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# ATTACHMENTS

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## **Planning and Development Committee Meeting**

**04 November 2015**

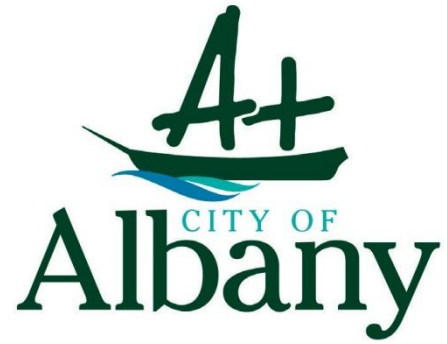
5.30pm

City of Albany Council Chambers

PLANNING AND DEVELOPMENT COMMITTEE  
ATTACHMENTS – 04/11/2015

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## Planning & Development Services

City of Albany  
Policy

Cheyne Beach

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## 1. INTRODUCTION

Cheyne Beach is a small coastal settlement, 50km east of Albany and 470km south-east of Perth. The settlement consists of 'leaseholds' for holiday accommodation and accommodation associated with the fishing industry, a fire shed and a caravan park with general store. The settlement is surrounded by Waychinicup National Park.

Precincts 1, 2 and 3 cover the leaseholds that are the subject of this policy (see figure 1 below).

Figure 1: Policy Areas



## 2. OBJECTIVES

The objectives of this Policy are to:

1. Maintain Cheyne Beach as a small coastal holiday and fishing settlement; and
2. Provide guidance to both Council and leaseholders as to appropriate forms of development to ensure existing characteristics are protected and maintained.

## 3. SCOPE

The land that is the subject of this policy is owned by the Crown and vested with the City of Albany as Reserve (R878). The purposes of the reserve are recreation, camping, holiday accommodation, accommodation associated with the fishing industry and a fire station.

This Policy coincides with the *Cheyne Beach Holiday Accommodation and Cheyne Beach Commercial Fishing Accommodation Lease Agreements* made between the City of Albany and Tenants.

### 3.1 Holiday Accommodation Lease Agreement

Clause 1.1 **Definitions** of the *Cheyne Beach Holiday Accommodation Lease Agreement* states that:

*“**Holiday Accommodation**’ means; use by the Tenant for the purposes of temporary holiday accommodation and strictly in accordance with the provisions of Clause 10 of this Lease.”*

Clause **10.3 Restrictions on Tenant** states that:

*“The Tenant must not*

- a) use or permit the Leased Property to be used, or any part thereof, as the primary place of residence of any person.”*

### 3.2 Commercial Fishing Accommodation Lease Agreement

Commercial fishing accommodation leases permit the use of a leasehold by the tenant for the purpose of accommodation associated with the fishing industry and is limited by the Management Order over the land.

### 3.3 Cheyne Beach Planning Policy

This Policy outlines appropriate design standards for development and types of uses that may be considered.

## 4. POLICY PROVISIONS

### 4.1 Character

1. Development is to be sympathetic to existing characteristics, which include:
  - a) Small rectangular single storey dwellings and sheds clad in either cement sheeting, weatherboard, corrugated steel or a mix of these materials and located centrally on each Leasehold;
  - b) Low pitched skillion, or medium pitched gabled, corrugated steel roofs;
  - c) Limited use of fencing; and
  - d) Lawn areas with native species intermittently planted.

Figure 2: Cheyne Beach Character



## 4.2 Definitions

1. For the purpose of this Policy, the following definitions apply:
  - a) **Development** means the development or use of any land, including:
    - i. any demolition, erection, construction, alteration of or addition to any building or structure on the land;
    - ii. the carrying out on the land of any fencing, excavation or filling.
  - b) **Foreshore** means land adjoining or directly influencing a body of water that is managed to protect the body of water and coastal environment.
  - c) **Holiday Accommodation** means use by the Tenant for the purposes of holiday accommodation, with no restriction on the length of stay, but not as a primary place of residence for any person (as per Clause 10.3(a) of the *Cheyne Beach Holiday Accommodation Lease Agreement*).

## 4.3 Approval

1. All development on a local scheme reserve requires Planning Scheme Consent, as per the *Local Planning Scheme No. 1*, which states that:
 

*“3.4.1 A person must not:*

  - (a) Use a Local Reserve; or*
  - (b) Commence or carry out development on a Local Reserve*

*without first having obtained planning approval under Part 9 of the Scheme.”*

## 4.4 Land Use

1. The purpose of the Precinct 1 is to provide for ‘Holiday Accommodation’, with no restriction on the length of stay, but not as a primary place of residence of any person (as per Clause 10.3(a) of the *Cheyne Beach Holiday Accommodation Lease Agreement*). All other land uses are prohibited in the

precinct.

2. The purpose of Precinct 2 is to provide for accommodation associated with the fishing industry. Processing and retail or wholesale activities are prohibited in the precinct.
3. The purpose of Precinct 3 is to provide for accommodation associated with the fishing industry. Processing and retail or wholesale activities are currently prohibited in Precinct 3. No further development will be permitted within the precinct, due to susceptibility to coastal erosion and sea level rise.

*Note:*

1. *The Foreshore is subject to erosion and sea level rise. The buildings and land in Precinct 3 are located within the foreshore and are therefore at risk from sea level rise.*
2. *State Planning Policy 2.6 – State Coastal Planning recommends that a vertical sea level rise of 0.9 metres be adopted when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year planning timeframe (2010 to 2110).*

#### **4.5 Development**

1. Development within Precinct 2 will be required to be removed from the leasehold upon expiration or termination of a lease and the land returned to its original condition. It is therefore recommended that any accommodation units and non-habitable structures within Precinct 2 are transportable or are of a temporary nature.

*Fire*

2. *All new accommodation units, additions to an accommodation unit and non-habitable structures within 6 metres of an accommodation unit shall comply with construction standards 3 and 6 (BAL-19) of Australian Standard 3959 – Construction of buildings in bush-fire prone areas.*
3. *Where any garage, carport or similar roofed structure is separated by a distance of not less than 6 metres from an accommodation unit, the garage, carport or similar roofed structure is not required to comply with Australian Standard 3959.*

*Note:*

1. *In considering the character of the landscape ('Closed Heath' with a gentle slope) and requirements of the Western Australian Planning Commission and Fire and Emergency Services Authority document Planning for Bush Fire Protection Guidelines, a Bushfire Attack Level of 19 applies; meaning that construction standards 3 and 6 of Australian Standard 3959 are applicable.*
2. *For general access to water for fire-fighting purposes, a water supply is available from the creek and lake just north of the settlement. There are also two tanks on the hill north of the settlement and a 3.4 fire appliance in a shed near the caravan park.*
3. *Access to leaseholds and use of water located in tanks may be necessary for fire-fighting purposes.*



*Water Storage Tank*

4. A water storage tank with a minimum capacity of 55,000 litres shall be installed on each leasehold (if not already constructed), at the lessee's cost.

*Note:*

1. *The above requirement originates from previous lease agreements.*

*Effluent Disposal*

5. The lessee shall ensure that all new on-site wastewater systems comply with relevant environmental health regulations and the draft *Country Sewerage Policy*.

*Roof Colour*

6. Please note that unpainted zincalume, white and off-white colours (e.g. Colorbond® Surfmist) are not supported, as they are considered to be too reflective.

*Note:*

1. *Due to the terraced layout of street blocks and the close location of the settlement to the ocean, the Sun's reflection is strong and can be limited with the use of appropriate building materials and colours (darker tones).*

*Building Heights*

7. Development shall not exceed 5m in height from the natural ground level to the top of the roof (for non-habitable structures, refer to Clause 12 of this policy).

*Note:*

1. *The above requirement for height maintains the existing character of the settlement and originates from previous lease agreements.*

*Access and Parking*

8. All crossovers and access legs shall be developed to the satisfaction of the City of Albany.
9. Two (2) car parking spaces shall be provided per accommodation unit.

*Stormwater*

10. Stormwater shall be managed to the satisfaction of the City of Albany.

*Building Setbacks*

11. The following minimum setback requirements for development apply:

*Table 1: Building Setbacks*

<b>Precinct</b>	<b>Front (road frontage)</b>	<b>Side</b>	<b>Rear</b>
1 Baxteri Road (West side)	15 metres	1 metres	2 metres
1 Baxteri Road (East side)	4.5 metres	1 metres	7.5 metres
2 Cheyne Road	15 metres	1 metres	6 metres

### *Non-habitable Structures*

12. Non-habitable structures (i.e. outbuildings, sheds, gazebos, carports, sea containers, shade houses) are to comply with the building setback requirements and the following height and floor area limits:

*Table 2: Non-habitable structures – maximum heights and floor areas*

<b>Precinct</b>	<b>Roof Height</b>	<b>Wall Height</b>	<b>Floor Area</b>
Precinct 1	3 metres	4.2 metres	60m <sup>2</sup>
Precinct 2	3.5 metres	4.5 metres	100m <sup>2</sup>

### *Fencing*

13. Fencing is discouraged in order to maintain the existing character.
14. A relaxation to the above provision may be considered and fencing supported where the following criteria are met:
- (a) Neighbours have been consulted and have not expressed an objection;
  - (b) Fencing around a leasehold is:
    - i. permeable (i.e. an open style of fencing, such as picket, pool style, post and wire, etc.); and
    - ii. a maximum of 1.2 metres in height.

## **5. ADVICE**

### **5.1 Camping in a Caravan**

1. All Camping shall be as per the *Caravan Park and Camping Grounds Regulations 1997*.

*Note:*

1. *The City's Environmental Health Department deals with approvals to camp in a caravan.*

### **5.2 Aboriginal Heritage**

1. The City of Albany will ensure all development applications comply with the requirements of the *Aboriginal Heritage Act 1972*. To this effect, the City will undertake the Aboriginal Heritage Risk Assessment of all proposals and will refer proposals for comment where necessary. This assessment process will consider the recommendations of the Cheyne Beach Heritage Survey completed in October 2015.
2. This Aboriginal Heritage process may result in requirements for inspection of a site or monitoring during works to ensure there is no disturbance of Aboriginal cultural heritage materials. The cost of this requirement may be passed on to the applicant.

### **5.3 Weeds**

1. The City encourages the protection and enhancement of the natural environment, including eradication of weed species.

#### **5.4 Clearing of Remnant Vegetation**

1. The City encourages the siting of buildings and access roads within degraded/cleared areas to minimise clearing. Clearing on areas outside of leaseholds is not supported without the approval of the Department of Environment Regulation.

#### **5.6 Pets**

1. The keeping of livestock, animals and domestic pets is not permitted, in accordance with the *Cheyne Beach Holiday Accommodation Lease Agreement*.

#### **5.7 Building Standards**

1. Your proposal may be required to comply with:
  - (a) The *Building Code of Australia*;
  - (b) *Australian Standard 1428 – Design for Access and Mobility*;
  - (c) The *Disability (Access to Premises – Buildings) Standards 2010*; and
  - (d) Relevant environmental health regulations.

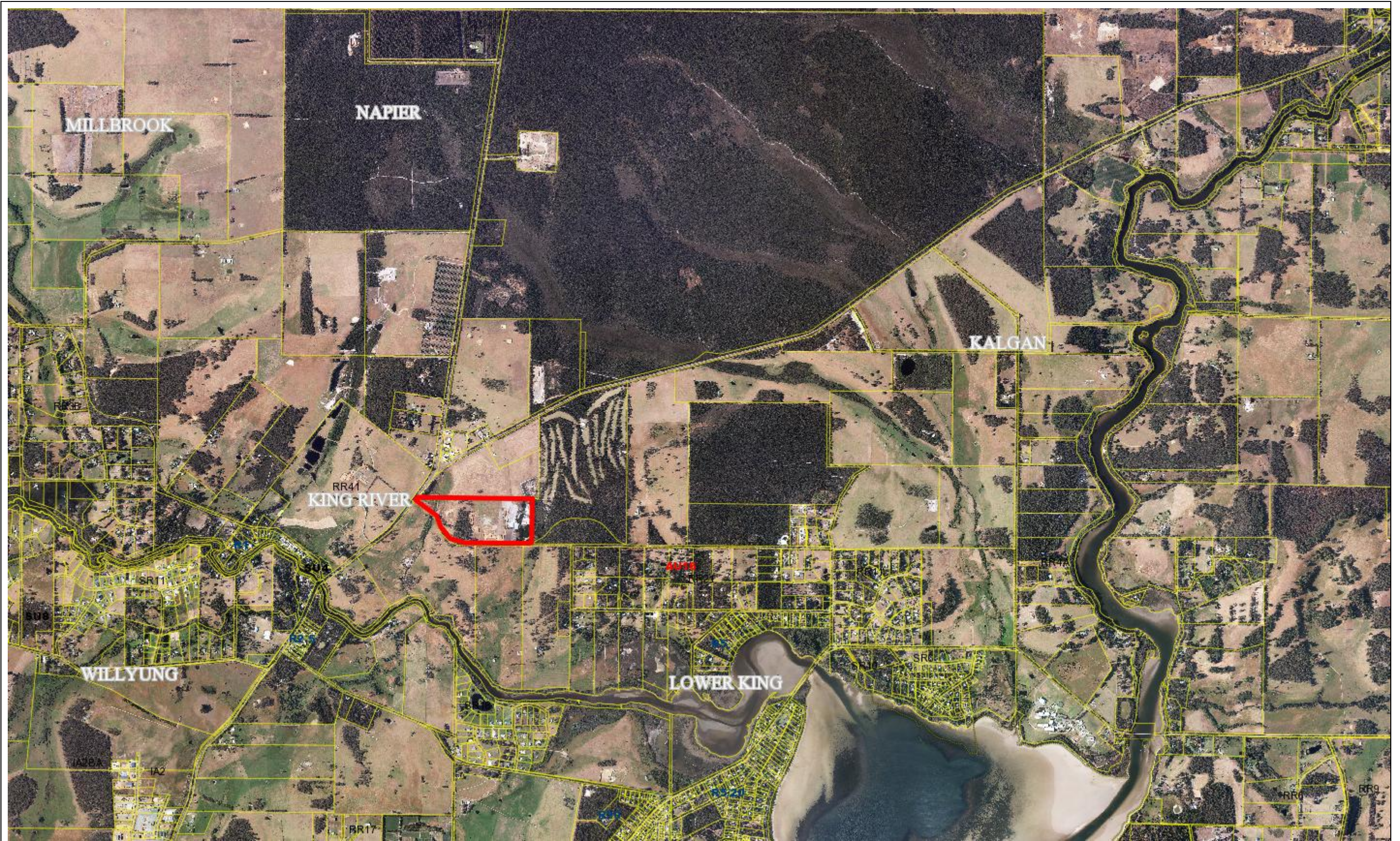
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<b>Version</b>	<b>Author</b>	<b>Version Description</b>	<b>Date Completed</b>
Draft v0.1	Senior Planning Officer  Planning Officer	Initial draft for consultation.	16/06/2015
Draft v0.2	Planning Officer	Initial draft with amended table of contents and section headings, following staff comments.	01/09/2015
Draft v0.3	Planning Officer	Initial draft with amended text to correct minor typographical errors, adjust references to the <i>Cheyne Beach Holiday Accommodation Lease Agreement</i> , adjust setback and fencing requirements and include references to future commercial fishing leases within Precinct 2.	15/10/2015
Draft v0.4	Planning Officer	Initial draft with further correction to minor typographical errors and inclusion of a land use prohibition on Precinct 2.	20/10/2015
Draft	Planning Officer	Initial draft with further alterations to settlement description, scope, land use and development	20/10/2015

v0.5		provisions and advice on Aboriginal Heritage, following discussions with the Team Leader Property & Leasing and the Senior Land Officer.	
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### AREA PLAN

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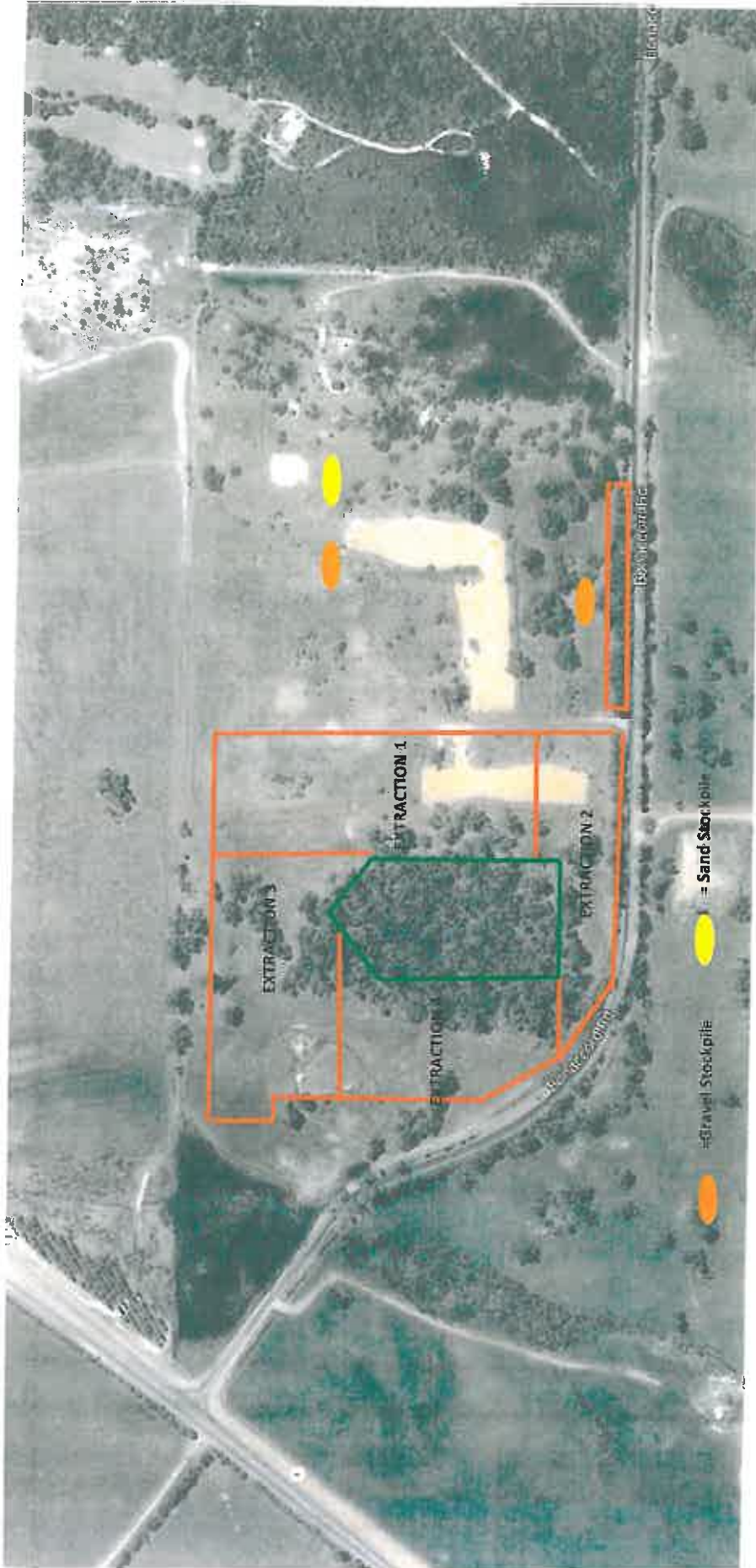


Figure 1



**Local Planning Scheme No. 1**  
**Application: Industry Extractive - P2150048**  
**Schedule of Submissions for 105 Bon Accord Road (Lot 110) King River**

No.	Submission	Officer Comment
1.	<p>Strongly object to the Proposal.</p> <p>Recommend a condition be applied restricting the use of Bon Accord Road to the east of the site, unless a resident of Bon Accord Road requires product delivered to their address.</p> <p>If it is not the applicant's intention to use Bon Accord Road then this condition needs to be clarified. If it is the applicant's intention, then the reasons for objection are based entirely on safety of the community.</p> <p>There is currently another existing extraction site on Prideaux Road and the expansion of this site will increase the heavy traffic through this residential area to an unacceptable volume.</p> <p>Bon Accord Road is a school bus route and although during term time, trucks can be banned from using the roads at bus route times, this does not allow for the potential danger caused by the large volume of school run traffic that occurs either side of the bus run time slot.</p> <p>This is an active community made up of families and retirees and subsequently there is an unusually high volume of foot traffic that use these roads. This is also an established route for the local cycling clubs.</p> <p>Non-compliance of this (or any other) condition of licence should entail immediate site closure by the City until compliance is achieved or fines are imposed and settled.</p>	<p>Objection Noted.</p> <p>The City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p> <p>Concerns Noted.</p> <p>It is recommended that a planning condition is applied, requiring the applicant to liaise with school bus operators to commence a dialogue and establish a schedule to avoid potential conflict.</p> <p>The City of Albany has established compliance practices for extractive industries. Bonds are held, and the license process in conjunction with the development application process provides a framework for compliance.</p>

No.	Submission	Officer Comment
2.	<p>Opposed to increased industry in our area, especially due to the impact on the roads and hence our children's safety on bikes or when walking.</p> <p>If this proposal is to go ahead, a meaningful limit on the number of trucks, plus visual screening being increased along Bushby Road, plus exit straight out to Chester Pass Road will all lessen impacts.</p>	<p>Concerns noted.</p> <p>The City of Albany does not place a limit on vehicle movements. The applicant has advised that 8 vehicle movements a day is proposed and that the majority of vehicles will utilise Chester Pass Road. Comment is taken to refer to Bon Accord Road. A planning condition requiring screen planting to Bon Accord Road is recommended.</p>
3.	<p>I lodge my objection to the application for Industry – Extractive (Sand &amp; Gravel) at 105 Bon Accord Road, Lower King.</p> <p>I moved here for the special rural lifestyle. However, the introduction of these industries to, and through the immediate area, has had an adverse effect on the amenity of the area.</p> <p>To further allow these industries onto a school bus route that has no safe footpaths or designated bus pull over areas will be irresponsible on the Council's behalf.</p> <p>The submission states that all truck movements will exit the property turning right (west) onto Bon Accord Road unless they need to go left (east through the school bus route) to service a client in that direction.</p> <p>With the developments towards the Gull Rock area and Oyster Harbour this could be the majority of their movements. This represents a huge safety risk to the public and their children, as these trucks pass through the school bus route and into the Grammar School traffic flow at a very dangerous intersection of Prideaux and Nanarup Roads.</p>	<p>Objection Noted.</p> <p>The land in question is zoned 'General Agriculture', with Industry – Extractive being classified as a discretionary land use.</p> <p>It is recommended that a planning condition is applied, requiring the applicant to liaise with school bus operators to commence a dialogue and establish a schedule to avoid potential conflict.</p> <p>The City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p>

No.	Submission	Officer Comment
4.	<p>We are strongly opposed to this application.</p> <p>Past experience has demonstrated clearly the depth of opposition to these industries from the local community and the amount of impact they are having on residents.</p> <p>Past experience has also shown that trucks will be travelling along Prideaux Road and that truck numbers will greatly exceed the numbers declared by the applicants.</p> <p>Do not believe applicants will adhere to conditions and are sceptical that conditions will be closely monitored or enforced by Council.</p>	<p>Opposition Noted.</p> <p>The applicant has advised that 8 vehicle movements a day are proposed and that the majority of vehicles will utilise Chester Pass Road. In reference to truck routing, the City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road.</p> <p>Concerns noted.</p>
5.	<p>Please record this as an objection to the application.</p> <p>The road surface will not handle the truck movements and how are you going to monitor the trucks' direction of passage?</p> <p>The increase traffic from private vehicles has increased tenfold in the past few years with the growth from the Grammar School and this is also a bus run.</p> <p>All of the concerns that were highlighted at the Council meeting concerning the other pit proposal are still my concerns.</p> <p>We have a wonderful rural lifestyle not industrial in this area, with walkers, horse riders and families enjoying all that this area offers.</p> <p>Please don't destroy our clean air and the quietness of country living.</p>	<p>Objection Noted.</p> <p>It is recommended that a planning condition is applied, requiring the applicant to be responsible for the repair of any undue damage to Bon Accord Road caused by the extraction operations. In regards to truck routing, the City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road.</p> <p>Noted.</p> <p>The land in question is zoned 'General Agriculture', with Industry – Extractive being classified as a discretionary land use</p> <p>Noted. Staff consider that the proposed conditions and management plans mitigate the concerns raised.</p>

No.	Submission	Officer Comment
6.	<p>The site is fully exposed to both Bon Accord and Chester Pass Roads with amazingly clear visibility. Albany is a major tourist town and having such a high visibility use on a major arterial road into the city is clearly wrong.</p> <p>There is too much commercial traffic on Bon Accord Road as it is and we were all misled by the application from Jim's Backhoes, which quoted 10 truck movements a day and not the 34 plus we often experience. Palmer's previous and almost identical application on 207 Bon Accord Road talked of between 80 and 100 truck movements a day at peak times yet now he talks about 8 per day, so who do we believe? The number of truck movements from Jim's Backhoes is already having a significant impact on our lifestyles and quiet enjoyment of our properties and a doubling of this number would be intolerable.</p> <p>If Council still wish to approve this application then it must be subject to strict conditions that reflect nearby residents' views and protects their interests.</p> <p>A complete ban on all trucks turning left and eastwards from the subject site, with the only exception being deliveries to properties in Bon Accord, Bushby and Prideaux Roads. The subject site is right next to Chester Pass Road (unlike 207 Bon Accord Road) and Palmers must exit that way and find alternative routes.</p> <p>Truck numbers should be limited to 8 per day and not an average of 8 per day. We request that Council closely monitor all truck movements by log books, GPS, remote control or some other method.</p> <p>There must be a prohibition on bringing any off-site materials on-site.</p>	<p>The closest section of extraction to Chester Pass Road would be approximately 180 metres away. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the intersection of Bon Accord Road. It is recommended that a planning condition is applied, requiring the implementation of screen planting along sections of Bon Accord Road which do not have existing vegetation.</p> <p>Concerns regarding vehicle numbers noted. The previous application on Bon Accord Road was much larger than the current application.</p> <p>The Management Plans which have been supplied, together with the recommended planning conditions, mitigate and manage the issues raised during the consultation process.</p> <p>The City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p> <p>Approval has only been sought for Industry – Extractive. A specific approval would be required for the dumping of waste materials.</p> <p>In order to specifically manage this issue through the rehabilitation process, it is recommended that a planning condition is applied, requiring the inclusion of weed management measures within the Rehabilitation Management Plan.</p>

No.	Submission	Officer Comment
	<p>All weeds and Sydney wattle on the sand quarry portion of the subject site to be removed by Palmers and the area properly rehabilitated. We note the Sydney wattle has escaped the site to the Council owned verge (thus adding to Council maintenance costs) and on to the adjoining Riverview Golf Course.</p> <p>Full screening to be erected all along Bon Accord and Chester Pass Roads in advance of any further quarrying work. The existing quarry operations are an absolute eyesore with no proper screening from the road.</p> <p>A complete ban on weekend work. Sound travels long distances here and Council has already been notified of crushing and associated activities undertaken by Palmers on Sundays.</p> <p>For road safety reasons Council must restrict truck movements during school commuting hours and not just during the school bus run times as is the case with Jim's Backhoes.</p> <p>A licence should not be granted until all conditions have been met.</p>	<p>The closest section of extraction to Chester Pass Road would be approximately 180 metres away. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the intersection of Bon Accord Road. It is recommended a condition be applied requiring the implementation of screen planting along sections of Bon Accord Road which do not have existing vegetation.</p> <p>Extractive Industries are permitted to operate on Saturdays at restricted hours. No Work is permitted to be undertaken on Sundays.</p> <p>It is recommended that a planning condition is applied, requiring the applicant to liaise with school bus operators to commence a dialogue and establish a schedule to avoid potential conflict. It would be impractical to establish a dialogue for commuting times, given that this varies significantly on a case by case basis. School bus times would largely coincide with commuting times.</p> <p>Extractive Industry Licenses are not issued until all the applicable planning conditions are met.</p>
7.	<p>Strongly object against the quarry plan mentioned above and we hope that Council will find legal ways to make the applicant abandon his quarry plan.</p> <p>Why on earth permission could be given to quarries so close to a built-up area. It is an inevitable reality that towns get larger and larger and also our neighbourhood is expanding. Land that had a rural purpose in the past, inevitably is transformed into built-up areas nowadays. Logical consequence is that companies causing noise, dust and truck movements have no</p>	<p>Objection Noted.</p> <p>The subject site and surrounding sites are zoned 'General Agriculture', Industry – Extractive is a discretionary use within this zone. The encroachment of Rural Residential lots onto agricultural land does is one of the reasons factors contributing to the current moratorium on Scheme amendments for new Rural Residential land.</p>

<p>other choice than to move to areas where quarries don't bother a living soul.</p> <p>Ugly and polluting activities should be kept out of sight of tourists at any cost. This particular quarry is proposed on land that is wide open and fully visible to Chester Pass Road.</p> <p>We are concerned about increasing noise, dust and traffic hazards and also about the value of our property, being the major investment for our superannuation.</p> <p>Urgently request Council at least to insist the applicant to strictly respect and obey the conditions attached to his licence. Residents</p> <p>Fine dust and hazardous minerals can be carried along by wind over long distances and I am concerned about air pollution caused by the applicant's quarry.</p> <p>We want to bring under your attention that it is our right to</p>	<p>The closest section of extraction to Chester Pass Road is approximately 180 metres away. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the intersection of Bon Accord Road. A condition for screen planting for Bon Accord Road is recommended.</p> <p>The applicant has submitted dieback, drainage, rehabilitation and noise management plans in support of the application. Staff consider that these management plans, in conjunction with the standard extractive industry conditions It is recommended that the implementation and ongoing compliance with these management plans be applied as a condition of consent.</p> <p>The City of Albany <i>Local Planning Scheme No.1</i> has established provisions for the compliance of planning conditions. Furthermore, for extractive industries there is a licensing requirement. Bonds are held, and the license process in conjunction with the development application process provides a framework for compliance.</p> <p>The applicant has also submitted a dust and particle management plan. The plan incorporates a number of dust mitigation measures, including;</p> <ul style="list-style-type: none"> <li>• Limiting stockpiles to anticipated output for the following days;</li> <li>• Locating stockpiles away from prominent ridges or seasonal prevailing winds and be no more than 3 metres high;</li> <li>• Crushing equipment and conveyors will utilise spray bars as required;</li> <li>• Timing of earthworks will coincide with low wind conditions; and</li> <li>• A dust complaint system will be established, any complaints will be forwarded to the site manager. Site manager details will be on the gate.</li> </ul> <p>The applicant has advised that 8 vehicle movements a day are proposed and that the majority of vehicles will utilise Chester Pass</p>
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	<p>demand from the authorities to e.g. strictly enforce the applicant concerned a limit of 8 truck movements per day, forbid truck movements west along Bon Accord Road, forbid digging, crushing or moving activities during weekends and, above all, effectively and consequentially police compliance with all rules involved.</p>	<p>Road. In reference to truck routing, the City of Albany does not have the statutory authority to impose a restriction on the use of an 'as of right' vehicle on a road.</p>
8.	<p>While we respect the need for Palmers Earthmoving to make a living and the need for employment in Albany, there is also a requirement by the Council to provide a safe environment for the community to live in.</p> <p>Only 1 hectare at a time will be permitted to be open at any one time. Rehabilitation will take place prior to opening a new site. It does not mean the property is covered in stockpile and not rehabilitated prior to opening a new area.</p> <p>NO dumping or storage or crushing of salvaged materials (slabs of concrete and building materials) from tenders. The property is NOT a disposal site. Compliance on these matters is to be enforced by Council.</p> <p>Council will enforce compliance to all aspects of the regulations of extractive industry (gravel and sand) and Palmers licence. Not just when the applicant seeks a new licence. Placing heavy industry next to residential properties places more emphasis on council protecting the local residence as well as promoting employment.</p> <p>The proposed quarry sites along with the existing sites are clearly visible to Bon Accord Road and Chester Pass Road. The visual screening from both these roads is inadequate. Both roads carry large volumes of tourists entering Albany and crossing to the tourist attractions of Lower King and the Kalgan area.</p> <p>Truck movements from the property include trucks removing water, sand and gravel to be restricted to the maximum of 8 trucks a day, not the misleading average of.</p>	<p>Comment Noted.</p> <p>This provision is recommended to be a condition of consent and would also be a condition of an extractive industry license.</p> <p>Approval has only been sought for Extractive industry. A specific approval would be required for the dumping of waste materials.</p> <p>The City of Albany has established compliance practices for extractive industries. Bonds are held, and the license process in conjunction with the development application process provides a framework for compliance.</p> <p>The closest section of extraction from Chester Pass Road is approximately 180 metres. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the junction of Bon Accord Road. A condition for screen planting for Bon Accord Road is recommended.</p> <p>The City of Albany does not place a limit on vehicle movements. The applicant has advised that 8 vehicle movements a day is proposed and that the majority of vehicles will utilise Chester Pass Road. The City of Albany does not have the statutory authority to impose a condition for the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p>

<p>Truck numbers to be limited as per submission not averages. These larger numbers of truck movements are not safe nor compatible to the amenity of the area.</p> <p>Trucks are to exit WEST only. Trucks go in both directions now as residents of Bon Accord Road and Prideaux Road are fully aware. Residents are quite aware of new developments occurring to the east. Residential properties to the east need to feel safe to exit and enter their properties. Truck movements to the east from existing pits are already unable to safely accommodate these concerns as there is already a mixture of people using the existing roads without foot paths to segregate road users.</p> <p>Truck movements to be excluded from operating between 7.30 to 9am and from 2.30 to 4 pm on school days due to the extra volume of cars, school buses, children waiting to catch buses to the Grammar School, Flinders Park Primary School and Albany Senior High and other schools.</p> <p>Bon Accord and Prideaux Roads are not built for articulated trucks. There is no segregation of trucks, cars, pedestrians and animals. The intersection of Bon Accord and Prideaux is inadequate as articulated and large trucks cannot negotiate it without using the whole road and turning into oncoming traffic. Visibility at the intersection of Bushby Road and Bon Accord Rd is very poor.</p> <p>It is our opinion that should Council approve this application that council takes full responsibility to maintain the road including shoulders in a safe manner for all road users. The repairs made to the road last summer are already breaking down. Council takes responsibility for any accidents caused by excessive numbers of large vehicles on a predominately residential road. Council is responsible for the health, welfare and safety of all residents and road users whilst travelling or using Bon Accord Road.</p>	<p>The City of Albany does not have the statutory authority to impose a condition for the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p> <p>It is recommended to apply a condition requiring extractive industry operators to liaise with school bus operators to commence a dialogue and establish a schedule to avoid potential conflict. It would be impractical to establish a dialogue for commuting times given that this varies significantly on a case by case basis. School bus times would largely coincide with commuting times.</p> <p>The City of Albany does not have the statutory authority to impose a condition for the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p> <p>Opinion Noted. While the City of Albany has the responsibility of maintain roads, it is recommended that a condition be applied requiring the applicant to be responsible for the repair of any undue damage to Bon Accord Road caused by the extraction operations.</p> <p>The applicant has submitted dieback, drainage, rehabilitation and noise management plans in support of the application. Staff consider that these management plans, in conjunction with the standard extractive industry conditions It is recommended that the implementation and ongoing compliance with these management</p>
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	Council is responsible for monitoring noise, dust levels, pollutants, water contamination on the proposed extraction site, as well as, safety and volume of heavy vehicle traffic on Bon Accord and Prideaux Roads	plans be applied as a condition of consent.
9.	<p>Very concerned about the number of trucks on such a narrow road.</p> <p>Especially trucks that will turn east along a school bus route</p> <p>When approaching any truck on this road cars need to be on the edge of the road, therefore It is imperative that the sides of the road are well maintained</p>	<p>Concerns noted</p> <p>The City of Albany does not have the statutory authority to impose a condition for the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p> <p>It is recommended that a condition be applied requiring the applicant to be responsible for the repair of any undue damage to Bon Accord Road caused by the extraction operations.</p>
10.	Respectfully lodge an objection to the proposed quarry request this time for 105 Bon Accord Road, Lower King, Albany.	Objection Noted.
11.	<p>Such a quarry development is not in keeping with or a suitable development for land adjoining an area that the Town has zoned for residential and semi rural living. Further it is not in keeping with the ambiance of the Albany environment.</p> <p>There are inherent environmental risks associated with the proposed quarry. It is adjacent to an identified dieback and watercourse catchment area. There are a number of signs indicating that the area is environmentally fragile and at risk located along the reserve at the corner of Bushby and Bon Accord Roads. Water is being transported from the subject site is inclusive of runoff from an area designated dieback and used to water down areas of works across other sensitive areas of Albany.</p> <p>There are issues of noise pollution. The excavations for the entry road and the incessant beeping of the trucks and equipment are clearly heard as far as the Lower King Bridge.</p>	<p>The subject site is zoned 'General Agriculture', extractive industry is a discretionary use within this zone. The adjoining land is not zoned Residential. The land use conflict between Rural Residential lots with agricultural land is one of the factors contributing to the current moratorium on Scheme amendments for new Rural Residential land.</p> <p>The applicant has submitted a dieback management plan in order to reduce the risk of Dieback spreading. Among other controls, the plan states that equipment will be washed down upon entering/exiting the site and haulage equipment be covered to ensure there is no spillage. It is recommended that the implementation and compliance with the Dieback Management Plan be applied as a condition of consent.</p> <p>In regards to noise, the applicant has submitted a noise management plan. The plan contains a number of provisions to control noise impacts, including;</p>

	<p>There are issues of dust resulting from the excavations that will affect residents.</p> <p>The high volume of anticipated traffic on Bon Accord Road will create a significant and quite dangerous safety hazard either entering Chester Pass Road or Prideaux Road, especially given the number of children in the area. For example recently the Town Council has approved a crossover and entrance that has been installed to an existing quarry on Bon Accord Road on a particularly sharp elevated bend. This was extremely dangerous at the time of construction with a number of traffic incidents even with ATM staff managing entry and exit to Bon Accord Road. Given the significant increase proposed in particularly large haulage traffic designated to be entering and exiting this access way I believe that the Council is establishing a significant potential traffic hazard and some future liability issues.</p> <p>Undoubtedly the proposed quarry will impact significantly on extant recreational activities in the area. There are a large</p>	<ul style="list-style-type: none"> <li>• Use of topsoil on the perimeter of the pit area to act as a noise bund;</li> <li>• A Noise complaint system will be established, any complaints relating to noise will be reported to the site manager. Details of the site manager will be erected at the site gate; and</li> <li>• Respond to noise control instructions issued by the City of Albany</li> </ul> <p>In addition to the above, any work on the site would also be subject to ongoing compliance with the Environmental Protection (Noise) Regulations 1997.</p> <p>In response to these concerns, the applicant has also submitted a dust and particle management plan. The plan incorporates a number of dust mitigation measures, including;</p> <ul style="list-style-type: none"> <li>• Limiting stockpiles to anticipated output for the following days;</li> <li>• Locating stockpiles away from prominent ridges or seasonal prevailing winds and be no more than 3 metres high;</li> <li>• Crushing equipment and conveyors will utilise spray bars as required;</li> <li>• Timing of earthworks will coincide with low wind conditions; and</li> <li>• A dust complaint system will be established, any complaints will be forwarded to the site manager. Site manager details will be on the gate.</li> </ul> <p>It is recommended that the implementation and compliance with the dust management plan be applied as a condition of consent.</p> <p>Concerns noted. The City of Albany does not have the statutory authority to impose a condition for the use of an 'as of right' vehicle on a road. If the applicant proposes to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission with Main Roads Western Australia.</p>
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	<p>number of both children and adults who ride and agist horses along Bon Accord, Prideaux and Bushby Roads.</p> <p>‘</p> <p>That property values in the Lower King area will be significantly and adversely affected by the presence of such extractive industries as per information supplied by local real estate agents.</p>	<p>Property values are not a consideration under the <i>Matters To Be Considered under Local Planning Scheme No.1</i></p>
12.	<p>We become used to the increased traffic due to subdivision approvals in the area, parents using the road for transporting their child to local schools and people walking their dogs at various times during the day. The roads in the area are only just wide enough to allow to cars to pass each other without going off onto the gravel road shoulder. The proposal for the increase to the gravel and sand pit on Bon Accord Road will mean an increase in trucks on residential roads, leading to a risk of injury to local pedestrians and motorists.</p> <p>We also believe the screening from the road is inadequate. My wife drives past there every morning and has been able to observe clearly the works being carried out, so we feel there needs to be more screening as the view contrasts significantly with the beautiful farm vista across the road i.e it is not an industrial area.</p> <p>Whilst my family and I agree that people need to be able to conduct business, we ask that the Albany City Council restricts the truck movement to go west to Chester Pass Road only as currently there are no residential properties in that immediate area.</p>	<p>Concerns noted. The City of Albany does not have the statutory authority to impose a condition for the use of an ‘as of right’ vehicle on a road. If the applicant proposes to use vehicles in excess of ‘as of right’ specifications they will be obligated to apply for permission with Main Roads Western Australia. While the City of Albany has the responsibility of maintain roads, it is recommended that a condition be applied requiring the applicant to be responsible for the repair of any undue damage to Bon Accord Road caused by the extraction operations.</p> <p>The requirement for screening has been recommended as a condition of consent.</p> <p>Concerns noted. However, The City of Albany does not have the statutory authority to impose a condition for the use of an ‘as of right’ vehicle on a road.</p>
13.	<p>The following points appear incomplete, when compared with "City of Albany Extractive Industries Local Law.</p> <p>Points 2.3 (a) (l) to (x)..these is no map scale no contour lines etc.. each of these points have not been adequately addressed</p>	<p>The Local Law controls the License process. Licenses are only issued once a planning approval is in place and conditions complied with. The City of Albany is satisfied with the ownership details of the property.</p>

<p>(b) (l) to (xv) .again all of these points lack detail and and adequate explanation</p> <p>(c) (l) to (vii) again all of these points either not addressed or given adequate detail</p> <p>(d) no detail</p> <p>(e) no surveyors certificate attached</p> <p>(f) no evidence provided</p> <p>(h) no evidence provided-if the land is not owned by Palmers Company.. and is law owned by Palmer himself.. he should provide written consent to Palmer Co</p> <p>(l) no evidence that this notice has been given nor approved.</p> <p>As this application is incomplete Council should refuse it. As is the law under this section. I should emphasise that Council is subject to the law, as we all are: and a legal challenge is not out of the question in this regard if not complied with.</p> <p>Palmers (under Palmers letterhead) advise in there short note to council that the proposed extraction site is 110 Bon Accord Road Albany. Yet in councils advertised extractive industry application( Weekender Trader newspaper dated 13 August 2015), council states the site is at 105 Bon Accord Road Albany.</p> <p>Palmers, under a Pty Ltd letterhead have provided a short note to council, but NO PERSON; has signed the application or note. How do we know who or what the legal entity is making this application without any signature? A signature is required to make this legal and acceptable, as an application.</p> <p>If the proposed site is in Palmers own name, not owned by Palmers Pty Ltd, then he is required to sign the proposal(as</p>	<p>As mentioned above, the Extractive Industry Local Law controls the License process. The development application before Council is a decision made under the Local Planning Scheme No.1.</p> <p>The subject property is located at 105 Bon Accord, Lot 110.</p> <p>The City of Albany is satisfied with ownership details. The Planning Application form containing this information is not advertised as it is an administrative document.</p>
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	<p>Palmer the person) and have it attached to the application. This has not happened.</p> <p>This area is already a die back area. There does not appear to be any plan to address this issue.</p> <p>Noise from trucks and crushers has not been addressed</p> <p>Crushing of aggregate may cause run off into creek(near Chesterpass RD) and pollute that neighbours property( e.g. silicates from coffee rock)</p> <p>Palmers have given no indication of the "life" or duration of the proposed pit.</p> <p>There is no re generation plan for the site</p> <p>Palmers claim of natural vegetation screen along Bon Accord Rd, to act as visual screening, is totally untrue</p> <p>The map Palmers have used appears to be years out of date and does not reflect the true nature of the already loss of vegetation.</p>	<p>As above.</p> <p>A dieback management plan has been submitted. The implementation of this plan is a proposed condition of consent.</p> <p>A noise management plan has been submitted. The implementation of this plan is a proposed condition of consent.</p> <p>Department of Water provided comment on the application an advised that standard surface water management procedures will be suitable. A drainage management plan has also been submitted.</p> <p>A rehabilitation plan has been submitted. The implementation of this plan is a proposed condition of consent.</p> <p>There are sections of vegetation along the road. However, officers have recommended a screening condition be applied as a condition of consent.</p> <p>Comment noted. Councillors have been provided with a more recent aerial.</p>
<p>14.</p>	<p>The applicant has 110 Bon-Accord Road on his application rather than 105. It may well refer to a different site than that shown on the map supplied.</p> <p>The area depicted by the applicant is around 8-9 hectares falls under a class C, not a B.</p> <p>In terms of the required property, road, and waterway minimum buffers for extractive industry, the applicant's map shows the proposed pits clearly far too close. Pits 2 appear to be placed within a metre or two of the boundary of the property, a decent amount of Pit 4 is also clearly too close to the property boundary, a boundary shared a few metres later with a road.</p>	<p>The proposal is located at No. 105 (Lot 110) Bon Accord Road.</p> <p>The classification is determined by the pit area open at any one time. The application proposes to have no more than 1ha open at any one time.</p> <p>It has been recommended that a ongoing condition be applied requiring compliance with the setbacks under the Extractive Industry policy The required setback from waterways is met and is a condition of consent.</p>

Simultaneously Pit 3 and Pit 4 are visibly far too close to a surveyed water-course and to compound matters, are above a granite sheet with a relatively steep incline. The application proposes ignoring all three minimum council standards.

If it was to go ahead, any heavy metals that have leached from the granite in the last few million years, particularly arsenic and similar elements in the laterite layer, will potentially be released via acid-sulphate soil formation from crushed laterite quarrying activity of the kind proposed in winter or deluge conditions above a granite shelf exposed to the air, going by historical precedent this will end up in the King River without doubt during the next heavy flow event. Our next fifty year storm will make a serious mess of the river if this goes ahead.

In addition, the stacked material from the recent bulldozing that was peat and has now dried and has most likely gone acid-sulphate, full of heavy metals and most likely heavily laced with dieldrin due to the well known history of the surrounding land, not only was use heaviest in the soak catchments, despite dieldrin propensity to attach to soil, the function of this peat-swamp as the filter of the environment and wetland habitat suggests heavy accumulation over the last thirty years would have occurred.

The capacity of this soil to end up in the river has a pretty spectacular historical precedent. I remember more than one

occasion where rain moved large amounts of soil above that granite shelf down into the creek, and others with the same effect that downstream destroyed the remnant vegetation along the creek. I remember about fifteen years ago the creek eroded into canyons several metres deep from a previously shallow base, deep fissures cut away across the paddock either side, and the sand-quarry in the paddock below the proposed quarry on the other side of Bon-Accord Road turned into a canyon itself. The insufficient remaining fringing native vegetation was washed away and the now the creek is infested with weed species. With the soak bulldozed and bare, the danger is considerably greater.

A number of the following comments relate to water and runoff and are addressed by the comment below.

Department of Water provided comment on the application and advised that standard surface water management procedures will be suitable. A drainage management plan has also been submitted.

If the proposal goes ahead and it rains, this could get very serious if history is anything to go by, if this really is the location intended. These events hit the region with relative frequency although a decade or more apart perhaps, we are by historical precedent due, rain on farms here seems to be getting less frequent but heavier and Australia's best meteorological scientists have tended to predict more extreme weather in the years ahead. The old-timers if met in the region always say that the heavy-rains that cause these events happen periodically, the photos and stories of the Kalgan in flood and chronic erosion are everywhere. It is a predictable risk and a certainty over the long run. I noticed that no expectable lifespan was mentioned in the application, this is a serious omission.

Due to the bulldozing that has occurred more recently, totallying the wetland directly below the proposed pits at the northern corner of Chester-Pass and Bon-Accord road, on a weekend, there is also now a chance of dieldrin entering the King-River in even greater amounts than during those past erosion events, the next time one of our reliable fifty or even fifteen year deluges occurs. There is also the danger to our

local health if the material taken from the soak and currently oxidising in a pile above the watercourse, should enter home-gardens, vegetables, eggs and or chickens etc. We believe this is proposed and feel deeply concerned.

The half-life dictates that about 1/5th of the original material is present today on the land adjacent, the catchment, and although it tends to bind to the soil rather than evaporate or dissolve, the nature of the living systems in the soak will have moved dieldrin with the bio-mass and water-flow due to the soil chemistry over the last thirty years. Then there is the near-certainty of heavy metals being released by the soil-chemistry now at work as the acid-sulphate processes set in. Either way there is a reasonable chance that this soil is not safe to be in the river or in home gardens, especially if chickens are present. If it goes seriously bad and an acre of the proposed eight or nine hectares goes acid-sulfate and drops down, it

could visibly kill the whole creek and badly effect that part of the river. The precedent is there and the soak that would have slowed it is missing. At that location the width of the deep part of the river is three metres tops, the remaining three metres is a shallow delta exposed at low tide.

While the soil may stay still, the heavy metals in acid-sulfate soils travel with the water killing vegetation and stunting or killing trees, a spike in heavy metal content in the fish is not what the local kids need. Life accumulates most readily at the base of the creeks, they are the start of the food chain and the ideal place to deposit persistent organic pollutants if wish to accumulate significant residual toxicity in the mulloway and black bream of the King River.

A registered declared rare flora population was recorded at the site by the Department, it was a surprise that this bulldozing occurred, it was a loss for the world, and for a shire with a

considerable number of businesses dependent on tourism, it was a sad day for the city. Not only did a known population of a declared rare and protected flora species cease to exist forever The tourism heritage-trifecta was present at an arterial node where the city first becomes visible to arrivals, and adventures await for day-trippers, and it was bulldozed on the weekend and now has quarry proposed directly above it with water still pooling and seeping bellow into a relatively steep creek with a history of serious erosion in deluge conditions. That aside something very special has already been lost there, although the loss to tourism was likely considerable already.

Before the current quarries were installed on the ridge above the King, it was not unusual to see tourist coaches on Bon-Accord road on a semi-regular basis, we suspect the lessening in tour numbers using the route over the last decade may be linked to the highly visible quarrying from a high vehicle that has radically altered the experience, irreparably if continued. Most of the residents, and past visitors to the region remember it as a very beautiful road. It was and it is used by a growing number of local residents every single day of their lives to and from work. In terms of the tourism reputation of the shire and

If approved, the applicant will be required to apply for a clearing permit from the Department of Environment Regulation if they wish to pursue this course of action. Approval of an extractive industry

by the City of Albany does not grant approval to clear the vegetation identified on the plan for removal. The Department of Environment Regulation does not generally consider applications for clearing permits until local government has made a determination on the development proposal.

Concerns Noted. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the intersection with Bon Accord Road. The scattered vegetation on the lot boundary adjoining Bon Accord Road will also reduce the visual impact from public vantage points. It is recommended that a planning condition is applied to require the implementation of screen planting along sections of Bon Accord road that do not have existing vegetation.



<p>city, between Bakers junction and Bon-accord the proposed pits 3-4 will be clearly visible form a few angles. This nexus carries perhaps over half of the tourism transit of the shire.</p> <p>The remnant of native bush, that appears to be halved in this proposal, is known to feed critically endangered cockatoo species due to the banksia and other high-density food it contains. This is important, they have been seen there seasonally forever.-(Baudins or Carnabyâ€™s) For these critically endangered species this remnant is still very important because some of the last trees of sufficient size to produce adequate breeding hollows in this region are on the banks of</p> <p>the King River almost directly below, in an area urbanising.</p> <p>While Bakers Junction is a far larger area, the remnants function as one, and none are as close to those trees with that density to my knowledge as that one, and the density of Banksia is very good comparably. Density and hollows lead to habitation and breeding.</p> <p>The land proposed for quarrying has dead indicator species for Phytophthora Cinnamomi dieback and is visibly infested with invasive weed species such as the Acacia Longifolia or Sydney Golden Wattle, allowing this couple of hectares of vegetation to be halved in size to quarry laterite will not just destroy habitat, it will destroy habitat whilst spreading two of the Key Threatening Processes effecting biodiversity in this region. Acacia Longifolia and dieback.</p> <p>The material and vehicles leaving currently, (no management/remediation plan has been provided by the applicant in this application), has repeatedly left sand or dirt on the road in wet conditions, if infected, which appears likely, this will have and will aid in the spread of dieback, currently receiving millions in funding from Western Australian universities and every level of government and community engagement as the single s greatest threats to thousands of species in Western Australia.</p>	<p>If approved, the applicant will be required to apply for a clearing permit from the Department of Environment Regulation if they wish to pursue this course of action.</p> <p>The proponents have submitted a Dieback Management Plan in order to reduce the risk of Dieback Disease being spread. Among other controls, the plan states that equipment will be washed down upon entering/exiting the site and that the trucks carrying material from the site will be covered to ensure there is no spillage. It is recommended that implementation of, and compliance with, the Dieback Management Plan is required as a condition of approval.</p>
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	<p>The applicant fails to give any meaningful response that acknowledges the fact that two of the proposed pits are directly above a granite shelf on a steep incline above a soak that flows into a creek with a history of high-flow events above one of the two rivers close to town, the King. The food-chain for the fish in the river starts at the mouth of creeks. This seems the ideal circumstance in which to answer this particular question</p> <p>meaningfully.</p> <p>The applicant states that dust suppression is required a water truck would be used. Noise suppression will be kept to a minimum. The position of the site is in a rural area away from roads and houses. This is not reassuring when the question is about; dust nuisance, erosion, watercourse siltation and dangers to the general public. As I divulged, erosion and water-course siltation/pollution is a particular concern the community share about this site. Especially given recent events and our predictable future of high-flow rainfall events, given our deluge history.</p> <p>In the part of this statement that the applicant perhaps meant to address to xii) Noise suppression being kept to a minimum either this is an oxymoron or not reassuring to any of the four or so residences that are within 300 metres and are entitled to a decent noise suppression plan.</p>	<p>Department of Water provided comment on the application and advised that standard surface water management procedures will be suitable. A drainage management plan has also been submitted and will be required to be implemented as a condition of consent.</p> <p>The proponents have submitted Dieback, Drainage, Rehabilitation and Noise Management Plans in support of the application. The implementation of these plans is a proposed condition of consent.</p> <p>As discussed earlier, the proponents have submitted a Noise Management Plan. The Plan contains a number of provisions to control noise impacts, including;</p> <ul style="list-style-type: none"> <li>• Use of topsoil on the perimeter of the pit area to act as a noise attenuation bund;</li> <li>• A noise complaint system will be established, whereby any complaints relating to noise will be reported to the site manager. Details of the site manager will be erected at the site gate; and</li> <li>• A commitment to respond to noise control instructions issued by the City of Albany.</li> </ul> <p>It should also be noted that the nearest dwelling is located 500 metres from the extraction area and any operations would be subject to ongoing compliance with the Environmental Protection (Noise) Regulations 1997.</p>
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<p>We were disturbed to see that no description of the existing site environment or report on the predictable off-site effects was included. As mentioned, the proposal clearly shows a hectare or two more of remnant vegetation clearing, in areas with dieback indicators and invasive weed species, our two greatest environmental challenge in the shire and region. It is also situated directly above a watercourse/soak, previously the remnant vegetation may have slowed the movement of material, but the recent bulldozing of the surface of the creek into a large flat area did not change the fundamental hydrology and geology, it invites serious erosion.</p> <p>In relation to visual screening the Applicant states: Natural vegetation grows all along Bon-Accord Rd adjacent to the road. Therefore a natural screen is already provided€ the Council members to take a drive or walk down Bon-Accord road to examine the veracity of that statement personally. For the property in question alone most of the existing and proposed quarries will be and are currently visible from the road. The slope of the hill increases the visible exposure from Chester Pass and Bon-Accord, and half the natural screen, in the sections it exists in, are actually species that are one of the biggest single threats to our regions environment in its entire known history.</p> <p>This is a big concern to local residents due to our experience of watching these quarries progress. The rehabilitated land of yesteryear remains an eyesore and is now profoundly multi-weed-infested. It has not been rehabilitated to the point that it would support pasture, let alone crops, and has certainly not been returned to the bush. Our experience to date is dismal. In terms of revegetation, this property's small forest of invasive weeds is seeding through the Riverview reserve, the Council has been paying for weeding in the reserve for years, and rate-payer money will be spent for decades ahead. When it comes</p> <p>to a return to arable land, an interesting definition of top-soil is at play. No farmer I have ever met would consider it rehabilitated in any sense.</p>	<p>Water related comments are addressed in earlier sections of this Submission.</p> <p>Screening has been applied as a recommended condition of consent.</p> <p>A rehabilitation plan has been submitted to the City of Albany. In order to specifically manage weeds issue through the rehabilitation process, it is recommended a condition is applied requiring the inclusion of weed management measures within the Rehabilitation Management Plan.</p>
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	<p>Given that half of the remnant vegetation still remaining today is to be cleared under this proposal, where is the plan to compensate for this by replanting a equal or greater number of previously extant species? Where is the planting to compensate for all the trees already removed? Surely this plan would have to be lodged prior to an application being granted to clear, and surely both of those would have had to occur before Council could accept this application, or expect informed comment to occur on this, or the earlier license by residents and concerned parties. The description provided by the applicant of rehabilitation processes, does not amount to any reasonable definition of rehabilitation in any sense of the word, either as farmland or as bushland, the soil chemistry and weed problems created alone will last generations.</p> <p>It seems apparent that should the applicant have any desire to remove the invasive weed species that have been allowed to colonise at all, then a drive around with a bulldozer would do so in no time. For one of the largest companies in Albany to burden the state, council and local organisations-(tax and rate-payer) with the cost of weed-removal from the adjoining reserve, road-side, river and receiving properties of the material.</p> <p>As a community, we are concerned by what we have seen and experienced so far over the past few decades and believe with good reason that this application should not be approved by Council. The proposed actions are manifestly inadequate or inappropriate for the site and location (according to the location on the map provided). I urge the council to reject the proposal until such a time as a decent plan is forthcoming that can adequately address our concerns to remedy the loss of faith the entire local community has experienced.</p>	<p>As discussed earlier, the Department of Environmental Regulation is the statutory authority for vegetation clearing. The requirement for offset planting would be at the discretion of the Department.</p> <p>As mentioned above, it is recommended a condition is applied requiring the inclusion of weed management measures within the Rehabilitation Management Plan.</p> <p>Concerns Noted. Staff consider that the proposed conditions and management plans mitigate the concerns raised. Extractive Industries are also subject to inspections and a yearly licensing process.</p>
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