



Our Ref: OPA23511574
File No: ADM0582

16/05/2023

Co-operative Bulk Handling
Level 6, 240 St Georges Terrace
PERTH WA 6000

aaron.lohman@cbhgroup.com.au

Dear Aaron,

**APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED RAIL LOADING
INFRASTRUCTURE AND RAIL SIDING WITHIN RAILWAY CORRIDOR, BROOMEHILL**

I am pleased to advise that your application for the abovementioned address was considered by Council at its Special Council Meeting held on the 2nd March 2023 and has been conditionally approved.

The attached planning approval determination details a number of conditions which must be met in the course of carrying out the development for which the approval has been granted.

The conditions have been imposed by Council in accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and relate specifically to the plans lodged as part of your planning application.

A footnote on the approval indicates that you may lodge an application for a review of the Council's decision within 28 days to the State Administrative Tribunal in accordance with the Planning and Development Act 2005.

If you require any further information please don't hesitate to contact Tash Korthuis working Monday, Tuesdays and Thursdays at our office on 9825 3555.

Yours sincerely,

Anthony Middleton
CHIEF EXECUTIVE OFFICER



**PLANNING AND DEVELOPMENT ACT 2005
SHIRE OF BROOMEHILL-TAMBELLUP**

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Applicant: Co-Operative Bulk Handling	
Location: LandGate ID 3095998 (untitled railway reserve)	
Lot: Not Applicable	Plan/Diagram: Not Applicable
Volume No: Not Applicable	Folio Number: Not Applicable
Application Date: 24 January 2023	Received On: 7 February 2023
Description of proposed development: Rail Loading Infrastructure and Rail Siding	

The application for development approval is:

- | | |
|--|--|
| <input checked="checked" type="checkbox"/> | Approved subject to the following conditions |
| <input type="checkbox"/> | Refused for the following reason(s) |

Conditions:

- A. Note that development within the rail corridor known as Land ID 3095998 was included on the plans and supporting documentation for the previous DAP application for CBH in 2021, however it was not formally included in the application form or approval (Attachment 11.1.1).
- B. Approve the application for railway infrastructure (siding) and over rail loading facility within the rail corridor known as Land ID 3095998 subject to the following conditions:

Substantial commencement

1. This decision constitutes planning approval for railway infrastructure (siding) and over rail loading facility within land identified in Landgate as Land ID 3095998 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 subject of this approval shall be contained within land identified through Landgate as Land ID 3095998.
3. The proposed development within land identified in Landgate as Land ID 3095998 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.

This approval excludes development on adjacent Lots 2, 535 and 553.

4. The accompanying documentation (as amended) lodged with this application including;
 - (i) Dust Management Plan prepared by CBH;
 - (ii) 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 (subject of this approval) in the railway corridor (Land ID 3095998) complies with and will not exceed with the following average assigned noise level targets for (outdoor) railway noise at noise sensitive premises:
 - (i) LAeq, day 60dB during day period average hours; and
 - (ii) LAeq, night 55dB during night period average hours;

in accordance with Table 3 of the Noise Impact Assessment Report (SLR Ref: 675.30030-R01 Version 3.3 dated November 2021).

The noise targets in this condition are to be measured at one metre from the most exposed, habitable façade of a dwelling being exposed to the noise source.

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, loading and activities within the railway corridor that occur during the day, evening and night hours; and
- (iii) Vibration levels to comply with Australian Standard 2670.2:1990.

Construction

8. 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.
9. 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 areas 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 within the railway corridor.

10. The Applicant is to implement the approved Construction Management Plan required by condition 10.
11. 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.

12. 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.

Lighting

13. Any lighting within or overspilling into the railway corridor shall 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.

Footnotes:

- a. The plans lodged with this application show development outside of the land identified as Land ID 3095998, however development on Lots 2, 535 and 553 does not form part of this approval. It is noted that there is an existing approval for development on Lots 2, 535 and 553 issued by a Development Assessment Panel (DAP) on the 21 January 2022.
- b. In regards to Condition 5, a habitable room has the same meaning as defined in State Planning Policy 7.3 Residential Design Codes.
- c. In regards to Condition 9, the Construction Management Plan can be prepared for construction of this development in the railway reserve and related construction approved separately by the DAP on the 21 January 2022. The Shire considers it practical that one consolidated Construction Management Plan be prepared, and notes that construction areas for development within the railway corridor may be provided off site within adjacent Lots 2 and 535.

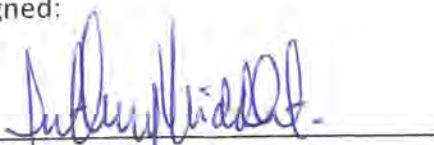
Date of determination: 2 March 2023

Note 1: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 2: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Note 3: If the property is designated as a bushfire prone area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>. The owner may consider implementing fire mitigation measures to reduce any fuel loads on the lot.

Signed:



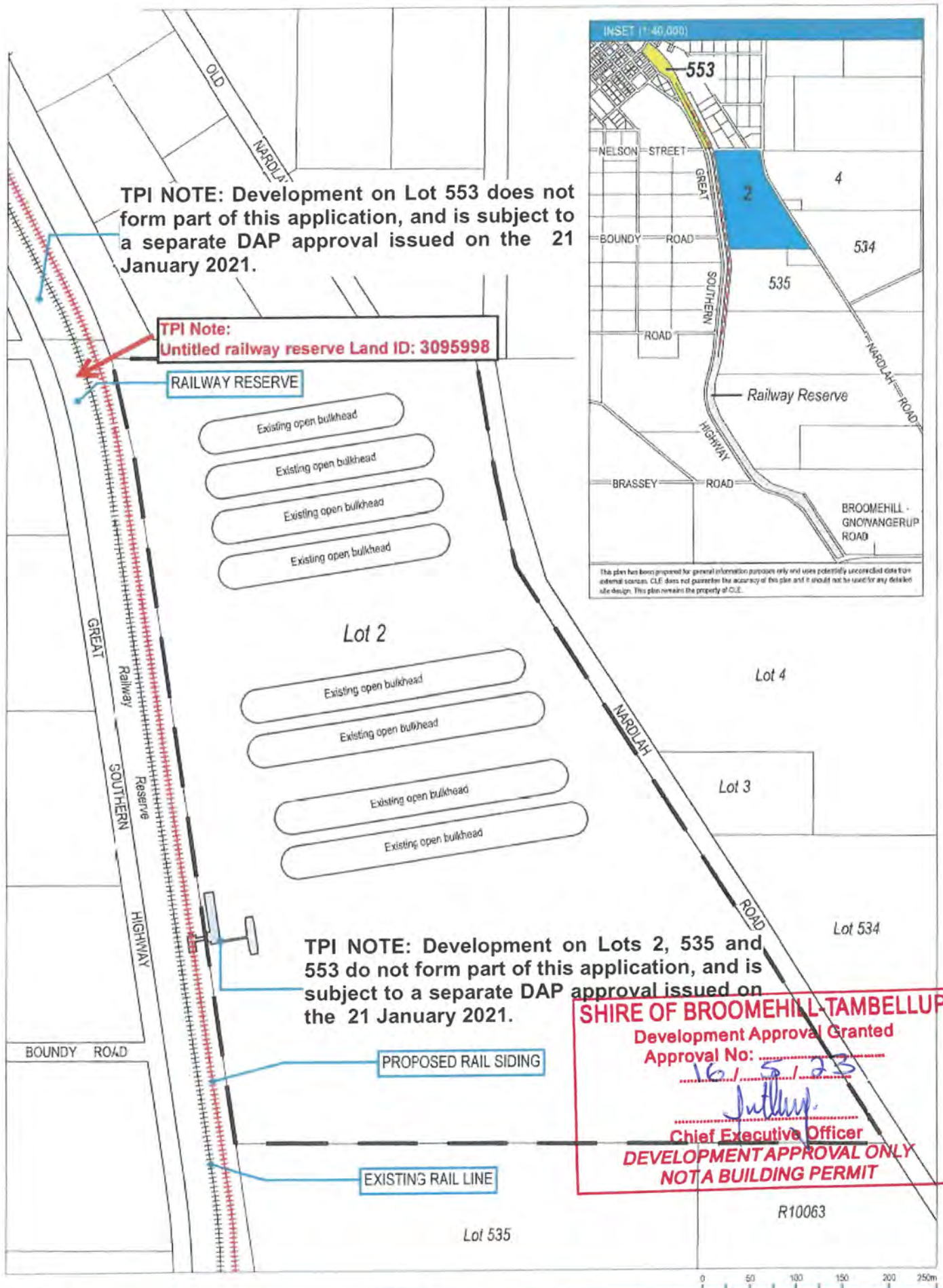
Anthony Middleton

Chief Executive Officer

For and on behalf of the Shire of Broomehill-Tambellup

Dated:

16/05/2023





SEE SUBSEQUENT SHEET

Development Approval Granted

Approval No:

Approval No: 16/5M23

**Chief Executive Officer
DEVELOPMENT APPROVAL ONLY
NOT A BUILDING PERMIT**

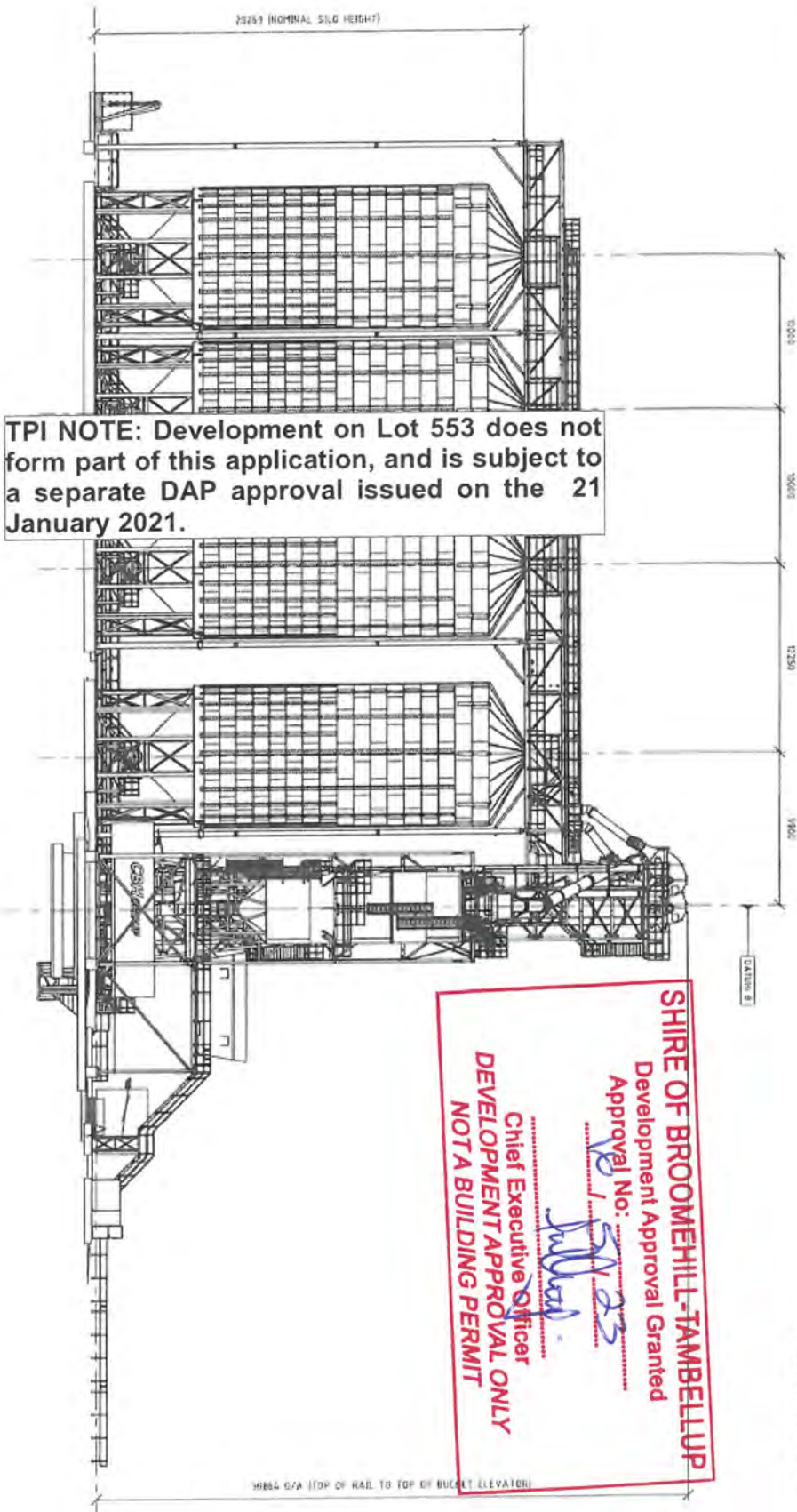


TPI NOTE: Development on Lot 553 does not form part of this application, and is subject to a separate DAP approval issued on the 21 January 2021.

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ISOMETRIC VIEW - E
(REF. SUBSEQUENT SH1)

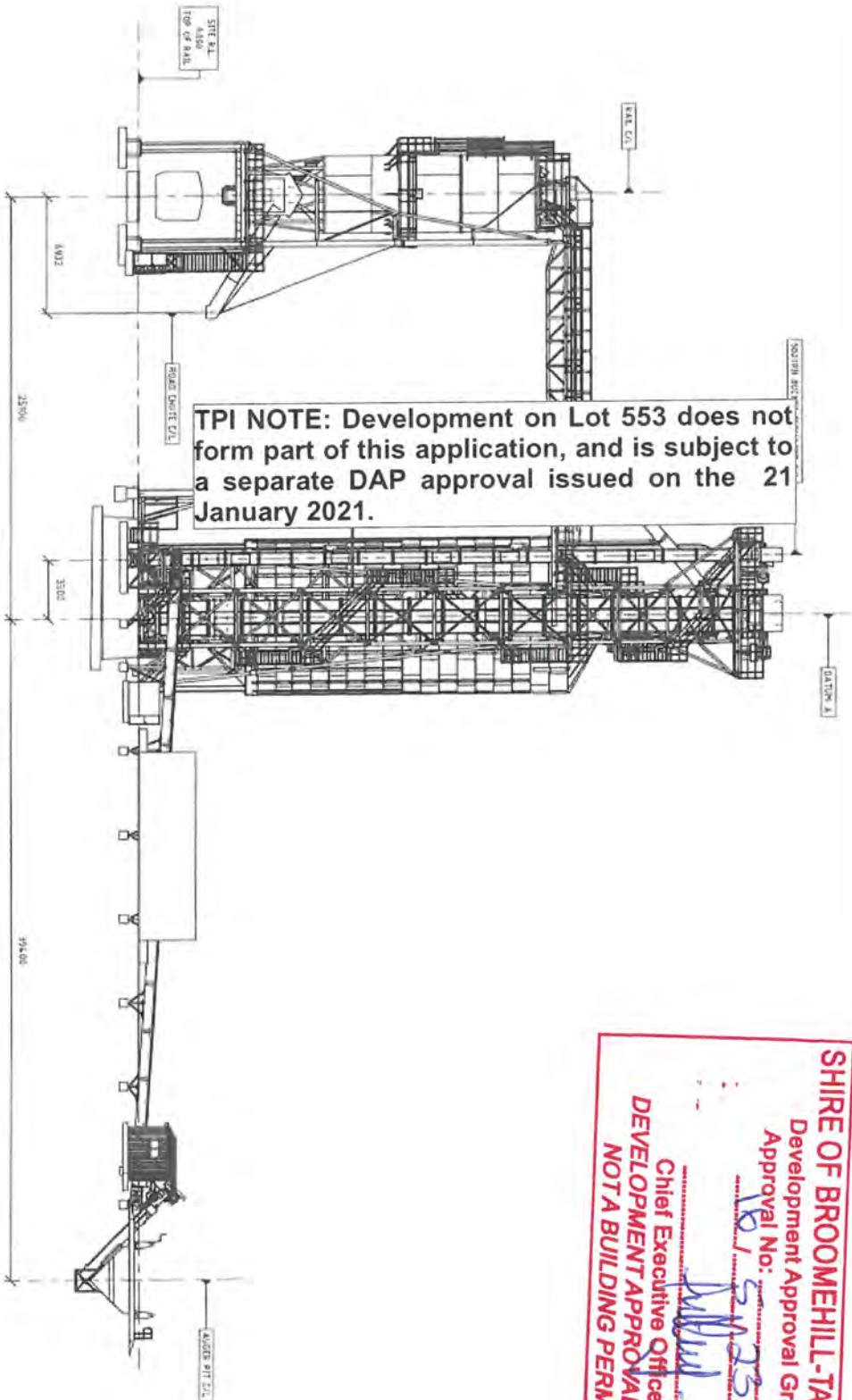


TPI NOTE: Development on Lot 553 does not form part of this application, and is subject to a separate DAP approval issued on the 21 January 2021.

SHIRE OF BROOMHILL-TAMBELLUP
Development Approval Granted
Approval No: **SV/23**
[Signature]
Chief Executive Officer
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VIEW A
(REF. SH1 & 3)

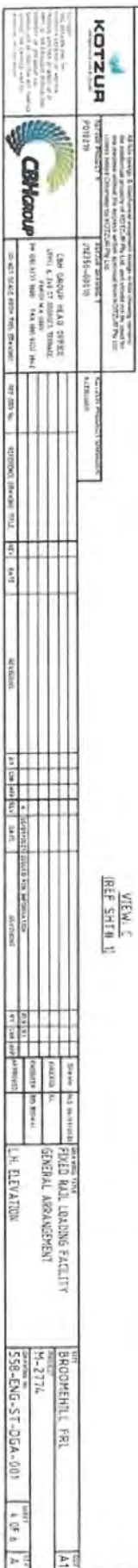
KOTZUR Engineering & Construction 100/101 Stirling Highway, Perth WA 6006 Tel: 08 9447 1234 Fax: 08 9447 1235 www.kotzur.com.au		PROJECT INFORMATION PROJECT NAME: FIXED RAIL LOADING FACILITY PROJECT NO: 558-ENG-ST-LOGA-001 DATE: 1/12/2020		CLIENT INFORMATION CLIENT NAME: BROOMHILL FRL CLIENT ADDRESS: M-2172 CLIENT CONTACT: 558-ENG-ST-LOGA-001		DESIGNER INFORMATION DESIGNER NAME: KOTZUR DESIGNER ADDRESS: 100/101 Stirling Highway, Perth WA 6006 DESIGNER CONTACT: 08 9447 1234		SCALE SCALE: AS SHOWN GENERAL ARRANGEMENT FRONT ELEVATION		DATE DATE: 1/12/2020 BY: [Signature] CHECKED BY: [Signature] APPROVED BY: [Signature]		PROJECT NO PROJECT NO: 558-ENG-ST-LOGA-001		DATE DATE: 1/12/2020	
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SHIRE OF BROOMEHILL-TAMBELLUP
Development Approval Granted
Approval No: 16/5023
Chief Executive Officer
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TPI NOTE: Development on Lot 553 does not form part of this application, and is subject to a separate DAP approval issued on the 21 January 2021.



DEVELOPMENT APPROVAL
NOT A BUILDING PERMIT

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