

Scheme Provisions:

TPS #9
3.1 Zoning and Development Table
LPS #10
4.1 Zoning and Development Table

Other References:

Shire of Northampton Local
Planning Scheme No. 10
Shire of Northampton Town
Planning Scheme No. 9
Planning and Development Act
2005

Special procedural considerations:

Applications are required to be advertised for a period of 14 days pursuant to Scheme Provisions, including referral to the Department of Mines and Petroleum, Department of Parks and Wildlife, and Aboriginal Affairs Department for comment.

1.0 PURPOSE

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

It is not intended that a policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval. This approach has produced many examples of inappropriate built form that has a long-term impact on the amenity and sustainability of the locality.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

2.0 SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

3.0 OBJECTIVE

- 3.1 Outline the information to be provided by applicants when requesting Planning Approval for Extractive Industry;
- 3.2 Set the advertising requirements to be followed prior to determining Extractive Industry applications;
- 3.3 Identify Council requirements in relation to the siting and operation of Extractive Industries; and
- 3.4 Identify conditions of approval that Council may consider placing on Extractive Industry Planning Approvals.

4.0 POLICY STATEMENT

4.1 Exemptions from the Policy

This policy does not apply to the following:

- a. The extraction of basic raw materials on Crown land (including reserves and pastoral leases), which are covered by the *Mining Act 1978*.
- b. The extraction of basic raw materials to a depth of no more than 1m and an area of no more than 1 hectare where the material is to be used for improvements on the same property, municipal purposes or road construction.

4.2 Policy

- 4.2.1 Extractive industry will only be approved where Council is satisfied that the proposal will not result in unacceptable environmental impacts as a result of noise, vibration, dust, lightspill, odour, visual intrusion or contamination.
- 4.2.2 No extractive industry will be approved until such time as Council has received advice from the Indigenous Affairs Department and Department of Environment and Conservation in relation to heritage and flora and fauna issues respectively. An extractive industry will not be approved if there are substantiated objections from either of these agencies.
- 4.2.3 Depending on the nature of the proposed extractive industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks Council shall consider existing and potential land-uses on adjoining and nearby properties.
- 4.2.4 Council may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.
- 4.2.5 Where an extractive industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled. In this regard the construction of a crossover shall be in accordance with the Council's existing Crossover Policy 6.6.
- 4.2.6 Where an extractive industry is being developed with or without direct access to a sealed road, the Council may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
- 4.2.7 Extractive industry will only be approved where Council is satisfied that the proposal will not negatively impact upon the local road network, including the provision of local bus services.
- 4.2.8 The Council will not support the operation of extractive industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1000 metres from the closest neighbouring residence upon which the Council may entertain extended operating times:
 - Monday to Saturday - 7.00 am to 6.00 pm;
 - Sundays and Public Holidays - no operations.
- 4.2.9 The Extractive industry will generally be approved for a one year period from the date of issue. Operations that continue beyond one year's duration will be subject to a renewed application for

planning approval on an annual basis.

For large scale mining operations an extended period of approval may be entertained by Council, based on individual merit.

4.2.10 An extractive industry is not permitted on the Moresby Flat Topped Ranges and associated valleys until such time as a Moresby Ranges Management Strategy has been completed and endorsed by Council and the Western Australian Planning Commission.

4.3 APPLICATION REQUIREMENTS

4.3.1 An application for an extractive industry will not be favourably considered by Council unless the following information has been submitted with the application for planning approval form:

- A surveyed plan of the site showing the proposed area of extraction in relation to topographical features, area of remnant vegetation, existing and proposed access and internal roads, existing buildings, proposed stock pipe area and setback distances from property boundaries;
- A cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area;
- A rehabilitation plan for the area of extraction prepared in accordance with Department of Parks and Wildlife guidelines showing the re-contouring of the land and areas of re-planting.
- Written submission detailing the type and quantity of material to be mined, stages of extraction (if applicable), depth of extraction, life expectancy of the resource, specific hours of operation; number of vehicular movements per week and machinery to be used.

4.4 ADVERTISING / CONSULTATION

4.4.1 Applications for an ‘Extractive Industry’ are required to be advertised for a period of 14 days pursuant to the following clauses of the Shire’s Town Planning Scheme:

- Clause 6.4 of Town Planning Scheme No. 9; and
- Clause 9.4 of Local Planning Scheme No. 10.

Advertising will be undertaken in accordance with the Scheme’s provisions, which entails: consultation with adjoining landowners/occupiers; notice of the proposed development published in a local newspaper; and a sign or signs displaying notice of the proposed development.

4.4.2 Consultation will also be undertaken with the following government agencies:

- Department of Mines and Petroleum;
- Department of Parks and Wildlife;
- Department of Indigenous Affairs;
- Department of Planning/WA Planning Commission; and
- Office of Heritage.

5.0 RESPONSIBILITY	The Principal Planner/Chief Executive Officer as per the Delegations Policy and Register.		
6.0 ADOPTION	19 October 2007	Advertising	Minute 10.7.2
	19 December 2007	Final Adoption	Minute 12.7.5
	V2 16 June 2014	Advertising / Final Adoption	(Minutes 6.8.1)

