



LG Ref: ADM 0582  
DAP Ref: DAP/21/02104  
Enquiries: (08) 6551 9919

Mr Stephen Carter  
CLE Town Planning + Design

Dear Mr Carter

**REGIONAL JDAP - SHIRE OF BROOMEHILL-TAMBELLUP - DAP APPLICATION -  
ADM 0582 - DETERMINATION**

Property Location:	Lot 2, Lot 533 and Lot 535 (No.333) Nardlah Road, Broomehill
Application Details:	Proposed rural industry & associated rail infrastructure

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the Shire of Broomehill-Tambellup on 8 October 2021 for the above-mentioned development.

This application was considered by the Regional JDAP at its meeting held on 14 January 2022, where in accordance with the provisions of the Shire of Broomehill-Tambellup Town Planning Scheme No.2, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Liz Bushby on behalf of the Shire of Broomehill-Tambellup on 0488910869.

Yours sincerely,

**DAP Secretariat**

21 January 2022

Encl. DAP Determination Notice  
Approved Plans

Cc: Ms Liz Bushby  
Shire of Broomehill-Tambellup



***Planning and Development Act 2005***

**Shire of Broomehill-Tambellup Town Planning Scheme No.2**

**Regional Joint Development Assessment Panel**

**Determination on Development Assessment Panel  
Application for Planning Approval**

**Property Location:** Lot 2, Lot 533 and Lot 535 (No.333) Nardlah Road, Broomehill  
**Application Details:** Proposed rural industry & associated rail infrastructure

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 14 January 2022, subject to the following:

1. **Note** the submissions in Attachment 7 and that the issues raised have been substantially addressed.
2. **Approve** DAP Application reference DAP/21/02104 in accordance with Clause 68 (2) of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and Clause 7.3.2 of the Shire of Broomehill Town Planning Scheme No. 1 subject to the following conditions and advice note:

**Conditions**

Substantial commencement

1. This decision constitutes planning approval for a rural Industry and associated rail infrastructure within Lots 2, 553 and 535 only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Approved documents and plans

2. All development and construction activities shall be contained within the boundaries of Lots 2, 553 and 535 Nardlah Road, Broomehill. This approval should not be construed as an approval for any development or works in the railway reserve to the immediate west of Lot 2, as that land does not form part of the application subject of this approval.
3. The proposed development within Lots 2, 553 and 535 shall be in accordance with the following plans:
  - (i) The Broomehill Site Plan dated 4 November 2021 (Plan No 3244-41-01);
  - (ii) Sheet 1 of 1 (Drawing Number 558-ENG-C1-DCO-0007), Revision F dated 08.09.21;
  - (iii) Sheets 1 to 6 (Drawing Number 558-ENG-ST-DGA-001) Revision A dated 06.09.21.



4. The development application report by CLE Town Planning and Design dated September 2021 and accompanying documentation (as amended), including;
  - (i) Transport Impact Statement prepared by SMEC;
  - (ii) Power Supply Upgrade Feasibility report;
  - (iii) Dust Management Plan prepared by CBH;
  - (iv) Lighting Report prepared by TECS;
  - (v) Clearing Plan prepared by CBH

together with any requirements and recommendations detailed thereon, are the approved as part of this application and shall form part of the development approval issued. The operator, CBH, shall implement the approved plans as they relate to the operational phase of the development, during the life of the development.

#### Noise

5. The operator (CBH) shall ensure at all times that the operation of the development complies with and will not exceed with the following assigned noise levels at noise sensitive premises –

- (i) LA10 45dBA during day hours; and
  - (ii) LA1 40dBA during evening hours; and
  - (iii) LA1 35dBA during night hours,

in accordance with Table 1 of the Noise Impact Assessment Report (SLR Ref: 675.30030-R01 Version 3.3 dated November 2021).

6. Noise mitigation measures are to be implemented to the satisfaction of the local government where required to demonstrate compliance with Condition 5 including and not limited to:

- (i) Future short term noise monitoring of activities operational at night hours during major peak harvest seasons; and/or
  - (ii) Review activities that can be undertaken during day hours and minimise noise generating operations during night or evening hours; and /or
  - (iii) Implement a system to record, manage and report on complaints during the life of the development.

7. The operator shall implement the recommendations of the Noise Impact Assessment Report (SLR Ref: 675.30030-R01 Version 3.3 dated November 2021) including:

- (i) Undertake, complete and lodge a separate short term noise monitoring survey to the local government. The survey of noise levels emitting from the development site shall be completed within 6 months of commencement of operations to determine post-operation noise levels at nearby sensitive receivers;
  - (ii) Monitoring should include any operations and activities that occur during the day, evening and night hours; and
  - (iii) Reduction in noise emissions through detailed design, commissioning and treatment of plant conveyor systems or individual fans; and
  - (iv) Vibration levels to comply with Australian Standard 2670.2:1990.





### Drainage

8. The Operator (CBH) to lodge detailed drainage design drawings to the local government for separate approval prior to the commencement of development.

### Construction

9. The operator (CBH) shall ensure at all times that construction noise is limited to between 7am and 7pm Monday to Saturday (excluding public holidays) and that the works are carried out in accordance with Australian Standard 2436:2010.
10. The Operator (CBH) is to lodge a Construction Management Plan for approval by the local government. The Construction Management Plan must include the following –
  - (a) Adequate space within the development site for the parking of construction vehicles, workers vehicles, loading areas, and for the delivery and storage of building materials;
  - (b) The location of any required hardstand areas or areas for specific construction activities;
  - (c) Temporary buildings;
  - (d) The location of any fenced construction compounds and materials storage / laydown areas;
  - (e) A general timetable for construction phases and the removal of temporary development after completion of the construction phase;
  - (f) The management of dust and other construction impacts;
  - (g) Watering capabilities and practices for dust management during/after clearing; and
  - (h) Limited hours for construction noise to ensure compliance with Condition 9;
  - (i) Haulage routes;
  - (j) A Pre-Construction Road Condition Report along the proposed haulage routes, and the obligation to prepare a Post-Construction Road Condition Report once construction is complete.

The Construction Management Plan is to be submitted to and approved by the local government prior to the commencement of any development, clearing or site works.

11. The Applicant is to implement the approved Construction Management Plan required by condition 10.
12. Any damage caused to the roads attributable to the construction phase of the development is to be rectified by the Operator to the standard identified in the Pre-Construction Road Condition Report.
13. The development approval also grants temporary development approval for the following –
  - (i) a construction workshop;
  - (ii) asphalt batching plant
  - (iii) any other construction related infrastructure

shown on the Construction Management Plan required by condition 10.



14. The silos are to be constructed utilising a light grey colour.

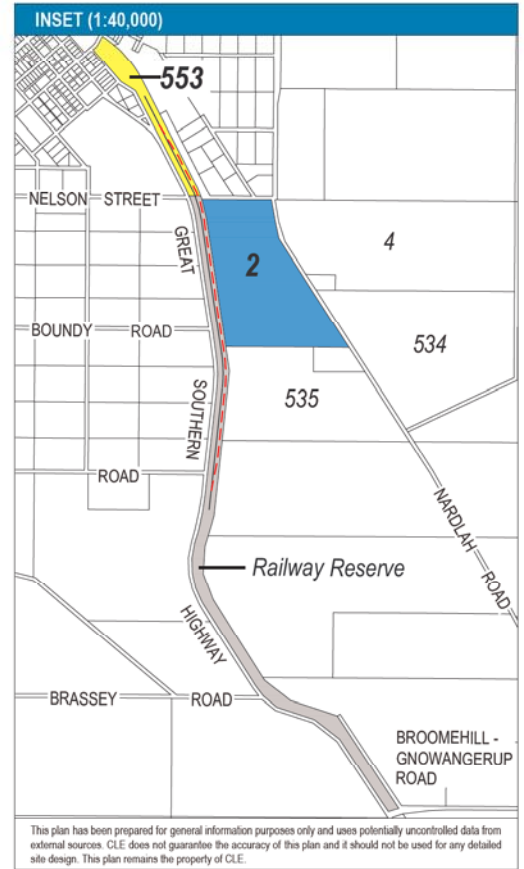
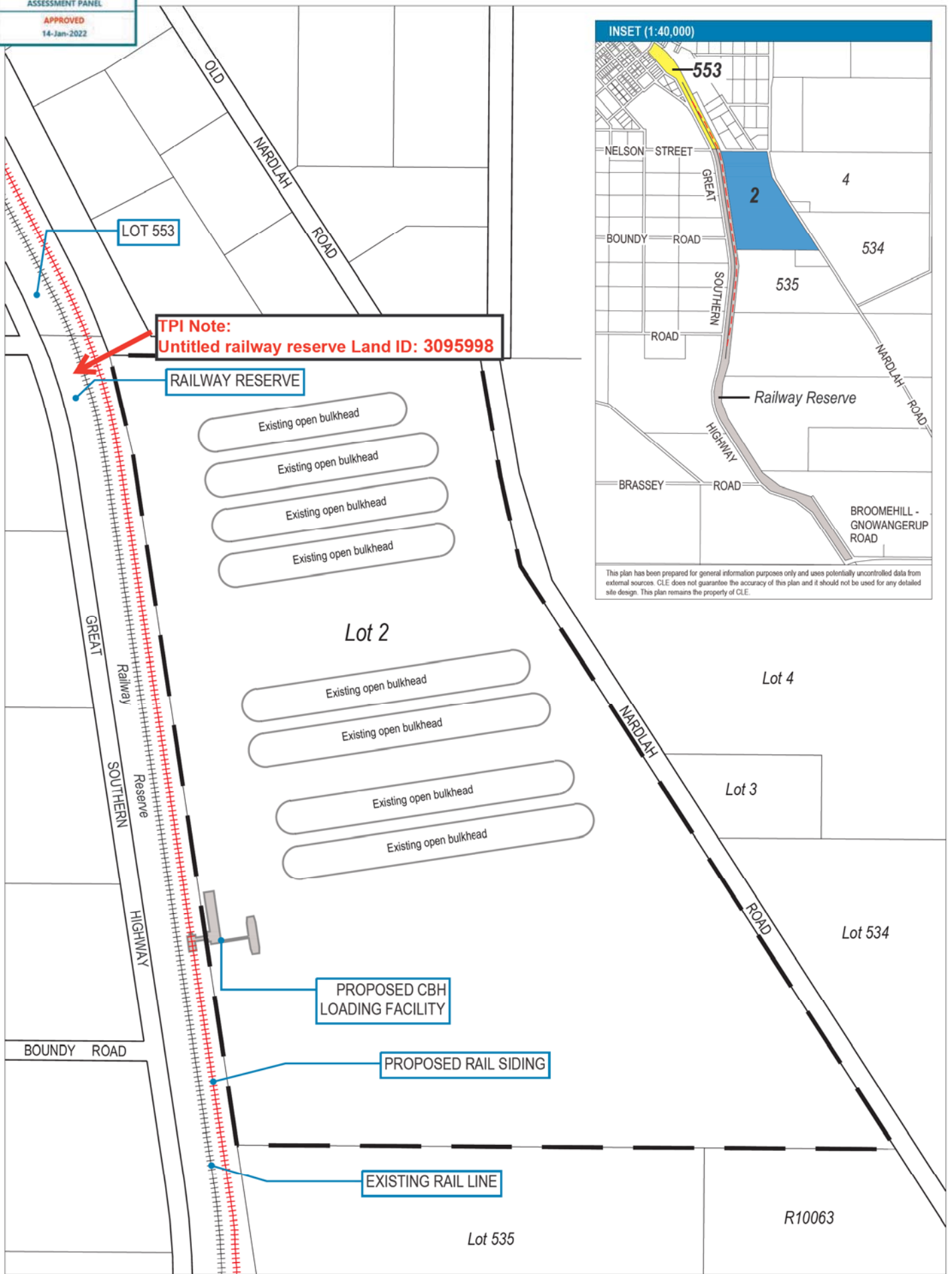
#### Lighting

15. Lighting shall be installed to pathways and car parking areas, be designed in accordance with the Australian Standards for the Control of Obtrusive Effects of Outdoor Lighting (AS4282) and shall be internally directed to the development. All floodlights shall be oriented to eliminate disturbance to occupants on the surrounding properties and all light spill shall be contained within Lots 2, 553 and 535 or any adjacent railway reserve.

#### **Advice Notes**

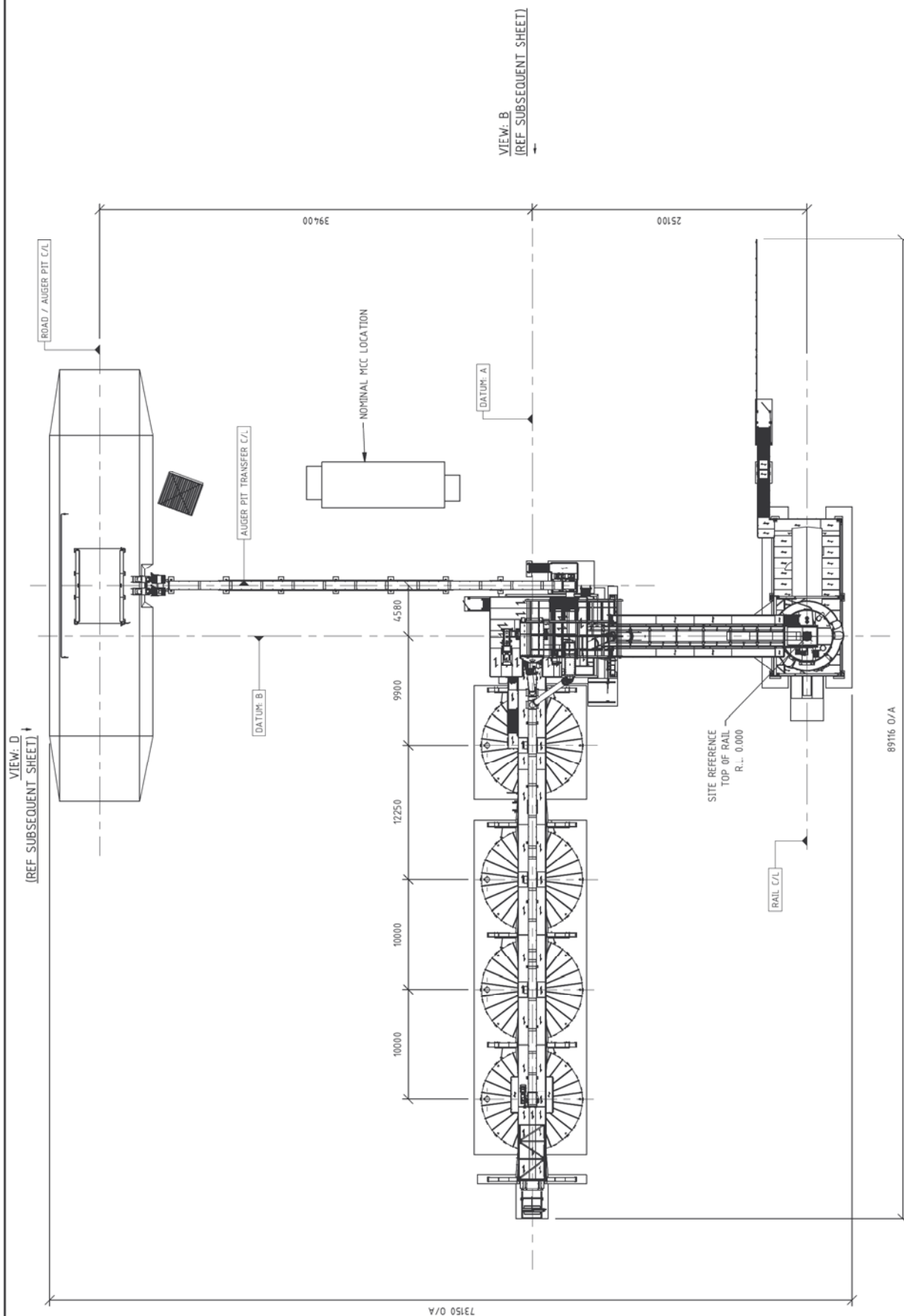
1. Any clearing may necessitate separate approval or a clearing permit from the Department of Water and Environmental Regulation.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.







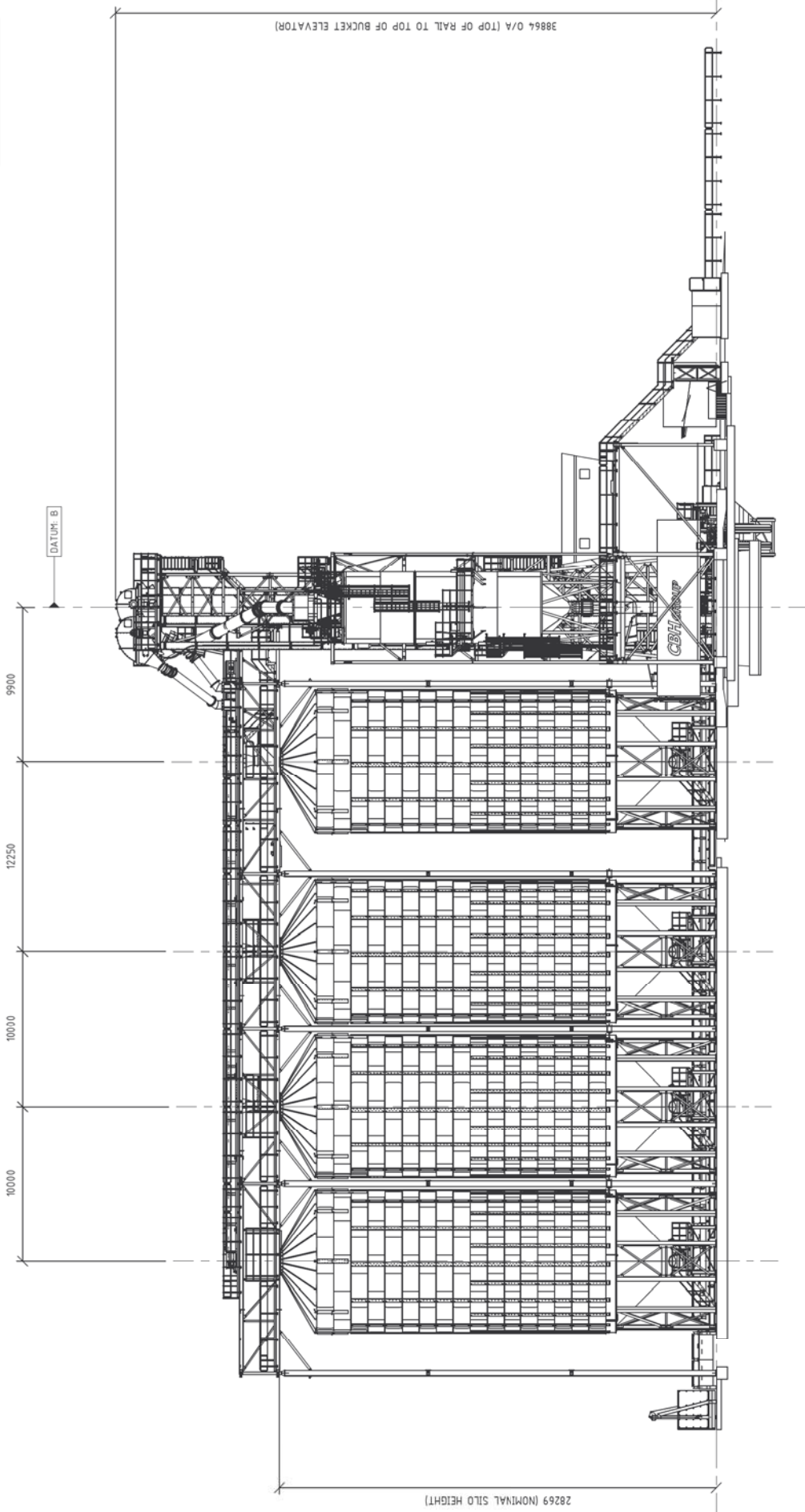


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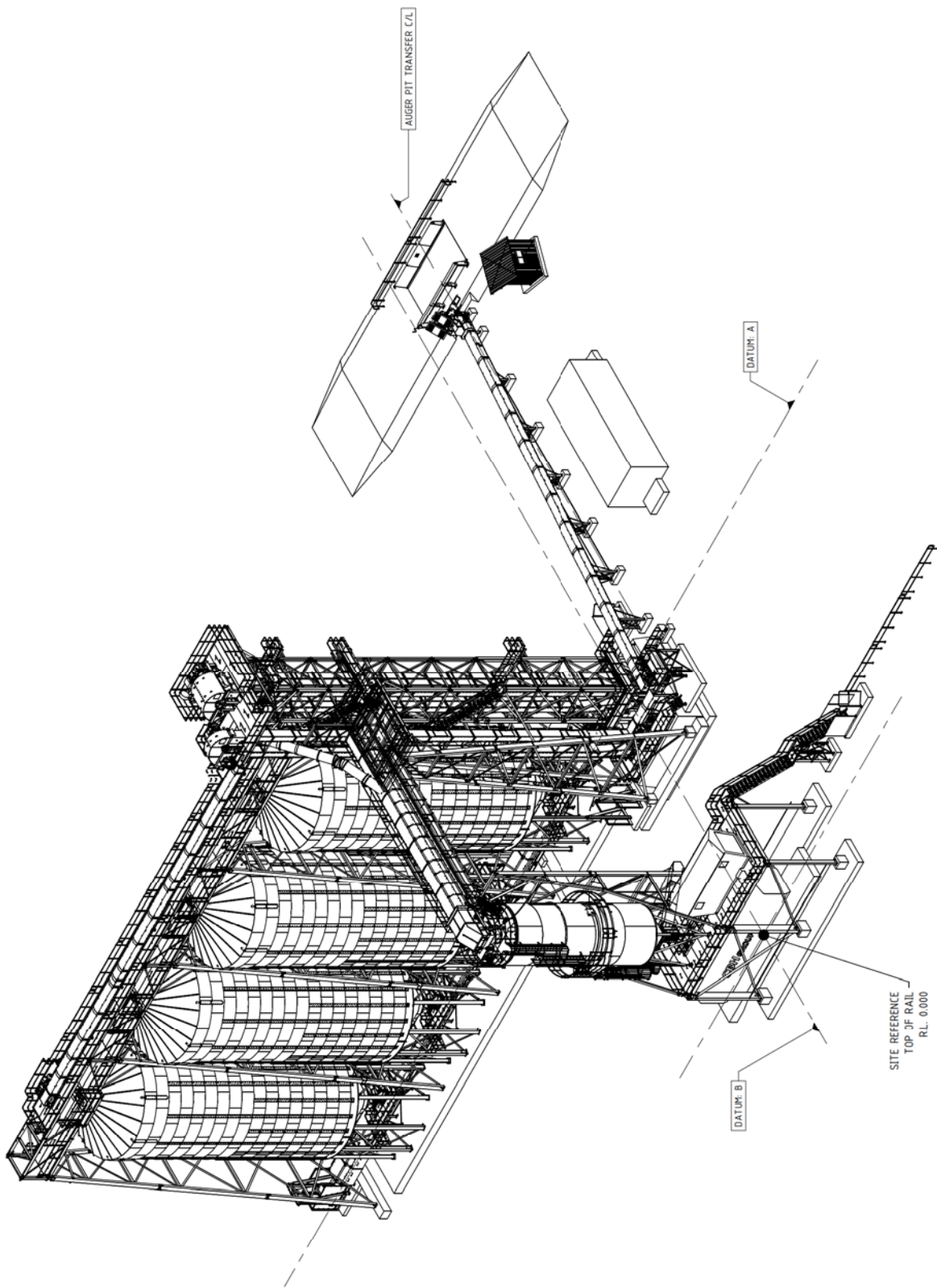
<div><b>KOTZUR</b> <small>Engineering and Construction</small></div>		<div><b>CBH Group</b></div>		CBH GROUP HEAD OFFICE LEVEL 10, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000		KOTZUR PROJECT # J12750-00010		KOTZUR PROJECT MANAGER S. LEUNG		AS BIDDING: Mechanical equipment design in this drawing remains the intellectual property of KOTZUR Pty Ltd and should not be used for any other project without written consent from KOTZUR Pty Ltd. Unless stated otherwise use by KOTZUR Pty Ltd									
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P10219		KOTZUR DRAWING # J12750-00010		KOTZUR PROJECT MANAGER S. LEUNG		PROJECT: BROOMEHILL FRL													
P10219		KOTZUR DRAWING # J12750-00010		KOTZUR PROJECT MANAGER S. LEUNG		PROJECT NO: M-2774													
P10219		KOTZUR DRAWING # J12750-00010		KOTZUR PROJECT MANAGER S. LEUNG		PROJECT NO: 558-ENG-ST-DGA-001													
P10219		KOTZUR DRAWING # J12750-00010		KOTZUR PROJECT MANAGER S. LEUNG		PROJECT NO: 3 OF 6													

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DESCRIPTION / TITLE	SIZE	SHEET
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