



# Works Approval

<b>Works approval number</b>	W6824/2023/1	
<b>Works approval holder</b>	Leeuwin Civil Pty Ltd	
<b>ACN</b>	117 828 789	
<b>Registered business address</b>	995 Gale Road, Koorup, WA 6280	
<b>DWER file number</b>	DER2023/000434	
<b>Duration</b>	24/11/2023 to	23/11/2028
<b>Date of issue</b>	24/11/2023	
<b>Date of amendment</b>	19/11/2024	
<b>Premises details</b>	Leeuwin Civil Pty Ltd Lot 1801 Banksia Road, Hithergreen, WA 6280 Legal description Lot 1801 on Plan 201688  As defined by Figure 1 in Schedule 1	

<b>Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)</b>	<b>Assessed production capacity</b>
Category 12: 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.	100,000 tonnes per year

This works approval is granted to the works approval holder, subject to the attached conditions, on 19 November 2024, by:

## **MANAGER, RESOURCE INDUSTRIES**

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

## Works approval history

Date	Reference number	Summary of changes
24/11/2023	W6824/2023/1	Works approval granted.
19/11/2024	W6824/2023/1	Works approval amended in response to the Minister's appeal determination to have condition 11 aligned with permitted hours of operation specified in the Development Approval by the City of Busselton.

## Interpretation

In this works approval:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this works approval:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

**NOTE:** This works approval requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this works approval.

# Works approval conditions

The works approval holder must ensure that the following conditions are complied with:

## Construction phase

### Infrastructure and equipment

1. The works approval holder must:
  - (a) construct and/or install the infrastructure and/or equipment;
  - (b) in accordance with the corresponding design and construction / installation requirements;
  - (c) at the corresponding infrastructure location; and
  - (d) within the corresponding timeframe, as set out in Table 1.

**Table 1: Design and construction / installation requirements**

	Infrastructure	Design and construction / installation requirements	Infrastructure location	Timeframe
1.	Mobile crushing and screening unit: <ul style="list-style-type: none"> <li>• Terex Finlay 1-140 Impact Crusher (or equivalent)</li> <li>• Terex Finlay 693 Supertrak (or equivalent)</li> <li>• Anaconda Radial Stockpiler (or equivalent)</li> <li>• Other machinery (e.g. mobile vehicles)</li> </ul>	<ol style="list-style-type: none"> <li>a) Installed and constructed as per the manufacturer's requirements</li> <li>b) Exhaust and silencing systems must be installed and functioning to manufacturer's standard</li> <li>c) Water trucks to be available at all times during construction activities</li> <li>d) Ensure machinery is regularly serviced, shut off when not in use, use flashing lights/broadband alarms instead of tonal reversing alarms on excavators/loaders.</li> </ol>	Located within the extraction area in show in Figure 3 of Schedule 1	N/A
2.	Bunding and topsoil stockpiles	<ol style="list-style-type: none"> <li>(a) Bunding to be constructed to the dimensions specified in Figure 1</li> <li>(b) Construction of bunding will only occur between 7am to 5pm</li> </ol>	Bunding location shown in Figure 1 of Schedule 1	Within 10 days of commencement of works

	Infrastructure	Design and construction / installation requirements	Infrastructure location	Timeframe
		(c) Clearly indicate the site is a construction site during bund construction  (d) Water trucks to be available at all times during construction activities  (e) Topsoil stripped using a bulldozer to a maximum depth of 150mm  (f) Topsoil stripping shall not occur during forecasted strong wind conditions		

### Compliance reporting

2. The works approval holder must within 30 calendar days of an item of infrastructure or equipment required by condition 1 being constructed and/or installed:
  - (a) undertake an audit of their compliance with the requirements of condition 1; and
  - (b) prepare and submit to the CEO an Environmental Compliance Report on that compliance.
3. The Environmental Compliance Report required by condition 2, must include as a minimum the following:
  - (a) certification by a third-party crushing/screening plant operator and fitter that the crushing and screening plant or component(s) thereof, as specified in condition 1, have been constructed in accordance with the relevant requirements specified in condition 1;
  - (b) as constructed plans, photographs and a detailed site plan for each item of infrastructure or component of infrastructure specified in condition 1; and
  - (c) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person.
4. The works approval holder shall immediately recover, or remove and dispose of, spills of environmentally hazardous materials including fuel, oil, or other hydrocarbons, whether inside or outside an engineered containment system.
5. The works approval holder shall ensure that all material used for the recovery, removal, and/or disposal of environmentally hazardous materials is stored in an impermeable container prior to disposal at an appropriately authorised facility.

### Time limited operations phase

#### Commencement and duration

6. The works approval holder may only commence time limited operations for infrastructure identified in condition 1 where, the Environmental Compliance Report as required by condition 2 has been submitted by the works approval holder for the infrastructure.
7. The works approval holder may conduct time limited operations for infrastructure

specified in condition 6 (as applicable):

- (a) for a period not exceeding 180 calendar days from the day the works approval holder meets the requirements of condition 6 for that item of infrastructure; or
- (b) until such time as a licence for that item of infrastructure is granted in accordance with Part V of the Environmental Protection Act 1986, if one is granted before the end of the period specified in condition 7(a).

**Time limited operations requirements and emission limits**

8. During time limited operations, the works approval holder must ensure that the infrastructure listed in Table 1 and located at the corresponding location is maintained and operated in accordance with the corresponding operational requirement set out in Table 2.

Infrastructure	Design and construction, installation and operation requirements
<ul style="list-style-type: none"> <li>• Mobile crushing and screening plant</li> <li>• bunding and topsoil stockpiles</li> <li>• Other machinery (e.g. mobile vehicles)</li> </ul>	<ul style="list-style-type: none"> <li>a) Installed, constructed and maintained as per the manufacturer's/design requirements</li> <li>b) Use of significant noise generating equipment or activities is simultaneously avoided</li> <li>c) Limit the extraction area to the area marked on Figure 3 of Schedule 1</li> <li>d) Contain any potentially sediment laden surface water within the pit</li> <li>e) Maintain at least 8 meters separation from groundwater at all times</li> <li>f) Trucks transporting material are covered or material dampened prior to transport to prevent dust lift</li> <li>g) Ensure machinery is regularly serviced, shut off when not in use, use flashing lights/broadband alarms instead of tonal reversing alarms on excavators/loaders</li> <li>h) Apply a dozer restriction zone to the area marked on Figure 1 of Schedule 1</li> </ul>

- 9. The works approval holder must ensure that no visible dust generated from the primary activities crosses the boundary of the premises.
- 10. The works approval holder must manage dust generation at the premises by:
  - (a) ensuring a water truck is available at all times to wet down the site as required;
  - (b) limiting all vehicle traffic within the premises to speeds of less than 10 km/hr and placing a ban on exhaust breaking;
  - (c) ceasing dust-generating activities during strong wind conditions; and
- 11. The works approval holder must ensure that operations at the premises only occur between the hours of 7:00am to 6:00pm Monday to Friday, and 7:00am to 1:00pm on Saturdays for rehabilitation work only, with no work of any kind to be conducted on Sundays or public holidays.
- 12. The works approval holder must take all reasonable and practicable measures to prevent stormwater run-off becoming contaminated by the activities and operations undertaken at the premises.

## Monitoring during time limited operations

13. Within 7 days of the commencement of time limited operations, the works approval holder must retain the services of a person qualified and experienced in the area of environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
- (a) investigate the nature and extent of noise emissions from the premises; including undertaking noise monitoring during normal operations at the boundary of the two closest noise sensitive receptors (human) located 100 m west and 540 m north of the premises boundary respectively (as defined by Figure 2 of Schedule 1);
  - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the primary activities, against the relevant assigned levels specified in those Regulations; and
  - (c) compile and submit to the works approval holder within 30 days of the commencement date of time limited operations a report in accordance with condition 14.
14. A report prepared pursuant to condition 13(c) is to include:
- (a) a description of the methods used for monitoring and/or modelling of noise emissions from the premises;
  - (b) details and the results of the investigation undertaken pursuant to condition 13(a);
  - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997* undertaken pursuant to condition 13(b) for the closes and/or most impacted sensitive receptor(s) (human); and
  - (d) an assessment of noise levels against the most recent previous noise assessment.
15. The works approval holder must submit to the CEO the report prepared pursuant to condition 13(c) within 14 days of receiving it.
16. Where an assessment pursuant to condition 13(b) indicates that noise emissions do not comply with the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997*, the works approval holder must:
- (a) within 30 days of receiving an assessment report pursuant to condition 13(c) prepare a plan to ensure the undertaking of the prescribed premises will no longer lead to any contravention of the *Environmental Protection (Noise) Regulations 1997*; and
  - (b) provide to the CEO a copy of the plan prepared pursuant to condition 16(a) within 8 calendar days of its preparation.

## Compliance reporting

17. The works approval holder must submit to the CEO a report on the time limited operations within 30 calendar days of the completion date of time limited operations or 30 calendar days before the expiration date of the works approval, whichever is the sooner.

- 18.** The works approval holder must ensure the report required by Condition 17 includes the following:
- (a) a summary of the time limited operations, including timeframes and amount of material processed;
  - (b) a summary of noise monitoring results obtained during time limited operations under Condition 13;
  - (c) a review of performance and compliance against the conditions of the works approval; and
  - (d) where the manufacturer's design specifications and the conditions of this works approval have not been met, what measures will the works approval holder take to meet them, and what timeframes will be required to implement those measures.

### Records and reporting (general)

- 19.** The works approval holder must record the following information in relation to complaints received by the works approval holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- (a) the name and contact details of the complainant, (if provided);
  - (b) the time and date of the complaint;
  - (c) the complete details of the complaint and any other concerns or other issues raised; and
  - (d) the complete details and dates of any action taken by the works approval holder to investigate or respond to any complaint.
- 20.** The works approval holder must maintain accurate and auditable books including the following records, information, reports, and data required by this works approval:
- (a) the works conducted in accordance with condition 1;
  - (b) any maintenance of infrastructure that is performed in the course of complying with condition 8;
  - (c) monitoring programmes undertaken in accordance with condition 13; and
  - (d) complaints received under condition 19.
- 21.** The books specified under condition 20 must:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
  - (c) be retained by the works approval holder for the duration of the works approval; and
  - (d) be available to be produced to an inspector or the CEO as required.

## Definitions

In this works approval, the terms in Table 2 have the meanings defined.

**Table 2: Definitions**

Term	Definition
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means:  Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V Division 3 of the EP Act.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
Environmental Compliance Report	means a report to satisfy the CEO that the conditioned infrastructure and/or equipment has been constructed and/or installed in accordance with the works approval.
EP Act	<i>Environmental Protection Act 1986 (WA)</i> .
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i> .
premises	the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map Figure 1 in Schedule 1 to this works approval.
prescribed premises	has the same meaning given to that term under the EP Act.
Strong wind conditions	means wind speeds of a Beaufort Scale rating of 6 or greater.
time limited operations	refers to the operation of the infrastructure and equipment identified under this works approval that is authorised for that purpose, subject to the relevant conditions.
works approval	refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.
works approval	refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of



Term	Definition
holder	this works approval.

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**END OF CONDITIONS**

## Schedule 1: Maps

### Premises map

The boundary of the prescribed premises is shown in the map below (Figure 1).



Figure 1: Map of the boundary of the prescribed premises with noise bund construction requirements and dozer exclusion area

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IR-T05 Works approval template (v6.0) (September 2022)

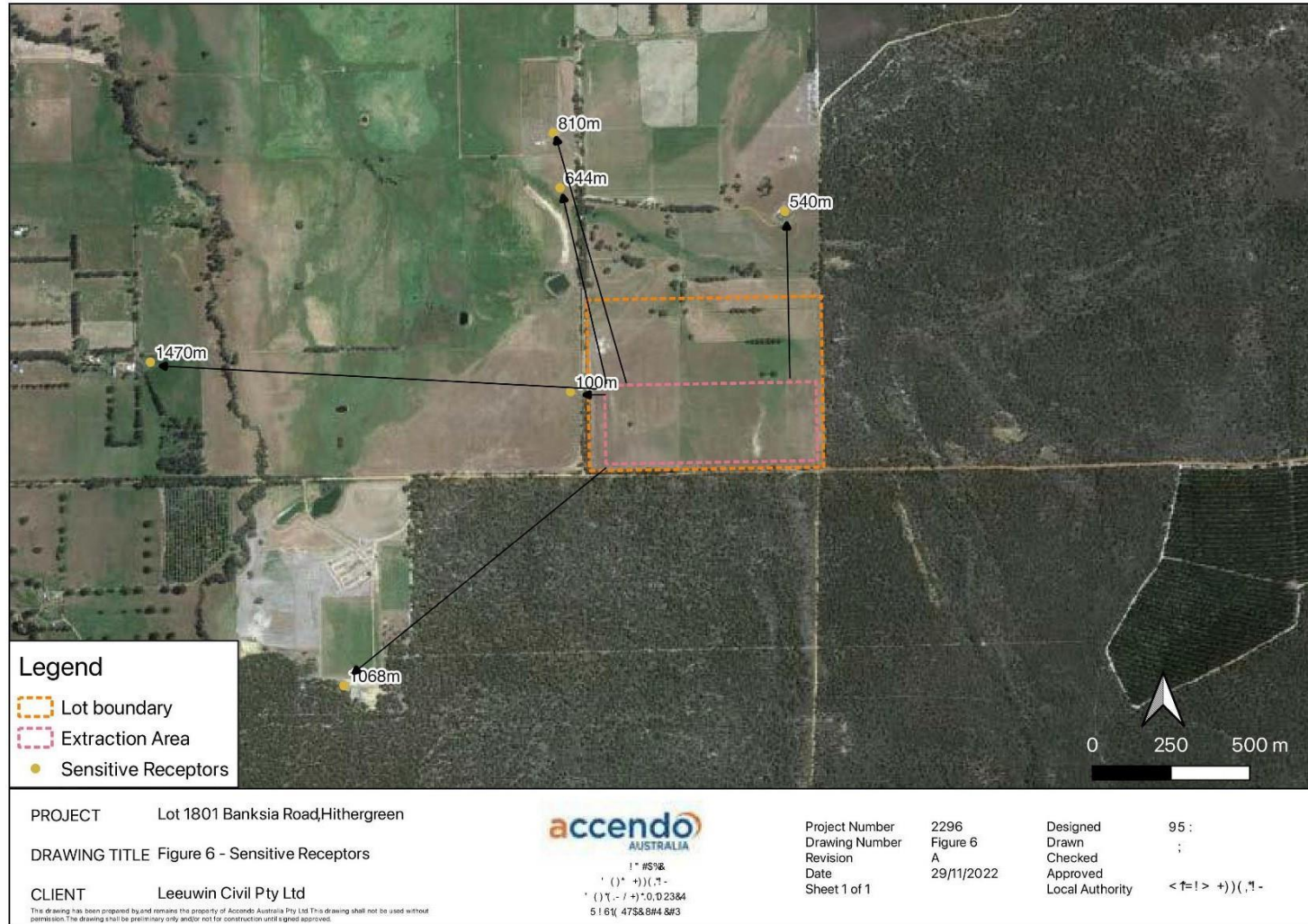
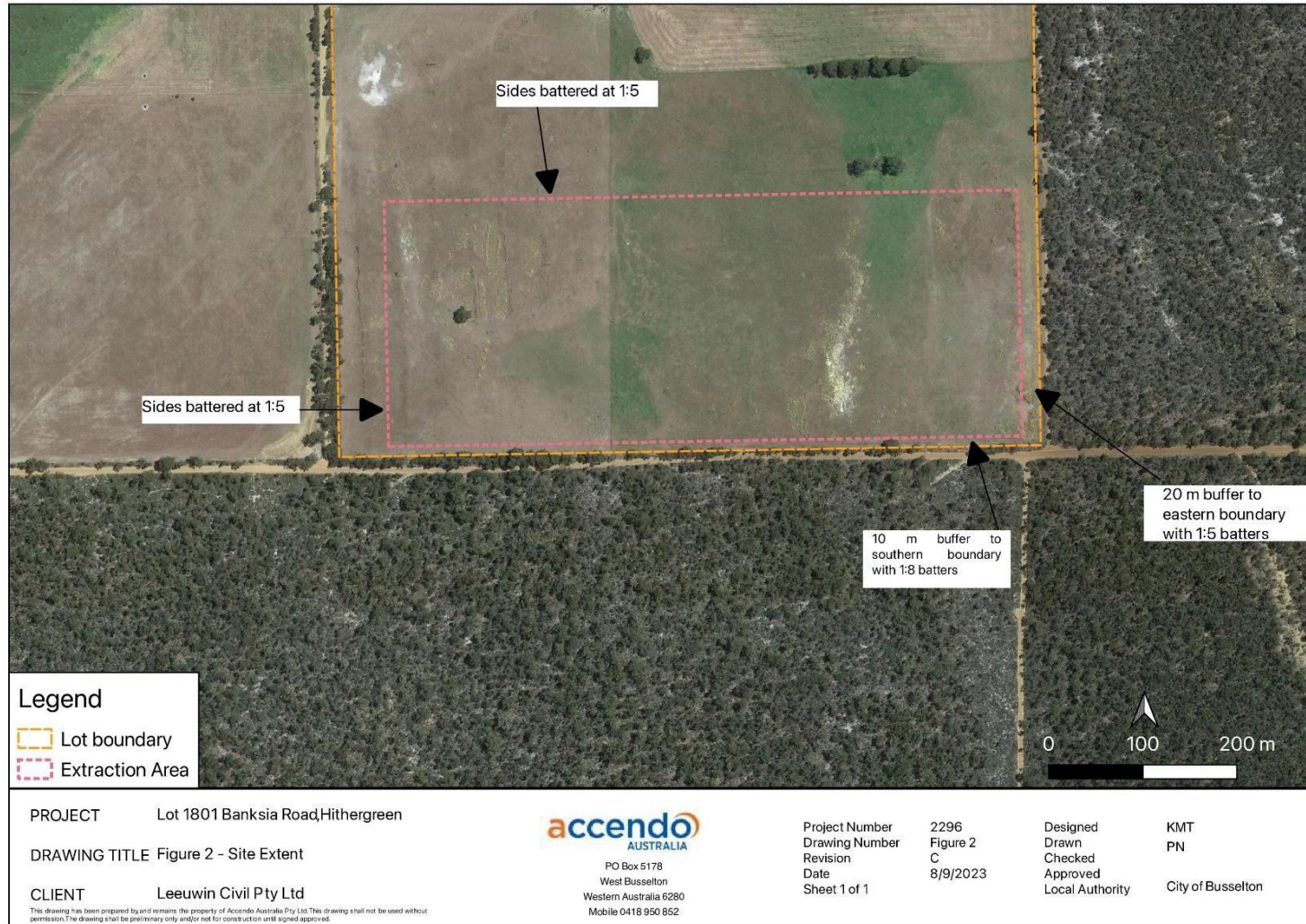


Figure 2: Map of the closest sensitive human receptors

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IR-T05 Works approval template (v6.0) (September 2022)





**Figure 3: Extraction area position**

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