

SHIRE OF EXMOUTH

TOWN PLANNING SCHEME NO. 3

SCHEME AMENDMENT NO 24

**REZONING LOTS 322 AND 323 AND ACCESS EASEMENT
SPECIAL USE - CONCRETE BATCHING PLANT
AND LIMESTONE BLOCK PLANT.**

September 2008



LANDWEST
URBAN AND RURAL PLANNING CONSULTANTS

PLANNING AND DEVELOPMENT ACT 2005

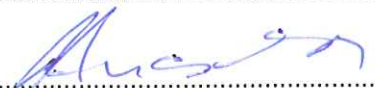
RESOLUTION TO AMEND
A TOWN PLANNING SCHEME

SHIRE OF EXMOUTH
TOWN PLANNING SCHEME NO. 3
AMENDMENT NO 24

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act, 2005 amend the above Town Planning Scheme by:

- 1) Amending the Schedule 3 – Special Use Zones by inserting Special Use Concrete Batching Plant and Limestone Block Plant for Lots 322 and 323 and Access Easement.
- 2) Amending the Scheme Map accordingly.

Dated 18th day of December 2008.

.....


Chief Executive Officer

PLANNING AND DEVELOPMENT ACT 2005

**SHIRE OF EXMOUTH
TOWN PLANNING SCHEME NO. 3
AMENDMENT NO 24**

The Shire of Exmouth under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above town planning scheme by:

- 1) Amending the Schedule 3 – Special Use Zones by inserting Special Use Concrete Batching Plant and Limestone Block Plant for Lots 322 and 323 and Access Easement.
- 2) Amending the Scheme Map accordingly.

ADOPTION AND APPROVAL OF THE TOWN PLANNING SCHEME AMENDMENT

The following endorsements are hereunto affixed as confirmation of compliance with the requirements of the Planning and Development Act 2005 and Town Planning Regulation 1967 (as amended).

Regulation 13(1)

The Town Planning Scheme Amendment was adopted by Resolution of the Shire of Exmouth at the meeting of the Council held on the 18th day of December 2008.

[Signature]
SHIRE PRESIDENT
[Signature]
CHIEF EXECUTIVE OFFICER

Regulation 17(2)

The Town Planning Scheme Amendment was adopted by Resolution of the Council of the Shire of Exmouth at the meeting of the Council held on the 18th day of March 2010.

[Signature]
SHIRE PRESIDENT
 [Signature]
CHIEF EXECUTIVE OFFICER

Regulation 22(1)

In accordance with the resolution of the Council of the Shire of Exmouth at the meeting held on the 18th day of March 2010 the seal of the Municipality was hereunto affixed in the presence of:

[Signature]
SHIRE PRESIDENT
 [Signature]
CHIEF EXECUTIVE OFFICER



Regulation 22(2)

Endorsed by the Western Australian Planning Commission and submitted for final approval.

DELEGATED UNDER S16 OF PLANNING
AND DEVELOPMENT ACT 2005

DATE

Final approval granted.

MINISTER FOR PLANNING

DATE

SHIRE OF EXMOUTH

TOWN PLANNING SCHEME No. 3 (DISTRICT SCHEME)



LEGEND

RECREATION AND OPEN SPACE

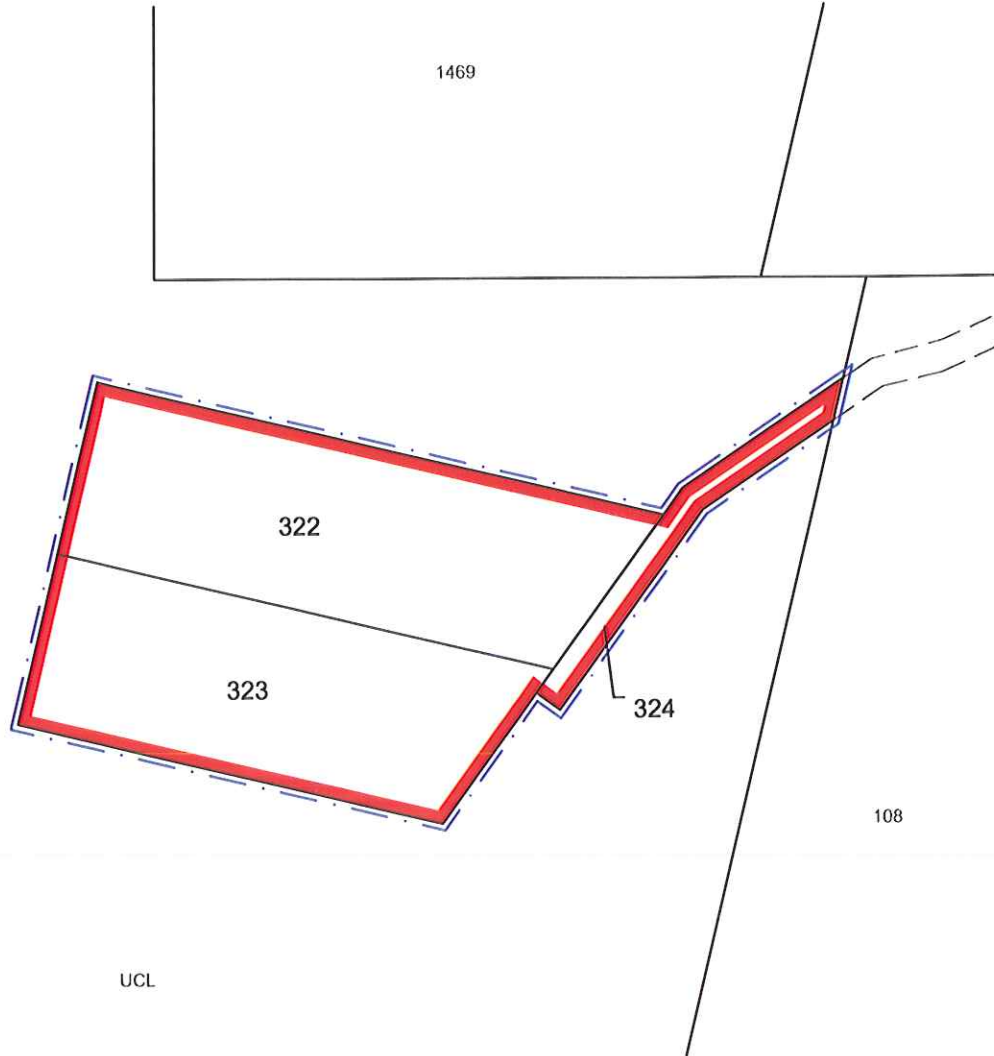


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PO BOX 1597 Geraldton WA 6531
Email : info@landwest.net.au
Phone : (08) 9965 0550
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CLIENT: LAURIE MCDONALD					
TITLE: EXISTING ZONING LOTS 322, 323 & 324 ON DEPOSITED PLAN 53823 EXMOUTH					
CERTIFICATE OF TITLE: N/A	DATE LAST MODIFIED: 23/09/2008	REV:	DATE:	DETAILS:	BY: APPROVED:
DESIGNED: GMB	DRAWN: DSH	APPROVED:		SCALE: 1 : 2500	@ A4
* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.				PLAN:	07166 - Z1

SHIRE OF EXMOUTH

TOWN PLANNING SCHEME No. 3 (DISTRICT SCHEME)



LEGEND

SPECIAL USE



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PO BOX 1597 Geraldton WA 6531
Email : info@landwest.net.au
Phone : (08) 9965 0550
Fax : (08) 9965 0559

CLIENT: LAURIE MCDONALD					
TITLE: PROPOSED ZONING LOTS 322, 323 & 324 ON DEPOSITED PLAN 53823 EXMOUTH					
CERTIFICATE OF TITLE: N/A	DATE LAST MODIFIED: 23/09/2008	REV.	DATE:	DETAILS:	BY: APPROVED.
DESIGNED: GMB	DRAWN: DSH	APPROVED:		SCALE: 1 : 2500	@A4
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1.0 INTRODUCTION

Landwest have been engaged to prepare an amendment to the Shire of Exmouth Town Planning Scheme No.3 to introduce a Special Use zone for Lots 322, 323 and 324 as shown on the Scheme Amendment Map.

This amendment will facilitate the relocation of an existing concrete batching plant located within the Exmouth townsite to a more suitable site that will not result in adverse impacts on adjoining and nearby sensitive land uses.

1.1 Location and Area

The subject land is located to the south of the Exmouth townsite boundary, west of the Minilya – Exmouth Road (see Figure 1 – Location Plan).

The subject land is surrounded by land reserved “Recreation and Open Space”. Further to the north of the site, is an existing “Special Residential” estate and further east is a Special Use zone (Aquaculture). The reserve (Reserve 33512 Lot 108) to the east is vested for the purpose of “Gravel”. Land to the west is Unallocated Crown Land.

The proponent of this amendment holds mining leases ML08/62 and ML08/46 which adjoin the subject land (Refer Figure 2). ML08/46 is actively used for quarrying purposes associated with the concrete batching business that is proposed to be relocated.

1.2 Scheme Amendment Proposal

The purpose of this amendment is to suitably zone land to facilitate the relocation of an existing concrete batching plant located on Pelias Street, Exmouth (see Figure 3). The Pelias Street site has recently been part of a town planning scheme amendment which rezoned the site from “Light Industrial” to “Mixed Use”.

2.0 BACKGROUND

2.1 Site Details

The site is presently vacant unimproved land.

The site is primarily flat and contains no significant remnant vegetation. The site is accessed via an easement which contains a constructed carriageway. An existing limestone quarry operation which will provide the raw product is located to the west of the site. The quarry operates under mining lease No. 08/46. The mining lease allows the operator to carry out mining operations for the "purpose of obtaining any mineral".

An interest in the land has been given under Section 170 of the Land Administration Act for the purpose of "Concrete Batching Plant and Limestone Block Plant" (Appendix A – Notice of Intention from Minister for Lands). The proposed lots are contained on Deposited Plan 52823 (Appendix B).

A heritage survey has been undertaken. This survey concluded that the subject land is clear of any known Aboriginal heritage sites (Appendix C).

2.2 Public Utilities and Services

Water Corporation and Western Power transmission infrastructure abuts the subject landholding.

3.0 POLICY AND STATUTORY PLANNING FRAMEWORK

3.1 State Planning Strategy

The State Planning Strategy (1996) identified the following vision for the Gascoyne Region: in the next three decades, the Gascoyne Region will expand through increased development of tourism, horticulture, mining, fishing and aquaculture.

It also states that the *"region's population will increase significantly as its economy grows and major centres will develop"*.

This proposed amendment is consistent with the above vision as it will provide additional industrial uses associated with a mining operation.

3.2 Shire of Exmouth Town Planning Scheme No. 3 (TPS No.3)

The subject land is reserved "Recreation and Open Space" under TPS No.3. TPS No.3 does not provide a statement of intent for the "Recreation and Open Space" reserve.

3.3 Ningaloo Coast Regional Strategy Carnarvon to Exmouth (2004)

This strategy provides a 30 year planning framework for land management, tourism and recreation development. The strategy promotes an integrated and sustainable future for the Ningaloo Coast and other important nodes and includes a structure plan for Exmouth.

The Exmouth structure plan identifies key land use planning objectives, actions and guidelines with the aim to guide the future growth and development of Exmouth. The subject land is located outside the Exmouth Structure Plan area (see Figure 4). The proposed use of the subject land will not impede or constrain the achievement of the Exmouth Structure Plan objectives or identified land use outcomes.

4.0 JUSTIFICATION FOR AMENDMENT

4.1 Regional Planning Context

The Exmouth Structure Plan provides the vision for the future expansion and land within the Exmouth townsite. The intent of the structure plan is to preclude expansion of "rural residential" and "special residential" south of the existing boundary.

4.2 Separation Distances from Sensitive Land Uses

The subject land is located outside the gazetted "Exmouth Townsite" boundary. The structure planning for Exmouth does not propose sensitive land uses in close proximity to the subject land. On this basis, the subject land is well located to accommodate the proposed land use. Further, development of the site will not impede the settlement and land use pattern advocated by the established planning framework.

4.3 Visibility from Visual Receptor Points

The site is approximately 800m west of Minilya-Exmouth Road and approximately 100m from the boundary of the "Special Rural" lots to the north. This distance, when combined with opportunities for vegetation screening, fencing and setbacks will ensure that future development will not adversely impact on the landscape from visual receptor points.

In addition to this, there is opportunity to house the plant and equipment within a structure that can be of a colour and finish that will ensure deference to the surrounding landscape. Further, the easement access road follows an alignment that restricts direct sightlines to the subject land from Minilya-Exmouth Road.

4.4 Limited Potential for Off-site Impacts

The proposed use will have minimal adverse impact on surrounding land uses. It is noted that the plant and operations will occur within an enclosed structure. This limits the potential for noise and dust.

Appropriate planning controls can be imposed on a future planning application to control the operation and ensure dust mitigation measures. It is noted that the present operation does not generate significant levels of noise or dust due to restricted hours of operation and appropriate dust mitigation practices.

Development on the subject land will provide opportunity to further control the proximity of the site to the existing quarry operation and the opportunity to house the plant and equipment within an enclosed area. It should be noted that the present location of the operation is within a transport corridor and subsequent development will eliminate this which is highly desirable.

The proposal does not merit the need to consider a formal external buffer as the site is located within the special rural development area.

- a) the separation distance to special rural development at a minimum of 100 metres is within Department of Environmental Protection guidelines.

- separation distance to sensitive land uses, being 300-500 metres, a small plant being at the lower end of the spectrum;
- b) the use will not generate any material risk to individuals or society;
 - c) suitable measures will be used to control air quality impacts. Dust will be controlled via wetting down (as presently undertaken) and the manufacturing process can be undertaken within an enclosed environment limiting potential for off site dust problems;
 - d) the process does not generate high levels of noise. In addition, noise that is produced is limited by the hours of operation; and
 - e) the use does not generate any odour or vibration.

Future use of the subject land will not have any adverse impacts on the adjoining Reserve 33512 (Lot 108) which is vested for the purpose of "gravel". The surrounding land reserved "Recreation and Open Space" is presently Unallocated Crown Land (UCL). In addition mining leases exist over the adjoining UCL and lot 1469 which are held by the proponent and are used for material extraction for use in concrete production.

On this basis, the proposed use of the land will not have any adverse impacts on the utility of the adjoining reserves to satisfy their intended function.

4.5 Local need for Product

The batching plant and limestone block plant provide a vital service to the local community, in the provision of construction materials. In particular, the limestone block plant provides the only local supply of limestone blocks for the building industry. There is presently a strong demand for this product.

The ability to source this product locally not only provides local employment opportunities but also environmental dividends, reducing the need for long distance road haulage and associated carbon footprints.

4.6 Special Use Conditions – Planning Controls

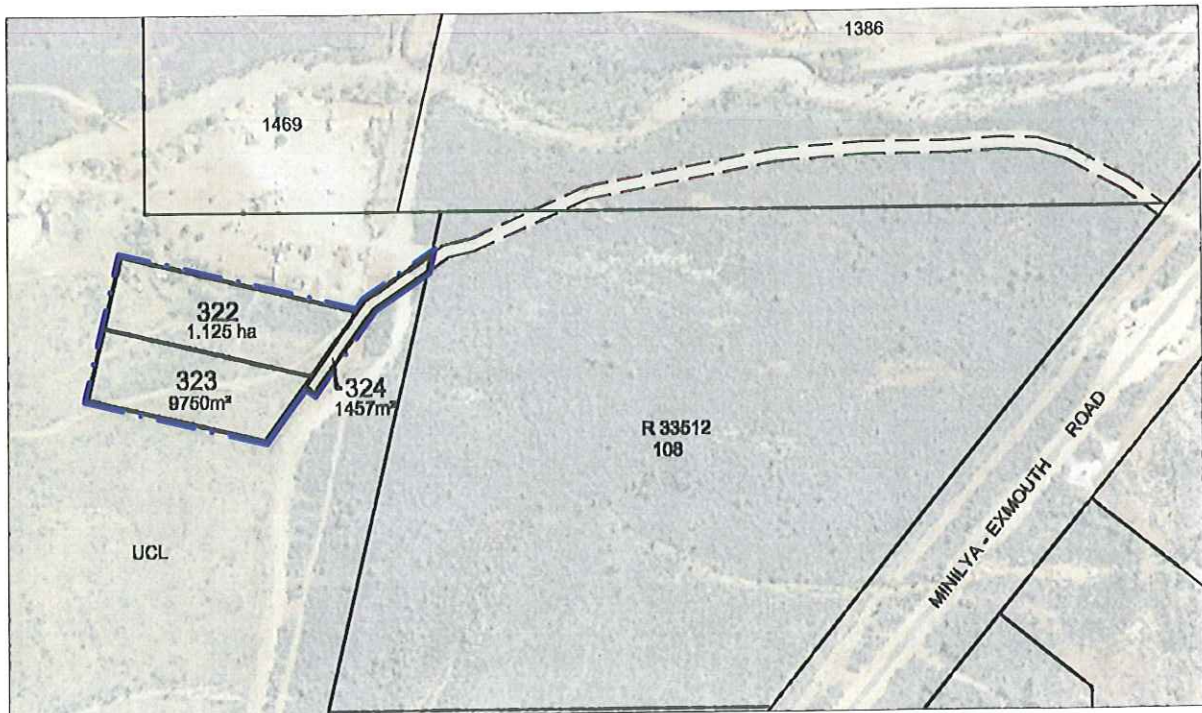
The proposed "Special Use" zoning provides an opportunity to suitably control future development of the site. The use of the land is strictly controlled and the proposed provisions require preparation of an outline development plan. The outline development plan is required to address matters of setbacks, screening, interface treatments and any other consideration that Council may reasonably request.

5.0 CONCLUSION

The scheme amendment will enable future development of the subject land to accommodate a concrete batching plant and limestone block facility in proximity to its associated and existing quarry operation. This amendment will ensure that the existing operation can successfully relocate and continue to provide a valued local product to the Exmouth building industry. The subject land is separated from sensitive land uses and there is opportunity to screen activities from visual receptor points.

Approval to the amendment will not have any strategic planning implications given its location outside the Exmouth Structure Plan area.

Figure 1 Locality Plan



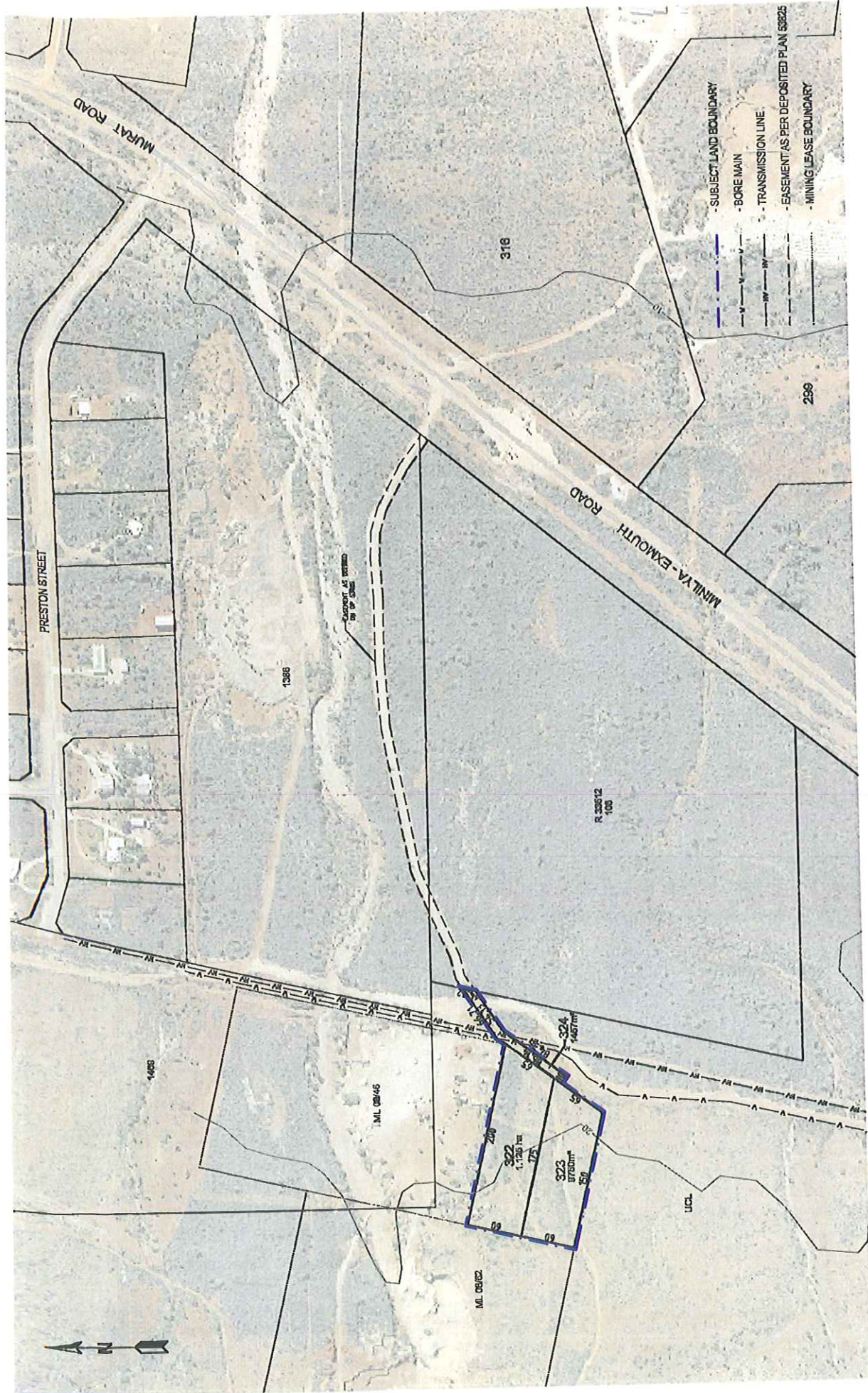
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CLIENT: LAURIE MCDONALD					
TITLE: LOCALITY PLAN LOTS 322, 323 & 324 ON DEPOSITED PLAN 52823 EXMOUTH					
CERTIFICATE OF TITLE: N/A	DATE LAST MODIFIED: 23/09/2008	REV:	DATE:	DETAILS:	BY: APPROVED:
DESIGNED: GMB	DRAWN: DSH	APPROVED:	SCALE: NTS	@A4	

* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.

PLAN: **FIGURE 1**

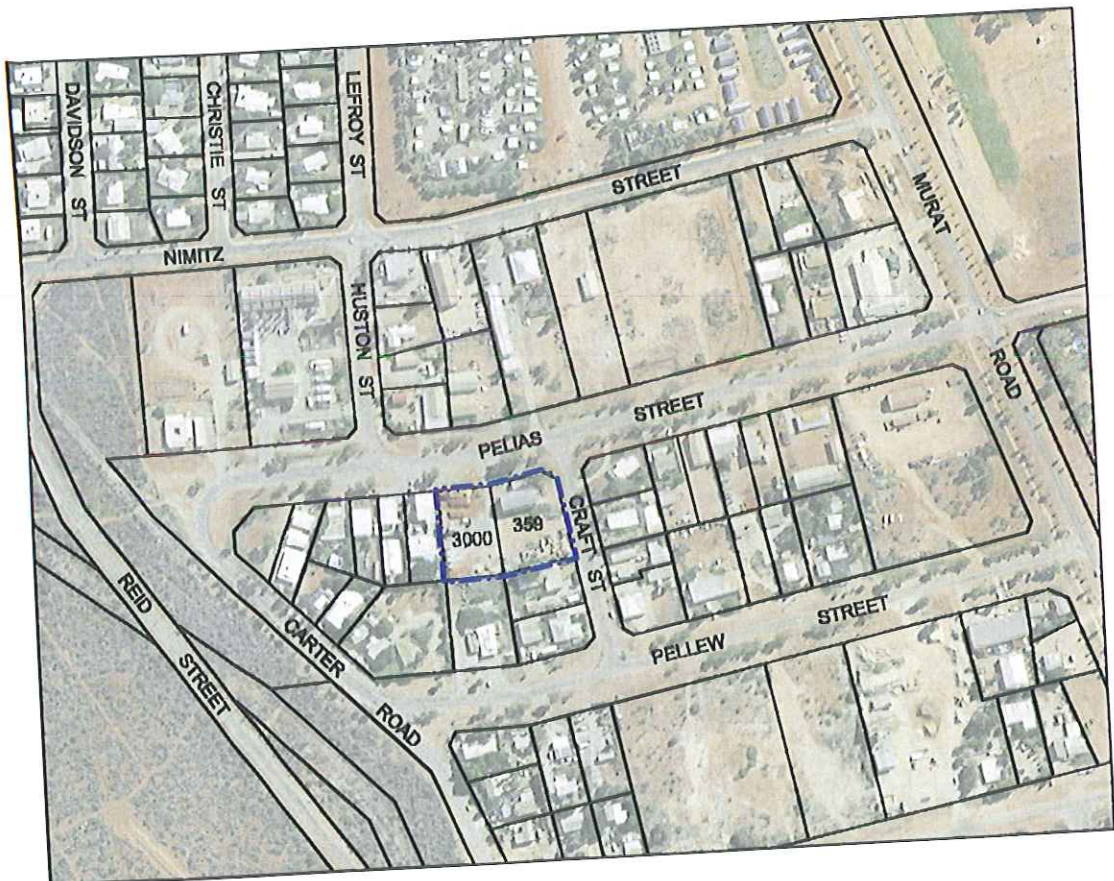
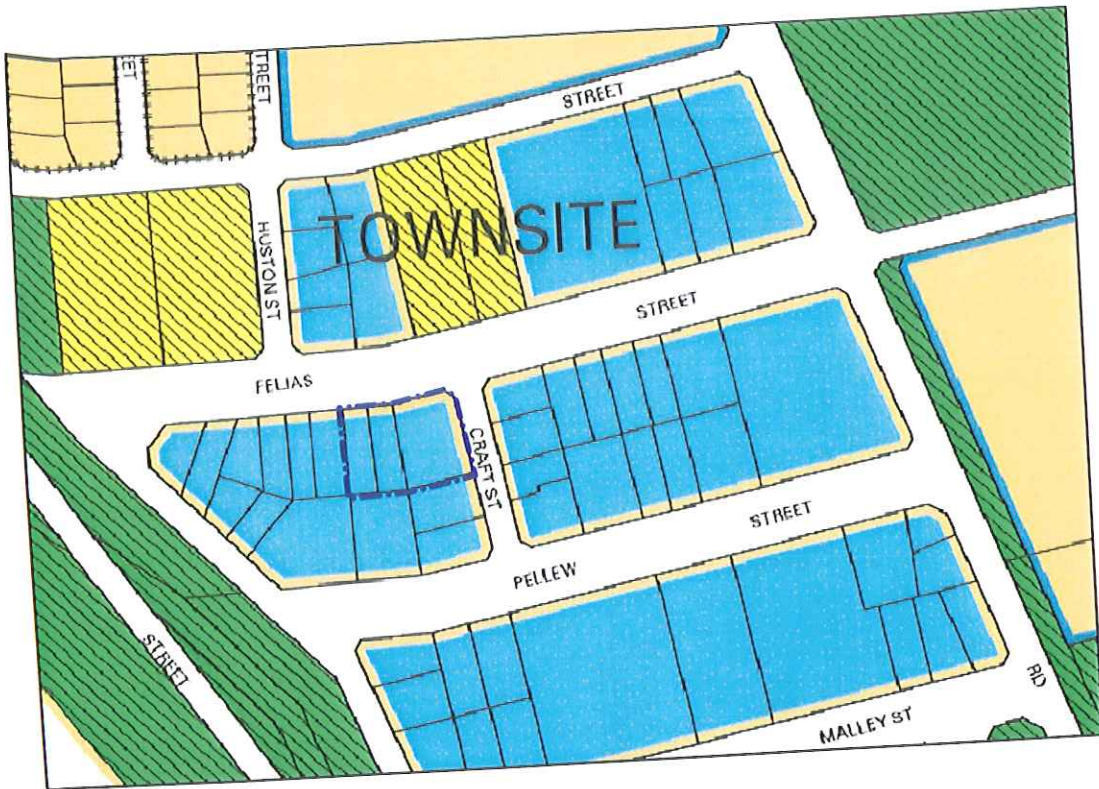
Figure 2 Services and Contour Plan



TITLE: SERVICES & CONTOUR PLAN LOTS 322, 323 & 324 ON DEPOSITED PLAN 52823 EXMOUTH		CLIENT: LAURIE McDONALD	REVISIONS: REV. DATE: _____ APPROVED: _____ DRAWN: DSH	APPROVED: _____ BY: _____ PLAN:
DATE LAST MODIFIED: 23/09/2008 CERTIFICATE OF TITLES(S): N/A SCALE: 1:4000 @A3		Suite 1 & 2 Geraldton Central 65 Chapman Road Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550 Fax : (08) 9965 0559		
FIGURE 2		LANDWEST URBAN AND RURAL PLANNING CONSULTANTS		

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Figure 3 Existing Site – Location Plan



SUBJECT LAND



MIXED USE



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 65 Chapman Road Geraldton WA 6530
 PO BOX 1597 Geraldton WA 6531
 Email : info@landwest.net.au
 Phone : (08) 9965 0550
 Fax : (08) 9965 0559

CLIENT: LAURIE MCDONALD		REV:	DATE:	DETAILS:	BY:	APPROV:
TITLE: LOCATION AND ZONING EXISTING DEVELOPMENT PELIAS STREET, EXMOUTH		DATE LAST MODIFIED:	24/09/2008	SCALE:	NTS	@A
CERTIFICATE OF TITLE:	N/A	DESIGNED:	GMB	DRAWN:	DSH	APPROVED:

SCALE: NTS @A

PLAN: FIGURE 3

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Figure 4 Exmouth Structure Plan

Figure 30: Exmouth structure plan



138

CLIENT:	LAURIE MCDONALD						
TITLE:	EXMOUTH STRUCTURE PLAN EXTRACT						
CERTIFICATE OF TITLE:	N/A	DATE LAST MODIFIED:	24/09/2008	REV:	DATE:	DETAILS:	BY: APPROVED:
DESIGNED:	GMB	DRAWN:	DSH	APPROVED:		SCALE:	NTS @A4
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Appendix A Notice of Intention from Minister for Lands

**Attachment 1
Notice of Intention from Minister for Lands**

**NOTICE OF INTENTION
TO TAKE INTERESTS IN LAND TO CONFER INTERESTS UNDER WRITTEN LAW
LAND ADMINISTRATION ACT 1987 (WA) SECTION 170
AND TO COMPULSORILY ACQUIRE NATIVE TITLE RIGHTS AND INTERESTS
NATIVE TITLE ACT 1993 (OTH) SECTION 29**

I, **Alannah MacTiernan, M.A., Minister for Lands**, HEREBY GIVE NOTICE in accordance with Section 170 of the *Land Administration Act (LAA) 1987* that it is proposed to take the interests in the land described in the Schedule for the purposes specified.
AND for and on behalf of the State of Western Australia HEREBY GIVE NOTICE in accordance with Section 29 of the *Native Title Act 1993* (as amended) (NTA), that any native title rights and interests in the land described in the Schedule are to be compulsorily acquired for the purposes specified.
It is proposed to grant the estates, interests and rights specified in the Schedule in respect of the land described in the Schedule as authorized by Order(s) issued under Section 166 of the LAA.

SCHEDULE

PARCEL OF LAND NO 1:

LAND DESCRIPTION:

1. Whole LOT 322 ON DEPOSITED PLAN 52823 Volume 0000 Folio 00 Area: 1.125 hectares; 2. Whole LOT 323 ON DEPOSITED PLAN 52823 Volume 0000 Folio 00 Area: 9750 square metres; 3. EASEMENT AS SHOWN ON DEPOSITED PLAN 53825 AS COMPRISED IN LOT 1305 ON DEPOSITED PLAN 217694. Volume 3147 Folio 706 Area: 5187 square metres; 4. EASEMENT AS SHOWN ON DEPOSITED PLAN 53825 AS COMPRISED IN LOT 108 ON DEPOSITED PLAN 161211. Volume 3147 Folio 707 Area: 1078 square metres; 5. EASEMENT AS SHOWN ON DEPOSITED PLAN 52823 AS COMPRISED IN LOT 324 ON DEPOSITED PLAN 52823, Volume 0000 Folio 000 Area: 1457 square metres

LAND SITUATED IN Shire of Exmouth

NATURE OF INTERESTS TO BE TAKEN: All registered and unregistered interests (including any native title rights and interests) in the land under the heading "LAND DESCRIPTION" other than interests of the Crown.

PURPOSE OF PROPOSED GRANT FOR WHICH THE LAND IS PROPOSED TO BE DESIGNATED: 1. Concrete Batching Plant and Limestone Block Plant
2. Easement for Access

PROPOSED DISPOSITION/GRANT: Lots 322 AND 323 are to be a 999 lease to Exmouth Quarries and Concrete for the purpose of Concrete Batching Plant and Limestone Block Plant and an easement for the access to these lots will be granted.

REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT:

The land has been identified as suitable for the above use.

DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED: 15 November 2007

DPI FILE: 50213-2008-01RD DPI REF.:061260

Dated this

23

Day of

January

in the year

2008



**Alannah MacTiernan
MINISTER FOR LANDS**

PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: DPI, Midland Square, Midland, 6068.
 FOR FURTHER INFORMATION CONTACT: Gailly Pumphrey, Mid-West Region, Department for Planning and Infrastructure, PO Box 1575, Midland 6038 or by telephoning (08) 9 3476098.

~~OBJECTION~~ ~~IN WRITING~~ ~~MAY BE MADE~~ Persons having or claiming any interest in any parcel of land specified above may, under Section 176 of the LAA, lodge an objection in writing to the proposed taking with the Department for Planning and Infrastructure, PO Box 1575, Midland 6038 OR Midland Square, Midland no later than 27 March 2008.

~~MINISTER'S CONSENT TO TRANSACTIONS AFFECTING, AND IMPROVEMENTS TO, THE LAND:~~ A person may not enter into a transaction in relation to the above land without obtaining the prior consent in writing of the Minister for Lands, except as provided in Section 172(7) of the LAA. Any transaction entered into without prior consent is void in accordance with Section 172(3) of the LAA. An application for consent must be in accordance with Section 172(5) of the LAA.

Under Section 173 of the LAA, a person must not cause the building or making of any improvement to the land to be commenced or continued except with the approval in writing of the Minister for Lands.

NATURE OF THE ACT: In respect of the land described in the Schedule, in the compulsory acquisition of the interests in the land including any native title rights and interests to grant estates, interests, rights, powers or privileges in, over, or in relation to that land under written law for the purpose specified and ancillary and incidental purposes.

NOTIFICATION DAY: The notification day is 27 December 2007 ~~27 February 2008~~.

NATIVE TITLE PARTIES: Under Section 80 of the NTA, persons have until 3 months after the notification day to take certain steps to become native title parties in relation to the notice. The 3 month period closes on 27 March 2008. Any person who is or becomes a native title party is entitled to the negotiation and procedural rights provided in Part 2 Division 3 Subdivision P of the NTA. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue Perth or GPO Box 9973 Perth WA 6001 telephone (08) 9268 7272.

Dated this eight Day of January in the year 2008


 Alanah Elic Timmerman
 MINISTER FOR LANDS

Appendix B Deposited Plan 52823

Appendix C Heritage Survey Report

21 July 2008

Mr Laurie McDonald
Exmouth Quarries & Concrete
PO Box 41
EXMOUTH WA 6707

Philip Haydock
Heritage Consultant
17 Blythe Avenue
YOKINE WA 6060
0418 93 25 26

Dear Mr McDonald

**HERITAGE SURVEY PRELIMINARY ADVICE EXMOUTH QUARRIES &
CONCRETE WORK AREA CLEARANCE LOTS 322, 323 AND EASEMENT
GNULLI NATIVE TITLE CLAIM GROUP**

This letter presents Preliminary Advice of the results of a Work Area Clearance (WAC) Heritage Survey (the Survey) with *Gnulli* Consultants done on Monday 7th July 2008. The Project Area is located immediately to the south of Exmouth town site, within the *Gnulli* native title claim. The survey examined Lots 322 and 323, including an easement from Murat Road (the Survey Area). The proposed use of the Lot 322 and Lot 323 is for a concrete batching plant and limestone block plant. At the time of this Survey the land had not yet been granted to LG and HM McDonald, trading as Exmouth Quarries & Concrete.

Philip Haydock (Heritage Consultant) was subcontracted by Yamatji Land and Sea Council (YLSC) to facilitate the Survey on behalf of YLSC and the *Gnulli*. The Heritage Survey was undertaken at the request of Exmouth Quarries and Concrete.

The YLSC is a division of the Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (YMBBM), which is the representative body in the Murchison- Gascoyne and Pilbara regions in Western Australia under the *Native Title Act 1993*. The *Gnulli* native title claim group (WC97/28 WAD6161/98) is the sole claim over the Project Area. The *Gnulli* group has instructed YLSC to represent them in matters of native title and heritage.

A search of the Department of Indigenous Affairs Register of Aboriginal Sites indicated that there were no registered Aboriginal Sites in the vicinity of the Project Area.

The *Gnulli* participants on the Heritage Survey were Syd Dale and John Dale (the *Gnulli* Consultants) accompanied by Ann Preest participating as an observer. Laurie McDonald (Exmouth Quarries & Concrete) met the Consultants on site during the Survey. The proposed plant facilities for Lots 322 and 323 are to complement the current works on Mining Licence M08/46, granted on 16th June 1987, and M08/62, granted on 30th August 1988, both to Laurie McDonald. The extent of the Survey Area is defined by the Notice of Intention from the Minister of Lands, attached here as Appendix 1.

The survey team undertook the Survey by first driving over the proposed easement, which is already an access gravel road to the adjacent M08/46 and M08/62, on the north

and west boundaries of Lot 322 and Lot 323. The outer boundary of the two Lots was then walked, and then several walking transects over both of the Lots. Some of the ground was disturbed. This included a ripped cable route, vehicle access tracks and old disused and wrecked plant equipment on the northwest corner of Lot 322. The vegetation was coastal heath, and no cultural material was located during the examination of the proposed Work Area.

The *Gnulli* Consultants undertaking the Work Area Clearance Heritage Survey concluded that

1. Lot 322 and Lot 323, and the easement from Murat Road are clear of any known Aboriginal heritage sites.

It is recommended that:

2. If any Aboriginal site or material of cultural heritage significance is located on any part of the Work Area, all work in the its immediate vicinity must come to an immediate halt, the exact location of the site noted and the *Gnulli* native title claimant Working Group and relevant parties notified. In the event of unearthing of any cultural material, contact should immediately be made with the *Gnulli* native title claimant Working Group to seek advice as necessary. The Site shall remain undisturbed until additional clearance is provided by relevant authorities, and representatives of the *Gnulli* native title claimant Working Group. If human remains or skeletal materials that may be human, or materials that may belong to a human grave are discovered during the work program, the Western Australian Police and the Department of Indigenous Affairs also need to immediately contacted, while following the above procedure;
3. If there are any alterations to the Work Area beyond the scope of this clearance, including any new areas of ground disturbance, then these should be presented to the *Gnulli* native title claimant Working Group through the YLSC, who will discuss it and advise on the appropriate course of action;
4. Any subcontractors employed by Exmouth Quarries & Concrete or their agents and assigns, during the course of these or other works in the project area, should be made aware of the contents, recommendations and comments contained in this Preliminary Advice and the Final Report. Such subcontractors should be made aware of their statutory obligations in relation to Aboriginal heritage issues;
5. That Exmouth Quarries & Concrete maintain discussions with the *Gnulli* native title claimant Working Group to provide information on the progress on this or other proposed future Work Areas. Future proposals for the extension of the current Work Area may require further heritage surveys with the *Gnulli* native title claim group.

All enquiries about this letter of Preliminary Advice should be directed to Yamatji Land and Sea Council. A final report to Exmouth Quarries & Concrete and *Gnulli* group will be following in due course.

Yours sincerely,



Philip Haydock
Heritage Consultant

Attach.