

Our Ref : A200151/PA118169/P2160670
Cross Ref : PA65397
Enquiries : Tom Wenbourne Senior Planning and Development Compliance Officer



21 December 2023



Dear Sir

AMENDED CONDITIONS 2, 4, 17 & 43 OF P2160670 - INDUSTRY - EXTRACTIVE (AGRICULTURAL LIME) AT Lot 9005 Eden Road Nullaki WA 6330

I refer to your request to amend conditions 2, 4, 17 & 43 for the above-mentioned application, submitted to the City on 20/07/2023.

I am pleased to advise that in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, clause 77 - Amending or cancelling development approval*, the request for amendment has been approved, albeit with modification from the original request submission.

Approval of this request only alters the identified conditions and the development remains subject to the remaining unaltered conditions stipulated on the original State Administrative Tribunal issued Development Approval P2160670 under WASAT 3 2019. The amended Conditions replace the original conditions of the same corresponding number in Attachment A of WASAT 3 2019 issued by the State Administrative Tribunal and now read as follows:

2. The Industry – Extractive activity shall be contained within the areas as depicted on Drawing number 21980-23C dated 11-10-2023 as follows:

Area A – Excavation, processing/screening and storage of lime and stockpiled overburden shall be contained within the 8 hectare area (Area A). A maximum of 4 hectares of Area A shall be open and used for these activities at any one time. The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.

Area B – Stockpiling of lime and loading of road transport vehicles for haulage offsite shall be contained within Area B as depicted on Drawing number 21980-14E dated 11-10-2023 and Drawing number 2530-01-300 F dated 17.10.23. The stockpiles within the areas indicated on Drawing number 2530-01-300 F shall not exceed a height of 6m.

Area C – Expanded area of hardstand (Area C) for use as a layby and onsite turning area for vehicles as depicted on Drawing number 21980-22A dated 18-04-23.

4. Except as otherwise approved by the City of Albany, the hours of operation of the various elements of the extractive industry activities shall be restricted as follows:
 - a) Excavation, processing/screening and associated activities within Area A within the period of 2 January to 31 August (inclusive) between the hours of 7.00am - 5.00pm Monday to Friday, and 8.00am - 5.00pm Saturday, with no operation of the extractive industry permitted on Sundays or Public Holidays;
 - b) Transportation of lime onsite from the extraction site (Area A) to the stockpile area (Area B) within the period of 2 January to 31 August (inclusive) between the hours of 7.00am - 5.00pm Monday to Friday, and 8.00am - 5.00pm Saturday, with no operation of this activity permitted on Sundays or Public Holidays;
 - c) Transportation of lime offsite within the period of 2 January to 30 April (inclusive) between the hours of 7.00am - 5.00pm Monday to Friday, and 8.00am - 5.00pm Saturday, with no operation of this activity permitted on Sundays or Public Holidays.

17. Transportation offsite of extracted lime shall not exceed 50,000 tonnes in any 12 month period. Laden vehicle movements removing lime from the Lot shall not exceed eighty-four (84) vehicles over a seven (7) day period, with a maximum of twenty (20) vehicles on any one (1) day.

43. The applicant shall submit an annual compliance report to the City of Albany by 30 June each year. The annual compliance report shall include:
 - a) an internal compliance audit of all the development and licence approval conditions and Management Plan requirements undertaken by a suitably qualified person to the reasonable satisfaction of the City;
 - b) details of all community complaints and complaint responses;
 - c) annual tonnage of extracted material in the previous calendar year;
 - d) log of cartage trucks to and from the site recorded on a daily basis during period of operation;
 - e) evidence of the allocation and expenditure of the funds required to be spent pursuant to condition 45; and
 - f) other information reasonably requested by the City relevant to management of any impact arising from the operation of the extractive industry.

Please find enclosed a copy of the stamped approved of the associated plans referenced in these conditions for your records.

You are advised that any relevant planning conditions must be adhered to with requirements fulfilled and a building permit obtained for any proposed structures. Please note that your development may be required to comply with:

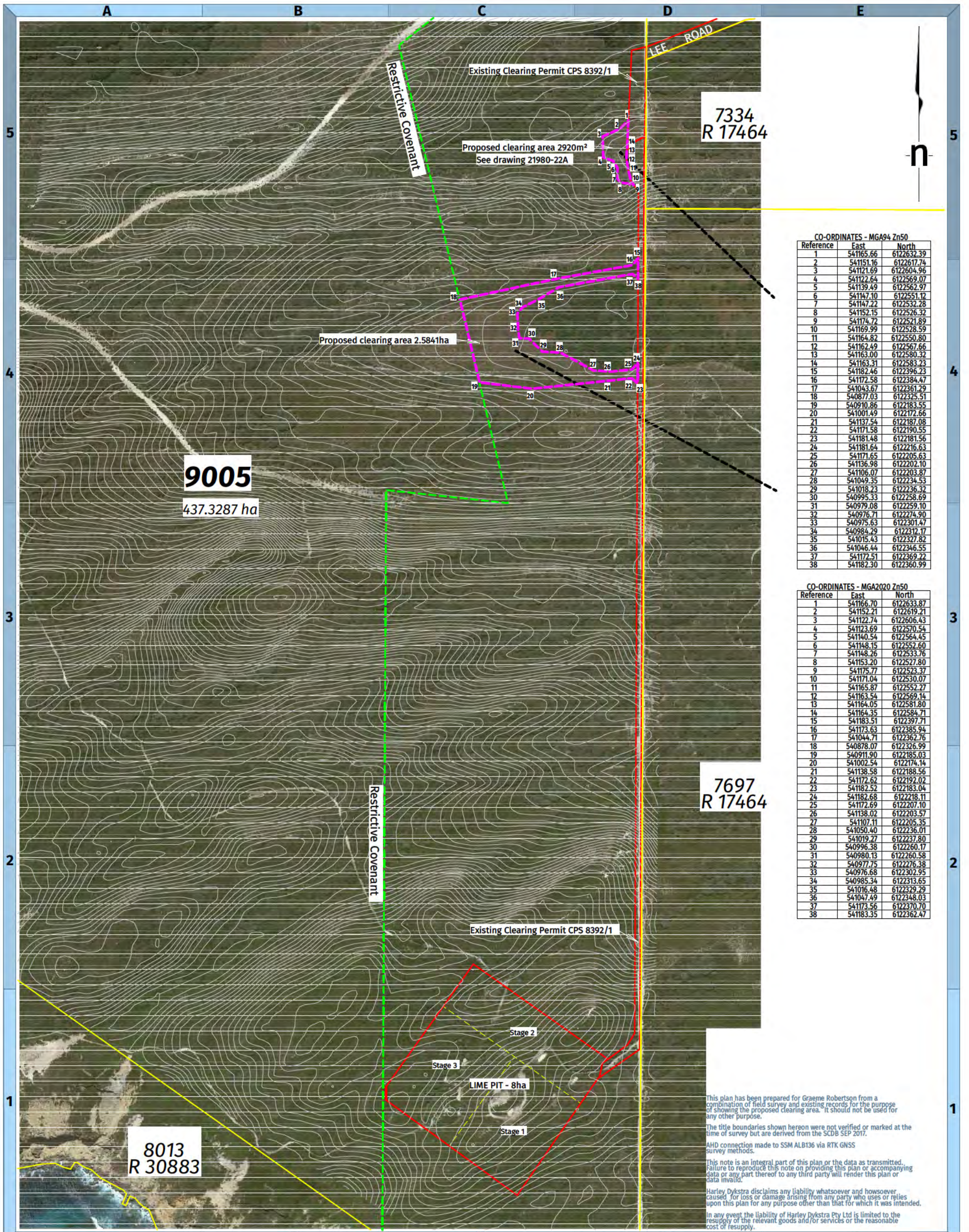
- The *Building Code of Australia*;
- *Australian Standard 1428 – Design for access and mobility*; and
- The *Disability (Access to Premises – Buildings) Standards 2010*.

Development is also required to comply with all relevant environmental health regulations.

In addition to these conditions, the substantive list of original conditions of the Tribunal issued Development Approval P2160670 under WASAT 3 2019 must be complied with.

Should you have any queries or wish to discuss this matter, please do not hesitate to contact me on 6820 3040 or via email planning@albany.wa.gov.au.





CO-ORDINATES - MGA94 Zn50

| Reference | East | North |
|-----------|-----------|------------|
| 1 | 541165.66 | 6122632.39 |
| 2 | 541151.16 | 6122617.74 |
| 3 | 541121.69 | 6122604.96 |
| 4 | 541122.64 | 6122569.07 |
| 5 | 541139.49 | 6122562.97 |
| 6 | 541147.10 | 6122551.12 |
| 7 | 541147.22 | 6122532.28 |
| 8 | 541152.15 | 6122526.32 |
| 9 | 541174.72 | 6122521.89 |
| 10 | 541169.99 | 6122528.59 |
| 11 | 541164.82 | 6122550.80 |
| 12 | 541162.49 | 6122567.66 |
| 13 | 541163.00 | 6122580.32 |
| 14 | 541163.31 | 6122583.23 |
| 15 | 541182.46 | 6122396.23 |
| 16 | 541172.58 | 6122384.47 |
| 17 | 541043.67 | 6122361.29 |
| 18 | 540877.03 | 6122325.51 |
| 19 | 540910.86 | 6122183.55 |
| 20 | 541001.49 | 6122172.66 |
| 21 | 541137.54 | 6122187.08 |
| 22 | 541171.58 | 6122190.55 |
| 23 | 541181.48 | 6122181.56 |
| 24 | 541181.64 | 6122216.63 |
| 25 | 541171.65 | 6122205.63 |
| 26 | 541136.98 | 6122202.10 |
| 27 | 541106.07 | 6122203.87 |
| 28 | 541049.35 | 6122234.53 |
| 29 | 541018.23 | 6122236.32 |
| 30 | 540995.33 | 6122258.69 |
| 31 | 540979.08 | 6122259.10 |
| 32 | 540976.71 | 6122274.90 |
| 33 | 540975.63 | 6122301.47 |
| 34 | 540984.29 | 6122312.17 |
| 35 | 541015.43 | 6122327.82 |
| 36 | 541046.44 | 6122346.55 |
| 37 | 541172.51 | 6122369.22 |
| 38 | 541182.30 | 6122360.99 |

CO-ORDINATES - MGA2020 Zn50

| Reference | East | North |
|-----------|-----------|------------|
| 1 | 541166.70 | 6122633.87 |
| 2 | 541152.21 | 6122619.21 |
| 3 | 541122.74 | 6122606.43 |
| 4 | 541123.69 | 6122570.54 |
| 5 | 541140.54 | 6122564.45 |
| 6 | 541148.15 | 6122552.60 |
| 7 | 541148.26 | 6122533.76 |
| 8 | 541153.20 | 6122527.80 |
| 9 | 541175.77 | 6122523.37 |
| 10 | 541171.04 | 6122530.07 |
| 11 | 541165.87 | 6122552.27 |
| 12 | 541163.54 | 6122569.14 |
| 13 | 541164.05 | 6122581.80 |
| 14 | 541164.35 | 6122584.71 |
| 15 | 541183.51 | 6122397.71 |
| 16 | 541173.63 | 6122385.94 |
| 17 | 541044.71 | 6122362.76 |
| 18 | 540878.07 | 6122326.99 |
| 19 | 540911.90 | 6122185.03 |
| 20 | 541002.54 | 6122174.14 |
| 21 | 541138.58 | 6122188.56 |
| 22 | 541172.62 | 6122192.02 |
| 23 | 541182.52 | 6122183.04 |
| 24 | 541182.68 | 6122218.11 |
| 25 | 541172.69 | 6122207.10 |
| 26 | 541138.02 | 6122203.57 |
| 27 | 541107.11 | 6122205.35 |
| 28 | 541050.40 | 6122236.01 |
| 29 | 541019.27 | 6122237.80 |
| 30 | 540996.38 | 6122260.17 |
| 31 | 540980.13 | 6122260.58 |
| 32 | 540977.75 | 6122276.38 |
| 33 | 540976.68 | 6122302.95 |
| 34 | 540985.34 | 6122313.65 |
| 35 | 541016.48 | 6122329.29 |
| 36 | 541047.49 | 6122348.03 |
| 37 | 541173.56 | 6122370.70 |
| 38 | 541183.35 | 6122362.47 |

This plan has been prepared for Graeme Robertson from a combination of field survey and existing records for the purpose of showing the proposed clearing area. It should not be used for any other purpose.

The title boundaries shown hereon were not verified or marked at the time of survey but are derived from the SCDB SEP 2017.

AHD connection made to SSM ALB136 via RTK GNSS survey methods.

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| | | | |
|-------------|-----------------------------|-------------|---------------|
| C | Clearing area modified | AJE | 11-10-23 |
| B | Pit staging added | AJE | 27-04-23 |
| A | Original drawing | AJE | 26-04-23 |
| rev | details | approved | date |
| survey | COMPILED | cad file | 21980-23C.lcd |
| drawn | AJE 26-04-2023 | checked | SD 26-04-2023 |
| horiz datum | MGA94 | level datum | AHD |
| scale at A3 | all distances are in metres | | |
| 1:6000 | 0 50 100 150 | | |

description
NULLAKI LIME PIT PROPOSED CLEARING AREAS

client
GRAEME ROBERTSON

drawing no
21980-23C

plan type
PROPOSED CLEARING



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CO-ORDINATES - MGA94 Zn50

| Reference | East | North |
|-----------|-----------|------------|
| 15 | 541182.46 | 6122396.23 |
| 16 | 541172.58 | 6122384.47 |
| 17 | 541043.67 | 6122361.29 |
| 18 | 540877.03 | 6122325.51 |
| 19 | 540910.86 | 6122183.55 |
| 20 | 541001.49 | 6122172.66 |
| 21 | 541137.54 | 6122187.08 |
| 22 | 541171.58 | 6122190.55 |
| 23 | 541181.48 | 6122181.56 |
| 24 | 541181.64 | 6122166.63 |
| 25 | 541171.65 | 6122205.53 |
| 26 | 541136.98 | 6122202.10 |
| 27 | 541106.07 | 6122203.87 |
| 28 | 541049.35 | 6122234.53 |
| 29 | 541018.23 | 6122236.32 |
| 30 | 540995.33 | 6122258.69 |
| 31 | 540979.08 | 6122259.10 |
| 32 | 540976.71 | 6122224.90 |
| 33 | 540975.63 | 6122201.47 |
| 34 | 540984.29 | 6122312.17 |
| 35 | 541015.43 | 6122377.82 |
| 36 | 541046.44 | 6122346.55 |
| 37 | 541172.51 | 6122369.22 |
| 38 | 541182.30 | 6122360.99 |

| | | |
|---|----------------------------|--------------|
| E | Clearing area changed | AJE 11-10-23 |
| D | Clearing area changed | AJE 12-04-23 |
| C | Restrictive Covenant added | AJE 11-04-23 |
| B | Contours modified | AJE 21-02-23 |
| A | Original drawing | AJE 21-02-23 |

| | | |
|-------------|-----------------------------|------------------------|
| rev | details | approved date |
| survey | AJE 20-02-2023 | cad file 21980-14E.lcd |
| drawn | AJE 12-04-2023 | checked SD 12-04-2023 |
| horiz datum | MGA94 Zn50 | level datum AHD |
| scale at A3 | all distances are in metres | |
| 1:2500 | 0 20 40 60 | |

| | |
|-------------|--|
| plan type | PROPOSED CLEARING |
| client | GRAEME ROBERTSON |
| description | NULLAKI LIME PIT PROPOSED CLEARING FOR STOCKPILE PAD |
| drawing no | 21980-14E |

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NOTES

1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
2. ALL FINISHED LEVELS ARE IN METRES TO AHD.
3. HORIZONTAL DATUM IS MGA94.
4. ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE SCOPE OF WORKS AND RELEVANT SPECIFICATIONS.
5. THE DRAWINGS AND DRAWING NOTES SHALL GENERALLY HAVE PRECEDENCE OVER OTHER DOCUMENTS, BUT ANY DISCREPANCY SHALL BE REFERRED TO THE SUPERINTENDENT FOR DECISION BEFORE PROCEEDING WITH THE WORK.
6. CONTRACTOR TO LOCATE AND PROTECT ALL EXISTING SERVICES PRIOR TO COMMENCEMENT OF WORKS ON SITE
7. CONTRACTOR TO CONDUCT WORKS AS PER THE DESIGN DOCUMENTS AND SCOPE OF WORKS, AND SHALL NOTE THE GEOTECHNICAL REQUIREMENTS / EARTHWORKS ZONING AS DETAILED.
8. CLEAR ONLY TO THE EXTENT NECESSARY FOR THE PERFORMANCE OF THE WORKS.
9. THE CONTRACTOR SHALL PROVIDE THE SUPERINTENDENT AN AS CONSTRUCTED SURVEY OF FINISHED DEVELOPMENT LEVELS WITHIN THE EXTENT OF THE WORKS BOUNDARY. THE LEVELS SHOULD ACCURATELY DEFINE BATTERS, AND CHANGES IN GRADE. SURVEY SHALL BE SUPPLIED IN DIGITAL FORMAT (CAD AND PDF).

LEGEND

- PROPOSED STOCKPILE AREA
- 1.5m HIGH DIRT WINDROW
- PROPOSED 200mm GRAVEL PAVEMENT
- PROPOSED LIMESTONE STOCKPILE
- PROPOSED COMPACTED GRAVEL BERM FOR ON-ROAD / OFF-ROAD VEHICLE SEPARATION
- OFF-ROAD VEHICLE TRACK
- 1300 EXISTING ACCESS ROAD CHAINAGE
- DRAINAGE CHANNEL
- EDGE OF ACCESS ROAD BITUMEN

SITE PLAN
SCALE 1:2500

SCALE 1:1000 0 20 40 60
A1

Printed By: pworth File Date: 17/10/23 - 1:04 Cad File: C:\1705\Nulla\18-120\2530 - Nulla\Line Plan_112_CADD\CAD\2530-01\2530-01-300.dwg

| No. | DATE | DRAWN | APPROVED | AMENDMENT | No. | DATE | DRAWN | APPROVED | AMENDMENT |
|-----|----------|-------|----------|--|-----|----------|-------|----------|---------------------------|
| E | 16.10.23 | DN | JS | TRUCK TURNAROUND TRAFFIC TO BE ANTI-CLOCKWISE | | | | | |
| D | 20.09.23 | DN | JS | WINDROWS SHOWN WITH INTERMITTENT SPACING | | | | | |
| C | 18.08.23 | DN | JS | TAPERS ADDED EACH SIDE OF TURNAROUND ENTRANCES | | | | | |
| B | 17.07.23 | DN | JS | SLURRY PIPE REMOVED. | | | | | |
| A | 03.07.23 | DN | JS | ISSUED FOR REVIEW. | F | 17.10.23 | DN | JS | TRUCK TURNAROUND UPDATED. |

This plan shall not to be used for construction unless issued as rev 0 and signed as approved.

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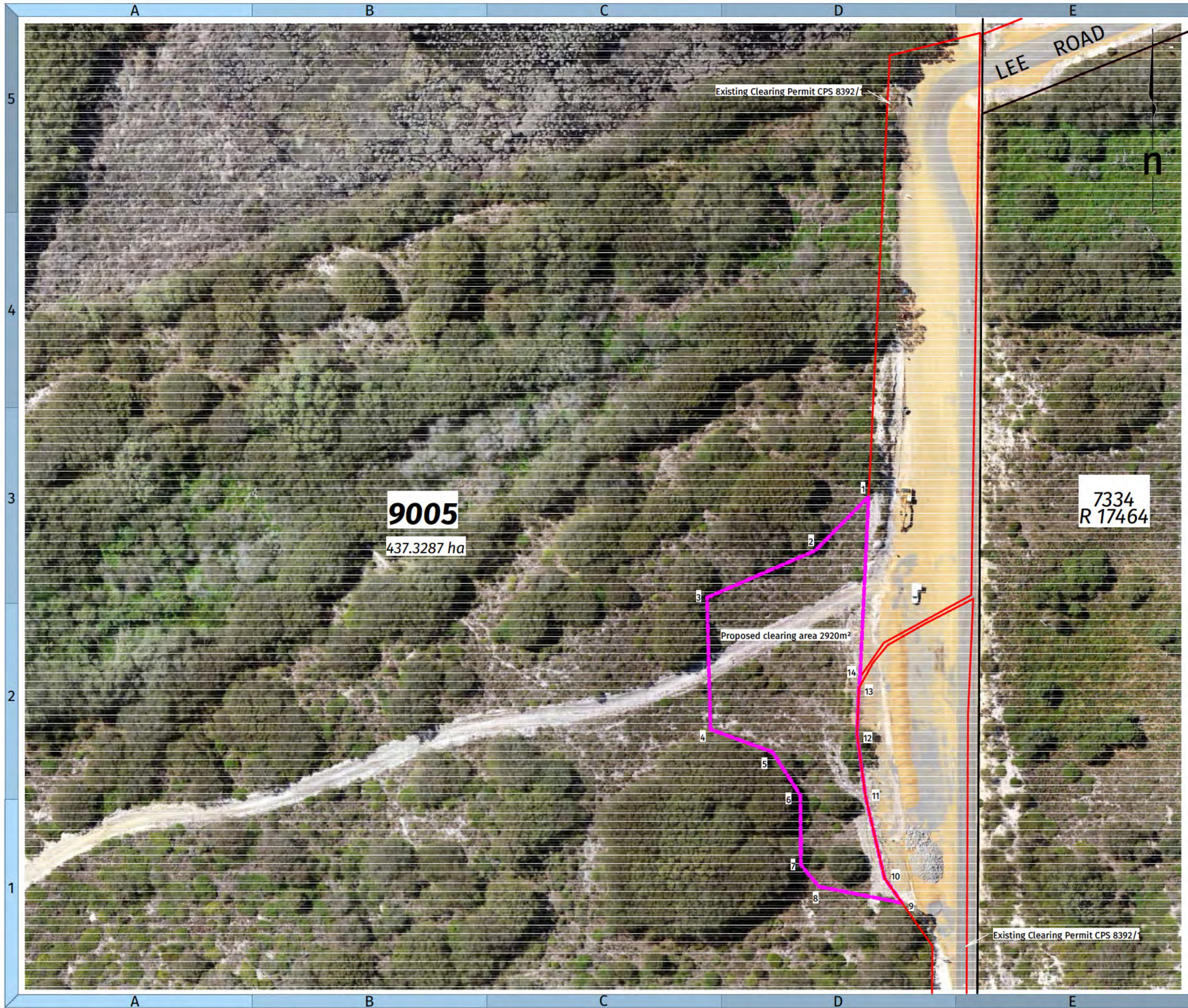
| | | |
|----------|---------|----------|
| CLIENT | | |
| DESIGNED | CHECKED | APPROVED |
| DN | JS | J.SMALL |
| DRAWN | CHECKED | DATE |
| DN | JS | |

TABEC
Civil Engineering Consultants

TABEC PTY LTD
ACN 090 796 204

Level 2, 54-58 Havelock Street, West Perth WA 6005
T 08 9425 5900 e info@tabec.com.au
www.tabec.com.au

| | |
|----------------|---|
| PROJECT | NULLAKI LIME PIT |
| TITLE | LIMESTONE STOCKPILE AND TRUCK TURNAROUND PLAN |
| DRAWING NUMBER | 2530-01-300 |
| ISSUE | F |



Harley Dykstra

PLANNING & SURVEY SOLUTIONS

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AHD connection made to SSM ALB136 via RTK GNSS survey methods.

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CLEARING AREA CO-ORDINATES - MGA94 Zn50

| Reference | East | North |
|-----------|-----------|------------|
| 1 | 541165.66 | 6122632.39 |
| 2 | 541151.16 | 6122617.74 |
| 3 | 541121.69 | 6122604.96 |
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| 8 | 541152.15 | 6122526.32 |
| 9 | 541174.72 | 6122521.89 |
| 10 | 541169.99 | 6122528.59 |
| 11 | 541164.82 | 6122550.80 |
| 12 | 541162.49 | 6122567.66 |
| 13 | 541163.00 | 6122580.32 |
| 14 | 541163.31 | 6122583.23 |

| | | |
|-------------|-----------------------------|------------------------|
| A | Original drawing | AJE 18-04-23 |
| rev | details | approved date |
| survey | AJE 20-02-2023 | cad file 21980-22A.lcd |
| drawn | AJE 18-04-2023 | checked SD 18-04-2023 |
| horiz datum | MGA94 | level datum AHD |
| scale at A3 | all distances are in metres | |
| 1 : 1000 | 0 10 20 30 | |

plan type
PROPOSED CLEARING

client
GRAEME ROBERTSON

description
**NULLAKI LIME PIT
PROPOSED CLEARING
FOR LAYDOWN EXPANSION**

drawing no
21980-22A

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