



Environmental Protection Authority

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Mr Ray Gullotto
Capital Recycling
34 Jackson Street
BAYSWATER WA 6053

Our Ref A564641
Enquiries Helen Butterworth
Phone 6467 5443

Dear Mr Gullotto

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

PROPOSAL: Gravel Extraction
LOCATION: Lot M1822 on Diagram 8755 Horton Road, Woottating
LOCALITY: Shire of Northam
PROPONENT: Capital Recycling
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 Authority for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). 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 17 December 2012. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours sincerely

Anthony Sutton
Director
Assessment and Compliance Division

3 December 2012

Encl

PUBLIC ADVICE UNDER SECTION 39a(7)
Environmental Protection Act 1986

The advice applies to a proposal referred to the Environmental Protection Authority (EPA) by Capital Recycling on 6 November 2012. The proposal is to extract gravel from Lot M1822 on Diagram 8755 Horton Road, Woottating in the Shire of Northam.

The proposal is a small scale gravel quarry which is not operating on a continual basis.

The potential impacts of dust, noise and groundwater exposure from this proposal are not considered to be such a significant matter that assessment by the Office of the Environmental Protection Authority (OEPA) is required. The OEPA advises that it is of the opinion that DEC can manage the environmental issues relevant to this proposal under Part V of the EP Act. The EP Act specifically identifies that matters such as air emissions and noise can be addressed under Part V of the EP Act. The EP Act allows for the Chief Executive Officer of the DEC to grant a license subject to conditions, or refuse granting a licence.

The DEC may also require further information in order to satisfy the requirements of Part V of the EP Act.