



**Minister for Planning; Culture & the Arts; Science & Innovation
Government of Western Australia**

Our ref: 33-16340

Hon Alannah MacTiernan
Mayor
City of Vincent
244 Vincent Street
LEEDERVILLE WA 6007

Dear Mayor MacTiernan

HOLCIM AUSTRALIA PTY LTD AND CITY OF VINCENT: DR 225/2011

I have considered the State Administrative Tribunal's recommendations as provided in DR 225/2011 and I agree with the Tribunal's recommendations. I have determined that the application for review is allowed, and the deemed refusal of the respondent is set aside and conditional approval is granted. I attach a notice which gives effect to my decision.

Pursuant to the requirements of s247(4)(a) of the *Planning and Development Act 2005*, you are advised that the reasons for my determination on the application are those set down in DR 225/2011.

In summary, I determined that Holcim Australia Pty Ltd be given conditional approval to operate for a further five years, during which time the necessary strategic planning framework should be finalised to indicate clearly the ultimate development intent for the subject land. I have written to the Western Australian Planning Commission to request that this planning be commenced and carried out as a priority, in liaison with the City of Vincent, in order to provide certainty to all parties with an interest in the future of the area.

Yours sincerely

**JOHN DAY MLA
MINISTER FOR PLANNING;
CULTURE AND THE ARTS**

Att 22 MAY 2012

11th Floor, 2 Havelock Street, West Perth, Western Australia 6005
Telephone: +61 8 6552 6200 Facsimile: +61 8 6552 6201 Email: Minister.Day@dpc.wa.gov.au

NOTICE OF DETERMINATION OF APPLICATION BY MINISTER

Pursuant to section 246 of the *Planning and Development Act*

The Minister for Planning has pursuant to the provisions of Section 246(2)(b) of the *Planning and Development Act 2005* in the matter of Holcim Australia Pty Ltd and the City of Vincent determined the application for review as follows:

1. Planning approval be given for the development of the applicant's East Perth concrete batching plant, subject to the following conditions:
 - 1) This approval is granted for a term expiring on 16 October 2017.
 - 2) This approval authorises concrete batching operations and access to the site by trucks and semi-trailers at any time between Monday and Saturday inclusive.
 - 3) There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays.
 - 4) Within one calendar month of the grant of approval, the applicant must submit to the City for its approval and thereafter implement either an updated version of the Environmental Management Plan East Perth Concrete Batching Plant (Holcim) dated 24 March 2011, or a new environmental management plan which addresses the following matters:
 - a. Noise management for on-site activities;
 - b. Dust and concrete waste management including regular washing down of trucks before exiting the site, dust control on-site and the regular sweeping and cleaning of materials spilled on surrounding roads;
 - c. A traffic management plan for all vehicles entering and exiting the site, including driver education in regard to truck routes, vehicle speeds, and operations to minimise disturbance and public safety concerns;
 - d. The implementation of a complaint handling system which provides:

- i. A telephone number, facsimile number and email address to be manned during all hours of operation to log complaints and enquiries; and
 - ii. A record of complaints and enquiries logged, and the applicant's response, which must be provided on a quarterly basis to the City for its monitoring information;
 - e. The annual review of the environmental management plan after each year following the grant of approval; and
 - f. The inclusion in the environmental management plan of any addenda necessary to address any specific matter identified by either the Applicant or the Respondent between annual reviews, which addenda are to form part of the environmental management plan.
- 5) The development must be carried out in accordance with the recommendations made in the Herring Storer Acoustics Noise Management Plan (Ref: 12645-3-10164), or other Noise Management Plan approved by the City, including in particular, but without limitation:
 - a. Reverse the truck access route during night operations (7pm to 6am), so mixing trucks enter the loading area from the west, travel east through the loading bay building, then move to the night slump stand, located behind the existing delivery shed then following slumping, they turn within the site and exit via Claisebrook Road;
 - b. The installation of an automatic door on the western entry point of the loading area, similar to that which is installed on the eastern side; and
 - c. Ensuring that the personnel entry door to the production tower is not left open between 7pm and 7am.
- 6) Prior to the issue of a building licence for this development, the following shall be submitted to and approved by the City:

a. An amended plan detailing:

- i. Material, colour and a minimum of two significant design features being incorporated in the proposed sound attenuation wall to reduce the visual impact on the adjoining properties; and
- ii. Relocated footpath, footpath material, separation between proposed crossover and Westrail crossover, type, material and finish of proposed gate, which is to be visually permeable, curved mirror and appropriate internal warning signs; and

b. A construction management plan addressing the following issues:

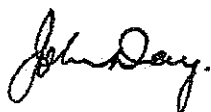
- i. Public safety, amenity and site security;
- ii. Contract details of essential site personnel;
- iii. Construction operating hours;
- iv. Noise control and vibration management;
- v. Air and dust management;
- vi. Waste management and materials re-use;
- vii. Parking arrangements for contractors and subcontractors;
- viii. Consultation plan with nearby properties; and

c. A detailed landscape and reticulation plan for the development site and adjoining road verge drawn to scale of 1:100 showing the following:

- i. The location and type of existing and proposed trees and plants;
- ii. All vegetation including lawns;
- iii. Areas to be irrigated or reticulated and the method to be used;
- iv. Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- v. Separate soft and hard landscaping plans (indicating details of materials to be used).

7) The following plans, as approved by the City, shall be implemented:

- a. The amended plan referred to in condition 6(a);
- b. The construction management plan referred to in condition 6(b); and
- c. The landscaping and reticulation plan referred to in condition 6(c).



**JOHN DAY
MINISTER FOR PLANNING;
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21.5.2012.

Reasons for decision:

Holcim Australia Pty Ltd applied for development approval to allow the continuing operation of an existing concrete batching plant in East Perth. Holcim Australia Pty Ltd then sought review of the City of Vincent's deemed refusal of that decision by the State Administrative Tribunal. The Minister for Planning considered that the application to the Tribunal raised issues of such regional importance that it was appropriate for the application to be determined by the Minister. The Minister directed the Tribunal to hear the application but, without determining it, to refer it with recommendations to the Minister for determination.

The matter was heard before the Tribunal on 1-2 March 2012 and the result and the reasons for the recommendations of the Tribunal are provided in DR 225 2011, which result and reasons are accepted by the Minister for Planning.

In summary, the Minister has determined that Holcim Australia Pty Ltd be given conditional approval to operate for a further five years, during which time the necessary strategic planning framework should be finalised to indicate clearly the ultimate development intent for the subject land.