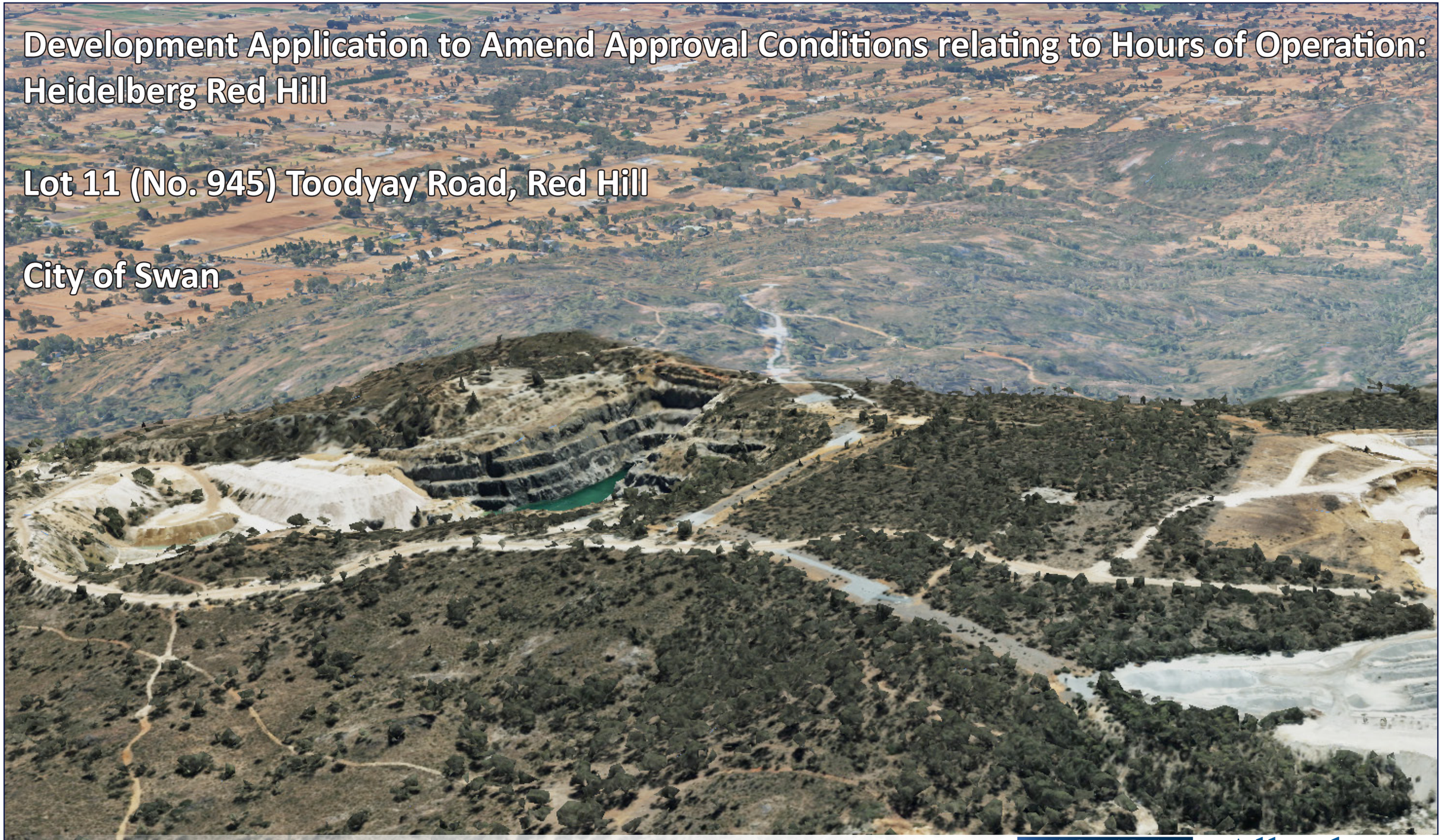
Development Application to Amend Approval Conditions relating to Hours of Operation: Heidelberg Red Hill

Lot 11 (No. 945) Toodyay Road, Red Hill

City of Swan



Prepared For: Heidelberg Materials Australia Pty Ltd

Prepared By: Allerding and Associates

AUGUST 2026

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Document ID: HAN RED GE/ 260730 DA Report: Amendment to Development Approvals						
Issue		Status	Prepared by:		Approved by:	
			Name	Initials	Name	Initials
1	21/4/2026		John Williamson	JW	A Butterworth	AB
2	16/6/2026		John Williamson	JW	A Butterworth	AB
3	3/8/2026	FINAL	John Williamson	JW	A Butterworth	AB

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EXECUTIVE SUMMARY

Heidelberg Materials Australia Pty Ltd (**Heidelberg**) operates its Red Hill Extractive Industry Quarry over Lot 11 (No. 945) Toodyay Road, Red Hill (**Subject Site**). Refer Aerial Photo at **Figure 1**. A quarry has existed on the Subject Site since 1961 and is therefore a longstanding Extractive Industry land use. The Subject Site is located within land recognised as a 'Key Extraction Area' and 'Priority Resource Location' pursuant to State Planning Policy 2.4 – Planning for Basic Raw Materials (**SPP 2.4**).

Several Development Approvals have been issued for the quarry and associated works and operations since its inception. The most recent approval issued by the City of Swan (the **City**) on 22 January 2019 for modifications to operations included a modified footprint, staging program, associated clearing of vegetation and rehabilitation works. That 2019 approval followed the Approval to Commence Development for an 'Extension to Footprint of an Existing Extractive Industry Quarry' issued by the Western Australian Planning Commission (**WAPC**) on 12 October 2018 (21-50148-6). It is important to reference Advice Note 3 of the 2019 WAPC Approval which provides:

> *The applicant is advised that the previous approval issued for the site (WAPC ref: 21-50148-3) and any conditions of approval, including those related to the protection of remnant vegetation, access roads and truck movements, remains valid.*

The above stated Approvals, and relevant Conditions of WAPC Ref: 21-50148-3, issued by the WAPC on 14 February 2013, remain valid at the time of preparing this Development Application.

This Application for Development Approval under the Metropolitan Region Scheme and under the City of Swan Local Planning Scheme No. 17 (**LPS17**) seeks to amend the current Development Approval conditions by:

- Rectifying an inconsistency between the wording of Condition 4 of the City's Development Approval issued 22 January 2019 and Condition 7 of the determination issued by the WAPC on 14 February 2013, and to ensure certainty regarding Heidelberg's conforming and ongoing operations;

- Extending the approved operational hours for primary crushing from 6pm to 8pm on Mondays - Saturdays, being within the evening period defined in the *Environmental Protection (Noise) Regulations 1997* (the **Noise Regulations**). The addendum to the Noise Impact Assessment (**NIA**) (refer **Annexure 5**) dated June 2026 confirms that the amenity standards of the nearby residential properties within the locality will be maintained with the additional hours for primary crushing, in that the extended primary crushing hours are compliant with the Noise Regulations. The extension of operational hours for primary crushing does not result in any new development, it would simply require modifications to the Conditions which restrict the hours of operations of the primary crusher;

- Extending the approved operational hours for tertiary crushing only from 8pm to 10pm on Mondays - Saturdays, remaining within the evening period defined in the *Environmental Protection (Noise) Regulations 1997* (the **Noise Regulations**). The proposed extension of operational house for the tertiary crushing is addressed in the Noise Impact Assessment (**NIA**) (refer **Annexure 4**) which concludes at there is no change to the noise limits applicable to the extension of hours for tertiary crushing; and

- Delivering greater efficiency in site rehabilitation and operations by proposing the introduction of night time overburden haulage between Red Hill Quarry and the former Herne Hill Quarry. This primarily involves night time operations with an excavator in the Red Hill Quarry loading overburden into haul trucks which then utilise an existing haul route within the Subject Site to transport the overburden to a tipping location within the lowered area of the old Herne Hill Quarry with the haul trucks then returning to the Red Hill Quarry. The Noise Impact Assessment (**NIA**) (refer **Annexure 4**) dated April 2026 confirms that the amenity standards of the nearby residential properties within the locality will be maintained in that the noise generated during the night time overburden operations comply with the Noise Regulations . The introduction of night time operations for overburden haulage does not result in any new development, it would simply require modifications to the conditions which restrict the hours of operations.

Engagement with the City has recently occurred in regard to the inconsistency in wording of the conditions imposed by the City. That engagement foreshadowed that a Development Application would ultimately be required to be lodged to rectify the inconsistency in condition/s and to amend the approval/s to clarify any restriction on hours of operation.

The proposed introduction of new night time overburden haulage operations involves vehicles collecting materials from the quarry and delivering to what is referred to as the former Herne Hill quarry site which has undergone thorough assessment with respect to noise impacts to ensure that local amenity is not adversely affected. We provide with this Development Application a supporting Noise Impact Assessment (**NIA**) accordingly.

Aside from the improvements to efficiency through vehicle usage for night time haulage, and extending the approved operational hours for primary and tertiary crushing, the existing approved quarry operations will remain unaltered by this proposal.

Noting that the current City and WAPC approvals have Conditions imposed restricting hours of operation, as the use of vehicles for night time overburden haulage is proposed after 8pm and throughout the night, primary crushing proposed until 8pm, and tertiary crushing proposed until 10pm, an Amended Condition to the City and WAPC approvals is proposed as part of this Application in order to clarify any time restrictions on the operations at the Subject Site.

In order to accommodate the night time overburden haulage operations and to correct the condition in regard to sales delivery trucks, it is proposed to amend the 2013, 2018 and 2019 Development Approvals with a new Amended Condition which would replace the following conditions:

Approval Authority and Application	Approval Date	Conditions
WAPC Ref: 21-50148-3	14 February 2013	6 (operations) and 7 (sales delivery trucks)
WAPC Ref: 21-50148-5	20 September 2018	4 (operations)
WAPC Ref: 21-50148-6	12 October 2018	3 (operations)
City of Swan DA-378/2018	16 January 2019	3 (operations) and 4 (sales delivery trucks)
City of Swan DA-462/2018	16 January 2019	3 (operations) and 4 (sales delivery trucks)

The following Amended Condition is recommended to replace the abovementioned Conditions:

> Quarry operation being limited to between 6am and 10pm, Monday to Saturday, excluding Public Holidays, and/or in accordance with the following:
>
> a) Quarry operations between 6pm and 8pm are limited to primary crushing, tertiary crushing and screening;
>
> b) Quarry operations between 8pm and 10pm are limited to tertiary crushing only;

c) Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays;

d) Overburden haulage operations as described in the Noise Impact Assessment dated April 2026 are permitted 24 hours per day, seven days per week, including during Public Holidays.

Amendment to the WAPC and City approvals to impose the above Amended Condition will clarify the acceptable hours of operation, with an aim to ensure that operations will comply with the requirements of the Noise Regulations and that operations will not have an adverse impact upon the amenity of the locality and more particularly the amenity of the nearby residents.

Amending the WAPC and City approvals to have the same Condition limiting the hours of operations associated with the quarry operations will provide certainty to the City, WAPC, Heidelberg and residents as to the specific, consistent restrictions imposed on the quarry operations at the Subject Site by the approvals.

Therefore, we submit that the proposed amendments to the Conditions will ensure the quarry operations are consistent with the relevant provisions and objectives of the applicable planning framework. For these reasons this Application to amend the condition/s imposed in the WAPC and City approval/s is both capable and appropriate for approval.



Figure 1: Aerial Photo

1.0 INTRODUCTION

This Application for Development Approval is prepared on behalf of Heidelberg in relation to its existing Red Hill Quarry operations on the Subject Site.

Firstly, this Application proposes the introduction of a revised Condition relating to operation hours to rectify an inconsistency between:

- The information detailed in a Development Application lodged with the City in 2018;
- Condition 4 of the Development Approval issued by the City of Swan in its determination of 22 January 2019 (which limited sales delivery trucks during day time operations rather than night time operations); and
- Condition 7 of the Determination issued by the WAPC on 14 February 2013 (which correctly limited sales delivery truck movements being 8pm and 6am).

Secondly, this application seeks to modify the Conditions of all relevant approvals relating to operating hours, to enable the use of night time overburden operations, which include the use of vehicles on-site for night time haulage to support existing quarry operations. It is also proposed to extend the approved operational hours for primary crushing from 6pm to 8pm on Monday to Saturday, and tertiary crushing from 8pm to 10pm on Monday to Saturday.

The requirement to rectify what appears to be an error in the condition of approval in the City's determination regarding sales delivery trucks is brought about by inconsistency in the wording of the conditions of approval applied by the WAPC and the condition applied by the City in its subsequent determination (which restricted sales delivery trucks during day time operations). The conditions applied by the WAPC (which limited sales delivery trucks during night time operations) were correct and aligned with Heidelberg's ongoing Red Hill operations, therefore, rectifying the condition in the City's determination is imperative to ensure certainty regarding Heidelberg's conforming operations.

The introduction of night time overburden haulage operations involving the use of haul vehicles will replicate existing approved activities occurring during current operational hours for the collection and transport of overburden to the former quarry site to the west of the Red Hill Quarry. Transport of overburden is an important function to support the ongoing rehabilitation of the former quarry. In addition, the provision of night time haulage will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours. The proposed night time haulage vehicles will transport overburden along an existing haul route to ensure that significant vegetation on site is preserved and protected. The haul vehicles are designed to operate with minimal noise to protect the amenity of existing residential properties in the locality and comply with the requirements of the Noise Regulations.

Currently, primary crushing is permitted until 6pm Monday to Saturday, and tertiary crushing and screening is permitted up to 8pm Monday to Saturday, noting that the 'evening' period under the Noise Regulations is between 7pm and 10pm Monday to Saturday. Therefore, the proposed extension of the approved operational hours for primary and tertiary crushing will be within the evening period defined in the Noise Regulations, noting that the same assigned noise levels apply between 7pm and 10pm.

The City's Development Application Form and the Metropolitan Region Scheme Form 1 are provided in **Annexure 1**. Aerial Plans showing the quarry are provided at **Annexure 3**.

We respectfully request the City's, and the WAPC's, support for the proposal to amend the conditions of the current approvals relating to the quarry operations.

2.0 BACKGROUND

The existing quarry on the Subject Site has been in operation since 1961 and is therefore a longstanding Extractive Industry land use over the site.

Several Development Approvals have been issued for the quarry and incidental work and operations since its inception. The most recent approval issued by the City on 22 January 2019 for modifications to operations included a modified footprint, staging program, associated clearing of vegetation and rehabilitation works. That approval followed the approval to commence development issued by the WAPC on 12 October 2018.

As noted, those approvals remain valid at the time of preparing this Development Application.

Heidelberg's Red Hill Quarry operations are also subject to three Ministerial Approvals which have imposed specific ongoing compliance requirements.

The Ministerial Approvals are provided in the following Ministerial Statements:

- Ministerial Statement 199 (**MS 199**) Assessment Number 354 (Environmental Protection Authority (**EPA**) Bulletin 510), issued on 4 December 1991.
- Ministerial Statement 705 (**MS 705**) as a Section 46 (Environmental Protection Act 1986 (**EP Act**)) Amendment to the Conditions imposed by MS 199, issued 21 December 2005.
- Ministerial Statement 912 (**MS 912**), for an Environmental Approval to extend the Red Hill Quarry by approximately 32 ha to the north-west and expand the stockpile area to approximately 5 ha. The approval was issued on 9 October 2012.

Among various requirements, a specific conditional requirement of MS 705 was the preparation and approval of an updated annual Screening and Rehabilitation Plan. That Management Plan, titled 'Updated Screening and Rehabilitation Program', was prepared in March of 2007. Along with seeking to reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours, the component of the proposal for night time haulage operations relates to the ongoing commitment to rehabilitation works within the Subject Site.

We expand on Heidelberg's extensive rehabilitation undertaking within this report.

In terms of amendment to the existing approvals, this application seeks to delete the following conditions and for the conditions to be replaced with a new condition. The conditions that we seek deletion of (and replacement of a new condition) are detailed below:

On 14 February 2013, Conditional Development Approval was granted by WAPC for the Continuation and Expansion of the Hard Rock Quarry. This approval included Conditions 6 and 7 which are worded as follows:

6 Hours of operation being limited to between 6am and 8pm, Monday to Saturday, excluding Public Holidays. Operations between 6am and 8pm are restricted to tertiary crushing and screening only.

7. Sales delivery trucks accessing the quarry between the hours of 8pm and 6am shall be limited to the exporting of finished product (aggregate) only. Sales delivery trucks are not permitted to operate at any time on Public Holidays.

On 20 September 2018, Conditional Development Approval was granted by WAPC to Commence Development. This approval included Condition 4 which is worded as follows:

4 Hours of operation of the extractive industry are limited to between 6am and 8pm, Monday to Saturday, excluding Public Holidays. Operations between 6pm and 8pm are restricted to tertiary crushing and screening only.

On 12 October 2018, Conditional Development Approval was granted by WAPC to Commence Development. This approval included Condition 3 which is worded as follows:

3 The hours of operation are limited to between 6am and 8pm, Monday to Saturday, excluding Public Holidays. Operations between 6pm and 8pm are restricted to tertiary crushing and screening only.

The 2018 WAPC approvals did rectify the timing of condition 6 of the 2013 WAPC approval, which incorrectly stated operations between 6am and 8pm are restricted to tertiary crushing and screening only, when it should have read Operations between 6pm and 8pm are restricted to tertiary crushing and screening only (noting the change from 6am to 6pm).

On 16 January 2019, Conditional Development Approval was granted by the City of Swan for two separate Development Applications, seeking approval for the expansion of the existing pit and a new pit, Including associated clearing of native vegetation, rehabilitation works and an Extractive Industry licence, and expansion and modification to the industry extractive operations including a modified footprint and staging program, associated clearing of native vegetation and rehabilitation works. Both of these approvals included Conditions 3 and 4 which are worded as follows:

3 Hours of operation being limited to between 6am and 8pm, Monday to Saturday, excluding Public Holidays. Operations between 6pm and 8pm are restricted to tertiary crushing and screening only.

4. Sales delivery trucks accessing the subject quarry between the hours of 6am and 6pm shall be limited to the exporting of finished product (aggregate) only. Sales delivery trucks are not permitted to operate at any time on Public Holidays.

The intent of this Application is to amend all of the abovementioned Conditions on the approvals relating to hours of operation and to replace these Conditions with the following Condition on each of the approvals:

Quarry operation being limited to between 6am and 10pm, Monday to Saturday, excluding Public Holidays, and/or in accordance with the following:

a) Quarry operations between 6pm and 8pm are limited to primary crushing, tertiary crushing and screening;

b) Quarry operations between 8pm and 10pm are limited to tertiary crushing only;

c) Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays;

d) Overburden haulage operations as described in the Noise Impact Assessment dated April 2026 are permitted 24 hours per day, seven days per week, including during Public Holidays.

3.0 SITE DETAILS

3.1 Subject Site

The particulars of the Subject Site are described in **Table 1**.

Table 1: Site Details

Lot Number	Street Number	Diagram	Volume	Folio
11	945	3047	1531	568

A copy of the Certificate of Title is included in **Annexure 2**.

3.2 Location and Context

The Subject Site is located within the City of Swan and more specifically the locality of Red Hill. Red Hill is located approximately 23km north east of the Perth CBD.

The Subject Site forms part of a strategically significant Key Extraction Location and Priority Resource Location that is specifically identified for Extractive Industry activities. Adjoining the Subject Site to the east is another property (comprising various land lots) owned and operated by Heidelberg for Extractive Industry purposes associated with the Red Hill Quarry. Further east are several additional sites presently being utilised for similar Extractive Industry operations.

It is noted that the adjoining property to the east (operated by Heidelberg) is located within the Shire of Gidgegannup and therefore subject to the requirements of a separate local planning framework.

Figure 2 provides a Location Plan and **Figure 3** provides a contour plan.

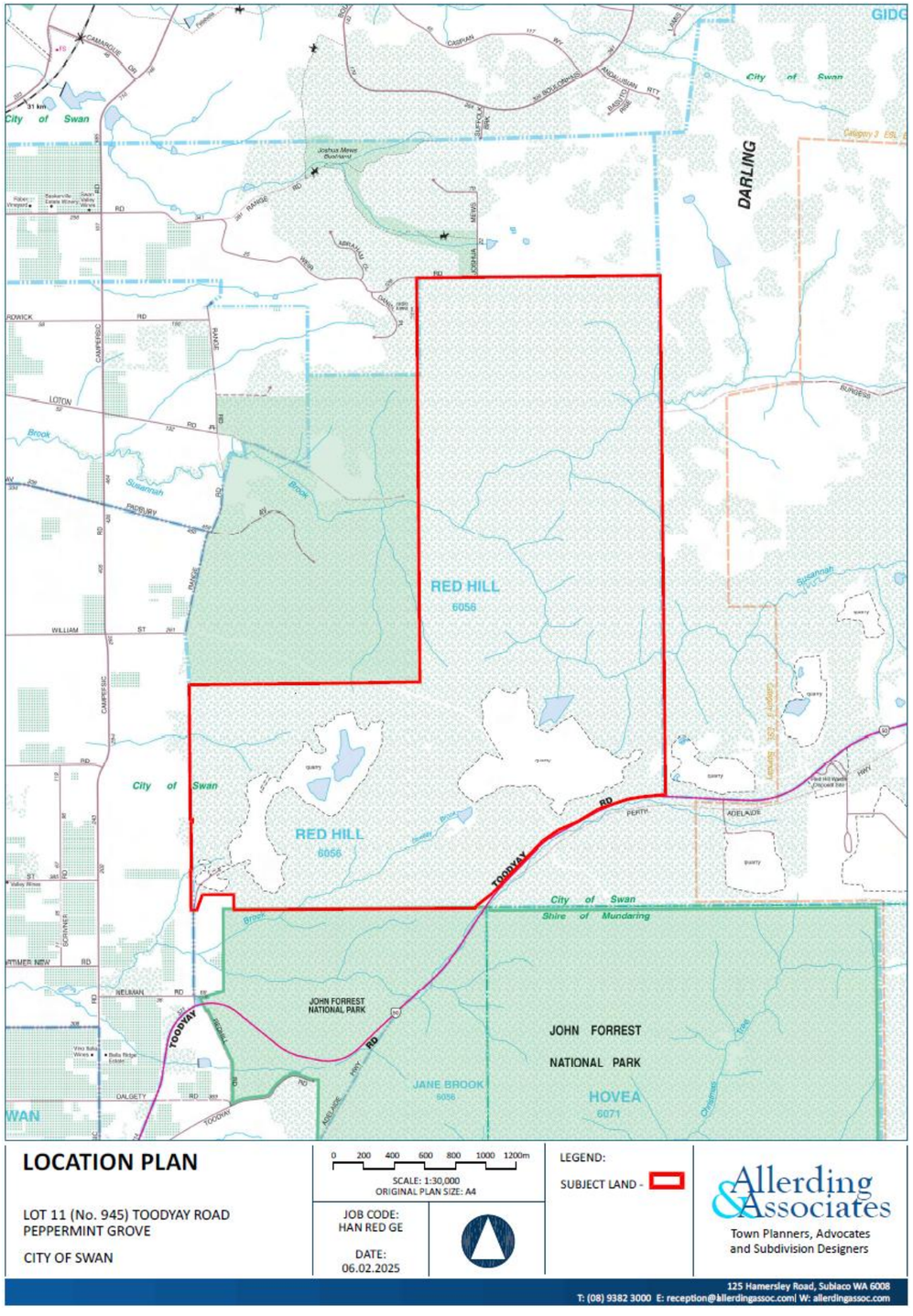


Figure 2: Location Plan

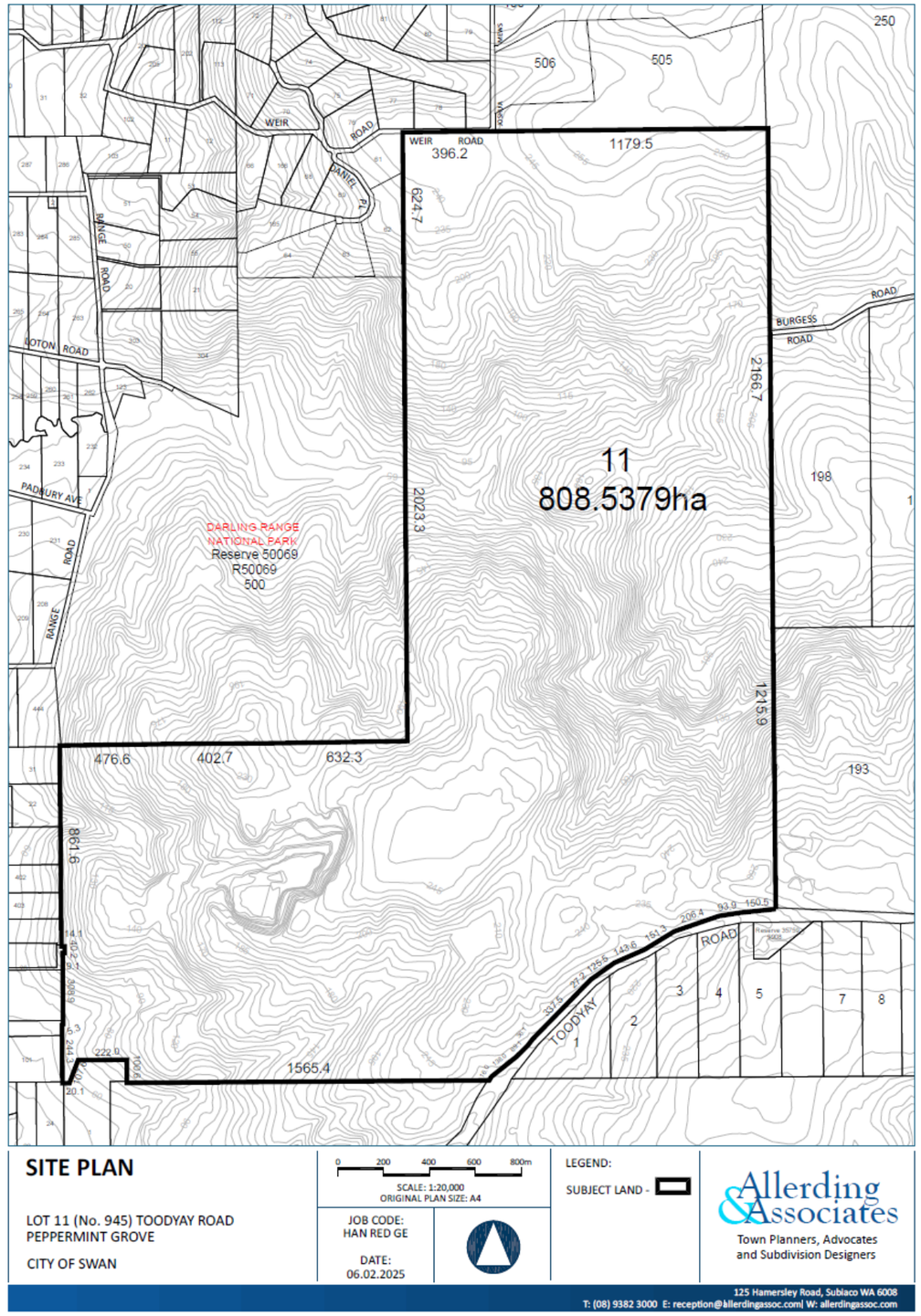


Figure 3: Contour Plan

4.0 DEVELOPMENT APPLICATION PROPOSAL

4.1 Rectification of Approval Condition – City of Swan Determination 22 January 2019

At its Ordinary Meeting of Council on 12 December 2012, the City of Swan Council resolved to recommend to the WAPC to approve the proposed Extension of Time Application subject to several Conditions. The following Condition was included in that recommendation:

> 6. *Sales delivery trucks accessing the subject quarry between the hours of 8pm and 6am shall be limited to the exporting of finished product (aggregate) only. Sales delivery trucks are not permitted to operate at any time on Public Holidays.*

Subsequently, the WAPC resolved to approve the Application on 14 February 2013 and included the following Condition of Approval:

> 7. *Sales delivery trucks accessing the quarry between the hours of 8pm and 6am shall be limited to the exporting of finished product (aggregate) only. Sales delivery trucks are not permitted to operate at any time on Public Holidays.*

Therefore, the historical approvals in relation to the quarry operations have consistently permitted 'night-time hours' for sales delivery trucks for the exporting of aggregate.

However, on 19 January 2019, the City of Swan issued a Development Approval (Ref: DA-462/2018) in relation to a modified footprint, staging program, associated clearing of vegetation and rehabilitation works for Heidelberg's ongoing operations at the Red Hill quarry. Condition 4 of the Development Approval stated:

> 4. *Sales delivery trucks accessing the subject quarry between the hours of 6am and 6pm shall be limited to the exporting of finished product (aggregate) only. Sales delivery trucks are not permitted to operate at any time on Public Holidays.*

Therefore, contrary to previous approvals, the City's 2019 approval restricts the sales delivery trucks during 'day-time hours'.

Given that the hours of operation under Condition 4 of the City's approval do not align with the hours previously approved by both the WAPC and the City in approvals issued in 2013, at the request of Heidlberg, City officers undertook a review of historic records with respect to its basis for imposing the hours in Condition 4 of the Development Approval. We note that despite a review of the historic records, City officers were not able to identify a basis for the hours stipulated by the Conditions. It is therefore considered that the wording of the Condition may have been an unintended error.

To rectify this matter, we request that the Condition regarding operating hours be updated to include the following:

> *Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays;*

Annexure 3 contains a plan showing the area of the site that the sales delivery trucks access.

The updated Condition would enable operation of the sales delivery trucks during night-time hours as intended and consistent with the application as lodged and the WAPC Approvals.

4.2 Extend Hours of Primary and Tertiary Crushing

Heidelberg are presently permitted to undertake primary crushing until 6pm Monday to Saturday, and tertiary crushing until 8pm Monday to Saturday, excluding Public Holidays, under the existing development approvals issued by the WAPC and the City of Swan. Refer **Annexure 3** for a plan showing the location of the crushers.

This application proposed to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays.

The Noise Impact Assessment (**NIA**) prepared by Wood Consultants (refer **Annexure 4**) for this application considers the proposed extension of tertiary crushing from 8pm to 10pm. An addendum to that NIA was also prepared by Wood Consultants (dated June 2026) for the primary crushing component of the proposal. The Addendum to the NIA is included at **Annexure 5**. In finding that the total proposal can comply with the Noise Regulations, in relation to the tertiary crushing, the NIA provides:

> *The development application which accompanies this Noise Impact Assessment, also seeks to extend the hours of operation for tertiary crushing until 10pm Monday to Saturday, excluding public holidays. The proposed extended hours of operation of the tertiary crushing (until 10pm Monday to Saturday, excluding public holidays) does not impact upon the conclusions of this report.*
>
> *…*
>
> *The extended hours of operation of the tertiary crushing to 10pm remain within the evening period defined in the Regulations. Since the current development approval allows operations up to 8pm, which is also within the evening period, there is no change to the noise limits applicable to these tertiary crushing operations.*

Further, in relation to the primary crushing component of the proposal, the addendum to the NIA provides:

> *Heidelberg is proposing night-time operations to haul overburden from the stripping area to the old Herne Hill quarry. To support these operations, the hours of operation of the tertiary crusher will be extended from 8pm to 10pm. These impacts have been assessed and described in the initial impact assessment1. However, this is not viable without also extending the operation of the primary crusher from 6pm to 8pm.*
>
> *…*
>
> *No specific noise control or noise management measures are required for the proposed extension of primary crushing operating hours to achieve compliance with Regulations.*

Therefore, the noise assessments undertaken by Wood demonstrate that:

- The proposal to extend the hours for tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays, can comply with the Noise Regulations, noting that there is no change to the applicable noise limits for tertiary crushing from the currently approved hours; and
- The proposal to extend to extend the hours for primary crushing from 6pm to 8pm Monday to Saturday, excluding Public Holidays, can comply with the Noise Regulations without noise control or noise management measures.

In summary, the proposed extended hours for primary and tertiary crushing can be undertaken and be compliant with the Noise Regulations.

4.3 Vehicles for Night Time Haulage Operations

Heidelberg propose to utilise haul vehicles to undertake night time haulage operations at the Red Hill Quarry. The vehicles proposed for the night time operations are already in use for day time operations at the quarry.

The proposed night time haulage of overburden will reflect day time haulage of overburden which is already occurring as part of Heidelberg's approved operations. A Development Plan showing the existing haulage route that is to be used for the night time overburden haulage operations is provided in **Annexure 3** and **Figures 4** and **5**.

As the proposed night time overburden haulage operations involves operations that were not considered in the Noise Impact Assessment that accompanied the previous Applications, a Noise Impact Assessment which specifically assesses the proposed night time overburden haulage operations accompanies this Application. Refer **Annexure 4**.



Figure 4: Position of Collection and Drop-off

4.3.1 Proposed Haul Vehicles

Heidelberg will operate its night time haulage with the following vehicles:

- 3 x Komatsu HD605 haul trucks;
- 1 x Komatsu PC700 excavator;
- 1 x Caterpillar 990K wheeled loader.

The vehicles are selected for night time operations due to their lower noise generation.

4.3.2 Proposed Haul Activities

The proposed night time haulage operations will involve an excavator which will load overburden material into haul trucks in the Red Hill Quarry. The excavator will be personnel-operated loading clay/sand, moderately packed, into the haul trucks. The trucks will then travel along an existing internal haul road that is located to the south west of the quarry, travelling to a tipping location within the lowered area that was previously the Herne Hill Quarry.

The haul trucks will then travel back along the existing haul road to the loading point and repeat the process. A total of 40–50 haul cycles per 12-hour shift account for all truck trips.

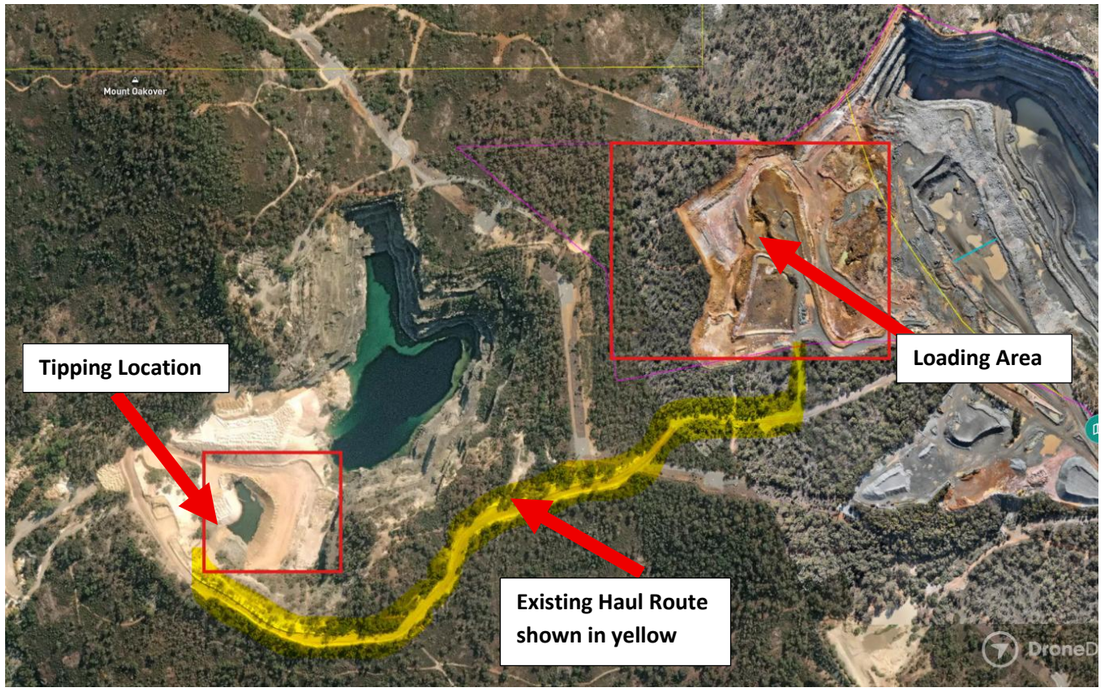


Figure 5: Haul Route and Quarry Sites

The intent is for the haul trucks to operate the movement of overburden from the hours of 6pm to 6am. It is anticipated that this process will be undertaken for the next 3 to 5 years.

It is noted that a wheeled loader may also be used within the previous Herne Hill Quarry lowered area.

As part of the currently approved operations, and prior to the overburden haulage operations, a process of 'quarry stripping' is undertaken which involves the relocation of soil and subsoil (clay and sand) covering the hard rock. The purpose of the overburden haulage operations is to relocate overburden material to its designated rehabilitation area (in the former Herne Hill Quarry) in preparation for future hard rock extraction (in the Red Hill Quarry. No rock breaking, drilling, or explosives will be used during this activity. In addition, an importantly, the provision of night time haulage will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours.

The stripping process will progress westward, with some areas requiring excavation up to 30m deep, below the crest of the hill to the east of the powerlines. The goal of the quarry stripping activities (which are carried out during standard hours of operation) is to expose the hard rock for future crushing operations, and the quarry stripping will continue in accordance with the existing approved activities.

In order to allow for night time haulage operations, whilst also ensuring that the hours of operation restrictions for other existing operations are in accordance with the current approvals, the following replacement Condition is requested:

> Quarry operation being limited to between 6am and 10pm, Monday to Saturday, excluding Public Holidays, and/or in accordance with the following:
>
> e) Quarry operations between 6pm and 8pm are limited to primary crushing, tertiary crushing and screening;
>
> f) Quarry operations between 8pm and 10pm are limited to tertiary crushing only;
>
> g) Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays;
>
> h) Overburden haulage operations as described in the Noise Impact Assessment dated April 2026 are permitted 24 hours per day, seven days per week, including during Public Holidays.

4.3.3 Collection Point and Unloading Point

Overburden will be collected from the Red Hill Quarry site by a haul truck. An excavator will be sitting at low idle to load the overburden into the haul truck for delivery (refer **Figure 4**).

As evident in **Figure 4**, the excavator will be located on the western corner of the existing Red Hill Quarry site to service the haul trucks. Overburden will be collected from an area within the Subject Site that is within the approved, designated extraction site. This process is consistent with the practice already occurring during approved daytime operations.

Having collected the overburden material, the haul vehicles will travel to the old quarry site and transfer the material into a loader that is located in the southern portion of the old quarry site (refer **Figure 4**). Likewise, the transfer of material into the loader in that location is consistent with the existing transfer of overburden already occurring during approved daytime operations.

4.3.4 Rehabilitation Program

Heidelberg has made significant commitments to rehabilitation through an ongoing program as quarry operations progress. The Updated Screening and Rehabilitation Program was prepared in March of 2007 as a requirement of approval set out in Ministerial Statement 705 (**MS 705**) as a Section 46 (Environmental Protection Act 1986 (**EP Act**)) Amendment to the Conditions imposed by MS 199, issued 21 December 2005.

In addition to reducing the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours, this proposal will further those rehabilitation commitments. It is noted that topsoil and overburden materials play a critical role in the rehabilitation of the site by promoting highly nutrient soils for planting.

The Screening and Rehabilitation Program Report of March 2007 provides as follows in relation to Topsoil and Overburden Removal:

> *Topsoil refers to the top 100mm of the soil profile and consists of the darker, brown material to which organic matter has been added. Above the topsoil is the leaf litter that is normally thin and only exceeds 10mm in small depressions and sheltered areas.*
>
> *On this site it is not practical to clear the leaf litter separately. With the shallow topsoil on the rocky soils it is often not possible to only strip 100mm of topsoil because of the rock outcrops, and changeable nature of the soil profile. In this case the topsoil will be stripped with the shrub vegetation, which will be flattened and broken up in the process making it suitable for direct transfer to a rehabilitation area.*
>
> *Topsoil is a valuable source of local provenance seeds and soil micro-organisms. Rehabilitation often develops better if topsoil is available and it is thought that this may be due to mulching effects and soil microbial inoculation.*
>
> *Topsoil is also a source of soil organic matter and as such contains nutrients. The microorganisms in soil are capable of interacting with the organic matter and clay particles to release and store nutrients.*
>
> …
>
> *The following additional measures will be used in addition to the above;*
>
> …
>
> 2. *Where possible topsoil is directly transferred from an area being cleared to an area being rehabilitated. Where this is not possible the topsoil is stored in low dumps (0.5m high for topsoil) for future use in rehabilitation.*
>
> 3. *Following topsoil removal overburden will be stripped by a variety of plant, such as a bulldozer, loader, scraper or excavator, depending on the local site conditions.*
>
> 4. *Overburden is directly transferred from an area being cleared to an area being rehabilitated. Where this is not possible the topsoil is stored in dumps in locations from which it can be recovered for use in future land restoration.*

The proposed night time haulage operations will therefore progress rehabilitation of the site. The importance of overburden in rehabilitation undertakings is also emphasised in Section 9.4 – Soil Reconstruction of the Screening and Rehabilitation Program Report. It provides:

> *The reconstructed soils on rehabilitation areas are formed from overburden with, where available, a layer of topsoil. The overburden is generally light coloured and can be highly visible until plant growth has established.*
>
> *In order to minimise any visual impact topsoil taken during clearing is placed across the top to provide a dark brown cover which resembles natural soils. The topsoil and any plant fragments contained within it carry microorganisms which in turn assist in the health of the soil.*
>
> *Even though topsoil is advantageous, it has been shown on site and at Heidelberg Byford Quarry that high quality revegetation can result from planting directly into overburden which has not had time to compact significantly.*

The success of Heidelberg's rehabilitation of the former quarry site is reflected in its most recent Compliance Assessment Report (2024 Compliance Assessment Report: Ministerial Statements 199, 705 and 912 issued 12 September 2025).

The Compliance Assessment Report provides:

> *The Updated Screening and Rehabilitation Plan (Statements 705, 912 and the Amendment to 912) has been implemented. The old plant and structures at the Herne Hill Quarry were removed in 2016 and the site covered with deep overburden and planted with 5,000 tube plants in winter 2017, with a further 1,500 local native tube plants added in 2018. No plants were required in 2019 to 2024 due to the success of rehabilitation.*
>
> *…*
>
> *A study of the success of the rehabilitation was submitted in April 2025, relating to MS 705, to complement those conducted in 2002, 2006, 2011, 2013, 2015, 2017, 2019, 2021, 2022 and in November 2023. The 2025 assessment, conducted via drone and ground photography, shows that the plant density and visual cover is being maintained and continues to be compliant with the visual management completion criteria.*
>
> *…*
>
> *The success of rehabilitation of the whole of the Red Hill site was assessed in 2002, 2006, 2011, 2013, 2015, 2017, 2019, 2021, 2023 and 2024. The assessment shows the rehabilitation to be sustainable and compliant with species richness and density and visual management completion criteria. The annual review of the success of the Screening and Rehabilitation Plans were late 2024 (submitted April 2025).*

In view of the continued rehabilitation success of the former quarry site, Heidelberg seeks the approval of the City and WAPC to amend the current Conditions of Approval to allow for night time overburden haulage to further provide for efficiency in the delivery of overburden which will ensure rehabilitation remains successful into the future.

4.4 Environmental Considerations

4.4.1 Noise Impact Assessment

As advised, Wood Consultants were engaged to undertake a Noise Impact Assessment for nighttime overburden haulage operations at Red Hill Quarry. A copy of the Noise Impact Assessment (**NIA**) is provided at **Annexure 4**. In addition, an Addendum to the Noise Impact Assessment is provided at **Annexure 5**, which specifically addresses the extension of primary crusher operating hours.

As detailed in the NIA at **Annexure 4**, ambient noise levels were monitored for a three-week period between 17 December 2025 and 7 January 2026 at a location nearest the noise sensitive receivers, which are located approximately 800m west of the proposed operations, at the base of the scarp. The time frame of 17 December 2025 – 7 January 2026 was chosen as this is a time when ambient noise in the locality was likely to be at its lowest, thus representative of a worst-case scenario for the purposes of a noise assessment as the background noise during this time was considered to be comparatively low. In accordance with the Department of Water and Environmental Regulation (**DWER**) Guidance, noise model meteorological inputs were set for worst-case overall predicted noise levels.

Noise modelling of the specific haul vehicles proposed for nighttime haulage has indicated that the night time operations will be at least 5 dB below the applicable noise limits (Assigned Levels) at the nearest sensitive receivers. Given that haul trucks are likely to exhibit tonal noise characteristics, a 5 dB adjustment is added to the predicted noise levels to account for the possibility of tonality being evident at the nearest receivers.

Therefore, as the noise modelling has indicated that the night time operations will be at least 5 dB below the applicable noise limits at the nearest sensitive receivers, the adjusted levels remain below the noise limits.

For that reason, the NIA found that the proposed haulage operations can comply with the *Environmental Protection (Noise) Regulations 1997* (the **Noise Regulations**).

With respect to ongoing compliance, the NIA provides:

> *No specific noise control or noise management measures are required for the proposed operations to achieve compliance with Regulations provided that the number and types of equipment operating are as assessed in the representative worst-case operating scenario described in 3.3.5.*
>
> *…*
>
> > *As demonstrated in Table 5-1, predicted noise levels for worst-case conditions are more than 5 dB below the Assigned Levels at all selected receivers. Therefore, even when predicted levels are adjusted by adding 5 dB for potential tonality, the adjusted levels are below the Assigned Levels demonstrating that the proposed operations can comply with the Regulations.*

We therefore submit that Heidelberg can adequately manage noise levels during night haulage activities to be contained within applicable noise limits.

As outlined, an addendum to the NIA (**Annexure 5**) was prepared in relation to the proposed extension of primary crushing from 6pm to 8pm, Monday to Saturday. The addendum found that primary crushing until 8pm Monday to Saturday can comply with the Noise Regulations without noise control or noise management measures. A copy of the addendum to the NIA is included at **Annexure 5**.

4.4.2 Dust Management

As outlined, the process of 'quarry stripping' is the initial mining phase that removes soil and subsoil (clay and sand) covering the hard rock. No rock breaking, drilling, or explosives will be used during this activity, therefore any dust generated from activities will be minimal compared with standard extractive activities. Dust will continue to be managed in accordance with the existing Management Plan.

As part of its environmental monitoring, Heidelberg effectively monitors dust through provision of four static directional dust collectors that are assessed monthly, along with continuous real time dust particulate monitor that is located at the old quarry site, to which the overburden is proposed to be delivered through night time haulage operations.

The 2024 Compliance Assessment Report: Ministerial Statements 199, 705 and 912 issued 12 September 2025 provides the following with respect to the real time monitor at the old quarry site:

> *The continuous real time dust monitor was commissioned in 2015 to address MS 912 conditions. During the monitoring period, there were two (2) recorded exceedances of the 50 µg/m3 NEPM 24hr dust average target. The first exceedance was recorded on the 20/03/2024 (234.14 µg/m3) and the second exceedance was recorded on the 18/09/2024 (59.72 µg/m3). HMA concluded that both related to external sources of particulates.*

The proposed night time haulage operations will be managed in accordance with existing dust management practices. The haul vehicles will transport the overburden material along an existing established haulage route which will not adversely impact any sensitive land uses with respect to dust.

We note that the nearest residential property is 800m west of the former quarry location where the overburden will be transported during the proposed night time haulage operations.

4.4.3 Vibration Management

As outlined, the process of 'quarry stripping' is the initial mining phase that removes soil and subsoil (clay and sand) covering the hard rock; the quarry stripping will continue to occur during the hours of 6am – 6pm Monday to Saturday. This Application is to enable operations during night time hours to relocate overburden material to its designated rehabilitation area in preparation for future hard rock extraction and to extend the hours for primary and tertiary crushing.

No change to the hours for drilling, or the times permitted for use of explosives is proposed. Therefore, no adverse off site vibration impacts are anticipated as a result of the proposed night time haulage operations or as a result of the extension to hours of primary or tertiary crushing.

4.4.4 Protection of Vegetation

Significant native vegetation is prevalent throughout the Subject Site. Therefore, Heidelberg is committed to the ongoing protection of significant vegetation and a rehabilitation program that ensures the long-term environmental sustainability of the site. In 2003, a portion of land was sold to the State Government as an allocation to the Darling Range Regional Park. The majority of the 808 ha of land retained by Heidelberg is maintained as a fenced buffer of remnant vegetation.

That approach is reflected in the current proposal for night haulage operations, whereby an existing haulage route will be utilised by the haul vehicles that avoids the removal of any vegetation. The extension to the hours of the primary and tertiary crushing does not require the removal of vegetation.

Therefore, given that no vegetation is proposed for removal as part of this application, the Application does not adversely impact the existing significant native vegetation on site.

5.0 CONSIDERATION UNDER THE STATE PLANNING FRAMEWORK

5.1 State Planning Policy 2.4 – Planning for Basic Raw Materials

State Planning Policy 2.4 – Planning for Basic Raw Materials (**SPP 2.4**) applies to Development Proposals in Western Australia where:

(a) proposals are over, or adjacent to, sites identified to contain BRM resources

Therefore, this Application is subject to the consideration under SPP 2.4.

The objectives of SPP 2.4 are to:

(a) ensure BRM and its regional importance is considered at the earliest stages of the planning process;

(b) protect BRM in SGS areas and ES by avoiding encroachment from incompatible land uses;

(c) ensure BRM resources are used efficiently in land use planning and development;

(d) identify BRM extraction opportunities through sequential land use without compromising the final intended land use; and

(e) ensure the extraction of BRM avoids, minimises or mitigates any adverse impacts on the community, water resources and biodiversity values.

The proposal is consistent with the objectives of SPP 2.4 noting firstly that the site has been recognised for its regional importance by virtue of its longstanding operation as a key extraction site.

Introducing night time haulage utilising specific trucks at the facility will improve efficiency by preparing the Red Hill Quarry for future extraction. In addition, to ensuring that rehabilitation of the former quarry site is expedited, provision of night time haulage will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours.

As outlined in the NIA accompanying this Application, specific vehicles will be selected for night time operations due to the vehicles being comparably quiet. This measure protects the amenity of the nearest residences approximately 800m west of the former quarry site and ensures that night time operations will be below the applicable noise limits.

The proposal to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays, within the evening period defined in the Noise Regulations can comply with the applicable noise limits, protecting the amenity of residences in proximity to the quarry.

The proposal is consistent with the objectives of SPP 2.4.

5.2 State Planning Policy 3.7 – Bushfire

SPP 3.7 provides the foundation for land use planning decisions in designated bushfire prone areas. Areas within Western Australia have been designated as bushfire prone by the Fire and Emergency Services (**FES**) Commissioner, and the Map of Bushfire Prone Areas which identifies the parts of the State that are designated as bushfire prone. A Map depicting the site with the Bushfire Prone Areas overlay is included as **Figure 6**.

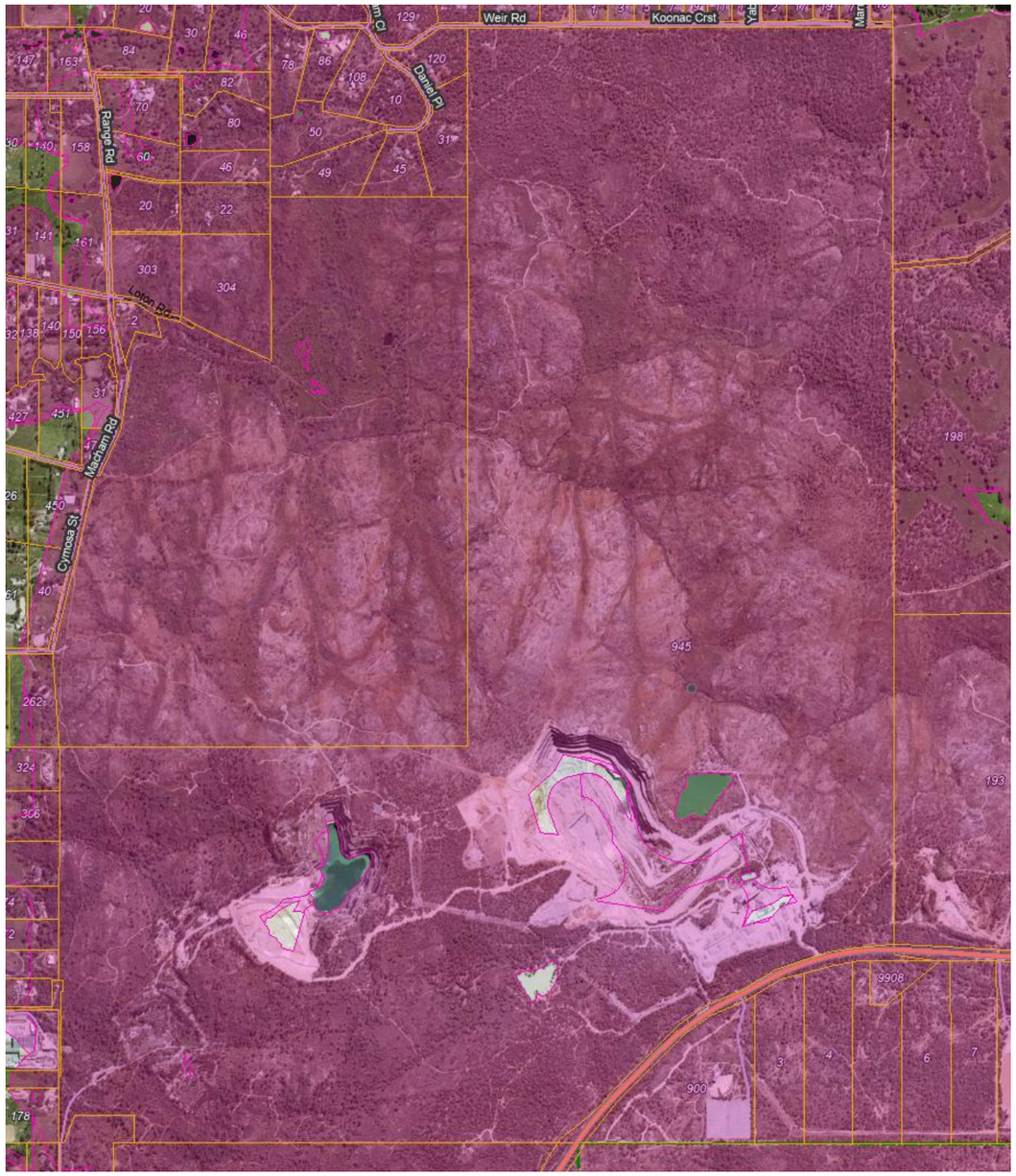


Figure 6: Map of Bushfire Prone Areas

Clause 4 of SPP 3.7 provides the following with respect to the application of the Policy:

> *Where the planning proposal or development is within an area designated as bushfire prone on the Map of Bush Fire Prone Areas, and:*
>
> - *results in the intensification of development (or land use); or*
> - *results in an increase of visitors, residents or employees; or*
> - *adversely impacts or increases the bushfire risk to the subject or surrounding Site(s),*
>
> *then the following trigger the application of the policy:*
>
> *…*
>
> - *a development application where the development site(s) has a radiant heat impact exceeding 29kW/m2 (BAL-40 or BAL-Flame Zone), where the application is for the:*
>   - *construction of a habitable building (single house or ancillary dwelling) on a lot more than 1, 100 m2, which is connected to reticulated water; and/or–*
>   - *construction of a habitable building (other than a single house or ancillary dwelling).*

We note that this Development Application is for a modification to existing conditions of approval, night time haulage utilising an existing internal haul route, and extending the hours for primary and tertiary crushing. The proposal does not involve construction of a habitable building, and will not increase the maximum number of occupants on site, therefore, SPP 3.7 does not apply to this Application. Notwithstanding, the site operates in accordance with the 2018 Bushfire Management Plan prepared for the Subject Site.

5.3 Metropolitan Region Scheme

The Subject Site is zoned 'Rural' pursuant to the Metropolitan Region Scheme (**MRS**).

Clause 27(1)(a) of the Metropolitan Region Scheme (**MRS**) states:

> *(1) A person must not commence or carry out development of –*
>
> *(a) Reserved land;*
>
> *…*
>
> *(2) Subclause (1) does not apply if the person has obtained development approval under this Scheme for the development.*

We note that a portion of the Subject Site is reserved for 'Primary Regional Roads' (**PRR**) under the MRS. We lodge this Development Application to the City and WAPC as an amendment to the existing Development Approval issued by the WAPC under the MRS, in conjunction with an Amendment to the City of Swan determinations.

Given the Subject Site contains reserved land for a PRR Reservation, a referral to Main Roads WA (**MRWA**) may occur. However, the amendment to the approvals sought will not have any impact on the regional road of Toodyay Road as there is no change to vehicle movements in or out of the site, as permitted under the current WAPC approvals, noting that the Application seeks to rectify an anomaly in the wording of the 2019 City Approval.

It is noted that Main Roads WA has completed the planning and design of the Perth-Adelaide Highway (EastLink WA Project), but that the upgrading/widening of Toodyay Road is not within Main roads current 4 year forward estimated construction program. The design plans indicate a quarry access road from the Subject Site with a round about to a slip road off the Perth-Adelaide Highway. The access arrangements for the quarry and the sales delivery trucks remain in the same location and are still permissible with the construction of the Perth-Adelaide Highway.

Therefore, the amendments to the approvals sought in this application will not be affected by the ultimate construction of the Perth-Adelaide Highway.

5.4 Aboriginal Heritage

There are several identified Aboriginal Heritage sites within the Subject Site that have been documented in previous planning applications.

The proposed night haulage operations, that utilise an existing haul route and are consistent with existing approved day time activities are not considered to affect any of the identified Heritage sites as no work is occurring as a result of the amendment sought to the approval.

Notwithstanding, Heidelberg is aware of its obligations pursuant to the *Aboriginal Heritage Act 1972*, and will continue to undertake its operations accordingly.

5.5 EPA Guidance Statement – Separation Distances between Industrial and Sensitive Land Uses

The EPA's Guidance on Separation Distances between Industrial and Sensitive Land Uses outlines the use of buffers between industrial and sensitive land uses to avoid conflicts between uses that are incompatible.

In view of this, we have identified the separation distance from the nearest residential dwelling to the former quarry site (to which overburden will be delivered) on the Subject Site at 800m to the south west.

For an Extractive Industry – Quarry activity, the Guidance recommends a buffer distance of 1000m between standard quarry operations (that would include breaking, drilling, and explosive activity) and a sensitive land use.

However, in this instance we note the proposed night time haulage operations do not involve breaking, drilling, and explosive activity. The proposal is only for the transport of overburden utilising haul vehicles that travel along an existing route used for daytime operations.

Noting the buffer distances are generic, it is relevant to consider within the Guidance:

> *It is generally expected that, through appropriate site layout, design of facilities, and the implementation of engineering and process controls, emissions from an individual industrial land use can be prevented from causing an adverse environmental impact beyond the boundaries of the particular site…*
>
> *The area that may be adversely affected by industrial emissions will depend on site- and process-specific factors such as the scale of the operation, plant processes and emission controls, storage of raw material and waste, local wind patterns and topography.*

Clause 4.4.1 of the EPA's Guidance on Separation Distances between Industrial and Sensitive Land Uses states:

> *Where the separation distance is **less** than the generic distance, a scientific study based on site- and industry-specific information must be presented to demonstrate that a lesser distance will not result in unacceptable impacts.*

As the separation distance between the closest noise sensitive premises and the existing route to be used is less than 1 kilometre, a site-specific Noise Impact Assessment was undertaken which demonstrates that noise from the activity will comply with the *Environmental Protection (Noise) Regulations 1997*.

Noting the above, in relation to the setback proposed from the former quarry site to the nearest residence, it is advised:

- The nearest residential property is greater than 1km from the existing approved Red Hill Quarry site where extraction of raw material occurs;
- Transport of overburden along the existing haul route is already occurring during approved day time operations to facilitate the successful retaliation of the former quarry site which was a requirement of the Ministerial Approvals;
- The Noise Impact Assessment (and Noise Impact Assessment Addendum) accompanying this Application affirms that Heidelberg can adequately manage noise levels during night haulage activities to within applicable noise limits.

The proposed night time haulage operations for transport of overburden will therefore not adversely impact sensitive land uses to the west of the Subject Site.

In addition, the extension to the hours of operation for the primary and tertiary crushing can be undertaken in compliance with the *Environmental Protection (Noise) Regulations 1997* and therefore will not adversely affect the amenity of nearby residents.

6.0 LOCAL PLANNING FRAMEWORK

6.1 City of Swan Local Planning Scheme No. 17

There is a dual zoning over the Subject Site under the City of Swan Local Planning Scheme No. 17 (**LPS17**). A portion of the Subject Site is zoned 'Resource', whilst the balance of the Subject Site is zoned 'Landscape'. Refer **Figure 7** for a copy of the zoning under LPS17.

Whilst we note that this Application does not affect the existing approved Extractive Industry land use, an 'Industry – Extractive' land use is a 'P' land use within the Resource zone, and an 'A' land use within the Landscape zone.

The loading area and the eastern portion of the haul route is within the Resource zone and the tipping location (former Herne Hill Quarry) and the western portion of the haul route is within land zoned Landscape. The objectives of the Resource zone under LPS17 are:

a) *provide for the extraction of basic raw materials with proper environmental safe guards;*

b) *protect resources of basic raw materials from inappropriate development.*

The proposal seeks to include night time haulage to transfer overburden which will will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours. It will also expedite rehabilitation along with preparing the Red Hill Quarry for future extraction. The proposed haulage is consistent with existing day time haulage of overburden occurring under the current Development Approvals over the Subject Site. The proposal also seeks to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing o from 8pm to 10pm Monday to Saturday, remaining within the applicable noise limits per the Noise Regulations. The proposal is consistent with the objectives of the Resource zone.

The objectives of the Landscape zone under LPS17 are:

a) *provide for low density rural residential development and associated rural-residential activities, recognizing the visual characteristics of the landscape;*

b) *ensure as far as practicable, that the environmental and landscape characteristics of the area are not compromised by development and use of the land for either rural or residential purposes;*

c) *encourage the rehabilitation of degraded areas through selected replanting of indigenous flora.*

The proposed night time haulage vehicles will utilise an existing haul route within the Subject Site that connects the Red Hill Quarry to the old quarry to the west. Therefore, no vegetation on site will be affected by the proposal as the haul route is already in situ. In addition, the transport of overburden material to the old quarry site is critical for its rehabilitation noting that:

> *it has been shown on site and at Heidelberg Byford Quarry that high quality revegetation can result from planting directly into overburden which has not had time to compact significantly.*

Therefore, provision of night haulage to deliver overburden to the old quarry site to reduce current conflicts between extractive vehicle movements and day time overburden haulage, and for rehabilitation purposes, is consistent with the objectives of the Landscape zone. The proposal to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, will not affect the environmental and landscape characteristics of the site.

The Application is considered capable of approval and warrants approval under the provisions of LPS17.

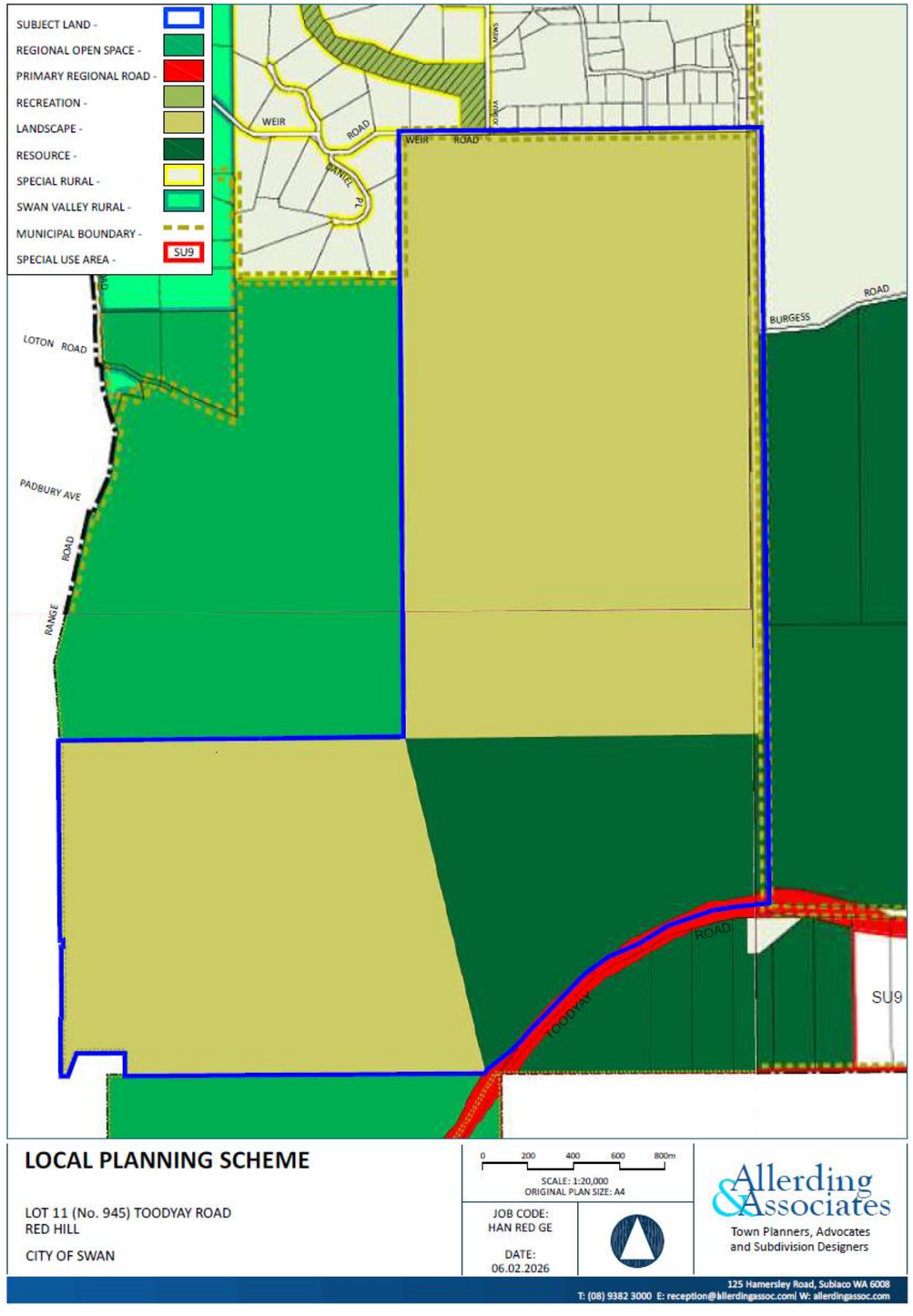


Figure 7: LPS Map

6.2 Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* (**the Regulations**) have introduced a set of Deemed Provisions within Schedule 2 that automatically form part of LPS17. In particular, Clause 67 of Schedule 2 deals with matters to be considered by Local Government and include the following key provisions relevant to this Application:

Table 2: Matters to be considered Clause 67(2)

	Matters to be Considered	Comment
a)	*The aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other Local Planning Scheme operating within the Scheme area;*	The first component of this proposal is to correct an inconsistency in the wording of Conditions to align with previous approvals issued by the City of Swan and WAPC. The proposal for night haulage of overburden is consistent with the aims and provisions of the City's LPS17 as the operations will will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours. The night haulage will also progress ongoing rehabilitation of the former quarry site. The rehabilitation commitment accords to the historic Ministerial Approvals for the facility which has been successfully carried out by Heidelberg. The proposed night time haulage process will be consistent with approved day time activities already occurring along the existing haul route between the current Red Hill Quarry and the former quarry site. Therefore, no protected vegetation will be impacted by this proposal. The use of haul vehicles along the existing route ensures compliance with the prescribed noise levels to protect the amenity of sensitive land uses. In addition, the proposal to extend the to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays, within the evening period defined in the Noise Regulations can comply with the applicable noise limits. Therefore, the Application to amend the Conditions of Approval under the current WAPC and City approvals is considered to satisfy this provision.
b)	*The requirements of orderly and proper planning including any proposed Local Planning Scheme or Amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the Local Government is seriously considering adopting or approving;*	There is no known relevant proposed local planning scheme Amendment for the City of Swan LPS17 at the time of preparing this Application.
c)	*Any approved State Planning Policy;*	The proposal is consistent with the requirements of State Planning Policy 2.4 and State Planning Policy 3.7 as addressed in this report.
d)	*Any Environmental Protection Policy approved under the Environmental Protection Act 1986 section 31(d);*	Not applicable to this proposal.
e)	*Any Policy of the Commission;*	Not applicable to this proposal.
f)	*Any Policy of the State;*	Not applicable to this proposal.
fa)	*Any Local Planning Strategy for this Scheme endorsed by the Commission;*	The City of Swan Local Planning Strategy recognises the importance of Basic Raw Materials in lowering the costs of development and contributing to affordable housing. This proposal, in seeking to establish night time haulage of overburden enables future extraction within the quarry to occur through the process of stripping. The proposed haulage vehicles will utilise an existing route to protect the natural environment, and the haul vehicles proposed for use ensure noise levels are minimised and within prescribed levels. This Application to Amend the Conditions of the current approvals is considered to be consistent with the City's Local Planning Strategy.
g)	*Any Local Planning Policy for the Scheme area;*	Not applicable to this proposal.
h)	*Any Structure Plan or Local Development Plan that relates to the development;*	Not applicable to this proposal.
i)	*Any report of the review of the Local Planning Scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*	Not applicable to this proposal.
j)	*In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*	There is no land within the Subject Site reserved under LPS17. The land reserved under the MRS for Primary Regional Roads is addressed within this report.
k)	*The built heritage conservation of any place that is of cultural significance;*	Not applicable to this proposal.

	Matters to be Considered	Comment
l)	*The effect of the proposal on the cultural heritage significance of the area in which the development is located;*	There are several identified Aboriginal Heritage sites within the Subject Site that have been documented in previous planning Applications. The proposed night haulage operations, that utilise an existing haul route are consistent with existing approved day time activities are not considered to affect any of the identified Heritage sites. Notwithstanding, Heidelberg is aware of its obligations pursuant to the *Aboriginal Heritage Act 1972*, and will continue to undertake its operations accordingly.
m)	*The compatibility of the development with its setting including:* *i. The compatibility of the development with the desired future character of its setting; and* *ii. The relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*	The Extractive Industry operations over the Subject Site commenced in 1961. Therefore, the land use and operations are well established. The proposal for night haulage operations will replicate existing haulage of overburden occurring during approved day time hours. Haul vehicles will transport and deliver overburden along an existing haul route to ensure significant protected vegetation is not impacted. Noise modelling has indicated that the night time operations will be below the applicable noise limits at the nearest sensitive receivers (residential properties), therefore the amenity of residents will not be adversely affected. In addition, the proposal to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays, within the evening period defined in the Noise Regulations can comply with the applicable noise limits. This Application to Amend the Conditions of the current approvals is considered to result in a development that will continue to be compatible with its setting.
n)	*The amenity of the locality including the following:* *i. Environmental impacts of the development;* *ii. The character of the locality;* *iii. Social impacts of the development;*	Provision of night haulage is specifically aimed at delivering overburden to the old quarry site for rehabilitation purposes in accordance with Ministerial Approvals. The proposal will therefore produce positive environmental outcomes. Notwithstanding the Extractive Industry operations over the Subject Site commenced in 1961, the night haulage operations will replicate existing haulage of overburden occurring during approved day time hours. The proposal is consistent with existing approved activities and will not adversely impact the amenity of the locality. In addition, the proposal to extend the permitted hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing from 8pm to 10pm Monday to Saturday, excluding Public Holidays, within the evening period defined in the Noise Regulations can comply with the applicable noise limits.

	Matters to be Considered	Comment
		This Application to Amend the Conditions of the current approvals is considered to result in a development that will not create an adverse impact on the amenity of the locality.
o)	*The likely effects of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*	The proposal will positively impact the natural environment by maintaining Heidelberg's commitment to rehabilitation of the former quarry site. Water resources will not be affected by this proposal.
p)	*Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*	It is proposed to utilise an existing haul route to ensure significant protected vegetation on the Subject Site is not affected.
q)	*The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk;*	The land is suitable to accommodate the night haulage operations, which as noted are already occurring as approved during day time hours.
r)	*The suitability of the land for the development taking into account the possible risk to human health or safety;*	Night time haulage will occur as per existing day time operations. Heidelberg enforce strict safety standards in all operations.
s)	*The adequacy of:* *i. The proposed means of access and egress from the site; and ;* *ii. Arrangements for the loading, unloading, manoeuvring and parking of vehicles;*	Overburden will be collected from an area within the Subject Site that is within the approved, designated extraction site. This process is consistent with the practice already occurring during approved daytime operations. Having collected the overburden material, the haul vehicle travels to the old quarry site and transfers the material into a loader that is located in the southern portion of the old quarry site. Likewise, the transfer of material into the loader in that location is consistent with the existing transfer of overburden already occurring during approved daytime operations. This Application to Amend the Conditions of the current approvals will not result in any change to access, egress, loading, manoeuvring and parking of vehicles in that all these operations currently occur during day time operations.
t)	*The amount of traffic likely to be generated by the development particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*	No traffic will be generated on the public road network by way of this proposal.

	Matters to be Considered	Comment
u)	*The availability and adequacy for the development of the following:* *i. Public transport services;* *ii. Public utility services;* *iii. Storage management and collection of waste;* *iv. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);* *v. Access by older people and people with disability;*	Provision of public transport services and access for pedestrians, cyclists, older people or people with disability is not considered relevant to this proposal. The purpose of night haulage is simply to transfer overburden to the former quarry site. Therefore, existing waste collection and management is not altered by this proposal.
v)	*The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*	The objective is to relocate overburden material to its designated rehabilitation area in preparation for future hard rock extraction. Therefore, the proposed activities will enable future excavation of the site which supports economic growth locality and more broadly within the State, and facilities ongoing rehabilitation of the former quarry site. The proposed activities will have a positive impact on the community.
w)	*The history of the site where the development is to be located;*	The Extractive Industry operations over the Subject Site commenced in 1961. Therefore, the land use and operations are well established and have operated for a number of years under the current Development Approvals.
x)	*The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*	The proposed amendment to the current approvals will enable future excavation of the site which supports economic growth locally and more broadly within the State, and facilitates ongoing rehabilitation of the former quarry site. The proposed activities will have a positive impact on the community.
y)	*Any submissions received on the Application;*	Not applicable at the time of preparing this Application.
za)	*The comments or submissions received from any authority consulted under Clause 66;*	Not applicable at the time of preparing this Application.
Zb)	*Any other planning considerations the Local Government considers appropriate.*	Not applicable at the time of preparing this Application.

7.0 CONCLUSION

We have prepared this Application for Development Approval to amend the conditions on the development approval for the current Extractive Industry conducted by Heidelberg and approval of this Application to rectify an inconsistency between previous Conditions of Approval issued by both the City and the WAPC, to enable night time haulage operations and extend the hours for primary crushing from 6pm to 8pm Monday to Saturday, and tertiary crushing only from 8pm to 10pm Monday to Saturday.

The element of this application relating to modification to the condition for sales delivery trucks was foreshadowed with the City following investigations regarding Condition 4 of the City's Development Approval issued 19 January 2019. Specifically, an element of this application is to replace Condition 4 of the Development Approval issued 19 January 2019 with the following Condition:

> Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays.

With respect to night time haulage operations, this Application seeks to amend the conditions on the current approvals to enable the use of haul vehicles during night time hours to transfer overburden material from the Red Hill Quarry site to the former quarry utilising an existing internal transport route. The night time haulage of overburden will reduce the conflict of vehicles being utilised for extractive activities and overburden haulage which presently both occur during standard day time hours. It will also facilitate future quarry extraction whilst also furthering Heidelberg's continued commitment to rehabilitation of the former quarry site. The use of the specified vehicles for the proposed haulage will ensure ongoing compliance with the the Noise Regulations, affirmed by the NIA prepared with this Application.

This Application seeks to delete the following Conditions:

Approval	Approval Date	Condition
WAPC Ref: 21-50148-3	14 February 2013	6 (operations) and 7 (sales delivery trucks)
WAPC Ref: 21-50148-5	20 September 2018	4 (operations)
WAPC Ref: 21-50148-6	12 October 2018	3 (operations)
City of Swan DA-378/2018	16 January 2019	3 (operations) and 4 (sales delivery trucks)
City of Swan DA-462/2018	16 January 2019	3 (operations) and 4 (sales delivery trucks)

And replace the abovementioned Conditions on each of the five Development Approvals issued with the following replacement Condition:

> Quarry operation being limited to between 6am and 10pm, Monday to Saturday, excluding Public Holidays, and/or in accordance with the following:
>
> a) Quarry operations between 6pm and 8pm are limited to primary crushing, tertiary crushing and screening;
>
> b) Quarry operations between 8pm and 10pm are limited to tertiary crushing only;
>
> c) Sales delivery trucks are permitted to access and egress the subject quarry 24 hours per day, however, between 8pm and 6am use of sales delivery trucks shall be restricted to exporting finished product only. Notwithstanding, sales delivery trucks are not permitted to operate at any time on Public Holidays;
>
> d) Overburden haulage operations as described in the Noise Impact Assessment dated April 2026 are permitted 24 hours per day, seven days per week, including during Public Holidays.

The proposal is consistent with the relevant provisions and objectives of the applicable planning framework, and is both capable and appropriate for approval. We therefore respectfully request the support of the City and the Western Australian Planning Commission in amending the approvals as detailed in this report.

