

## POL-E11.2 Clay Extraction

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### 1. OBJECTIVE

To provide guidelines for extractive industry (Clay) development proposals having regard to the rural nature of the Swan Valley

### 2. BACKGROUND

The Swan Valley is the most important source of alluvial clays on the Swan coastal plain and contains the only known source of fine grained low silica plastic clays identified by the Geological Survey Branch of the Mines Department. An increasing number of clay excavation licences are being sought in the Valley, often in locations adjacent to or close to Residential, Special Rural and on the Swan Valley Rural zoned land. Having regard to past events and recognising the need for clay extraction and to ensure residents and ratepayers are accurately informed of proposals, the policy has been formulated.

### 3. POLICY

1. Council will not approve any application to establish an extractive industry on land:
  - 1.1 Adjacent to or in close proximity to Residential or Special Rural Zoned land (including the Upper Swan townsite) which in the opinion of Council will have an adverse impact on the residential or rural residential amenity of the zone due to noise, dust or truck movements.
  - 1.2 Where Council considers the cumulative effects of a proposed excavation and an existing excavation would generate an unacceptable impact on the amenity of a locality.
  - 1.3 Where the Environmental Protection Authority considers to generate unacceptable environmental impacts.
  - 1.4 Which is designated as "floodplain" by the Water Authority of Western Australia.
  - 1.5 Situated on the Darling Scarp and which conflicts with the intent or philosophies of the State Government's Swan Valley Policy.
  - 1.6 Contained within the Swan Valley Rural Zone of Council's Town Planning Scheme No. 9 until Council has monitored and assessed the existing extractive industry operations within that zone in accordance with the requirements of the Scheme.
2. Where Council is prepared to consider an application to commence or renew an extractive industry:
  - 2.1 The applicant must lodge an accurate precis of the proposal for circulation to residents in accordance with the advertising requirements of Council's By-laws for Extractive Industries. The precis should contain an accurate site map which outlines in graphic form the proposal, including the phasing of the proposed excavation and subsequent rehabilitation measures.
  - 2.2 A comprehensive statement of the proposals including details relating to dust and noise suppression measures, location of access points, traffic routes, number of truck movements and their capacity, excavation management procedures, the time period associated with any staging, duration times of excavation, specific rehabilitation measure and the future desired land use of the property.

- 2.3 Upon receipt of the precis as outlined in (i) above, Council's Planning Service, if satisfied with the content of the precis, shall in accordance with the provisions of the Extractive Industry By-law, notify ratepayers likely to be affected by the proposal, which will include a copy of the precis of the proposed development. Advice of the proposal is to be forwarded to the relevant Council ward member/s. Cost of circulation to be borne by the applicant.
- 2.4 Council will not consider the application for development or the renewal of an excavation licence until:
- a) Council has received recommendations or a decision from the Environmental Protection Authority on the proposal, and
  - b) The submission period for public comment has expired. In this regard the Director of Planning & Development shall be granted authority by Council to extend the submission period, if after discussion with the relevant ward Member, the Director believes such action is in the Public Interest.
  - c) It has been satisfied in respect to an application to renew the excavation licence that all rehabilitation requirements and/or commitments have been fulfilled.

## Document Control

Document Approvals:			
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2.	Ordinary Meeting of Council 14/03/2018 - adopted policy		
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