



Environmental Protection Authority

Doyles Lime Services Pty Ltd
PO Box 133
CAPEL WA 6271

Your Ref: NA
Our Ref: CMS14096
Enquiries: Leanne Zheng, 6145 0800
Email: Leanne.Zheng@epa.wa.gov.au

Dear Sir/Madam

NOTICE UNDER SECTION 39A(3) *Environmental Protection Act 1986*

PROPOSAL: Limestone and Sand Excavation
LOCATION: Lots 1001 and 1002 Preston Beach Road, Preston Beach,
Shire of Waroona
PROPONENT: Doyles Lime Services Pty Ltd
DECISION: Not Assessed: Public Advice Given

The Environmental Protection Authority (EPA) understands that you wish to undertake the above proposal which has been referred to the EPA for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the overall environmental impact of the proposal is not so significant as to require assessment by the EPA, and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986*. Accordingly, the EPA has determined not to assess this proposal.

Nevertheless, the staff of the Office of the EPA has provided the attached advice to you as the proponent, and other relevant authorities, on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 30 March 2015, during which, on payment of the appeal fee, an appellant may ask the Minister to consider directing the EPA to reconsider this decision or conduct a formal assessment.

Information on the outcome of the appeals process is available through the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190 after the closing date of appeals.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. Sutton', with a stylized flourish at the end.

Anthony Sutton
Director
Assessment and Compliance Division

For the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 dated 6 December 2013

16 March 2015

Encl: Public Advice

**PUBLIC ADVICE UNDER SECTION 39A(7)
ENVIRONMENTAL PROTECTION ACT 1986**

**LIMESTONE AND SAND EXCAVATION, LOTS 1001 AND 1002 PRESTON
BEACH ROAD NORTH, PRESTON BEACH**

Summary

Doyles Lime Service Pty Ltd proposes to develop a limestone and sand quarry on Lots 1001 and 1002 Preston Beach Road North, Preston Beach. The estimated resource is 1,000,000 tonnes of limestone extracted at 50,000 tonnes per year and 150,000 tonnes of sand, extracted at 10,000 tonnes per year. The proposed limestone pit is 7.5 hectares (ha) and the sand pit is 1.5 ha with a 2.5 ha pit identified for the future. The proposal is expected to have a life of 20 years.

Preston Beach Road North is the existing access track to the Martins Tank campground, and is also commonly used as a walk trail. A transport study has been undertaken by the proponent which determined that the current road structure will not support the traffic and that changes to intersections and sightlines would be required. The EPA notes that the development envelope provided by the proponent does not include infrastructure upgrades that would be required to access the site and this should be considered by the Shire of Waroona as part of the development approvals process.

The proposal was advertised for public comment and the Environmental Protection Authority (EPA) notes that 14 public comments were received. Key issues raised by the public included the following:

- impacts to wetlands (Lake Pollard), including microbial communities in the lakes;
- fragmentation of the Yalgorup National Park, including from road access/upgrade and truck movements;
- impacts to native fauna, including birdlife;
- impacts to the aquifer;
- potential impacts to amenity – noise, dust, visual, impacts to recreation sites – Martins Tank campsite, proximity to Preston town site;
- potential karst and presence of subterranean fauna; and
- inadequacy of rehabilitation and closure.

The EPA has considered the proposal in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act) and the *Environmental Impact Assessment Administrative Procedures 2012*. In making its decision on whether to assess the proposal, the EPA considered the 10 aspects of the significance test as set out in clause 7 of the *Environmental Impact Assessment Administrative Procedures 2012*:

1. values, sensitivity and quality of the environment which is likely to be impacted;
2. extent (intensity, duration, magnitude and geographic footprint) of the likely impacts;

3. consequence of the likely impacts (or change);
4. resilience of the environment to cope with the impacts or change;
5. cumulative impacts with other projects;
6. level of confidence in the prediction of impacts and the success of proposed mitigation;
7. objects of the Act, policies, guidelines, procedures and standards against which a proposal can be assessed;
8. presence of strategic planning policy framework;
9. presence of other statutory decision-making processes which regulate the mitigation of the potential effects on the environment to meet the EPA's objectives and principles for EIA; and
10. public concern about the likely effects of the proposal, if implemented, on the environment.

In considering the potential impacts of the proposal on Hydrological Processes and Inland Waters Environmental Quality, Amenity, and Rehabilitation and Decommissioning, the EPA has had particular regard to:

- the high environmental values, but relatively small scale impacts of the planned activities and the small geographic footprint;
- the mitigation strategies proposed by the proponent to avoid and minimise impacts, for example:
 - setting the proposal back by 100 metres from the boundary of the wetland vegetation of Lake Pollard, which is protected under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992*;
 - limiting limestone extraction to an elevation of 10 metres above the highest known groundwater level; and
 - rehabilitating the site to good quality native vegetation.
- the presence of other statutory processes including Part V Division 2 (Clearing of Native Vegetation) and Division 3 (Works Approval and Licences) of the EP Act, and development approvals by the Western Australian Planning Commission and the Shire of Waroona.

In summary, although the proposal raises a number of environmental issues, the EPA's objectives for Hydrological Processes, Inland Waters Environmental Quality, Amenity, and Rehabilitation and Decommissioning can be met. This is primarily on the basis that the proposal is on previously cleared land, is relatively small in scale, and the proposal includes a 100 metre buffer to the wetland and a 10 metre vertical buffer to the ground water. As a result, the EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment. In addition, the EPA is also of the view that the potential impacts can be effectively dealt with through other statutory decision-making processes.

1. Environmental Factors

The EPA has identified the following preliminary environmental factors relevant to this proposal:

- a) Hydrological Processes & Inland Waters Environmental Quality;
- b) Amenity; and
- c) Rehabilitation and Decommissioning.

There were no factors that were determined to be key environmental factors that would require formal assessment under Part IV of the EP Act. The EPA considers that the mitigation of the potential effects on the environment can be regulated by other statutory decision-making processes and through the implementation of proponent commitments and best practice measures in accordance with this advice.

2. Advice and Recommendations regarding Environmental Issues

The EPA notes that the proposal has been designed to minimise impacts to Lake Pollard and the Yalgorup National Park.

a. Hydrological Processes & Inland Waters Environmental Quality

The proposed development on Lot 1001 is located approximately 200 metres from Lake Pollard. The waterbody itself is located on the adjacent property, however fringing vegetation of the lake is located on Lot 1001. Lake Pollard is protected under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992*, a Conservation Category and Ramsar Wetland, which forms part of the Martins Tank Chain of the Yalgorup Lakes System and is located within Yalgorup National Park. The proposed limestone quarry is in an area previously strip cleared for agricultural purposes.

Removal of the limestone ridge may cause an increase in recharge to the groundwater system. However, the proposal area has been strip cleared in the past and impacts to Lake Pollard from changes to groundwater recharge quantities are likely to have occurred previously.

The proponent has committed to set the proposal back by 100 metres from the boundary of the wetland vegetation for Lake Pollard as mapped by the Department of Parks and Wildlife's *Geomorphic Wetlands Swan Coastal Plain dataset*. The proponent has also stated that extraction will be limited to 14 metres AHD, at an elevation of 10 metres above the highest known groundwater level. The limestone ridge rises to 32 metres AHD. Rainwater chemistries occurring in the ridge are unlikely to be significantly impacted as the proponent will not be removing the entire limestone ridge, and as noted above, there is not expected to be a significant change in groundwater quantity entering the lake system.

In considering that proposal extraction will be limited to an elevation of 10 metres above the highest known groundwater level, the EPA considers that removal of part of the limestone ridge is unlikely to significantly impact on the quality and quantity of groundwater recharge to the Lake Pollard. The Shire of Waroona should note the importance of ensuring the proponent implements the proposal consistent with its

development application in particular, ensuring excavation is limited to an elevation of 10 metres above the highest known groundwater level (14 metres AHD).

Having regard to the 100 metre buffer and the proposed extraction being limited to 10 metres above the highest known groundwater level, the EPA considers that the proposal, if implemented, can be managed to meet the EPA's objectives for Hydrological Processes and Inland Waters Environmental Quality.

As a further precaution, the EPA also advises that the proposal should be implemented in a staged manner with associated water monitoring, to enable early detection of any changes in groundwater quality that may be attributed to the proposal. If water quality changes are detected, the proponent would need to implement contingency actions prior to the next stage of the proposal.

b. Amenity

The proposal area is surrounded to the west, south and east by the Yalgorup National Park. Both construction and operation of the proposal have the potential to impact on amenity for users of the Yalgorup National Park. The Department of Parks and Wildlife has raised concerns regarding dust movement via both air and surface drainage to Lake Pollard and the surrounding vegetation in addition to potential impacts to visitors and recreational users to the park. The proponent will be managing dust through the application of water.

Crushing and screening equipment are proposed to operate on site as required. Licensing would be required from the Department of Environment and Regulation. There will be no blasting. The proponent considers that excavation from west to east from the floors will provide noise barriers. It is stated that operation times would be restricted from Monday to Friday 6.30am to 5pm.

In considering the proposed dust management, restrictions to operational hours to be given effect through the Shire of Waroona Development Approval, and staged rehabilitation, the EPA considers that the proposal can be managed to meet the EPA's objective for Amenity through the implementation of the proponent's management measures, Part V of the EP Act and under the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

c. Rehabilitation and Decommissioning

The proponent will be undertaking staged rehabilitation to ensure a consistent undulating final landform and revegetating the site to similar good quality native vegetation species. This will be reflected in an updated management plan to be submitted to the Shire of Waroona for consideration in the development approvals process. Therefore, the EPA considers that the objective for Rehabilitation and Decommissioning can be met.