



## Application for Works Approval

### Part V Division 3 of the *Environmental Protection Act 1986*

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<b>Works Approval Number</b>	W6412/2020/1
<b>Applicant</b>	Leeuwin Civil Pty Ltd
<b>ACN</b>	117 828 789
<b>File Number</b>	DER2018/001042
<b>Premises</b>	Leeuwin Civil Gravel Pit / Crushing and Screening Facility  Lot 2 and 3 Nuttman Road CHAPMAN HILL 6280  Certificate of Title Volume 1624, Folio 634  As defined by the Premises maps attached to the issued works approval
<b>Date of Report</b>	29 April 2021
<b>Decision</b>	Works approval granted

**Terrel MacGregor**  
**A/MANAGER – RESOURCE INDUSTRIES**  
**REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

## Table of Contents

<b>1. Decision summary</b>	<b>1</b>
<b>2. Scope of assessment</b>	<b>1</b>
2.1 Regulatory framework	1
2.2 Application summary and overview of Premises	1
<b>3. Risk assessment</b>	<b>1</b>
3.1 Source-pathways and receptors	2
3.1.1 Emissions and controls	2
3.1.2 Receptors	3
3.2 Risk ratings	8
3.3 Detailed risk assessment for noise	12
<b>4. Consultation</b>	<b>13</b>
<b>5. Conclusion</b>	<b>14</b>
<b>References</b>	<b>14</b>
<b>Appendix 1: Application validation summary</b>	<b>15</b>
<b>Appendix 2: Summary of Issues Raised in Public Submissions</b>	<b>20</b>
Table 1: Proposed applicant controls	2
Table 2: Sensitive human and environmental receptors and distance from prescribed activity	4
Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation	9
Table 4: Consultation	13
Figure 1: Distance to human receptors	6
Figure 2: Distance to environmental sensitive receptors ( <i>provided by applicant</i> )	7

## 1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the crushing and screening facility located on Lots 2 and 3 Nuttman Road, Chapman Hill. As a result of this assessment, Works Approval W6412/2020/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary and overview of Premises

On 19 June 2020, the applicant submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to the crushing and screening facility at the Premises. The Premises is approximately 16 km south of Busselton, also in the Shire of Busselton.

The Premises relates to the category and assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6412/2020/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Works Approval W6412/2020/1.

All crushing equipment and infrastructure will be fully portable to facilitate movement throughout the site required for staged quarrying operations. Due to the mobile nature of the equipment, installation is considered very simple, referred to as 'plug and play'. There are no earthworks or significant construction required during installation.

The crushing and screening plant will be located on the pit floor during campaigns when gravel material is being produced. The mobile crushing and screening equipment used is modular and interchangeable.

DWER only assesses the emissions and discharges associated with the prescribed activity of crushing and screening (category 12). Extraction of raw material is not regulated under the EP Regulations and is covered by the Local Government Authority (City of Busselton) extractive industries licence.

## 3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

## 3.1 Source-pathways and receptors

### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Decision Report are detailed in [Table 1](#) below.

[Table 1](#) also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Crushing and screening of material, vehicle movements, material handling and lift-off from stockpiles and/or stored product.	Air/windborne pathway	<ul style="list-style-type: none"> <li>• Stockpiles, where possible, to be limited to the anticipated cubic volume/vehicle movement for cartage on the following operating day</li> <li>• Stockpiles will be configured to accommodate easy access for watering/dust minimisation if required.</li> <li>• Access roads and immediate extraction areas will be watered as required</li> <li>• Topsoil stockpiles and exposed areas will be watered and stabilised as required.</li> <li>• Truck loads to be covered</li> <li>• Crushing and screening plant to be covered with dust covers</li> <li>• Crushing and screening will be undertaken in designated areas with greatest natural protection from winds</li> <li>• Processing will be conducted on the floor of the pit, 2 m below natural ground level behind the excavation face.</li> <li>• Visual monitoring of dust will be ongoing throughout the day during operations. When dust emissions are observed, dust suppression measures will be implemented immediately.</li> </ul>
Noise	Crushing, screening, handling and stockpiling of material and vehicle movements	Air/windborne pathway	<ul style="list-style-type: none"> <li>• Establish a 2 m high topsoil and overburden bund to the east pit edge which will remain in place for the entirety of the project.</li> <li>• 5m high L-shaped bund will be built at about 3m away from the crusher and Supertrak</li> <li>• In each cell finished product is to be stockpiled to the east, to a height of</li> </ul>

Emission	Sources	Potential pathways	Proposed controls
			<p>4m from the bottom of the pit.</p> <ul style="list-style-type: none"> <li>• Use machinery and equipment with minimal noise output levels.</li> <li>• Ensure all machinery is regularly serviced as per the equipment's maintenance schedule.</li> <li>• Use flashing lights/broadband alarms instead of tonal reversing alarms on excavators/loaders.</li> <li>• Apply speed restrictions and a ban on exhaust braking if required.</li> </ul>
Sediment laden surface water	Stockpiling, material handling and crushing and screening areas	Overland runoff	<ul style="list-style-type: none"> <li>• The operation of the crushing and screening plant is a dry operation.</li> <li>• Holding ponds for each Stage will be located at the base of the pits.</li> <li>• The holding ponds will be designed to retain surface water runoff from the two-hour 10 year average return interval storm event.</li> <li>• Cut-off drains running along the base of the pit, parallel to the western boundary will ensure all runoff is diverted into the detention ponds.</li> </ul>
Hydrocarbons	Spillage/leaks during refuelling or operation of machinery	Direct discharge from overland flow or percolation to groundwater	<ul style="list-style-type: none"> <li>• Mobile refuelling of equipment and vehicles will be undertaken following set procedures to minimise the risk of spillage and to ensure adequate containment and bunding in place.</li> <li>• Spill kits containing appropriate equipment for control, containment and cleanup of hydrocarbon spills will be available in appropriate locations</li> </ul>

### 3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

[Table 2](#) and [Figure 2](#) below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DER 2016)).

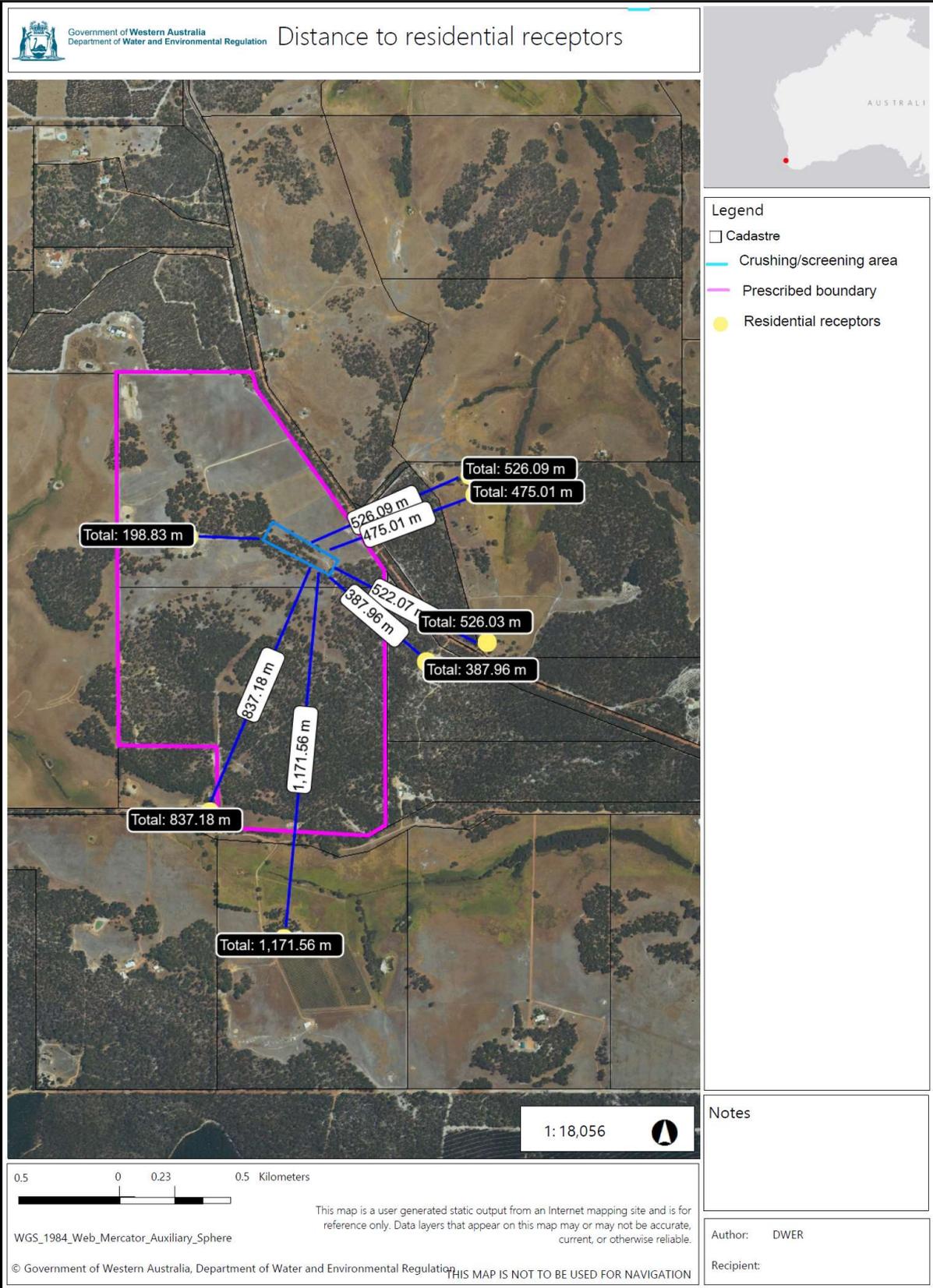
**Table 2: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Lot 2 and 3 Nuttman Road	<p>On-site* (located within the premises boundary approximately 200m north west of the crushing and screening activities)</p> <p>* Not considered a sensitive receptor for the purposes of a noise assessment. The <i>Environmental Protection (Noise) Regulations 1997</i> do not deal with noise within one premises, rather all noise passing from one premises to another.</p>
Residential premises 1	Approximately 390 m south-east (not within the direction of prevailing morning or afternoon wind <sup>1</sup> )
Residential premises 2	Approximately 520 m south-east (not within the direction of prevailing morning or afternoon wind <sup>1</sup> )
Residential premises 3	Approximately 520 m north-east (downwind of prevailing afternoon wind <sup>1</sup> )
Residential premises 4	Approximately 480 m north-east (downwind of prevailing afternoon wind <sup>1</sup> )
Residential premises 5	Approximately 840 m south-west (not within the direction of prevailing morning or afternoon wind <sup>1</sup> )
Residential premises 6	Approximately 1.2k m south (not within the direction of prevailing morning or afternoon wind <sup>1</sup> )
Environmental receptors	Distance from prescribed activity
South-western brush-tailed phascogale, wambenger marsupial ( <i>Phascogale tapoatafa wambenger</i> )	Approximately 160 m north-west from the Premises
Carnaby's black cockatoo ( <i>Calyptorhynchus latirostris</i> )	Approximately 920 m south from the Premises
Forest Red-tailed black cockatoo ( <i>Calyptorhynchus banksiinaso</i> )	Approximately 1 km south from the Premises
Blackwood State Forest	Approximately 1 km south-west from the

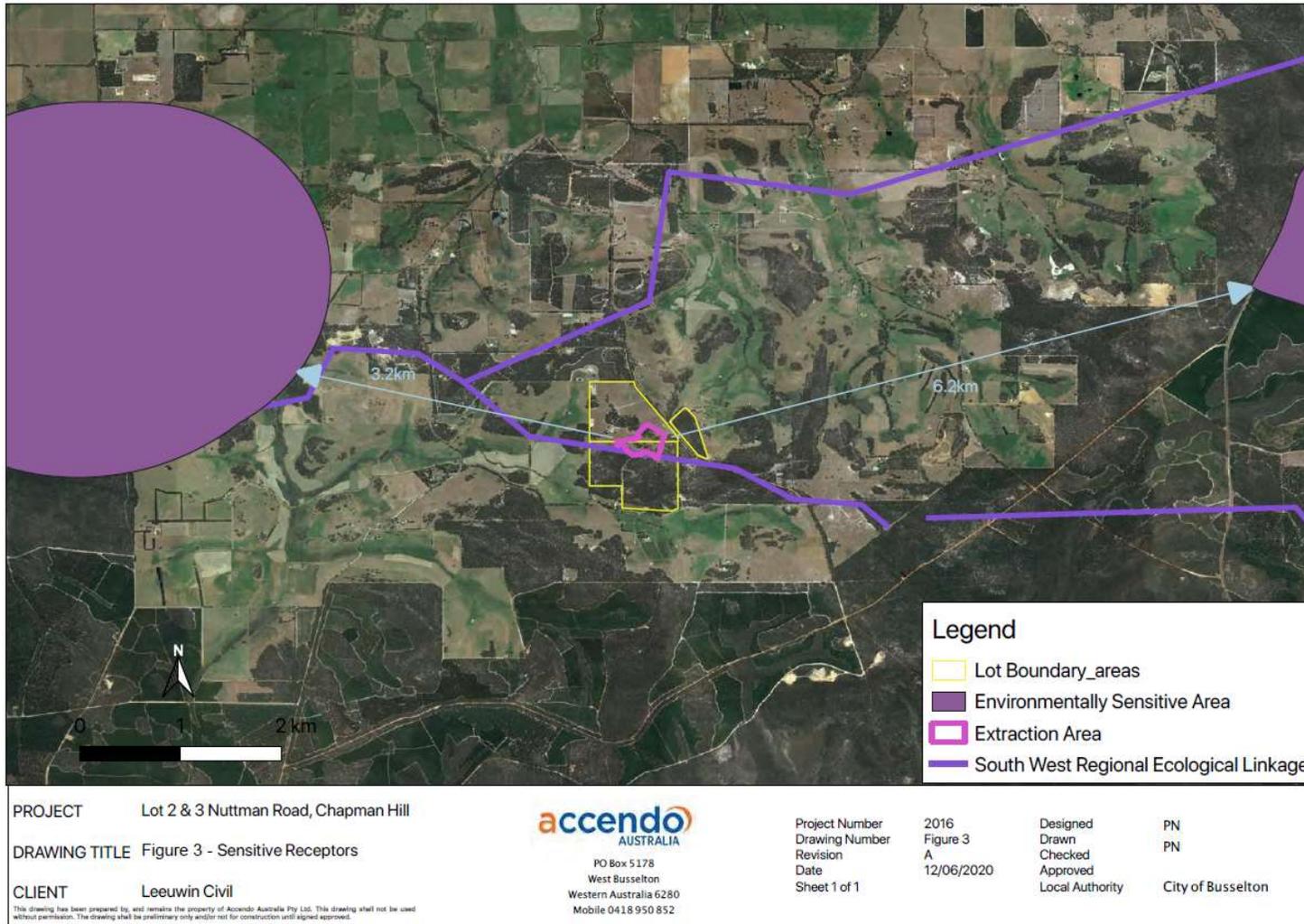
	Premises
Geographe Bay Rivers Surface Water Area (Proclaimed Surface Water Areas and Irrigation Districts in RIWI).	On-site
A minor seasonal upper tributary of the Vasse River (GA 2015 – Object ID 13296)	Approximately 650 m south-west from the Premises
Non-perennial watercourse (Object ID 274872)	Approximately 740 m south-west from the Premises
<p>Busselton-Capel Groundwater Area (Proclaimed Groundwater Area in RIWI).</p> <p>The Superficial Aquifer within the premises forms an unconfined aquifer beneath the Swan Coastal Plain, with a thin saturated thickness of &lt;5 m, underlain by the Leederville Aquifer. The aquifer is fully recharged and saturated during the winter months resulting in large areas of water logging. However, the extensive drainage network captures and diverts most of the excess water.</p>	On-site

Note:

1- Based on annual statistics for 9am and 3pm wind speed verse direction plot for weather station located about 16 km west of premises (Site No: 009515).



**Figure 1: Distance to human receptors**



**Figure 2: Distance to environmental sensitive receptors (provided by applicant)**

## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in [Table 3](#).

Works Approval W6412/2020/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in [Table 3](#) have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the Premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application.

**Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation**

Risk Event					Risk rating <sup>1</sup>	Applicant controls sufficient?	Conditions of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
<b>Construction</b>								
Placement, installation and positioning of crusher and screener, and associated equipment. Construction of access roads and trenches. Vehicle and machinery movements on unsealed access roads. Reversing alarms on vehicles and machinery. Construction of stormwater / sediment holding ponds, cut-off drains, and low bund around the processing area.	Dust	Air/windborne pathway causing impacts to health and amenity.	Closest Residences (within prescribed boundary) – 200 m to the west of the prescribed activity  Closest residences (outside prescribed boundary) 390m south-east and 480m north-east from prescribed activity	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Conditions 1, <u>2</u> and <u>3</u>	Conditions 2 and 3 are standard compliance reporting conditions
	Noise		Closest residences (outside prescribed boundary) 390m south-east and 480m north-east from prescribed activity	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Conditions 1, <u>2</u> and <u>3</u> <i>Environmental Protection (Noise) Regulations 1997</i> apply	Conditions 2 and 3 are standard compliance reporting conditions
<b>Operation (including time limited)</b>								
Screening activities. Crushing activities.	Dust	Air/windborne	On-site resident is	Refer to Section 3.1	C = Minor L = Unlikely	Y	Conditions 4, 5, 6, 7, and 8	N/A

Works Approval: W6412/2020/1

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Handling, loading, movement, and transport of materials.  Vehicle movements.  Stockpiles and exposed surfaces.		pathway causing impacts to health and amenity	200 m to the west of the prescribed activity  390m south-east and 480m east from prescribed activity		<b>Medium Risk</b>			
		Air/windborne pathway causing reduced terrestrial habitats / ecosystems quality	Threatened fauna (closest 160m north-west)	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y		
Crushing and screening activities and equipment.  General vehicle and machinery movements.  Material handling and loading.  Reversing alarms on vehicles and machinery.  Safety equipment and alarms.	Noise	Air/windborne pathway causing impacts to health and amenity	Residential premises located 450m south-east and 570m east from prescribed activity	Refer to Section 3.1	C = Moderate L = Possible <b>Medium Risk</b>	N	Conditions 4, 5, 8, <b>9</b> , <b>10</b> , <b>11</b> , <b>12</b> , <b>13</b> and <b>14</b>  <i>Environmental Protection (Noise) Regulations 1997</i> apply	Refer to section 3.3
		Air/windborne pathway causing impacts which may include displacement and behavioral changes to fauna	Threatened fauna (closest 160m north-west)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y		
Erosion and sedimentation of materials.  Runoff and/or discharge of potentially contaminated stormwater / hydrocarbons from normal operations.	Sediment, hydrocarbons, and potentially contaminated stormwater	Overland runoff potentially causing ecosystem disturbance.  Impacting surface/	Proclaimed Surface Water Area and Ground Water Area on-site	Refer to Section 3.1	C = Minor L = Unlikely <b>Low Risk</b>	Y	Conditions 1, <b>2</b> and <b>3</b>	Conditions 2 and 3 are standard compliance reporting conditions

Works Approval: W6412/2020/1

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
		ground water quality and contamination. Soil contamination.						

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department

### 3.3 Detailed risk assessment for noise

Noise emissions from crushing and screening activities have been considered. Noise from extraction activities have not been considered as they apply to the extractive industry development approval issued to the works approval holder under the *Planning and Development Act 2005* in February 2021.

The noise risk assessment does not consider cumulative noise emissions from crushing/screening activities and extraction activities as the works approval holder has indicated that these activities will not occur at the same time.

#### Noise assessment

The applicant conducted a basic environmental noise impact assessment for the proposed crushing and screening at Lot 2 and 3 Nuttman Road, Chapman Hill.

The acoustic assessment was modelled based on four scenarios, with two of those scenarios representing the prescribed crushing and screening activities (3 and 4). A 2 m high topsoil bund in the east pit edge, stockpiling of finished product to the east, to a height of 4m from the bottom of the pit and a 5 m high L-shaped bund located 3 m away from the crusher was assumed for these models. The fixed plant is assumed to sit on the pit floor.

The activities in scenarios 3 and 4 generate continuous noise emissions, and are proposed for day time only, Monday to Friday excluding public holidays. They were modelled against day-time assigned noise levels  $L_{A10}$  for Monday to Friday, from the *Environmental Protection (Noise) Regulations 1997*. The results of the model showed that the adjusted worst-case noise levels were not above the day-time assigned noise levels at all of the noise-sensitive premises. Therefore full compliance can be achieved with a two metre high topsoil bund located on the east pit edge and a when the crushing and screening equipment is located behind (west of) a five metre L-shaped bund. The model demonstrated that vibration impacts to neighbouring receptors will be insignificant.

Whilst the acoustic assessment showed compliance can be met, it is noted that at some noise sensitive receptors, compliance will only marginally be met if the noise is tonal. Given the low level of ambient noise in the area, it is not likely the operational noise will be masked. Low ambient noise levels, also indicates that noise from the prescribed activity will be easier to detect by neighbouring residents, which could still be a source of complaints, regardless if the noise complied with the assigned noise level or not.

#### Key Findings

1. The proposed crushing and screening operation should be able to comply with the noise regulations at the closest noise sensitive premises (330 m) during daytime operations.
2. Although it is likely the applicant will meet assigned noise levels, due to the low ambient noise levels, impacts on amenity may occur for neighbouring residents.

#### Justification for Regulatory Controls

The proposed applicant controls, outlined in section 3.1, will be included on the licence as regulatory controls. The applicant is required to comply with the *Environmental Protection (Noise) Regulations 1997*.

The acoustic assessment predicted marginal compliance with the assigned noise levels if the noise is tonal. To confirm operational compliance with the Noise Regulations and validate the predicted emissions and impacts, it is required that noise emissions be measured as part of a short term monitoring program. The applicant is required to engage a person competent in noise assessment to monitor and report the noise measurements to the department. The

noise monitoring will need to be commenced and completed during the 90 day time-limited operations. The results of this noise assessment will inform the operational risk for noise emissions and be taken into account for the application made by the works approval holder to operate the premises under a licence. Further controls may be implemented in licence conditions depending on these results.

## 4. Consultation

[Table 4](#) provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Application advertised on the department's website 20 July 2020	No comments received	N/A
Local Government Authority – City of Busselton (CoB) advised of proposal via a letter dated 14 July 2020	CoB replied on 27/07/2020 via email advising the CoB was processing a Development Approval (DA) for an Extractive Industry – Gravel at Lots 2 and 3 Nuttman Road, Chapman Hill.  CoB requested that noise impacts on neighbouring properties be assessed during the assessment of the works approval.  Confirmation has been received that the DA was issued on 15 February 2021.	The Department has conducted a thorough risk assessment to noise impacts on neighbouring properties in the works approval with suitable conditions.  See Table 3 and section 3.3 of this report.
Department of Agriculture, Water and the Environment (DAWE) advised of proposal via a letter dated 15 July 2020	No response received	N/A
Department of Biodiversity Conservation and Attractions (DBCAs) advised of proposal via a letter dated 15 July 2020	No response received	N/A
Community consultation, letters sent to residential stakeholders associated with surrounding residential lots dated 14 July 2020.	Five submissions received (DWER contacted).  Key submission points are summarised in Appendix 3: Summary of Issues Raised in Public Submissions.	See <a href="#">Appendix 2: Summary of Issues Raised in Public Submissions</a> .
Application advertised in local newspapers – Busselton	No submissions received	N/A

Dunsborough Mail and Busselton Dunsborough Times (20 July 2020)		
Applicant was provided with draft documents on 13 April 2021	Response provided on 18 April 2021 confirming no comments.	N/A

## 5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## References

1. Department of Environment Regulation (DER) 2016, *Guideline: Environmental Siting*, Joondalup, Western Australia.
2. DER 2017, *Guideline: Risk Assessments*, Joondalup, Western Australia.
3. DER 2015, *Guideline: Setting Conditions*, Joondalup, Western Australia.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input checked="" type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received	19/06/2020			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Leeuwin Civil Pty Ltd			
Premises name	Leeuwin Civil Gravel Pit / Crushing and Screening Facility			
Premises location	Volume 1624, Folio 634 Lot 2 and 3 Nuttman Road CHAPMAN HILL 6280			
Local Government Authority	City of Busselton			
Application documents				
HPCM file reference number:	DER2018/001042			

Key application documents (additional to application form):	Works Approval Supporting Documentation Document; <ul style="list-style-type: none"> <li>- Background;</li> <li>- Location and Layout plans;</li> <li>- Environmental Siting and Location;</li> <li>- Mobile Crushing and Screening Process works and activities;</li> <li>- Environmental impacts and management;</li> <li>- Authorisation for Leeuwin Civil Pty Ltd to act on the landowner's (Mr Brain Baker) behalf for this proposal has been provided;</li> </ul> (A) Current Company Extract; and  Leeuwin Civil Gravel Pit Shapefile.
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**Scope of application/assessment**

Summary of proposed activities or changes to existing operations.	<p>Leeuwin Civil Pty Ltd (the applicant) is proposing to extract gravel from a 9.73 hectare (ha) area, located on Lots 2 and 3 Nuttman Road, Chapman Hill.</p> <p>It is anticipated that approximately 50,000 tonnes per annum of gravel will be processed. The proposal involves the crushing and screening of gravel within the proposed premises.</p> <p>The works approval application are for the mobilisation, establishment and operation of crushing and screening equipment within the proposed premises Category 12 - <i>Screening, etc. of material – premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.</i></p>
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**Category number/s (activities that cause the premises to become prescribed premises)**

**Table 1: Prescribed premises categories**

Prescribed premises category and description	Proposed production or design capacity
Category 12 - Screening, etc. of material – premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50,000 tonnes per annum

**Legislative context and other approvals**

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: N/A Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Reference No: EPBC 2017/8066

Act?		Note: Black Cockatoo breeding and foraging habitat impacted by the proposal - the proposed clearing is not a controlled action and therefore approval is not required pursuant to the EPBC Act 1999.
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Certificate of title <input checked="" type="checkbox"/></p> <p>General lease <input type="checkbox"/> Expiry:</p> <p>Mining lease / tenement <input type="checkbox"/> Expiry:</p> <p>Other evidence <input checked="" type="checkbox"/></p> <p>Authorisation for Leeuwin Civil Pty Ltd to act on the landowner's (Mr Brain Baker) behalf for this proposal has been provided</p>
Has the applicant obtained all relevant planning approvals?	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p>	<p>An Extractive Industry Licence application and Development Approval application has been submitted to the City of Busselton and is currently undergoing assessment.</p> <p>LO spoke to Planning Officer from City of Busselton (CoB) on 02/07/2020 and was advised the applicant has submitted the DA over two years ago. However the CoB are still waiting for an Acoustic (noise impact) assessment to be submitted, as the initial noise management plan did not meet CoB's requirements or the Noise Regs. CoB requested the submission of the Acoustic (noise impact) assessment in November 2019 and it has not been provided since (RFI).</p> <p>The applicant however has provided CoB with a Dust Management Plan and a Surface Water Management Plan. Brendan Kelly from DWER has apparently already been referred the Surface Water Management Plan.</p> <p>CoB did not require a full Air Quality Management Plan to be submitted as part of the DA.</p> <p>Approval:</p> <p>Expiry date:</p>

Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CPS No: 8746/1 Clearing for gravel extraction
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: : N/A Licence/permit No: : N/A Licence / permit not required. Note: The applicant has advised water will be trucked to the premises as required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i> )	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> <li>• <i>Rights in Water and Irrigation Act 1914 (see above).</i></li> <li>• <i>Environmental Protection (Controlled Waste) Regulations 2004;</i></li> <li>• <i>Environmental Protection (Noise) Regulations 1997;</i></li> <li>• <i>Environmental Protection (Unauthorised Discharges) Regulations 2004;</i></li> <li>• <i>Local Government Act 1995 Western Australia;</i></li> <li>• <i>Extractive Industries Local Law 2000;</i></li> <li>• <i>Mines Safety and Inspection Act 1994; and</i></li> <li>• <i>Dust and Building Waste Control Local Law 2010 (Shire of Busselton)</i></li> </ul>

Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A

## Appendix 2: Summary of Issues Raised in Public Submissions

Key Issue	Submitter	Summary of Submission Points	Department's response
Dust	1, 2, 3	<ul style="list-style-type: none"> <li>Comments indicating concern regarding dust impacts on human health, surrounding properties, vegetation and flora, and nearby sensitive land uses (vineyard/winery).</li> </ul>	<p>The Delegated Officer has considered the separation distance to sensitive receptors along with the proposed controls described in section 3.1 of this report and is satisfied there are sufficient management controls to limit dust emissions from the crushing and screening operations.</p> <p>See Table 3 for a risk assessment and works approval conditions 1, 2 and 3 with respect to concerns regarding dust.</p>
Noise	1, 2, 3	<ul style="list-style-type: none"> <li>Comments indicating concern regarding noise impacts on neighbouring residents.</li> </ul>	<p>The risk of noise causing amenity impacts at nearby residential receptors has been assessed as medium. The applicant's controls are detailed in Table 1 and are considered appropriate to control the risk. Condition 3 of the licence specifies that operations at the Premises must only occur between the hours of 7 am to 7 pm on the days Monday to Saturday.</p> <p>See Table 3 for risk assessment and works approval conditions 11, 12, 13, 14, 15 and 16 with respect to concerns regarding noise.</p>
Vibrations	2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding vibration impacts on neighbouring residents and nearby infrastructure.</li> </ul>	<p>The department's noise experts have completed a technical review of noise assessment which included vibration. It was deemed that vibration impacts to neighbouring residents will be insignificant.</p>
Flora and fauna	1, 2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding general processing activities impacting surrounding flora (including wildflowers), fauna (including Baudin's Black Cockatoo), and fauna habitat.</li> </ul>	<p>Flora and fauna impacts are currently being assessed under Clearing Permit 8746/1 and is beyond the scope of this assessment under Part V of the <i>Environmental Protection Act 1986</i> (EP Act).</p>
Site access / traffic flow	1, 2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding proposed trucks using the nearby roads and access tracks, and impacts on local traffic flow, road safety, current road users (local residents, children etc.), flora, and fauna.</li> </ul>	<p>The Delegated Officer notes this comment which is beyond the scope of assessment under Part V of the EP Act for determining an application for a crushing and screening operation. Traffic impacts are a consideration for the City of Busselton and are not assessed under DWER's regulatory framework applied to emissions and discharges from the Premises.</p>

Key Issue	Submitter	Summary of Submission Points	Department's response
Property deflation	1	<ul style="list-style-type: none"> <li>Comments indicating concern regarding property deflation for neighbouring property owners due to the proposed activities.</li> </ul>	The Delegated Officer notes this comment which is beyond the scope of assessment under Part V of the EP Act for determining an application for a crushing and screening operation. Social values in relation to quarry operations are normally considered in the planning process and Development Approval conditions.
Amenity	2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding impacts on amenity of the area.</li> </ul>	See Table 3 for a risk assessment and works approval conditions which include amenity impacts (dust and noise)
Groundwater	2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding impacts to groundwater availability in the area.</li> </ul>	No groundwater extraction will occur during the crushing and screening operation. No emissions or discharges to groundwater have been identified with the crushing and screening activities assessed under this works approval.
Surface water / stormwater runoff / sedimentation	2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding on-site stormwater management and potential impacts to surface water bodies and neighbouring properties.</li> </ul>	The Delegated Officer has considered the impacts of surface water runoff along with the proposed controls described in section 3.1 of this report and is satisfied there are sufficient management controls to limit water contamination from the crushing and screening operations. See Table 3 for a risk assessment.
Compliance	2	<ul style="list-style-type: none"> <li>Comments indicating concern regarding operating hours for excavation activities.</li> </ul>	DWER's assessment is for the prescribed activity of crushing and screening only. Excavation associated with extraction of raw material is not regulated under the EP Regulations and is covered by the Local Government Authority (City of Busselton) extractive industries licence.  Operating hours of crushing and screening have been specified as Condition 10 of the works approval.
Nearby sensitive land uses	3	<ul style="list-style-type: none"> <li>Comments indicating concern regarding the potential impacts on nearby sensitive land uses (winery/vineyard).</li> </ul>	See table 3 for a risk assessment which includes impacts on nearby sensitive land users.