

Form

Referral of a proposal under s. 38 of the EP Act

PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION			
Referrer information			
Who is referring this proposal?		<input type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input checked="" type="checkbox"/> Community member/third party	
Name (print) [REDACTED] <i>Name of the person or organisation referring</i>		Signature [REDACTED] [REDACTED]	
Position	[REDACTED]	Organisation	
Email	[REDACTED]	Phone	[REDACTED]
Address	[REDACTED]	Street Name	
	[REDACTED]	State	[REDACTED]
Date	31st May, 2024		
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the referrer confirm that they consent to receive correspondence electronically?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Referral declaration for proponent and Authorised representative: I, declare that I am authorised to refer this proposal on behalf ofand further declare that the information contained in this form is true and not misleading. Date:			
Proponent information			
Name of the proponent/s <i>Include Trading Name if relevant</i>		M.G Giacci	
Australian Company Number(s) <input type="checkbox"/> OR Australian Business Number(s) <input type="checkbox"/>			
Pre-referral discussions			
Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)? <i>If so, provide name, date, and overview of</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<i>discussions.</i>	
Proposal information	
Proposal name	Limestone Quarry, Lot 1794 Finn Rd, Myalup
What is the proposal? (Include general description in the Instructions and template: How to identify the content of a proposal)	<p>The proposal: Extractive Industry Application for a development area of 9.17ha within Lot 1794, presents associated risks to Ramsar site 482 (Lake Preston), wetlands and native vegetation, is inconsistent with the aims of WA Planning Guidelines 2015 and fails protect flora and vegetation so that biological diversity and ecological integrity are maintained.</p> <p>Location: The Finn Road site is located on the Yalgorup alluvial floodplain, within a chain of wetlands hydraulically and geomorphically linked, Lake Preston (Ramsar 482) to Leschenault Estuary.</p> <p>The floodplain is seasonally inundated with surface water observed during winter and heavy rainfall from May to October.</p> <p>Groundwater levels vary across the site, where levels may alter due to the undulating character of the land. Groundwater levels recorded on adjoining property varying at 0.0m AHD to 0.15m AHD. The proponent has provided no data for the site's groundwater quantity or quality.</p> <p>The proposed excavation depth to 6m AHD will be undertaken in five stages, each approximately 2 ha in size. Extractive operations present potential for chemicals and pesticides leaching into groundwater systems and into surface water runoff, due to the site's previous horticulture use, which may impact adjacent wetlands linked to L. Preston (Ramsar).</p> <p>The proposal requires clearing of native vegetation onsite which currently adjoins a critical buffer, providing fauna connectivity n/s and e/w across the property and road side buffer of Tuart/Jarrah/peppermint woodlands(TEC), which provides suitable foraging vegetation for Black Cockatoo species and breeding hollows for WRP and BC (Stratagen Finn Rd habitat survey 2009)</p>

	- Proposed actions present potential for significant impact to environmental values of EPBC - WA BC Act
Have you provided electronic spatial data, maps, and figures in the appropriate format?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>What type of proposal is being referred?</p> <p><i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i></p> <p><i>For a proposal under an assessed planning scheme, provide the scheme number and name</i></p>	<input checked="" type="checkbox"/> significant proposal. <i>Choose which type of significant proposal</i> <input checked="" type="checkbox"/> new proposal <input type="checkbox"/> significant amendment (proposal only) <input type="checkbox"/> significant amendment (conditions only) <input type="checkbox"/> significant amendment (proposal and conditions) <input type="checkbox"/> strategic proposal <input type="checkbox"/> derived proposal <input type="checkbox"/> proposals of a prescribed class <input type="checkbox"/> proposal under an assessed planning scheme
<p>Proposal content: Complete the corresponding template (<i>Proposal Content Document</i>) from the Instructions and template: How to identify the content of a proposal for the type of proposal identified above. The completed form must be submitted with the referral.</p>	
Alternatives	The proponent has not provided any alternative. The area has no shortage of sand and limestone (BRM) available, which can be sourced from land where extraction depth does not intercept local groundwater or impact wetlands systems

PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

Environmental factors

What are the likely significant environmental factors for this proposal?

- Benthic Communities and Habitat
- Coastal Processes
- Marine Environmental Quality
- Marine Fauna
- Flora and Vegetation
- Landforms
- Subterranean Fauna
- Terrestrial Environmental Quality
- Terrestrial Fauna
- Inland Waters
- Air Quality
- Greenhouse Gas Emissions
- Social Surroundings
- Human Health

For each of the environmental factors identified above, complete the following table, or provide the information in a supplementary report

Potential environmental impacts – FLORA and VEGETATION

<p>1</p>	<p>EPA policy and guidance</p>	<p><i>Environmental Factor Guideline – Flora and Vegetation.</i></p> <p>Considerations for EIA for this factor that are relevant to this proposal includes:</p> <ul style="list-style-type: none"> - the implications of cumulative impacts; cumulative impact of continued clearing of eucalyptus trees, tall with healthy connecting canopy to adjacent remnant Tuart/Jarrah/peppermint(TEC) buffer, which provides suitable foraging for Carnaby’s Cockatoo(CB)(MNES), known to occur in the immediate area. Any removal of mature eucalyptus/ coastal peppermint trees and shrubs will potentially fragment critical habitat linkages for survival of WRP and CB. - no onsite flora or vegetation surveys or analyses to determine suitable habitat for fauna has been undertaken, to a standard consistent with guidance statements; - the proposal fails to identify areas to be suitably revegetated in a manner that promotes biological diversity and ecological integrity; provides no proposal to revegetate with native vegetation (deep rooting). - The landowners previous application 4.5ha extraction quarry on Lot 1794, required clearing of Tuarts described as “scattered Tuart trees” (EPBC 2005/2332)”Not a Controlled Action”A rehabilitation plan required for removal of scattered Tuarts, required supplementary planting of Tuarts within s/eastern corner. (Ref attached) - No rehabilitation is evident, therefore the proposal urgently requires a thorough EPA assessment of the current status of <u>revegetation</u> to ensure <u>conditions meet with promoting biological diversity and ecological integrity</u>
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2	Receiving environment	<p>Swan Coastal Plain approx. 550m from Ramsar wetlands, within a chain of hydraulically linked wetlands L.Preston – Leschenault estuary, whereby changes in land use such as extractive industries significantly alter landscape function, groundwater and surface water hydrology and quality.</p> <p>The site, has experienced extensive clearing of remnant woodlands predominantly Tuart/Jarrah/Agonis Flexuosa. Any remaining remnant Tuart/Jarrah patches must be retained, as vital habitat for fauna connectivity to foraging areas between YNP (nth) and wetlands (east-west) of the site.</p>
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3	Likely environmental impacts	<p>The implications of cumulative impacts relevant to this proposal includes;</p> <ul style="list-style-type: none"> - <u>cumulative effects</u>, taking into account cumulative environmental impacts of successive land uses requiring native vegetation clearing and likely effect on the environment from past, present and reasonably foreseeable future clearing activities - the proponents decision to clear eucalyptus trees on site, stated as “non- endemic”, the decision to clear may contravene WA Govt.’s Clearing Principle, the vegetation currently provides potential foraging habitat and healthy canopy for fauna connectivity ie: black cockatoos: <ul style="list-style-type: none"> - whether surveys and analysis has been undertaken to a standard consistent with guidance statements: -supporting information has not been provided to a standard which reflects the contemporary environmental condition of the site, including potential for offsite habitat linkages to reflect current assessment criteria : -whether the proposed areas buffer will be revegetated in a manner that promotes biological diversity and ecological integrity; --no proposal to revegetate with native vegetation(deep rooting); Previous extractive activities and clearing required rehabilitation with Tuart trees and suitable vegetation for BC on Lot 1794’s s/e corner, there appears no evidence of Tuart planting
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4	<p>Application of the mitigation hierarchy, including other statutory decision-making processes</p>	<p><u>WA Planning Guidelines 2015</u></p> <p><u>WA Planning Considerations - Basic Raw Material Guidelines</u></p> <p>1. The Proposal requires clearing of native vegetation within the site and boundaries, this includes endemic and non- endemic species, all of which provide foraging habitat for Black Cockatoos, hollows represent breeding potential for Black Cockatoo, Western Ringtail Possum and Brush- tail Phascogale- all observed within Finn Road boundary vegetation and adjoining property.</p> <p>2. ASS report noted ASS on n/e wetland adjoining property – potential for exposure during excavation works</p> <p>3. The Shire of Harvey’s LPS 2 identifies this land as Priority Agriculture land</p> <p>4. The site is a floodplain, with a high groundwater water table – totally incompatible with extractive industries</p> <p>The proposed extractive industry fails to comply with four of the environmental attributes for WA Planning Consideration for BRM extraction.</p> <p>No mitigation is proposed by the applicant resulting in the requirement for a robust and rigorous EPA assessment process.</p>
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5	Assessment and significance of residual impacts	<p><i>To protect flora and vegetation so that biological diversity and ecological integrity are maintained.</i></p> <p>Approval in the manner proposed, and in the absence of any appropriate mitigation, it is likely this proposal could be at odds with the EPA objective by contributing to habitat degradation</p> <p>Ongoing net habitat loss is self-evidently not something that should be approved by a conservation department, for species whose declines won't be halted until net habitat loss is halted (e.g. Carnabys cockatoo & Western Ringtail Possum)</p>
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6	Likely environmental outcomes	<p>Proposed mitigation measures are inconsistent with EPA environmental objective for this factor -</p> <p>1.The proposal will not protect remnant vegetation, critical to survival and persistence of protected fauna , will not enhance the water quality of the Yalgorup lakes system including L.Preston (Ramsar) catchment, it will result in the detrimental impact to remnant vegetation and places of landscapes valued by the broader community , and will contribute to a cumulative loss of fauna habitat</p> <p>2. Is contrary to the objectives, principles and provisions of State Planning Policies:</p> <ul style="list-style-type: none"> ☑ SPP 2 Environment and natural resources policy; ☑ SPP 2.5 Rural Planning; and ☑ Draft SPP 2.9 Planning for water. <p>The removal of remnant and deep-rooted perennial vegetation and substantial modification to the landscape in the context of the particular application is inconsistent with WA Planning Policies</p> <p>Any clearing of vegetation, endemic or not, especially the centre wind row, has the potential to contribute to soil erosion, due to location of the site, so close to the coast, increase groundwater and soil salinity levels and increase in runoff of sediment, nutrients and other pollutants.</p> <p>Clearing of additional vegetation with connection to buffer native vegetation also has the potential to permanently alter the substrate and habitat connectivity by the removal of the land forms central ridgeline</p>
		LANDFORMS

<p>EPA policy and guidance</p>	<p>Proposal area could be considered a significant landform for the following reasons:</p> <ul style="list-style-type: none"> • The quarry will cover an area of 9.17ha with a current maximum elevation of 16.5m AHD, final contours reduce these elevation to 6m AHD • The landform has a distinctive role in maintaining existing ecological and physical processes. The depth of the landform in protecting the groundwater that supplies the surrounding wetland systems. By extracting substrate potentially exposing groundwater, the hydrological regime will be irrevocably changed. • The landform provides evidence of past ecological processes or is an important geomorphological or geological site: Recent similar proposals have been challenged based on the potential geoheritage significance of the Pleistocene formations. <p>Considerations for EIA for this factor that are relevant to this proposal includes:</p> <ul style="list-style-type: none"> • the extent of impacts on the landform from previous and reasonably foreseeable activities, development or land uses. This ongoing alteration to the landform has potential to present risk of ongoing significant impacts.
<p>Receiving environment</p>	<p>Swan Coastal Plain within 550m to Lake Preston (Ramsar) Wetlands whereby changes in land use such as extractive industries significantly alter soil quality, landscape function, groundwater and surface water hydrology and quality</p>
<p>Likely environmental impacts</p>	<p>Proposal relates to a reduction in the depth of the soil profile from approx. 16.5m AHD to 6m AHD by the extraction of approximately 200,000m³ sand and limestone excavated each year, from the site.</p> <p>The removal of remnant and deep-rooted perennial vegetation and substantial modification to the landscape in the context of the particular application is inconsistent with EPA objective resulting in significantly altered landform.</p>
<p>Application of the mitigation hierarchy, including other statutory decision-making processes</p>	<ul style="list-style-type: none"> • No mitigation is proposed by the applicant resulting in the need for robust and appropriate assessment. • it is essential that existing areas retains a safe and stable productive landform for future use.
<p>Assessment and significance of residual impacts</p>	<p><i>To maintain the variety and integrity of significant physical landforms so that environmental values are protected.</i></p> <p>Approval of this proposal could be at odds with the EPA objective stated above as it will result in a permanent alteration to the landform and soil profile.</p>

Likely environmental outcomes	<p>The proposed mitigation measures are inconsistent with EPA environmental objective for this factor, due to</p> <ul style="list-style-type: none"> - Permanent change to landform and function <p>Irreversible changes to landform and drainage function</p> <p>The applicant may be of the opinion that the presence of the current extractive industry activity will lead to further Approvals.</p>
Potential environmental impacts – Subterranean Fauna	
1	<p>EPA policy and guidance</p> <p><i>Environmental Factor Guideline – Subterranean Fauna.</i></p> <p>Considerations for EIA for this factor that are relevant to this proposal includes:</p> <ul style="list-style-type: none"> • the implications of cumulative impacts • whether surveys and analyses have been undertaken consistent with EPA technical guidance • the current state of knowledge of the affected species/assemblages of subterranean fauna and the level of confidence underpinning the predicted residual impacts. • Any exposure of groundwater, or alteration of groundwater hydrology, will have an impact on subterranean fauna through external contamination, phosphorus, nitrogen
2	<p>Receiving environment</p> <p>Swan Coastal Plain within 550m of Lake Preston (Ramsar) Wetland whereby changes in land use such as extractive industries significantly alter landscape function, groundwater and surface water hydrology and quality</p>
3	<p>Likely environmental impacts</p> <p>Extracting approximately 200,000m³ of sand and limestone from the site, present the potential risk of exposure and contamination of groundwater.</p>
4	<p>Application of the mitigation hierarchy, including other statutory decision-making processes</p> <p>The applicant’s proposed mitigation is to not expose the groundwater. However excavation within a floodplain, presents potential risk of groundwater exposure as seen on a number of surrounding locations. Therefore proposed mitigation can be considered inaccurate.</p>

5	Assessment and significance of residual impacts	<p><i>To protect subterranean fauna so that biological diversity and ecological integrity are maintained.</i></p> <p>Approval in the manner proposed, and in the absence of any appropriate mitigation, it is likely this proposal could be at odds with the EPA objective stated above.</p>
6	Likely environmental outcomes	<p>The proposed mitigation measures to safeguard against groundwater contamination or exposure are inconsistent with EPA environmental objective for this factor therefore could be considered inaccurate</p>
Potential environmental impacts – Terrestrial Environmental Quality		
1	EPA policy and guidance	<p>Considerations for EIA for this factor that are relevant to this proposal includes:</p> <ul style="list-style-type: none"> - the significance of the potential impacts in the context of the location, regional cumulative impacts, and other relevant issues. - Permanent alteration of the soil profile resulting in agricultural practices being located closer to the groundwater.
2	Receiving environment	<p>Swan Coastal Plain within 550m to Lake Preston (Ramsar) Wetlands whereby changes in land use such as extractive industries significantly alter soil quality, landscape function, groundwater and surface water hydrology and quality</p>
3	Likely environmental impacts	<ul style="list-style-type: none"> ● Vegetation clearing can lead to soil erosion. ● Stockpiled topsoil can be eroded by wind and rain. ● Exposure of acid sulfate soils given potential exposure of groundwater and given the proposed expansion area is located in an area of high to moderate risk of ASS within 3m of natural surface. ● There is evidence of potential ASS on adjoining property's wetland area n/e corner of the site – extraction depth may expose and mobilise ASS

4	Application of the mitigation hierarchy, including other statutory decision-making processes	The applicant's proposed mitigation is to not expose the groundwater. However, there is evidence of previous extractive industry operation had exposed groundwater. Therefore, the proposed mitigation can be consider inaccurate
5	Assessment and significance of residual impacts	<i>To maintain the quality of land and soils so that environmental values are protected.</i> Approval in the manner proposed, and in the absence of any appropriate mitigation, it is likely this proposal could be at odds with the EPA objective stated above due to the existing soil profile not being maintained.
6	Likely environmental outcomes	The proposed mitigation measures are inconsistent with EPA environmental objective for this factor, due to failure to present any appropriate mitigation measures could potentially result in <u>decline in terrestrial environmental quality on a local and regional scale</u>
Potential environmental impacts – TERRESTRIAL FAUNA		
1	EPA policy and guidance	<i>Environmental Factor Guideline – Terrestrial Fauna.</i> Considerations for EIA for this factor that are relevant to this proposal includes: - the implications of cumulative impacts. - Cumulative impact of clearing native trees and shrubs, previously 8ha Tuarts cleared for extractive operations EPBC 2005/2332 - Proposed land activity impedes safe fauna movement through the landscape and proposed additional vegetation clearing could result in a loss of fauna connectivity to: foraging grounds; roosting; and breeding habitat. - Proposed activity is also located adjacent to a buffer of Tuarts with BDM (TEC)
2	Receiving environment	Swan Coastal Plain within 550m to Lake Preston (Ramsar) Wetlands whereby changes in land use such as extractive industries significantly alter soil quality, landscape function, groundwater and surface water hydrology and quality

3	Likely environmental impacts	<p>While the excavation footprint and broader area has been extensively cleared, remaining native vegetation buffer in road reserves and other lots in the vicinity provide critical foraging and nesting habitat for several conservation significant species.</p> <p>In a heavily cleared and impacted local environment, all native vegetation, in particular large mature trees with canopy, have a critical role in supporting remaining fauna through landscape connectivity.</p> <p>The vegetation bordering the development footprint comprises Tuart (<i>Eucalyptus gomphocephala</i>) Jarrah (<i>E. marginata</i>) with understory of Acacia and coastal peppermint (<i>Agonis flexuosa</i>), providing foraging, nesting hollows and habitat <u>connectivity for three protected MNES and WA Biodiversity Conservation Act 2016</u> listed Black Cockatoo species, Carnaby's Cockatoo (Endangered), Baudin's Cockatoo (Endangered) and Forest Red Tail(Vulnerable), as well as the Western Ringtail Possum (Critically Endangered) and Brush Tail Phascogale (P4), all known to persist throughout the area.</p> <p>The mapped Finn Rd. habitat trees provide valuable foraging and breeding sized hollows for Black Cockatoos, Brush Tail Phascogale and WRP.</p> <p>The proponent should maintain and improve quality of buffer linkages of Tuart/Jarrah (TEC) identified on Finn Road and adjoining properties to ensure its successful implementation in achieving the prescribed buffer to the national park and Ramsar wetlands.</p> <p>While a 10m drip zone set back is proposed, the risks of clearing impacts to the remaining fragmented native vegetation and the threatened fauna it supports, therefore is considered unacceptable as it contributes to habitat degradation. On this basis the proposal requires EPA referral to ensure rigorous scientific assessment.</p>
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4	Application of the mitigation hierarchy, including other statutory decision-making processes	No mitigation is proposed by the applicant resulting in the need for robust and appropriate assessment. It is likely this proposal could be at odds with the EPA objective.
5	Assessment and significance of residual impacts	<p><i>To protect terrestrial fauna so that biological diversity and ecological integrity are maintained.</i></p> <ul style="list-style-type: none"> ☒ Clearing of additional vegetation. ☒ Introduction or promotion of weeds. ☒ Reduction or prevention of access to sites for roosting sites, habitat and foraging. ☒ Increased dust. ☒ Pollution or modification of water quality and water regimes. <p>Therefore, approval in the manner proposed and in the absence of any appropriate mitigation, it is likely this proposal could be at odds with the EPA objective stated above.</p>
6	Likely environmental outcomes	<p>The proposed mitigation measures are inconsistent with EPA environmental objective for this factor, due to</p> <p>Inadequacy of proposed 10m drip zone set back, this is unacceptable, the risks of impacts from proposed clearing to the remaining fragmented native vegetation and the threatened fauna it supports is unacceptable, requiring formal assessment.</p>
Potential environmental impacts – INLAND WATERS		

	<p>EPA policy and guidance</p>	<p>Considerations for EIA for this factor that are relevant to this proposal includes:</p> <ul style="list-style-type: none"> -Pathways through which the hydrological regime and water quality may be impacted - The water dependent environmental values which are potentially impacted. <p>Groundwater is within South West Coastal Groundwater Area with water quality between 500 to 1000 milligrams per litre TDS at a depth of plus 1.5 metres AHD and hydraulically connected to Lake Preston</p> <p><i>Strategic Environmental Advice on the Dawesville to Binningup Area – Report 1359, May 2010.</i></p> <p><u>EPA Report 1359</u> recommends that <u>development on the eastern side of the Yalgorup lakes system is highly constrained</u> due to the significance of the <u>Yalgorup lakes system</u>, the Yalgorup National Park and <u>the necessity to maintain the complex hydrological functions that support this important ecosystem with such environmental values being recognised at the global scale.</u></p> <p>Page 6 of the Report states that <u>“excavation for mining may adversely impact the lake ecosystems through changes to groundwater quality and quantity.”</u></p> <ul style="list-style-type: none"> - extractive operations present a high risk of groundwater exposure. - <u>Perth Peel 3.5m. SAPPR-</u> The report details Priority Areas for Acquisition, <u>abutting L.Preston, which includes Lot 1794</u>
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2	<p>Receiving environment</p>	<p>The site on Swan Coastal Plain is approximately within 550m of Lake Preston Ramsar Wetland whereby changes in land use such as extractive industries significantly alter landscape function, groundwater and surface water hydrology and quality.</p> <p>Surface water observed during winter months, presents as a surface expression of the Superficial aquifer during winter and heavy rains May to October - therefore excavation within this location for purposes of extracting underlying limestone, presents high risk of: groundwater contamination from surface water runoff; erosion; chemical and fuels contamination from chemical/fuel spill, accidental spillage during works and processing operations.</p> <p>The site is located within DWER Ground-water Protection Area.</p> <p>A significant risk of groundwater contamination exists, within and beyond the excavation boundary to nearby wetlands, with linkages to Ramsar site 482 as a result of seepage and rainfall/storm events during operation, particular with groundwater flow to the west. This risk has not been addressed by the proponent.</p> <p>Due to the combination of design and location concerns, the lack of assessment or mitigation planning for risk of potential pesticide contamination from the site in surface water . The lack of evidence to support groundwater quantity or quality raises significant risk due to lack of groundwater mitigation measures.</p> <p>The environmental values of Lake Preston are not addressed in this proposal. Dust from soil stripping activities will present a significant risk to wetlands health CCW west and REW/MU n/e of the site.</p>
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3	Likely environmental impacts	<ul style="list-style-type: none"> ☒ Vegetation clearing can increase groundwater and soil salinity levels, and increase runoff of sediment, nutrients and other pollutants. ☒ Groundwater exposure (which has previously occurred and continues to occur) can impact on groundwater quality, along with exposing ASS. ☒ Alteration of natural surface water flows. ☒ Extraction of sand and limestone within areas of Multiple Use Wetland.
4	Application of the mitigation hierarchy, including other statutory decision-making processes	<ul style="list-style-type: none"> - Proponent provides no detail relating to dust management or monitoring. However given the coastal floodplain location: proximity to habitat trees; surrounding horticultural land use; and Ramsar 482 site, mitigation measures are unlikely to adequately reduce the risks to ecosystem values of Lake Preston - The applicant proposes to not expose the groundwater. Evidence previous extractive industry operation on this site exposed groundwater. - The excavation depth in the n/e corner has potential to mobilize and expose ASS evident on adjoining property - the proposed mitigation can be considered inaccurate thereby increasing the risk of ASS exposure - No other mitigation is proposed by the applicant resulting in the need for robust and appropriate assessment.

5	Assessment and significance of residual impacts	<p><i>To maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected.</i></p> <p>Approval in the manner proposed, and in the absence of any appropriate mitigation, it is likely this proposal could be at odds with the EPA objective stated above.</p>
6	Likely environmental outcomes	<p>The proposed mitigation measures are inconsistent with EPA environmental objective for this factor, due to-</p> <p>The proposed activity is located in close proximity to Lake Preston, which forms part of within the Peel-Yalgorup Wetland System Ramsar 482 which was designated as Wetlands of International Importance under Ramsar Convention on Wetlands in 1990 as Global Ramsar Site 482, and covered by the EPBC Act, 1999. Based on the Ecological Character Description of the Ramsar site (Hale and Butcher 2007) the system meets seven (7) criteria for listing as a wetland of international importance, Criterion 1: The site includes the largest, most diverse estuarine complex in SW Australia.</p> <p>Peel Harvey CC advises, that, <i>as a logical extension, actions which may have adverse effects on the environmental and ecological values of the Ramsar upstream catchments may also have adverse effects on the ecological character of the Ramsar Site itself.</i></p> <p>The PH Estuary has already been identified as an at-risk estuary by the Western Australian State Government primarily due to water quality changes. Four components and processes have been identified as being important in maintaining the ecological character of the Ramsar Site, namely climate, geomorphology, hydrology and water quality (Hale and Butcher 2007, PHCC in prep). The proposed excavation and quarrying presents unacceptable risk to adversely impacts on both hydrology and water quality of Lake Preston, therefore requiring thorough EPA and EPBC assessments.</p>
Holistic impact assessment		
The EPA considered the connections and interactions between relevant environmental factors and values to inform a <u>holistic view of impacts to the whole environment</u>.		

Outline the holistic impact assessment for the Proposal-

To provide reasonable opportunity for regional, landscape-scale monitoring and performance reporting and therefore adaptive management of cumulative impacts as far as they relate to native vegetation integrity we recommend that rigorous conditions be imposed, which require this level of reporting.

We recommend that environmental outcome conditions during the implementation of the proposal, be required to meet the holistic values of biological diversity and ecological integrity.

Cumulative environmental impact assessment

Cumulative impact of successive native vegetation clearing for successive horticulture /extractive industries within this area have continued, largely unregulated, therefore with lack of transparency or accountability to ensure rehabilitation or land restoration is carried out as regulated.

Tuart/Jarraah/Banksia/Peppermint woodlands, which previously dominated surrounding land, are rapidly declining.

This is contributing fragmentation of critical buffer severing linkages to critical habitat for many fauna species (MNES)

The proposal will not protect remnant vegetation, critical to survival and persistence of protected fauna , will not enhance the water quality of the Yalgorup lakes system including L.Preston’s (Ramsar) catchment, it will result in the detrimental impact to remnant vegetation and places of landscapes valued by the broader community, and will contribute to the cumulative loss of critical fauna habitat.

Consultation

Outline the stakeholder identification and consultation process, and outcomes of consultation on the Proposal and its likely environmental effects.

There proponent has not conducted community consultation as part of this process

- Proposal was publicly advertised with submissions received commenting on the following:

- o Proposal requires referral under EPBC Act due to -
 - potential indirect and direct impacts to MNES in the Buffer (TEC) and potentially foraging onsite;
 - o Proponent intend edge to edge clearing, with no intention to apply for clearing permit or plant trees or other native vegetation;
 - o Rehabilitation plan for site to return to horticulture, highly unlikely the site will be sterilized
 - o There has been no recent onsite assessment against current environmental conditions and/or regulations; and
 - o Presence of previous extractive industry operations should not guarantee automatic approval for continued or expanded extractive disturbance.

Supporting documents

Provide a list of the supporting documents – Accendo’s Rehabilitation Plan, Stratagen Habitat Finn Road, EPBC 2005/2332 clearing and rehabilitation conditions (attached)

Has the referrer provided survey information according to the [Instructions and Form: IBSA Data Packages](#) and/or the [Instructions and form: IMSA Data Packages](#)

Yes
 No

Conclusion

Do you consider the proposal may have a significant effect on the environment? YES

The proposed action, as presented, will have a significant effect on the receiving environment which includes: Ramsar wetlands; groundwater quality; Tuart woodlands(TEC); threatened and protected Black Cockatoos (MNES) therefore requiring rigorous assessment to address whole of landscape values and ecosystem function, at a contemporary level, that protects the lands environmental values.

PART C: OTHER APPROVALS AND REGULATION

Decision-making authorities and their approvals

Provide a table list of the decision-making authorities, associated legislation or agreement regulating the activity and the specific approval required. (Example table at the end of form)

Provide a summary of the statutory decision-making processes you consider can mitigate the potential impacts of the proposal on the environment. (Note: this should be a summary of the information provided in Part B section 2.4). (Example table at the end of form)

Tenure and Local Government approvals

Location of proposal:

- a) street address, lot number, suburb, and nearest road intersection; or
- b) if remote, the nearest town and distance and direction from that town to the proposal site.

Name of the Local Government Authority in which the proposal is located.

Is rezoning of any land required before the proposal can be implemented?
If yes, please provide details.

Yes

No

What is the current land use on the property, and the extent (area in hectares) of the property?

Does the proponent have the legal access required for the implementation of all aspects of the proposal?

Yes

No

If yes, provide details of legal access authorisations / agreements / tenure.

If no, what authorisations / agreements / tenure is required and from whom?

Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____ EPBC No.: _____
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under a Bilateral Agreement or as an accredited assessment?	<input type="checkbox"/> Yes - Bilateral <input type="checkbox"/> No <input type="checkbox"/> Yes - Accredited
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No Approval:
Decision-making authority referrals <u>ONLY</u>	
What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i>	

Example Table: Other approvals

Decision-making authority	Legislation or Agreement regulating the activity	Approval required (and specify which proposal element the approval is related to)

Example table: Other statutory decision-making process which can mitigate potential impacts on the environment

Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact eg time limits, excluded operations	Likely environmental outcome of decision-making process(es), and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process(es)