



## APPLICATION FOR AN EXTRACTIVE INDUSTRY LICENCE

<b>Applicant's Details</b>			
Name:			
Address:			
Tel:		Fax:	
Email:			
<b>Property Details</b>			
Lot No:		Plan No:	
Vol. No:		Folio. No:	
H. No:		Street:	
Town:		Postcode:	
Owner:		Address:	
Signature:		Contact:	
<b>Details of Extraction Activity</b>			
Material to be extracted:			
Quantity to be extracted:			
Proposed extraction period:			
Date of planning approval:			
Details of any previous licences:			
Details of neighbour consultation:			
Additional information attached:			

**Applicant's signature**

**Date**

## **SHIRE OF CUNDERDIN EXTRACTIVE INDUSTRIES LOCAL LAWS 2011**

### **PART 2—LICENSING REQUIREMENTS FOR AN EXTRACTIVE INDUSTRY**

#### **2.1 Extractive industries prohibited without licence**

A person must not carry on an extractive industry—

- (a) unless the person is the holder of a valid and current licence; and
- (b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

#### **2.2 Applicant to advertise proposal**

- (1) Unless the local government first approves otherwise, a person seeking the issue of a licence shall, before applying to the local government for a licence—
  - (a) forward by registered mail a notice in the form determined by the local government from time to time to—
    - (i) the owners and occupiers of all land adjoining the land upon which it is proposed to excavate, or within an area determined by the local government as likely to be affected by the granting of a licence, advising of the application and specifying that they may, within 21 days from the date of service of the letter, object to or make representations in writing in respect of the issue of a licence by the local government;
    - (ii) every authority or person having control or jurisdiction over any of the things referred to in clause 2.3(1)(a)(vii) and (viii) within 500 metres from the boundaries of the land, or within an area determined by the local government as likely to be affected by the granting of a licence; and
  - (b) as soon as practicable after complying with the requirements of paragraph (a)—
    - (i) forward a copy of the notice to the CEO; and
    - (ii) publish the notice in a newspaper circulating in the area in which the proposed excavation is located.
- (2) The local government may, within 14 days after receiving a copy of a notice referred to in subclause (1), cause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices—
  - (a) in the form determined by the local government from time to time;
  - (b) the content, size and construction of which have been approved by the CEO;
  - (c) specifying particulars of the proposed excavation; and
  - (d) inviting objections or comments within 21 days from the placement of the notice.

#### **2.3 Application for licence**

- (1) Subject to subclause (3), a person seeking the issue of a licence in respect of any land shall apply in the form determined by the local government from time to time and must forward the application duly completed and signed by each of the applicant, the owner of the land and any occupier of the land to the CEO together with—
  - (a) three copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing—

- (i) where the proposed excavation surface area is—
  - (I) not to exceed 5 hectares, the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;
  - (II) to be greater than 5 hectares, the existing and proposed land contours based on the Australian Height Datum and plotted at 5 metre contour intervals;
- (i) the land on which the excavation site is to be located;
- (ii) the external surface dimensions of the land;
- (iii) the location and depth of the existing and proposed excavation of the land;
- (iv) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
- (v) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
- (vi) the location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
- (vii) the location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
- (viii) the location and description of existing and proposed fences, gates and warning signs around the land; and
- (ix) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;
- (b) three copies of a works and excavation programme containing—
  - (i) the nature and estimated duration of the proposed excavation for which the licence is applied;
  - (ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;
  - (iii) details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
  - (iv) details of the depth and extent of the existing and proposed excavation of the site;
  - (v) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
  - (vi) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
  - (vii) a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
  - (viii) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
  - (ix) a description of any proposed buildings, water supply, treatment plant, tanks and other improvements;
  - (x) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
  - (xi) a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;

- (xii) a description of the measures to be taken to comply with the Environmental Protection (Noise) Regulations 1997;
  - (xiii) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
  - (xiv) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation; and
  - (xv) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas;
- (c) three copies of a rehabilitation and decommissioning programme indicating—
- (i) the objectives of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
  - (ii) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
  - (iii) the method by which topsoil is to be replaced and revegetated;
  - (iv) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
  - (v) how rehabilitated areas are to be maintained;
  - (vi) the programme for the removal of buildings, plant, waste and final site clean up; and
  - (vii) how any face is to be made safe and batters sloped;
- (d) evidence that a datum peg has been established on the land related to a point approved by (f) evidence that the requirements of clause 2.2(1) and (2) have been carried out;
- (e) a certificate from a licensed surveyor certifying the correctness of—
- (i) the plan referred to in paragraph (a); and
  - (ii) the datum peg and related point referred to in paragraph (d);
- (f) evidence that the requirements of clause 2.2(1) and (2) have been carried out;
- (g) copies of all land use planning approvals required under any planning legislation;
- (h) the consent in writing to the application from the owner of the excavation site;
- (i) any other information that the local government may reasonably require;
- (j) the licence application fee specified by the local government from time to time;
- (k) copies of any environmental approval required under any environmental legislation; and
- (l) copies of any geotechnical information relating to the excavation site.
- (2) All survey data supplied by an applicant for the purpose of sub clause (1) shall comply with Australian Height Datum and Australian Map Grid standards.
- (3) Where in relation to a proposed excavation—
- (a) the surface area is not to exceed 5,000 square metres; and
  - (b) the extracted material is not to exceed 5,000 cubic metres;

the local government may exempt a person making application for a licence under subclause (1) from supplying any of the data specified in paragraphs (b), (d), (e) and (l) of subclause (1).