



Department initiated Amendment

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

Works Approval Number	W6824/2023/1
Works Approval Holder	Leeuwin Civil Pty Ltd
ACN	117 828 789
File Number	DER2023/000434
Premises	Leeuwin Civil Pty Ltd Lot 1801 Banksia Road, Hithergreen, WA 6280 Legal description – Lot 1801 on Plan 201688 As defined by the Premises maps attached to the Revised Works Approval
Date of Report	19 November 2024
Decision	Revised works approval granted

Fiona Westcott

MANAGER, RESOURCE INDUSTRIES

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

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1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6824/2023/1 to give effect to the Minister's appeal determination (appeal 52 of 2023) that Condition 11 of the works approval must be amended to align with the permitted hours of operation of the facility as specified in Condition 6.2 of the Development Approval issued by the City of Busselton. The amendment is administrative in nature and therefore does not alter the risk profile of the Premises.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the Existing works approval will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the works approval 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 Amendment summary

Works Approval W6824/2023/1 is held by Leeuwin Civil Pty Ltd (Works Approval Holder) for Lot 1801 Banksia Road, Hithergreen, WA 6280 (the Premises).

The Premises relates to category 12 and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W6824/2023/1.

On 25 October 2024, the department initiated an amendment to Works Approval W6824/2023/1. The amendment is to give effect to the Minister's appeal determination (appeal 52 of 2023) that Condition 11 of the works approval must be amended to align with the permitted hours of operation of the facility as specified in Condition 6.2 of the Development Approval issued by the City of Busselton.

Specifically, this changes the limit on hours of operation from 7am to 7pm Monday to Saturday, to 7am to 6pm Monday to Friday and 7am to 1pm on Saturdays for rehabilitation work only, with no work of any kind to be conducted on Sundays or public holidays.

3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 8 November 2024. On 11 November 2024 the Works Approval Holder waived the comment period.

4. Conclusion

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

4.1 Summary of amendments

Table 2 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
11	Changed the limit on hours of operation from 7am to 7pm Monday to Saturday, to 7am to 6pm Monday to Friday and 7am to 1pm on Saturdays for rehabilitation work only, with no work of any kind to be conducted on Sundays or public holidays.

5. References

1. Department of Water and Environmental Regulation (DWER) October 2024, Appeals Committee Report to the Minister for Environment – Appeal objecting to conditions of works approval W6824/2023/1, City of Busselton, Perth Western Australia.
2. Office of the Appeals Convenor October 2024, Minister’s Appeal Determination – Appeal against conditions of works approval W6824/2023/1 Leeuwin Civil Pty Ltd, Lot 1801 Banksia Road, Hithergreen.