Albany Planning Officer to discuss the proposal. The meeting will determine the level of detail required for the application and the suitability of the proposal.

Note: Applications that do not comply with the relevant standards or contain insufficient information may be refused or take longer to process.

24. Due to the technical nature of extractive industries, it is highly recommended that a professional consultant(s) be engaged to prepare the application and associated plans. Proposals which are of a professional standard have far more credibility when being assessed and referred to adjoining landowners and agencies.

25. Plans being submitted with the following information;

- Detailed setbacks in accordance with Local Planning Scheme No.1 and Extractive Industry local law.
- Distances from lot boundaries and all dwellings and other sensitive uses within a 1km radius of the extraction site.
- GPS Coordinates of Pit areas.
- Details of existing and surrounding land uses.
- Area depth and volume of extraction (existing and proposed final contours at 1 metre intervals).
- Road frontages and property access.

- Existing vegetation, wetlands and watercourses, and distance from the proposed area of extraction.
- Area height and volume of material and top soil stockpiles.
- Site plans, floor plans and elevations of any building associated with the proposal.

26. A report will also be required to accompany the above plans, detailing the following:

- Type of material to be extracted.
- Details of methods of extraction, including crushing, blasting or extraction only.
- Details of staging.
- Management techniques to address potential conflict with surrounding land uses and protection of environmental attributes;
 - Noise Management Plan
 - Dust Management Plan
 - Screening
 - Surface Water Management Plan
- Hours of operation (including crushing, blasting and excavation).
- Storage of chemicals.
- Estimated completion date.
- Type of equipment to be used including size of trucks and machinery.
- Maintenance and any refuelling of trucks on site.
- Number of truck movements per day/week.
- Proposed haulage routes and destinations.
- Proposed road warning signage.
- Visual impact assessment, with particular reference to major roads; tourist routes/interest points, and surrounding properties/structures.
- Drainage implications including surface and ground water impacts.
- Proposed end use of site.
- A detailed rehabilitation plan including types of materials, staging, source of materials, re-contouring, replacement of topsoil, screen planting and re-vegetation (vegetation species and densities).
 - *The City will only permit the fill of extractive industry sites with clean material that is specified in the approved rehabilitation plan.*

- Details of dieback management techniques.
- Any other assessment the City may require, including Aboriginal and European Heritage considerations, if within a known area of concern.
- Detailed justification for any variation from City requirements.

27. In considering the management of transport issues, the following will form the basis of the City's assessment:

- Conditions and nature of roads to be used
- Proximity to and interaction with school bus route
- Impact on higher traffic volume on higher risk roads
- Size of trucks and number of truck movements
- Access points to the operation site
- Main Roads WA comments and advice.
- Existence of any other extractive industry or heavy haulage in the vicinity

















A road safety Audit may be requested to clarify these matters.

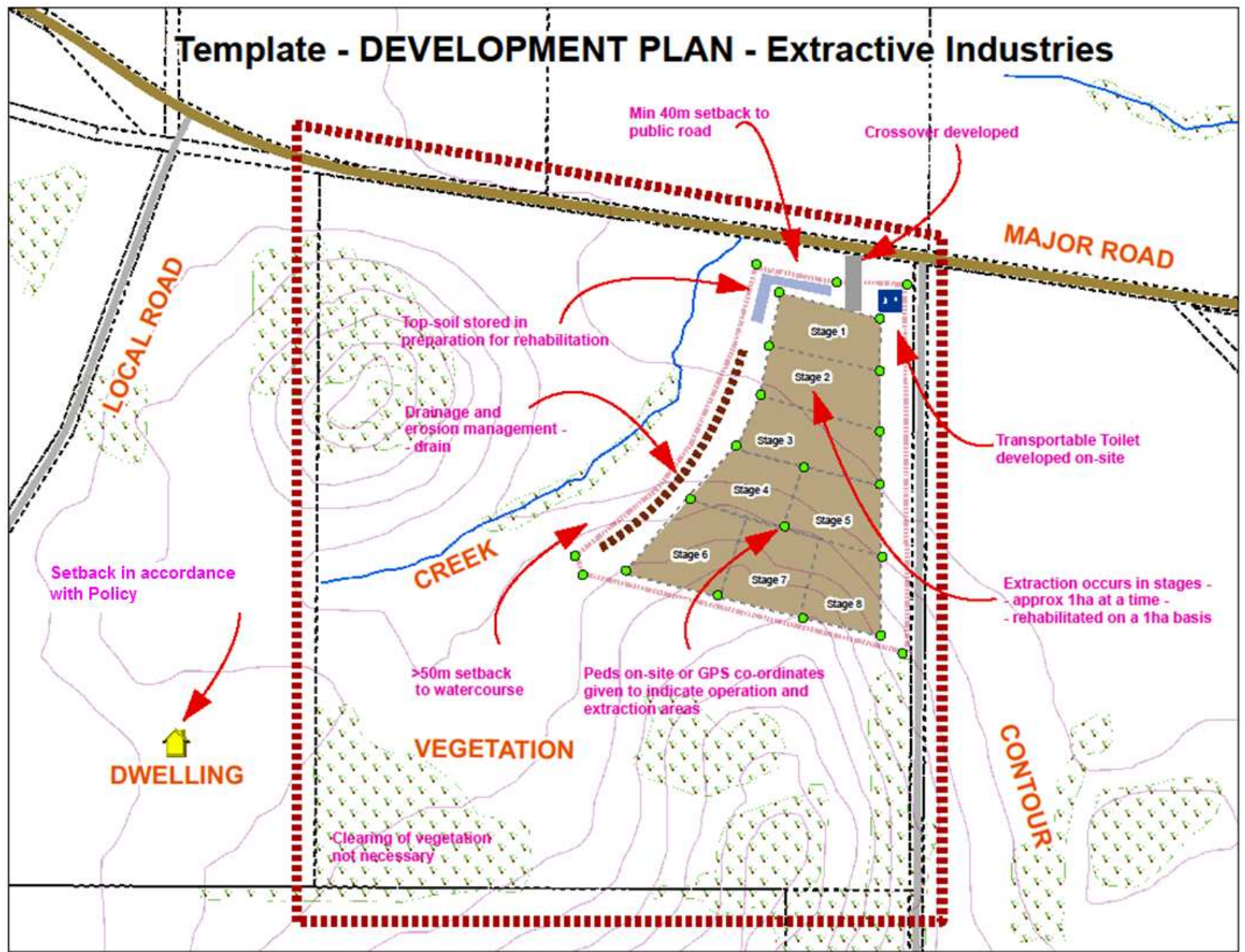
Compliance

All complaints will be investigated in accordance with the City of Albany's Compliance Policy.

Template - DEVELOPMENT PLAN - Extractive Industries

Map Legend

-  Subject Lot
-  Contours
-  Waterways
-  Local Road
-  State Road
-  Cadastre
-  Vegetation
-  Operation Area
-  Resource Area
-  Top soil storage area
-  Stages
-  Drainage/Erosion management
-  Toilet
-  Dwelling
-  Pegs / GPS Co-ordinates
-  Crossover



SCALE @ A3:
1:5,340



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