

Jurisdiction:	<i>Planning and Development Act 2005</i>
Application:	Review of a decision to refuse or conditionally grant an application under a planning scheme
Parties:	B&J Catalano Pty Ltd (Applicant) SHIRE OF HARVEY (Respondent)
Matter Number:	DR 63/2022
Application Lodged:	8 April 2022
Date of Decision:	26 April 2022
Decision of:	President Pritchard

The Tribunal orders that:

1. Pursuant to s 246(2)(a) of the Planning and Development Act 2005 (WA), and to the direction of the Acting Minister for Planning, Hon Sue Ellery MLC, received 21 April 2022, the application for review is referred to the Minister for Planning for determination.





Our ref: DR 63/2022
Your ref: 72-37742/1

Hon Sue Ellery
Acting Minister for Planning
Level 9, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister

DR 63 OF 2022 – B & J CATALANO PTY LTD v SHIRE OF HARVEY

I refer to your letter, received 21 April 2022, containing your direction to me under s 246(2)(a) of the *Planning and Development Act 2005* (WA), in relation to this matter.

Pursuant to s 246(2)(a) of the *Planning and Development Act 2005* (WA) I have referred the application to you. A copy of my order to that effect is enclosed for your records.

Please also find enclosed the documents from the Tribunal's file.

Yours sincerely

A handwritten signature in black ink, appearing to read "Janine Pritchard".

Justice Janine Pritchard
PRESIDENT

26 April 2022

Encl.

Cc: parties



Matter No:
Contact Officer:
Your Ref:

DR 63 of 2022
Karen

FILE COPY

Dear Sir/Madam

Notice of Listing

DR 63/2022: B&J Catalano Pty Ltd v SHIRE OF HARVEY
Planning and Development Act 2005 - Section 252(1)

This matter has been listed for a Planning (General) Directions as follows:

Date: 29 April 2022
Time: 12:00PM

The directions hearing will be conducted via tele conference.

To enable your attendance at the directions hearing please follow the steps below:

1. Call 9460 0829 five minutes prior to the commencement time
2. Enter in your guest code 6629577 and press #
3. You will be placed on hold until the Tribunal is ready to connect you to the proceedings

In the event that the Tribunal is running behind schedule (which may occur if another hearing finishes late), parties must stay on hold until the Tribunal is able to connect you.

Please be aware that you may be entering into a live Tribunal hearing and there may be other people waiting in the same virtual meeting room. Please wait to speak until your matter is called.

If you require any of the following services or have questions relating to these services please contact the Tribunal on (08) 9219 3111 (local call cost on 1300 306 017):

- Teleconferencing (by arrangement)
- Video conferencing
- An interpreter
- Special accessibility requirements (eg: wheelchair access, hearing loop)
- Access to documents

To receive your correspondence up to seven days earlier, please contact the Tribunal and provide your email address.



If you have any enquiries, please contact the Tribunal on (08) 9219 3111.

Yours sincerely

for EXECUTIVE OFFICER

12 April 2022

cc: B&J Catalano Pty Ltd

cc: SHIRE OF HARVEY
Ref: CS:JH:49212

State Administrative Tribunal

Address: 565 Hay St PERTH WA 6000
PO Box: GPO Box U1991 PERTH WA 6845
Email: sat@justice.wa.gov.au
Website: www.sat.justice.wa.gov.au
Phone: (08) 9219 3111
Toll Free: 1300 306 017
Fax: (08) 9325 5099

Matter Number:

DR/63/2022

Date Lodged:

8 Apr 2022

Planning & Development Act 2005 - Application - Class 2

APPLICATION DETAILS

Act	Planning and Development Act 2005
Section	Section 252(1) - Review of a decision to refuse or conditionally grant an application under a planning scheme
Application Type	Class 2

REQUIRED SUPPORTING DOCUMENTS

Attachment 1	
Upload file	P274.21 - Development Refusal - Extractive Industry (Sand).pdf
Attachment 2	
Upload file	Lot 7 Runnymede EIL REPORT 2021.pdf

ABOUT YOU (THE APPLICANT/S)

Applicant 1	
Is an individual or an organisation making this application?	An organisation
Organisation name	Name: B&J CATALANO PTY LTD
What is the applicant's email address and contact number?	Email address: peterbennett@catalano.com.au Phone: (08) 9726 8100
What is the applicant's address?	Address: South West Highway Suburb: BRUNSWICK Postcode: 6224 State: WA Country: Australia
Contact person	Peter Bennett
Is a lawyer acting for, or other representative assisting the applicant in this proceeding?	Yes, a lawyer
Please enter the law firm name	Thomson Geer - Perth
Address	Address: Level 27, Exchange Tower 2 The Esplanade Suburb: PERTH Postcode: 6000 State: WA Country: Australia
Contact details	Email address: infoperth@tglaw.com.au Phone: (08) 9404 9100
Reference number (if applicable)	Julius Skinner (BJC-5007296)

DETAILS OF REVIEWABLE DECISION (THE RESPONDENT)	
When was the decision made?	15 February 2022
Who made the decision?	Name: SHIRE OF HARVEY
Contact details	Email address: shire@harvey.wa.gov.au Phone: (08) 9729 0300
Address	Address: 102 Udoc Road Suburb: HARVEY Postcode: 6220 State: WA Country: Australia

ADDRESS DETAILS	
Address of property	Address: Lot 7 Runnymede Road Suburb: WELLESLEY Postcode: 6233 State: WA Country: Australia

DEVELOPMENT INFORMATION	
What is the value of the development?	500000
Do you, with the agreement of each other party, wish to elect that this application be determined by one Member of SAT?	Yes

ORDERS SOUGHT AND GROUNDS	
What order(s) do you want SAT to make?	Provide details: <ol style="list-style-type: none"> 1. Pursuant to r.10 of the State Administrative Tribunal Rules 2004 (WA) the time for commencement of this proceedings is extended until the date on which the application is filed. 2. The application for review is allowed. 3. The decision of the respondent made on 15 February 2022 to refuse the application for development approval the subject of these proceedings is set aside and a decision is substituted granting development approval, subject to appropriate conditions.
Why should the order(s) be made?	Upload file: Ground of Review - Lot 7 Runnymede Road.docx

HEARING DETAILS	
Select hearing details	Hearing Date: 29 April 2022 Hearing Time: 12:00pm Hearing Location: State Administrative Tribunal Building 565 Hay Street, PERTH WA 6000, Australia
<p>The first step is to hold a directions hearing to establish how the matter will be dealt with by SAT; whether it involves any particular questions of law; whether it is capable of resolution through mediation and how it will be listed for hearing.</p> <p>The Applicant(s) and Respondent(s) detailed in this application will be required to attend. If a party does not attend, the issue in dispute may be resolved by SAT in their absence on the evidence put before it.</p> <p>Your hearing room will be displayed on the display boards located on the ground floor.</p> <p>If you require or have questions relating to any of the following services please contact SAT on (08) 9219 3111:</p>	

- Teleconferencing;
- Videoconferencing;
- An interpreter;
- Special accessibility requirements (for example, wheelchair access or a hearing loop).

APPLICATION SUMMARY AND DECLARATION

Name of person lodging application	Surname: DUGDALE Given name/s: Jemma
Declarations	<input checked="" type="checkbox"/> I confirm that the details provided in this application are true and correct and I understand that it is an offence under section 98 of the State Administrative Tribunal Act 2004 (WA) to knowingly give false or misleading information to the State Administrative Tribunal. <input checked="" type="checkbox"/> I understand that I am required to give a copy of this application to each other party, and any person entitled to be given a copy under the Act or enabling Act, not more than seven (7) days after successful lodgment.



SHIRE OF
HARVEY

A Breath of Fresh Air

FILE NO: A2575/EX/004
DOC NO: 21/20267
APPLIC NO: P274/21

15 February 2022

B & J CATALANO PTY LTD
SOUTH WESTERN HIGHWAY
BRUNSWICK JUNCTION WA 6224

Dear Sir/Madam,

Proposed EXTRACTIVE INDUSTRY (SAND) [EX/004] - Lot 7 RUNNYMEDE ROAD, WELLESLEY

I refer to your Application for Development Approval dated 30/09/2021 for the proposed EXTRACTIVE INDUSTRY (SAND) [EX/004] at the above property address. Please be advised that Staff, under delegated authority (Delegation No. 9.1.7 & 9.1.2(13)) have refused the application subject to the attached conditions.

If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination. Further information and review application forms can be obtained by contacting the State Administrative Tribunal on 08 9219 3111 or via their website www.sat.justice.wa.gov.au.

Should you have any queries or require additional information please do not hesitate to contact Neville Dowling, Planning Officer on 9729 0312 or via email neville@dharvey.wa.gov.au

Kind Regards,

Elizabeth Edwards
Manager Planning Services

Planning and Development Act 2005

SHIRE OF HARVEY
District Planning Scheme No. 1

Notice of determination on application for development approval

Location: 0 RUNNYMEDE ROAD WELLESLEY 6233

Lot: 7 Plan/Diagram: D040591

Vol. No: 1358 Folio No: 260

Application date: 29/09/2021 Received on: 30/09/2021

Description of proposed development: EXTRACTIVE INDUSTRY (SAND) [EX/004]

The application for development approval is:

Refused for the following reason(s):

The proposal is contrary to the following provisions of Clause 67(2) of the Planning and Development (Local Planning Schemes) Regulations 2015:

- a. Does not protect and preserve the more important natural flora and fauna habitats and is therefore contrary to Clause 67(2)(a) and Clause 1.6.1(g) of the Shire of Harvey District Planning Scheme No. 1;
- b. Does not:
 - i. protect, conserve, and enhance the natural environment;
 - ii. ensure the retention and protection of rural land for biodiversity protection;
 - iii. protect valued landscapes;
 - iv. effectively manage environmental impacts;
 - v. manage and improve environmental and landscape attributes;

and is therefore contrary to Clause 67(2)(c) and the objectives and principles of State Planning Policies 2.0, 2.4 and 2.5;

- b. Does not protect significant areas of remnant vegetation or balance the environmental and visual objectives and is therefore contrary to Clauses 67(2) (fa) and the Shire of Harvey's endorsed Local Planning Strategy;
- c. Will have a significant effect on the natural environment and is therefore contrary to Clause 67(2)(o);
- d. Does not make provision for the preservation of vegetation and is therefore contrary to Clause 67(2)(p); and

- f. Has the potential to create irreversible damage to the land quality by creating the potential for erosion and loss of soil and is therefore contrary to Clause 67(2)(q).

Date of determination: 15 February 2022

Note 1: If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:



.....

for and on behalf of the Shire of Harvey

Dated:

15 February 2022



Lundstrom Environmental Consultants Pty Ltd
Leeming WA 6149
Mob: 0417934863, mikelund1@bigpond.com

Scale: 1:2500
Original Size: A4
Air Photo Source: Nearmap Dec 2019
Datum: GDA94
Projection: Australia MGA94 (50)

Client: B & J Catalano
Project: Sand Extraction
Location: Lot 7 Runnymede Rd, Wellesley

Figure 3:
2021 Extension Area



B&J Catalano
South Western Highway
Brunswick Junction
W.A 6224
Ph: (08) 9726 8100
Fax (08) 9726 1575



**EXTRACTIVE INDUSTRY LICENCE APPLICATION
&
ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

**LOT 7 ON DIAGRAM 40591
RUNNYMEDE ROAD, WELLESLEY**

September 2021

Extractive Industries Licence Application and Environmental Management Plan

LOT 7 RUNNYMEDE ROAD, WELLESLEY



REPORT PREPARED BY
LUNDSTROM ENVIRONMENTAL CONSULTANTS PTY LTD

Lot 7 on Diagram 40591
Runnymede Road, Wellesley
Shire of Harvey

Extractive Industries Licence Application and Environmental Management Plan

Version Reference: 0.1

Date: September 2021

Prepared by Lundstrom Environmental Consultants Pty Ltd for B&J Catalano Pty Ltd

Lundstrom Environmental Consultants Pty Ltd

Telephone: 08 9310 3297

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B&J Catalano Pty Ltd

Telephone: 08 9726 8100

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Web: <http://www.catalano.com.au/>

Version Register

Version No.	Description	Author	Reviewed by	Date
0.1	Final	B. Ekanaike	V. Pez	September 2021

Front cover image: *Nearmap Image of property December 2019*

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Appendix 2: Pit Rehabilitation and Maintenance Management Plan
Appendix 3: Weed Management Plan
Appendix 4: Water Management Plan
Appendix 5: Dust Management Plan
Appendix 6: Dieback Management Plan

1 INTRODUCTION

The purpose of this report is to provide all the necessary information in support of an extractive industries licence (EIL) amendment application by the Proponent, B & J Catalano Pty Ltd. Information contained in this report is also aimed at fulfilling the requirements for Development Approval (DA). The DA application form is included with this report as Appendix 1.

This report describes the past operations and sets out the details of the proposed new sand mining on the property together with maps. It also provides an environmental assessment of the proposal and environmental management plans.

2 PROPERTY DESCRIPTION, OWNERSHIP AND LOCALITY

The property is situated approximately 2km to the east of Forrest Hwy, 23km north of Bunbury. A locality plan is included as Figure 1. The property description and ownership are summarised in Table 1.

Table 1. Property description

Property Description:	Lot 7 on Diagram 40591 Runnymede Road, Wellesley Shire of Harvey
Volume	1358
Folio	260
Area:	80.19 ha
Ownership	B, C & S Catalano

3 DESCRIPTION OF THE SITE AND ITS SURROUNDS

3.1 PRESENT LAND USE

The property is currently used for sand extraction. Lot 4 adjoining it to the south is also operated by B&J Catalano for sand extraction. Main Roads proposes to establish a sand quarry on Lot 21 adjoining the property to the north. Other properties surrounding the proposed operation are mainly used for grazing. Figure 2 illustrates the land use patterns of the immediate surrounds.

3.2 TOPOGRAPHY, DRAINAGE AND WETLANDS

Lot 7 has natural elevations ranging between approximately 12 and 52mAHD. There is an existing pit on the property with a proposed final, rehabilitated pit floor elevation of 9mAHD and batters of 1:6 (Figure 3). The new extraction area is located immediately to the east of the existing pit and slopes gently from 33mAHD in the east to 25mAHD in the west (Figure 3).

There are no defined drainage lines within the proposed extraction area as drainage occurs by infiltration into the porous sand surface. Runoff is unlikely to be generated by heavy winter rainfalls due to the porous nature of the surface and low slopes within the extraction area.

A dampland wetland (Myalup Swamp) is located to the west of property, approximately 670 metres from the proposed EIL area. The management category for most of this wetland is classified as Multiple Use but a small portion of the wetland, 1.78km from the proposed operations, is classified as Conservation. There is also a dampland Conservation wetland, approximately 1.2km to the east of the new EIL area (Landgate 2020).

No Conservation or ANCA or RAMSAR wetlands exist within 1,000 metres of the proposed extraction areas (Landgate 2020 and WALGA 2020).

The site does not fall within a RIWI Surface Water Proclamation Area (Landgate 2020).

3.3 GEOLOGY AND SOILS

The entire property is covered by grey and yellow sands of the Spearwood System comprising mainly dunes and dune ridges. The sand reaches a maximum thickness of 20 metres and is underlain by sandy clays of the Guildford Formation and limestone of the Tamala Formation.

3.4 GROUNDWATER HYDROLOGY

Based on an evaluation of information provided by the Department of Water and Environmental Regulation (DWER), together with data on static water elevation obtained from nearby private bores the maximum groundwater level at Lot 7 is estimated to be approximately 8.14mAHD beneath the old EIL area batter and approximately 10.14mAHD at the eastern boundary of the new EIL area. Groundwater flow is towards the Myalup Swamp to the west.

3.5 VEGETATION

The eastern half of the property is located in an area mapped as Heddle Vegetation Complex - Bassendean Complex-Central and South. It is described as vegetation ranging from woodland of *Eucalyptus marginata* (jarrah) – *Allocasuarina fraseriana* (sheoak) – *Banksia spp.* to low woodland of *Melaleuca spp.* and sedgeland on the moister sites. (WALGA 2020).

The western half of the property lies in an area mapped as Karrakatta Complex-Central and South. It is described as predominantly open forest of *E. gomphocephala* – *E. marginata*- *E. calophylla* (tuart-jarrah-marri) and woodland of *E. marginata* – *Banksia spp.* (WALGA 2020).

A Southwest Regional Ecological Linkage axis line runs through the remnant vegetation in the middle of the property. The proposal is unlikely to affect this ecological linkage.

The proposed extension EIL area comprises of remnant native vegetation for which a clearing permit of 0.88ha will be applied for with Department of Water and Environmental Regulation (DWER). A Flora and Vegetation Survey undertaken by Lundstrom Environmental Consultants (LEC) in September 2018 over a 16ha area included the proposed extension EIL area. The survey found one vegetation type was described and mapped within the Survey Area: *Banksia attenuata* - *Eucalyptus marginata* open woodland over a *Hibbertia hypericoides* – *Melaleuca thymoides* low open shrubland over a herbland of *Dasypogon bromeliifolius*, which is consistent with the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) listed Banksia Woodlands Threatened Ecological Community (TEC). No Threatened flora under the *Biodiversity Conservation Act 2016* (BC Act) or under the EPBC Act were recorded, however three Priority flora were recorded in the Survey Area: *Acacia semitrullata* (P4); *Millotia tenuifolia* ?var. *laevis* (P2); and *Lasiopetalum* ?*membranaceum* (P3). None of the priority species were located near the proposed extension EIL area.

The vegetation of the Survey Area ranged from ‘Excellent’ to ‘Degraded’, with the majority of the survey site in an ‘Excellent’ condition, however the proposed extension EIL area was mapped predominantly as Completely Degraded to Good.

3.6 FAUNA

The EIL area is within a 'Possible' breeding area buffer, possible feeding habitat and a 'Confirmed' roosting area buffer for the threatened Carnaby's black cockatoo (*Calyptorhynchus latorostris*) (Landgate 2021).

The EIL area also contains potential for medium suitability habitat for the threatened western ringtail possum (*Pseudocheirus occidentalis*) (Landgate 2021).

A fauna survey will be conducted within the proposed area to be cleared and submitted to DWER as a part of the clearing permit application.

3.7 ENVIRONMENTALLY SENSITIVE AREAS

An Environmentally Sensitive Area (ESA) is an area where the vegetation has high conservation value and cannot be cleared. ESAs are declared by the Minister in the Environmental Protection (Environmentally Sensitive Areas) Notice 55 (2005) under section 51B of the Environmental Protection Act 1986. There are no Environmentally Sensitive Areas (ESA) as defined by the Clearing Regulations (DWER) within the proposed EIL area. The closest ESA is the dampland Conservation wetland, approximately 1.1km to the east of the new EIL area (WALGA 2020).

3.8 CURRENT ZONING

The area is zoned as “General Farming” in terms of the Shire of Harvey Town Planning Scheme No. 1 and “Rural” in terms of the Greater Bunbury Region Scheme.

3.9 BUSHFIRE PRONE AREAS

Most of the property including the new EIL area falls within a bushfire prone area as designated by the Fire and Emergency Services (FES) Commissioner on 30 July 2019 (Figure 2). However, the threat of bushfire from this operation is considered low and no habitable building, or any other structure, is to be developed.

3.10 CLOSEST RESIDENCES

The closest residences to the outer boundaries of the extraction areas are identified in Table 2 and mapped on Figure 2.

The Environmental Protection Authority (EPA) draft Environmental Assessment Guidelines “Separation distances between Industrial and sensitive land uses” lists the generic buffer for extractive industries grinding and milling works but no blasting as 500-1,000m depending on the type of processing. As this operation would be a “low scale” sand operation with no crushing and thus quieter than other extractive resources such as gravel, the minimum generic buffer would be likely to apply.

There are 3 residential sites within 1,000m of the new extraction areas (measured from the closest point), they are all at least 500m from the closest boundary of the extraction area.

Table 2. Residential Dwellings within 1,000m of the extraction area

Reference No. on Figure 2	Lot No.	Occupants Name	Distance to closest area of pit (metres)
Res 1	101	G.P. Reading	850
Res 2	111	P. W Ivankovich – listed as owner but not sure if occupier	845
Res 3	22	LandCorp	500

Potential impacts on surrounding residents are discussed further in Sections 5.7 and 5.8.

4 THE DEVELOPMENT PROPOSAL

4.1 PREVIOUS SAND EXTRACTION

There are two existing approvals for Lot 7: The existing original EIL area; and the recently approved EIL area to the east of the existing EIL area (Figure 3).

The current EIL and PC for the existing EIL area was granted on 29 September 2017 and 11 April 2017, respectively. Both will expire on 11 April 2022. This licence is for 120,000m³ of sand to be undertaken in three equal stages, covering a total area of 15.61ha, as shown in Figure 3. Approximately a third of the extraction area (Stages 1 and 2) has had topsoil stripped and stockpiled and extraction has commenced in an area of approximately 9ha in the western part. It is estimated that approximately 40,000m³ of sand has been extracted to date. It is estimated that the existing approved resource has 80,000m³ of resource remaining.

The recently approved EIL area to the east of the existing EIL area had DA granted on 10 September 2020 and EIL granted on 19 July 2021, with expiry on 10 September 2025 and 19 July 2026 respectively. This licence is for 160,000m³ of sand to be extracted from an additional area of 1.97ha, as shown in Figure 3.

This situation is made possible by the fact that a sand pit is soon to be extracted by Main Roads WA, on Lot 21 to the north. The final land surface between the two Lots will thus not contain a batter on either side as shown on Figure 4.

A summary of all approvals for Lot 7 Runnymede Road is provided in Tables 3 and 4.

Table 3. Shire of Harvey Regulatory Instruments

Approval	Date of Issue	Description	Expiry	Status
Shire of Harvey Planning Consent (ref: 10/57708) (A002575)	19/12/2011	3 stages with combined area of 15.8ha	18/12/2016	Renewed
EIL (A002575/EX/001)	15/10/2013	Lot 7, 15.8ha	06/12/2016	Renewed
EPBC Approval (2011/5996)	18/11/2011	Lot 7	14/11/2017	Expired
Shire of Harvey Development Approval (ref: 16/39708)(A2575/EX/002)	11/04/2017	Lot 7, 15.6ha	10/04/2022	Current
EIL (A002575/EX/002)	29/09/2017	Lot 7, 15.6ha	11/04/2022	Current
Shire of Harvey Development Approval (A2575/EX/003) (20/12768)	10/09/2020	Lot 7, additional area of 1.97ha	10/09/2025	Current
EIL (A002575/EX/003)	19/07/2021	Lot 7, additional area of 1.97ha	19/07/2026	Current

Table 4. Permits to Clear Native Vegetation

Approval	Date of Issue	Description	Duration of Permit	Status
CPS 5480/1	21/03/2013	Lot7, 2.86ha	12 April 2013 – 12 April 2023	Current
CPS 8916/1	11/08/2021	Lot 7, 1.97ha	03 September 2021 – 03 September 2031	Current

4.2 PROPOSED SAND EXTRACTION

B&J Catalano propose to extract a total of approximately 70,000m³ of sand from an additional area of 1.17ha immediately to the east of the original pit, and to the south of the recently approved EIL area, as shown in Figure 3.

The proposed Stage 4 will combine the recently approved EIL area and the new proposed extension EIL area. The total extraction area of Stage 4 will be 3.13ha, resulting in a combined resource of approximately 195,000m³.

The above resource plus the batters (~90,000m³) will bring the total resource from this approval to 285,000m³, and with approximately 80,000m³ remaining from the existing EIL area, the total Lot 7 resource is estimated as 365,000m³. Annual extraction will be approximately 70,000m³ per annum, this may vary depending on the demand for sand.

Proposed mining actions are as follows:

- The active area will be stripped of topsoil, which will be placed in stockpiles within the extraction area.
- Within the active cell, sand will be excavated using a front-end loader and bulldozer. Trucks will enter the pit from via Runnymede Road to be loaded from the stockpile by a front-end loader.
- The depth of the excavation within the new EIL area is constrained by the fact that the entire area needs to serve as a batter to the Main Roads pit on Lot 21. Excavation will only proceed until a minimum of approximately 10m AHD is reached in the northwestern corner of Stage 4. The final landsurface will slope upwards to the north-eastern corner which will have final elevation of approximately 33m AHD (Figure 4).
- Stage 4 (comprising both recently approved and proposed extension EIL areas) land surface rehabilitation will be undertaken in line with the rehabilitation commitments outlined in the Pit Rehabilitation and Maintenance Management Plan attached as Appendix 2.
- Batters of 1:6 (vertical: horizontal) will be achieved at the completion of landsurface rehabilitation, with the whole area (Stage 4) rehabilitated to pastures.

Table 5 describes past operations undertaken on Lot 7 since 2017 and the proposed actions that will be taken by B&J Catalano over the next 5 years.

Table 5. Stages of the Mining Operation

Stage	Action	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
PAST OPERATIONS											
1	Remove topsoil and stockpile										
1	Extract sand by loader & truck										
2	Remove topsoil and stockpile										
2	Extract sand by loader & truck										
3	Remove topsoil and stockpile										
3	Extract sand by loader & truck										
1	Rehabilitate Stage 1										
2	Rehabilitate Stage 2										
3	Rehabilitate Stage 3										
Infill planting	2.28ha native vegetation										
Revegetation	2.61ha native vegetation										
PROPOSED OPERATIONS											
New Extraction Area (Stage 4) and Existing Pit Batter	Clearing of approx. 10 trees within approved footprint										
	Clearing of approx. 0.88ha within proposed footprint										
	Remove topsoil and stockpile										
	Extract sand by loader & truck										
	Rehabilitate Stage 4										

4.3 SITE ACCESS AND EGRESS ROADS

Access to the site will be obtained via Runnymede Road, with the use of a shared access drive along the northern boundary of Lot 4. Runnymede Road has been sealed and maintained by B&J Catalano for this purpose.

4.4 ESTIMATED TRAFFIC TO BE GENERATED

The following estimates are made:

- Total annual sand removal: 70,000 m³
- Number of working days per month: 24 days
- Vehicle payloads (GAV's):
Standard rigid truck (14 tonnes)
Single Semi-loader (24 tonnes)
- Proportional use: 14 tonners (50%), 24 tonners (50%)

The above factors suggest an average of 27 truck movements per day from all Lot 7 operations, but this will be dependent on demand. Operating times will be Monday to Saturday, 6.30am to 6.00pm excluding public holidays.

5 POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS AND PROPOSED MANAGEMENT

Short term negative environmental impacts are to be expected in the process of all mining actions. However, these can largely be mitigated over the medium to long term provided that operating procedures are in accordance with acceptable standards and that rehabilitation measures are implemented as proposed. The following listed potential impacts are used as a check list to ensure that all potential major impacts are addressed.

5.1 FLORA AND FAUNA

A large portion of the property has already been cleared. The recently approved EIL area involves the clearing of approximately 10 paddock trees, which has already been approved by DWER. Catalano proposes to clear a further 0.88ha of vegetation, for which a clearing permit will be submitted. Since no significant clearing of native vegetation is proposed, impacts on native flora and fauna will be limited. The area will be returned to pastures once extraction is completed.

5.2 WEEDS

B&J Catalano will implement a weed management plan as is described in Appendix 3 of this report.

5.3 ALTERATION OF THE LAND SURFACE

No steep slopes will remain after mining, and this will ensure that the extraction area will blend into the surrounding landscape. The proposed final land surface has been illustrated in Figure 4.

5.4 VISUAL IMPACT

The proposed extraction is not in a visually sensitive area and it is unlikely that problems will be encountered from this source. The site is well screened with dense infill planting along the western boundary and the western boundary of Lot 4 also has 40m of vegetation planted along the roadside, providing adequate screening of the operations.

5.5 WATER

5.5.1 Potential Impacts

In all mining operations the potential exists for impacts to be incurred on surrounding water resources, or by storm water erosion of exposed areas. This is dependent on the slopes associated with the site, the nature of the ground materials and the proximity of the site to sensitive receptors such as productive aquifers, wetlands, lakes or rivers.

Management measures to mitigate potential impacts to or from water are contained in the Water Management Plan included as Appendix 4 and are summarised below.

5.5.2 Water Management

5.5.2.1 Surface Management

Due to the very high permeability of the sand being excavated, it is unlikely that damage from storm water runoff will occur.

5.5.2.2 Stormwater Management

Due to the very permeable nature of the sand within the operational area, it is unlikely that any expression of surface water will exist, even after heavy winter rains.

5.5.2.3 Ground Water Management

No groundwater will be exposed since the floor of the pit will be more than 0.3m above the estimated maximum water table level. The final land surface will be at least 0.5m above the estimated maximum water table level.

Due to the low scale nature of the operations, no groundwater contamination is anticipated. No fuel or lubricant storage will occur on the site. Refuelling will take place using a mobile refuelling vehicle which is equipped with a "snap-on snap-off, fast-fill and auto shut-off" facility. Plant will be refuelled each morning, leaving the vehicles almost empty overnight. No major servicing, which could lead to fuel and oil spills, will take place on the site. Minor spills which may occur occasionally will be neutralised by soil processes.

5.6 ACID SULFATE SOILS

A search of the CSIRO's Australian Soil Resource Information System (ASRIS) database identified the probability of acid sulfate soils occurring within the proposed EIL area as extremely low/confidence unknown (CSIRO, 2020).

A low probability of ASS within the EIL area is likely because the material to be excavated is deep Spearwood sands with rapid drainage characteristics. There are no remnant swampy sediments within the extraction area where acid sulphate soils might be exposed or activated as a result of the proposed extraction activities. The extraction will remain above the water table at all times.

5.7 NOISE

The majority of the noise related to the operations will be generated by a loader and the haulage trucks. The closest residence is approximately 500 metres from the nearest point of the extractive operations. Operations will be undertaken approximately 10 metres below natural ground level and topsoil stockpiles will be used as additional noise buffers. In addition, there is dense vegetation which surrounds the proposed pit area, and this will also serve to buffer any noise generated.

There have been no noise complaints from the existing operations on Lot 7 or the operations on the adjoining Lot 4 sand extraction operations, which have been in operation for many years. A contact number for complaints for both Lots is advertised on the site notice board at the entrance to the property.

5.8 DUST

The proposed sand extraction may emit dust to the atmosphere from the following activities:

- Removing topsoil.
- Excavation of sand
- Loading of haulage trucks.
- Trafficking on unsealed surfaces.

The closest resident is approximately 500 metres from the boundary of the extractive operations. Measures that will be undertaken to control and minimise impacts of dust are discussed in a Dust Management Plan, which is included as Appendix 5.

5.9 DIEBACK

5.9.1 Potential Impacts

No obvious signs of dieback infestation were observed in the uncleared vegetation within the proposed extraction area. Since the vegetation adjacent to the proposed extraction area was found to be banksia dominated vegetation and appeared in good to excellent condition (LEC Flora and Vegetation Survey 2018), it is likely to be dieback free. On the basis of this, the site should be classified as dieback free and managed as such. Guidelines for the management of the pit and the movement of vehicles in and out of the pit are contained in the Dieback Working Group guideline document (Dieback Working Group 2010).

5.9.2 Dieback Management

A Dieback Management Plan (DMP) has been included as Appendix 6, the DMP describes the measures that will be taken to limit the risk of spread of Dieback disease as a result of sand extraction, and includes the following management measures:

- The property will be fenced at all times.
- Access to the property will be via a single entrance gate.
- All machinery, trucks and other vehicles will arrive in a clean condition free of soil and organic matter that may contain dieback fungus.
- Any soil and plant material brought to the site for rehabilitation purposes should be from dieback free sources.
- The site will not be worked during wet periods.
- Employees and contractors working on the site will be informed of the purpose of the above measures and their responsibilities in relation to dieback prevention.

5.10 HERITAGE SITES

A search of the Department of Planning, Lands and Heritage (DPLH) Aboriginal Heritage Inquiry System (AHIS) shows no registered sites or other heritage places within Lot 7 (DPLH 2020). The closest sites of significance (Site No. 5806 & 5805) are located within the south-western corner of Lot 4. An archaeological survey of Lot 4 undertaken in 2008 confirmed that there was a low probability of heritage materials being found during extraction. If during the works, an Aboriginal cultural heritage site is discovered, the Proponent will immediately advise the Department of Aboriginal Affairs and abide by the *Aboriginal Heritage Act 1972*.

6 REFERENCES

CSIRO (2020). Australian Soil Resource Information System (ASRIS). [Online], <http://www.asris.csiro.au>. Accessed January 2020.

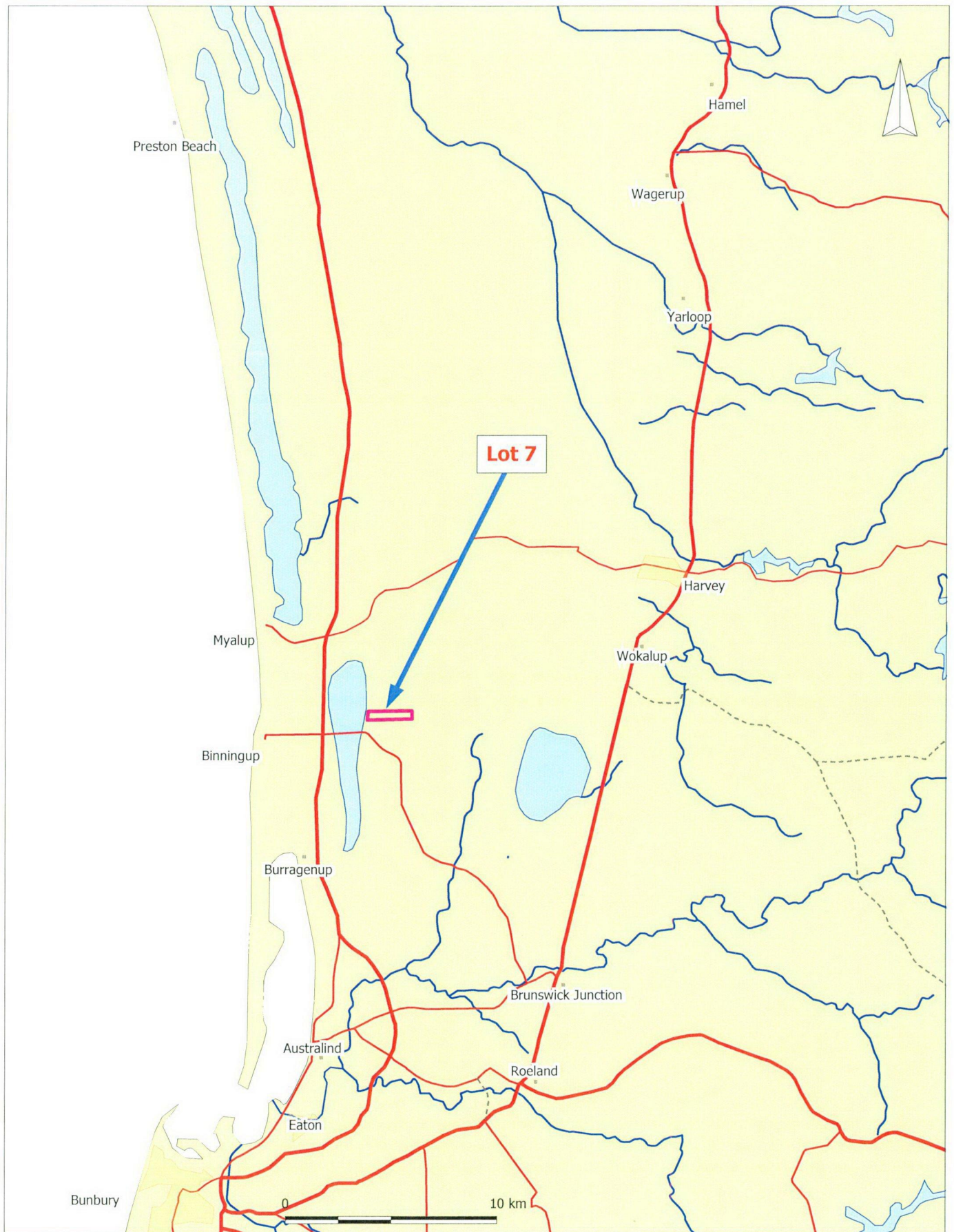
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Dieback Working Group (2010). Management of Phytophthora Dieback in Extractive Industries. Best Practice Guidelines. Available on <http://www.dec.wa.gov.au>

Landgate (2020). Locate V5. [Online] <https://maps.slip.wa.gov.au/landgate/locate/>. Accessed January 2020.

WALGA (2020). Environmental Planning Tool (EPT). [Online], http://lbp.asn.au/index_public.html. Accessed January 2020.

FIGURES



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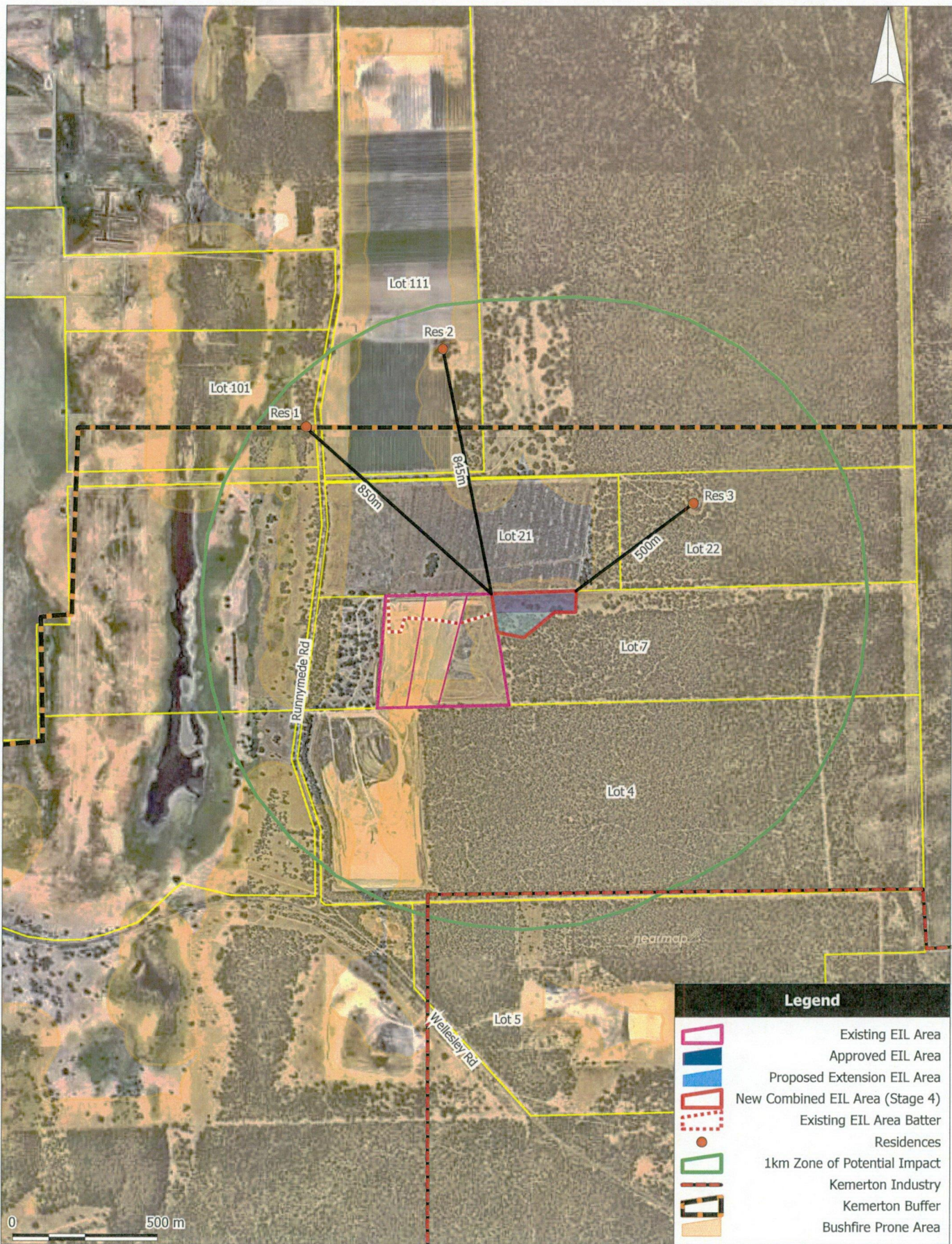
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Original Size: A4
Datum: GDA94
Projection: Australia MGA94 (50)

Client: B & J Catalano

Project: Sand Extraction

Location: Lot 7 Runnymede Road
Wellesley

**Figure 1:
Locality Plan**



Legend	
	Existing EIL Area
	Approved EIL Area
	Proposed Extension EIL Area
	New Combined EIL Area (Stage 4)
	Existing EIL Area Buffer
	Residences
	1km Zone of Potential Impact
	Kemerton Industry
	Kemerton Buffer
	Bushfire Prone Area



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 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Sand Extraction
 Location: Lot 7 Runnymede Rd
 Wellesley

**Figure 2:
 Site and
 Surrounds**



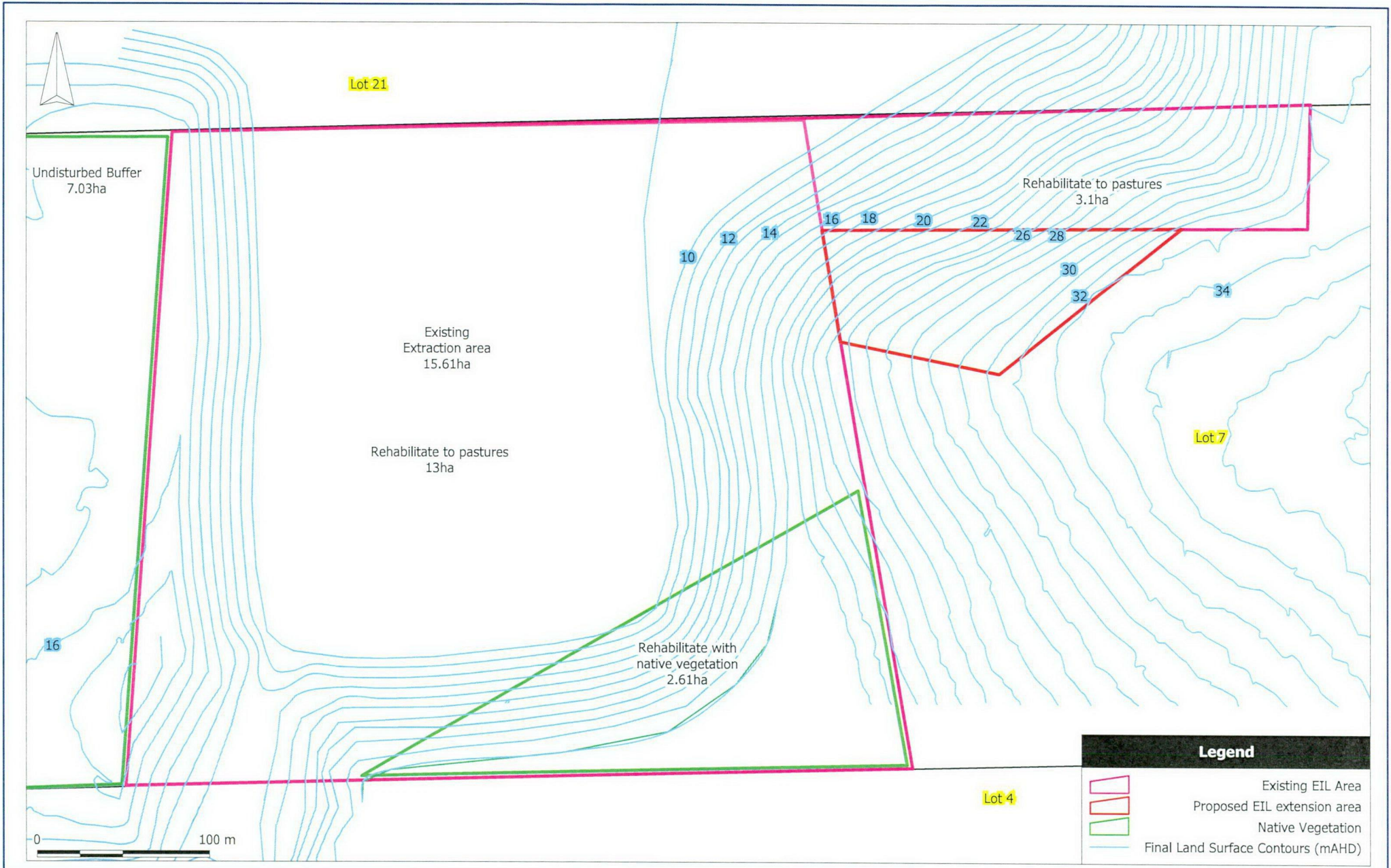
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Scale: 1:2500
Original Size: A4
Air Photo Source: Nearmap Dec 2019
Datum: GDA94
Projection: Australia MGA94 (50)

Client: B & J Catalano
Project: Sand Extraction
Location: Lot 7 Runnymede Rd, Wellesley

**Figure 3:
2021 Extension Area**



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Original Size: A4
Datum: GDA94
Projection: Australia MGA94 (50)

Client: B & J Catalano
Project: Sand Extraction
Location: Lot 7 Runnymede Rd, Wellesley

**Figure 4:
Final Land Surface
and Rehabilitation**

APPENDIX 1:

APPLICATION FOR AMENDING A DEVELOPMENT APPROVAL FORM



**SHIRE OF HARVEY
DISTRICT PLANNING SCHEME NO. 1**
**s.77 APPLICATION FOR AMENDING OR
CANCELLING A DEVELOPMENT APPROVAL**

Office Use only
Registration No.: _____
Assessment No.: _____
Synergy No.: _____
Application Type: _____

OWNER/S DETAILS AND CONSENT

Name/s	S, C & B Catalano		
ABN (if applicable)			
Address	B&J Catalano Pty Ltd, South Western Highway		
Suburb	Brunswick Junction WA	Post Code	6224
Phone Home		Mobile	0407857026
Work	97268100	Fax	
Email	peterbennett@catalano.com.au		
Contact Person:	Peter Bennett		
Signature:		Signature:	
Date:	25/08/2021	Date:	
<p><i>Note: The signature of the owner/s is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 62(2).</i></p>			

APPLICANT'S DETAILS (IF DIFFERENT FROM OWNER)

Name/s	B&J Catalano Pty Ltd		
Address	South Western Highway		
Suburb	Brunswick Junction WA	Post Code	6224
Phone Home		Mobile	0407857026
Work	97268100	Fax	97261575
Email	peterbennett@catalano.com.au		
Contact Person for Correspondence:	Peter Bennett		
<p>The information and plans provided with this application may be made available by the Shire for public viewing in connection with the application. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
Signature:		Date:	25/08/2021

PROPERTY DETAILS

Lot No:	7	House/Street No:		Location No:	
Diagram or Plan No.	D40591	Certificate of title Vol. No:	1358	Folio:	260
Title encumbrances (e.g. easements, restrictive covenants):					
Street name	Runnymede Rd		Suburb	Wellesley	
Nearest Street Intersection	Wellesley Road North				

DEVELOPMENT APPROVAL

Nature of Development/Use Approved :	Sand extraction
Date of Development Approval:	10 September 2020

REASON FOR AMENDMENT OR CANCELLATION

<input type="checkbox"/> Extension of time for the development/use approved to be substantially commenced	
Period of additional time requested:	
<input type="checkbox"/> Amend or delete any condition to which the Approval is subject	
Applicable conditions:	
<input checked="" type="checkbox"/> Amend an aspect of the development/use	
Will these amendments substantially change the development/use approved?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (if Yes, a new Application for Development Approval is required)	
Details of amendments:	
Sand extraction over an additional 1.17ha of existing site.	
<input type="checkbox"/> Cancel the approval	
Reasons for cancellation:	

APPENDIX 2

PIT REHABILITATION AND MAINTENANCE MANAGEMENT PLAN



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REHABILITATION AND MAINTENANCE PLAN

Prepared for B&J Catalano Pty Ltd
For Lot 7 Runnymede Road, Wellesley
Shire of Harvey

1. INTRODUCTION

The purpose of this report is to describe the measures that will be taken to rehabilitate the area of land impacted by sand quarrying on Lot 7 Runnymede Road, Wellesley, Shire of Harvey. This document should be read in conjunction with other documents submitted by various authors to the Shire of Harvey and the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) in regard to the proposed sand quarry on this property. These documents include the following:

- Runnymede Road Cockatoo Management Plan (Ecoedge Pty Ltd)

The current application includes the extraction of the batter between Lot 7 and 21 and a new extraction area to the east of the existing pit on Lot 7 but does not change the commitments associated with the above-mentioned documents.

2. PROPOSED EXTRACTION

An updated summary of the proposed extraction operation is contained in Table 1.

Table 1: Stages of the Extraction Operation

Stage	Action	2017	2018	2019	2020	2021	2022	2023	2024	2025
PAST OPERATIONS										
1	Remove topsoil and stockpile									
1	Extract sand by loader & truck									
2	Remove topsoil and stockpile									
2	Extract sand by loader & truck									
3	Remove topsoil and stockpile									
3	Extract sand by loader & truck									
1	Rehabilitate Stage 1									
2	Rehabilitate Stage 2									
3	Rehabilitate Stage 3									
Infill planting	2.28ha native vegetation									
Revegetation	2.61ha native vegetation									
PROPOSED OPERATIONS										
New Extraction Area and Existing Pit Batter	Clearing of approx. 10 trees									
	Remove topsoil and stockpile									
	Extract sand by loader & truck									
	Rehabilitate									

3. REHABILITATION

3.1 PROPOSED REHABILITATION MEASURES

3.1.1 State and Federal Compliance

In order to comply with local, state and federal government approvals for this project, the following rehabilitation commitments have been made by B&J Catalano (Figure 1):

- A 9.31ha vegetated buffer along Runnymede Road will be maintained. This buffer comprises of two areas; a 2.28ha strip adjacent to Runnymede Road which has been infill planted with endemic species which are suitable as black cockatoo habitat, and an area of 7.03ha which will be retained, but not infill planted.
- Within the existing extraction area of 15.61ha, 13ha will be returned to pastures and 2.61ha will be planted with native vegetation using suitable black cockatoo habitat species.
- The new extraction area and existing pit batter will be returned to pastures.

3.1.2 Rehabilitation

It is proposed to rehabilitate the pit over the time period shown in Table 1 and this will involve the following actions:

- All batters behind the active working face will be contoured to achieve a slope of no more than 1:6. In achieving this, care will be taken not to impact fringing vegetation
- Final land surface will approximately 10m below surrounding natural ground levels.
- Stockpiled topsoil/overburden will be replaced as quickly as possible in order to maintain its viability and will be re-spread over completed areas so as to create a land surface, which is aesthetically pleasing, and easily trafficable.
- Final levelling of topsoil will be undertaken using light agricultural equipment to obviate excessive compaction and rutting.
- Within the 13ha area to be rehabilitated to pasture, a suitable pasture mix will be planted. Prior to seeding, a suitable compound fertiliser will be applied at a rate of 200kg/ha. Recommended pasture crops and seeding rates are as follows:

Goulbourn subclover	3kg/ha
June sub clover	6kg/ha
Prikkala subclover	6kg/ha
Serradella Cadiz	10kg/ha
Wimmera ryegrass	8kg/ha

- Within the 2.81ha area endemic native species suitable for black cockatoo habitat will be planted as described in 3.1.3 below.
- Rehabilitation work will only be carried out just prior to or at the commencement of the wet season.

- Any weed control required will be undertaken as and when required. This is discussed in the Weed Management Plans.

3.1.3 Native Plant Species and Planting Rates

Table 2 contains proposed species and planting rates for the 2.61ha area identified for in-pit rehabilitation (Figure 1). It should be noted that upper storey plant species identified in Table 2 have already been utilised for infill planting within the 2.28ha buffer strip adjacent to Runnymede Road.

Table 2: Proposed Species and Planting Rates

Storey	Species	Planting Rate
Upper	<i>Eucalyptus gomphocephala</i> , <i>Eucalyptus marginata</i> , <i>Corymbia calophylla</i> , <i>Agonis flexuosa</i> , <i>Banksia attenuata</i> .	Treelings to be planted at a rate of 1100 stems per ha, staggered.
Middle and lower	Middle and lower storey to be direct seeded with the following species: <i>Calothamnus quadrifidus</i> , <i>Acacia extensa</i> , <i>A. pulchella</i> , <i>Astartea scoparia</i> , <i>Melaleuca incana</i> , <i>M. pauciflora</i> , <i>M. preissiana</i> , <i>M. thymoides</i> , <i>M. teretifolia</i> , <i>M. huegelii</i> , <i>Kunzea ericifolia</i> , <i>Hypocalymma angustifolium</i> , <i>Hardenbergia comptoniana</i> , <i>Kennedia prostrate</i>	3kgs of seed mix per ha.

3.2 MONITORING AND MAINTENANCE

Monitoring of rehabilitated areas will ensure that any areas requiring remedial work are identified. Monitoring will be carried out on an annual basis to assess:

- The physical stability of the landform in the rehabilitated areas.
- Success of germination of pasture grasses and native endemic species.
- The emergence of weeds.

Monitoring will continue until the completion criteria presented in Section 3.3 have been fulfilled. Maintenance procedures will be carried out where necessary and will include:

- Repair of any erosion damage.
- Replanting/seeding areas that may not have regenerated.
- Weed control.

3.3 COMPLETION CRITERIA

Completion criteria must be sufficiently stringent to ensure that the overall objectives of the rehabilitation have been met. These criteria must also be designed to allow effective reporting and auditing to define an endpoint for the rehabilitation activities.

The completion criteria proposed for extractive operations on Lot 7 are presented in Table 3.

Table 3: Closure Criteria, Objectives, Monitoring, Maintenance and Interim Targets

Criteria	Objective	Interim Targets
1. Safety	The site is safe to humans.	<ul style="list-style-type: none"> Site is safe to humans during operations.
2. Sustainability	The site is sustainable in the long term without additional management inputs.	-
3. Suitability	The site is suitable for agricultural uses.	-
4. Visual amenity and heritage	The rehabilitated extraction area blends into the surrounding environment.	-
5. Off-site impacts	Significant adverse off-site impacts are prevented.	-
6. Hydrology	<ol style="list-style-type: none"> Site hydrology does not prevent the establishment of desired vegetation. Site hydrology does not reduce the stability of the landform. Stormwater is contained within the site. 	<ul style="list-style-type: none"> Stormwater is contained within the site during operations. Identification and mitigation of any hydrology related issues during operations.
7. Soils and stability	<ol style="list-style-type: none"> Soil profiles and structures are sufficient to ensure vegetation establishment. The landform is stable. 	<ul style="list-style-type: none"> Topsoil is respread in all rehabilitation areas. Identification and mitigation of potential erosion scars and scours during operations.
8. Vegetation	<ol style="list-style-type: none"> Pasture grasses cover the entire targeted area of 13ha. Pasture grass cover is sufficiently resilient to sustain grazing pressure. Native species planted as buffers along the northern and eastern boundaries include <i>E. gomphocephala</i>, <i>Corymbia calophylla</i>, <i>Banksia attenuata</i> and <i>Agonis flexuosa</i>. Survival rates to be 1,100 stems per ha. Monitoring will be conducted on an annual basis just prior to the wet season and will include plant survival rates and stability of the constructed batters. Maintenance will include the replacement of plants in all areas that do not meet the interim targets 	<p>After 1 year pasture grasses cover 30% of target area, increasing by 20% per annum thereafter.</p> <p>For native plants: After the first season at least 50% survival rate after the following dry season. Successful establishment of 70% of plant propagules after 1 year, 80% by year 3 and 100% by year 7. The existence of at least 1,100 stems per ha (on average). Inspection by qualified botanist 3 and 5 years after native vegetation planting to assess survival rates and plant condition.</p>
9. Weeds	<ol style="list-style-type: none"> Declared pest weeds are absent. The level of weed species should not be detrimental to the planted seedlings or pasture grasses. 	<p>Weed species removed systematically during operations.</p>

4. ATTACHMENTS

FIGURES

Figure 1 Final Land Surface and Rehabilitation

FIGURES



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Scale: 1:4100
Original Size: A4
Air Photo Source: Nearmap Dec 2019
Datum: GDA94
Projection: Australia MGA94 (50)

Client: B & J Catalano
Project: Sand Extraction
Location: Lot 7 Runnymede Rd, Wellesley

**Figure 1:
Final Land Surface
and Rehabilitation**

APPENDIX 3

WEED MANAGEMENT PLAN



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WEED MANAGEMENT PLAN Prepared for B&J Catalano Pty Ltd For Lot 7 Runnymede Road, Wellesley Shire of Harvey

1. INTRODUCTION

This Weed Management Plan (WMP) has been prepared in accordance with guidelines published by the Department of Agriculture and Food (DAF) (DAF 2014).. This WMP should be read in conjunction with the report titled "*Extractive Industries Licence Application & Environmental Management Plan (EMP), Lot 7 on Diagram 40591 Runnymede Road, Wellesley*, prepared for B&J Catalano, March 2020".

2. LOCALITY AND OWNERSHIP

Locality: Lot 7 Runnymede Road, Wellesley, Shire of Harvey

Ownership: B, C & S Catalano

Figure 1 is a recent aerial photograph showing the property and surrounds, also identifying the extraction area.

3. THE DEVELOPMENT PROPOSAL

B&J Catalano propose to extract a total of approximately 160,000m³ of sand from two additional areas; an area of 1.97ha immediately to the east of the existing pit (~70,000m³) and the northern batter of the existing pit adjoining Lot 21 (~90,000m³) as shown in Figure 1.

It is estimated that the existing approved resource (15.61ha) has 80,000m³ remaining. The additional resource created by this application will thus make a total available resource from this site of approximately 240,000m³. Annual extraction will be approximately 50,000m³ per annum, this may vary depending on the demand for sand.

It is intended to rehabilitate 2.61ha to native vegetation and the remainder of the disturbed area back to pastures.

4. RESPONSIBILITIES

B&J Catalano Pty Ltd accepts responsibility for weed management within the present and past extraction areas and any areas identified within the conditions of approval set by the Shire of Harvey. All other areas on the property will remain the responsibility of the landowner.

5. CURRENT WEED STATUS OF THE PROPERTY

Based on recent field visits, no declared weeds or weeds of local or regional significance were observed. It is acknowledged that the proposed ground disturbance may result in the germination of certain weeds, but the species will not be known until emergence. Cotton bush and apple of Sodom are known weeds that are likely to occur and these will be specifically targeted in the routine management.

6. PROPOSED WEED MANAGEMENT ACTIONS

The following is a general description of the actions that will be implemented by B&J Catalano Pty Ltd for weed management:

6.1 Weed Management Zones on the Subject Land

For the purpose of this WMP, the subject land has been allocated zones as follows:

Zone A: This is all the land within the quarry and includes the base of the excavation, roadways and stockpiles of topsoil, overburden and all product stockpiles.

Zone B: This is all land that is at natural level and which extends 100 meters beyond the perimeter of the quarry and includes any stockpiles of soil or overburden created by the excavation.

6.2 Weed Emergence Monitoring

Monitoring of the emergence of weeds in Zones A and B will be undertaken by an experienced and licenced weed management contractor on a 6 monthly basis i.e. after the first seasonal rains and at the end of spring. In addition, B&J Catalano personnel on the site will be instructed to report any infestations that may occur on other occasions. Based on the type of weed that emerges, a control plan will be formulated by the licenced weed management contractor.

6.3 Import and Export of Weeds

B&J Catalano will ensure that all plant and equipment is clean and free of any soil when moving any equipment to or from the site. B&J Catalano will also ensure that any quarry products imported to the site will be free of weeds.

6.4 Weed Control Program

If a weed infestation occurs within Zones A or B, the licenced weed management contractor will apply the appropriate method of control, in accordance with the guidelines published by the DAF, whether chemical or mechanical, at the appropriate time. The weed management contractor will keep a record of all treatments.

7. REFERENCES

Department of Agriculture and Food (DAF) (2014). Department of Agriculture and Food WA Guidelines for weed control procedures for extractive industries licence.






8. ATTACHMENTS

FIGURES

Figure 1 Site and Surrounds

FIGURES



	New EIL Area
	Existing EIL Area Batter Residences
	Existing EIL Area
	Existing EIL Area - Original Stages
	Bushfire Prone Area

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Scale: 1:16000
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Client: B & J Catalano
 Project: Sand Extraction
 Location: Lot 7 Runnymede Rd
 Wellesley

**Figure 1:
 Site and
 Surrounds**

APPENDIX 4

WATER MANAGEMENT PLAN



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WATER MANAGEMENT PLAN

Prepared for B&J Catalano Pty Ltd
For Lot 7 Runnymede Road, Wellesley
Shire of Harvey

1. INTRODUCTION

This Water Management Plan (WMP) relates to an application for sand extraction from a 1.97ha area located to the east an existing pit Lot 7 Runnymede Road, Wellesley in the Shire of Harvey. It is also proposed sand from the northern wall of the existing pit adjoining Lot 21 as a sand quarry is also proposed at this site and it is planned to eventually join the neighbouring pits. This WMP should be read in conjunction with the report titled "*Extractive Industries Licence Application & Environmental Management Plan (EMP), Lot 7 on Diagram 40591 Runnymede Road, Wellesley*, prepared for B&J Catalano, March 2020".

This report provides the following information:

- A description of the property and surrounds indicating the current contours.
- A description of the proposed stockpile removal and rehabilitation program.
- Storm water and erosion management measures.
- A description of the groundwater regime in the area.
- A description of the proposed final land use after extraction has been completed.
- A description of potential impact on surrounding wetlands.
- A description of the potential for acid sulfate soil impacts.

2. PROPERTY DESCRIPTION, OWNERSHIP AND LOCALITY

Property Description:	Lot 7 Runnymede Rd Wellesley Shire of Harvey
Area:	80.18 hectares
Ownership:	S, C & B Catalano Pty Ltd
Latitude:	-33.1392
Longitude:	115.7496

The property is situated approximately 23 km north of Bunbury and is currently used for sand extraction. The property has historically been used for the grazing of livestock.

Figure 1 is a recent aerial photograph showing the proposed and existing operations on the property.

3. SURROUNDING LAND USE

Lot 4 adjoining it to the south is also operated by B&J Catalano for sand extraction. Main Roads proposes to establish a sand quarry on Lot 21 adjoining the property to the north. The historic use of Lot 21 was as a pine plantation but in January 2016, the pines were harvested (LEC, 2020). Other properties surrounding the proposed operation are mainly used for grazing. Figure 1 illustrates the land use patterns of the immediate surrounds.

4. PROPOSED WORKS AND POTENTIAL IMPACTS

B&J Catalano propose to extract a total of approximately 160,000m³ of sand from two additional areas; an area of 1.97ha immediately to the east of the existing pit (~70,000m³) and the northern batter of the existing pit adjoining Lot 21 (~90,000m³) as shown in Figure 1.

It is estimated that the existing approved resource (15.61ha) has 80,000m³ remaining. The additional resource created by this application will thus make a total available resource from this site of approximately 240,000m³. Annual extraction will be approximately 50,000m³ per annum, this may vary depending on the demand for sand.

It is intended to rehabilitate 2.61ha to native vegetation and the remainder of the disturbed area back to pastures.

The following Table outlines the proposed mining actions:

Table 1: Stages of the Mining Operation

Stage	Action	2017	2018	2019	2020	2021	2022	2023	2024	2025
PAST OPERATIONS										
1	Remove topsoil and stockpile									
1	Extract sand by loader & truck									
2	Remove topsoil and stockpile									
2	Extract sand by loader & truck									
3	Remove topsoil and stockpile									
3	Extract sand by loader & truck									
1	Rehabilitate Stage 1									
2	Rehabilitate Stage 2									
3	Rehabilitate Stage 3									
Infill planting	2.28ha native vegetation									
Revegetation	2.61ha native vegetation									
PROPOSED OPERATIONS										
New Extraction Area and Existing Pit Batter	Clearing of approx. 10 trees									
	Remove topsoil and stockpile									
	Extract sand by loader & truck									
	Rehabilitate									

5. EXISTING ENVIRONMENT

5.1 TOPOGRAPHY, HYDROLOGY AND WETLANDS

Lot 7 has natural elevations ranging between approximately 12 and 52mAHD (Landgate 2020). There is an existing pit on the property with a final, rehabilitated pit floor elevation of 9 mAHD and batters of 1:6 (Figure 3). The new extraction area is located immediately to the east of the existing pit and slopes gently from 35 mAHD in the east and 26 mAHD in the west (Figure 3).

There are no defined drainage lines within the extraction area as drainage occurs by infiltration into the porous sand surface. Runoff is unlikely to be generated by heavy winter rainfalls due to the porous nature of the surface and low slopes within the extraction area.

A dampland wetland (Myalup Swamp) located to the west of property, approximately 370 metres from the proposed operations on site. The management category for most of this wetland is classified as Multiple Use but a small portion of the wetland, 1.5km from the proposed operations, is classified as Conservation. There is also a dampland Conservation wetland, approximately 1.1km to the east of the EIL area (Landgate 2020). These Conservation wetlands are also EPP wetlands.

No Environment Protection Policy (EPP) lakes or ANCA or RAMSAR wetlands exist within 1 000 metres of the proposed extraction areas (Landgate 2020 and WALGA 2020).

The site does not fall within a RIWI Surface Water Proclamation Area (Landgate 2020).

5.2 GEOLOGY AND SOILS

The entire property is covered by grey and yellow sands of the Spearwood System comprising mainly dunes and dune ridges. The sand reaches a maximum thickness of 18 metres and is underlain by sandy clays of the Guildford Formation and limestone of the Tamala Formation.

5.3 GROUNDWATER HYDROLOGY

The property lies within a Rights in Water Irrigation Act 1914 (RIWI) Groundwater Proclamation Area (South West Coastal Groundwater Area) overseen by the DWER.

The property does not fall within a Public Drinking Water Source Area.

An evaluation of groundwater hydrology was conducted recently in January 2020 by Lundstrom Environmental for Main Roads for the neighbouring property to the north (Lot 21) (LEC, 2020). Analysis of data on groundwater levels focused on the last five years of bore data due to harvesting of pines on Lot 21 in 2016 and a trend in declining rainfall in the area. The results of this investigation have been used to determine the groundwater flow direction and maximum groundwater level under Lot 7 as detailed below.

The nearest long-term Department of Water and Environmental Regulation (DWER) monitoring bores installed in the superficial aquifer surrounding the site are the Lake Clifton Bores E1B, E2B, E3B, E4A, E5B, E7, F1, F2A, F3, F5, F9A, G4, G5 and G6 (Table 1). Hydrographs of these DWER monitoring bores are included in Annexure 1.

Recent data on groundwater levels has also been collected from three private monitoring bores near the site as detailed in Table 2 below. One of these bores is located on a sand quarry approximately 0.5km to the south of the site (Lot 4 Runnymede Road, Wellesley) and two are located on a sand quarry approximately 3km to the northwest (Lot 24 Old Coast Road, Myalup). Hydrographs for these bores are included in Annexure 2.

The hydrographs attached in Annexures 1 and 2 show that water levels in the bores surrounding the site have remained relatively stable over the past 5 years.

Groundwater contours have been drawn using available data from both DWER bores and private monitoring bores for the following:

- **Maximum GWL - October 2017 (Figure 2).**

The contours shown on this figure are representative of maximum groundwater levels at the site because this is the date of the highest water level recorded in the Lot 4 monitoring bore and the third highest water level recorded over the past five years at F5. The historical maximum in F5 for this period was only 0.14 m higher.

The above data gave a good estimate of the contours for the western portion of the site, however the position contours for the eastern portion of the site were estimated based on the hydraulic gradient under the site and the hydraulic gradient for the E line and G line bores. These bores are too far to extrapolate for this site, however dashed contour lines have been drawn to provide an estimation of the groundwater height for the eastern portion of the site.

Groundwater Flow Direction

The contours for October 2017 show the water table rises in an easterly direction beneath the site. This confirms that the groundwater flow direction is towards the wetland immediately to the west of the site.

Maximum Groundwater Levels

The hydraulic gradient that existed under the site in October 2017 was 1:263. Using the contours at this time, it can be estimated that the water table was approximately 8 mAHD beneath the portion of the old EIL area batter that will be removed and approximately 10 mAHD at the eastern boundary of the new EIL area (Figure 2).

Given that the historical maximum recorded over the past five years for F5 was 0.14m higher, the maximum groundwater level at Lot 7 is estimated to be approximately 8.14 mAHD beneath the old EIL area batter and approximately 10.14 mAHD at the eastern boundary of the new EIL area.

Main Roads intends to undertake further monitoring of from on-site bores/piezometers on Lot 21. If further groundwater monitoring data becomes available this will be used to refine the current estimation of the maximum groundwater level.

Table 1: Summary of Groundwater Level (GWL) Data for DWER Monitoring Bores 2014 to 2019 (DWER 2020)

Bore ID	Ground Elevation (mAHD)	Distance and Direction from site	Historic Max. GWL (mAHD)	Date of Historic Max. GWL	Oct 2017 GWL (mAHD)	Historic Min. GWL (mAHD)	Date of Historic Min. GWL*	Mar 2019 GWL (mAHD)	Median GWL (mAHD)
E1B	0.485	8.1 km NW	-0.193	22/09/2017	-0.293	-1.003	21/05/2014 and 21/05/2015	-0.773	-0.693
E2B	5.548	7.7 km NW	1.874	22/09/2017 and 19/10/2017	1.874	0.914	21/04/2017 and 19/05/2017	0.914	1.154
E3B	5.900	7.6 km NW	3.981	21/09/2017 and 20/09/2018	3.741	2.391	20/05/2019	2.811	3.041
E4A	16.553	7.5 km NW	8.419	21/10/2014	8.279	7.689	20/05/2019	7.889	8.069
E5B	13.274	7.7 km N	9.485	21/10/2014	9.195	8.865	20/05/2019	8.915	9.145
E7	17.462	8.0 km NE	14.404	21/09/2017	14.214	13.024	22/05/2018	13.174	13.414
F1	3.923	4.6 km SE	2.419	21/10/2014	1.913	1.223	18/04/2019	1.253	1.833
F2B	2.133	3.8 km SE	1.953	20/09/2018	1.233	0.043	18/03/2016	0.213	0.493
F3	7.680	2.9 km SE	2.982	19/09/2019	2.632	1.222	17/05/2019	1.322	1.778
F5	6.580	1.5 km SE	4.509	21/09/2017	4.369	3.249	18/03/2016	3.329	3.479
F9A	8.084	1.9 km E	4.123	21/10/2014	3.993	3.073	21/05/2018	3.243	3.363
G4	12.488	4.3 km SE	3.55	21/10/2014	3.230	2.668	17/03/2014	2.770	2.995
G5	8.036	4.5 km S	5.661	21/10/2014	5.401	4.551	18/04/2019	4.571	5.021
G6	38.598	4.4 km S	11.375	20/11/2014	11.145	10.845	17/05/2019	10.925	11.085

Table 2: Summary of Groundwater Level (GWL) Data for Private Monitoring Bores

Bore ID	Top of Casing Elevation (mAHD)	Distance and Direction from site	Historic Max. GWL (mAHD)	Date of Historic Max. GWL	Oct 2017 GWL (mAHD)	Historic Min. GWL (mAHD)	Date of Historic Min. GWL*	Mar 2019 GWL (mAHD)	Median GWL (mAHD)	Period Monitoring Data Available
Lot 4 MB	12.290	0.5 km S	6.54	11/10/2017	6.54	5.79	13/03/2019	5.79	6.09	September 2016 to June 2019
Lot 24 MB - W	8.200	3.2 km NW	2.900	30/11/2017	2.200	1.700	30/04/2019	2.100	2.200	August 2015 to June 2019
Lot 24 MB - E	7.995	2.9 km NW	3.345	29/09/2018	-	2.245	30/04/2016	2.695	2.745	August 2015 to June 2019

5.4 RAINFALL

One of the closest open rainfall recording stations with long term rainfall records is Roelands (~16km) and it has a mean annual rainfall of 881.7 mm. The wettest months are May, June and July and the driest months are December, January and February. The highest recorded rainfall was 1423 mm in 1945 and the lowest was 476 mm in 2010. Table 2 shows the average monthly and annual rainfall for Roelands.

Table 2: Mean Rainfall Data for Roelands 9657 for Period 1942 to 2019 (BoM 2020a)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann
12.3	11.3	22.2	49.0	124.4	179.0	173.4	129.3	86.5	51.2	31.6	15.9	881.7

Rainfall intensity has been calculated using the Bureau of Meteorology (BoM) Rainfall Intensity-Frequency-Duration (IFD) data system (BoM 2020b), which yields the 2hr 10% Annual Exceedance Probability (AEP) (37.8 mm). The DWER recommends that surface water runoff produced within the mined area from this rainfall event should be contained within the pit (DWER 2019). This aspect is discussed later in this document.

6. WATER MANAGEMENT

6.1 STORMWATER MANAGEMENT

The existing pit and the final landsurface will be internally draining, with the final levels being approximately 10m below surrounding natural ground levels. Stormwater within the pit area will drain internally and will therefore not impact on the surrounding landsurface.

6.2 SURFACE WATER MANAGEMENT

Due to the very permeable nature of the sand within the operational area, it is unlikely that any expression of surface water will exist, even after heavy winter rains.

6.3 GROUND WATER MANAGEMENT

No groundwater will be permanently exposed by this development since excavation of the old EIL area batter will only proceed until a level of 9.0 m AHD has been reached, which will be more than 0.3m above the estimated maximum water table level (8.14 m AHD beneath the old EIL area batter to be removed). This is in line with the DWER recommended minimum separation depth of 300mm between the base of the pit and the likely maximum seasonal groundwater level (Brendan Kelly, pers. comm. September, 2019).

The land surface beneath the old EIL batter will be rehabilitated to a final level of 9.0 m AHD so it is level with the existing pit. This level is more than 500mm above the estimated maximum water table level beneath this location, and in keeping with the DWER recommendations (Brendan Kelly, pers. comm. September, 2019).

The depth of the excavation of the new EIL area is constrained by the fact that the entire area needs to serve as a batter to the Main Roads pit on Lot 21, with a slope of 1:6. Excavation of the new EIL area will only proceed until a minimum of 16 m AHD is reached in the north western corner. The final landsurface will slope upwards to the north eastern corner which will have final of elevation of 33 m AHD. The levels of this batter will be approximately 6 to 23m above the estimated maximum water table level beneath the new EIL area (approximately 8.5 to 10m AHD), therefore well above the DWER requirements.

The proposed final land surface is shown on Figure 3.

When water is required for dust management, it will be abstracted from a production bore on Lot 4 Runnymede Road. The abstraction of minor volumes of water for dust suppression is not expected to have significant impact on local groundwater levels.

No dewatering activities will be undertaken.

Due to the low scale nature of the operations, no groundwater contamination is anticipated and there is no risk to any private groundwater supply. No fuel or lubricant storage will occur on the site. Refuelling will take place using a mobile refuelling vehicle which is equipped with a “snap-on snap-off, fast-fill and auto shut-off” facility. Plant will be refuelled each morning, leaving the vehicles almost empty overnight. No major servicing, which could lead to fuel and oil spills, will take place on the site. Minor spills which may occur occasionally will be neutralised by soil processes. B&J Catalano have a Safety Practice document for Hydrocarbon Spill Response outlining their procedures for controlling, recovering, treating and reporting hydrocarbon spills (Annexure 1).

6.4 MONITORING AND MANAGEMENT MEASURES

During the extraction and early rehabilitation phase, the pit will be inspected after every significant rainfall event to check erosion damage. If any repairs are required, this will be attended to immediately.

After pit closure and rehabilitation, monitoring of rehabilitated areas will ensure that any areas requiring remedial work are identified. Monitoring will be carried out on an annual basis to assess:

- The physical stability of the landform in the rehabilitated areas.
- The success of the planted vegetation.
- The emergence of weeds.

Monitoring will continue until the completion criteria have been fulfilled. Maintenance procedures will be carried out where necessary and may include:

- Repair of any erosion damage.
- Replanting/seeding areas that may not have regenerated.
- Weed control.

7. ACID SULFATE SOILS

A search of the CSIRO’s Australian Soil Resource Information System (ASRIS) database identified the probability acid sulfate soils occurring within the proposed EIL area as extremely low/confidence unknown (CSIRO, 2020).

A low probability of ASS within the EIL area is likely because the material to be excavated is deep Spearwood sands with rapid drainage characteristics. There are no remnant swampy sediments within the extraction area where acid sulphate soils might be exposed or activated as a result of the proposed extraction activities. The extraction will remain above the water table at all times.

8. REFERENCES

Bureau of Meteorology (BoM) (2019a). Rainfall records for Roelands (Station 9657). Website: www.bom.gov.au. Accessed January 2020.

Bureau of Meteorology (BoM) (2020b). Rainfall frequency information. Website: www.bom.gov.au. Accessed January 2020.

CSIRO (2020). Australian Soil Resource Information System (ASRIS). [Online], <http://www.asris.csiro.au>. Accessed January 2020.

Department of Water and Environment Regulation (DWER) (2019). Water quality protection note no. 15, Basic raw materials extraction. Government of Western Australia.

Department of Water and Environmental Regulation (DWER) (2020). Monitoring bore data accessed from WIR website: <http://wir.water.wa.gov.au/SitePages/SiteExplorer.aspx>. Accessed: January 2020.

Landgate (2020). Locate V5. [Online] <https://maps.slip.wa.gov.au/landgate/locate/>. . . Accessed January 2020.

Lundstrom Environmental Consultants (LEC) (2020). Groundwater Investigation for Lot 21 Runnymede Road, Binningup. Draft report prepared for Main Roads, Western Australia, February 2020.

WALGA (2020). Environmental Planning Tool (EPT). [Online], http://lbp.asn.au/index_public.html. Accessed January 2020.

9. ATTACHMENTS

FIGURES







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| Figure 1 | Site and Surrounds |
| Figure 2 | Regional Groundwater Contours Oct 2017 |

ANNEXURES

- | | |
|------------|-----------------------------------|
| Annexure 1 | Hydrocarbon Spill Management Plan |
|------------|-----------------------------------|

FIGURES



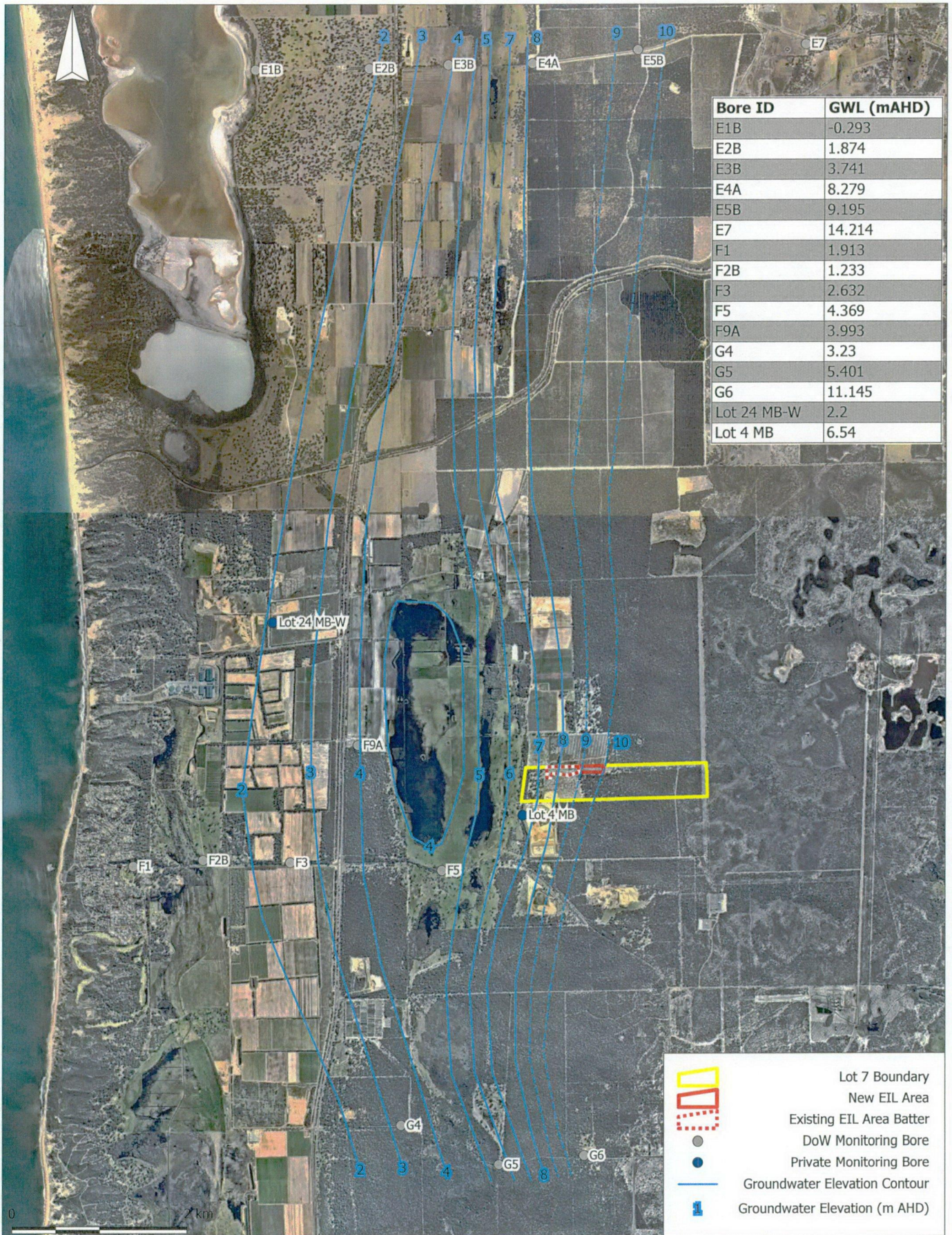
	New EIL Area
	Existing EIL Area Batter
	Residences
	Existing EIL Area
	Existing EIL Area - Original Stages
	Bushfire Prone Area

Lundstrom Environmental Consultants Pty Ltd
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Scale: 1:16000
 Original Size: A4
 Air Photo Source: Nearmap Dec 2019
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Sand Extraction
 Location: Lot 7 Runnymede Rd
 Wellesley

**Figure 1:
 Site and
 Surrounds**



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Scale: 1:54000
 Original Size: A4
 Air Photo Source: Nearmap Aug 2017
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Sand Extraction
 Location: Lot 7 Runnymede Road
 Wellesley

Figure 2:
Regional Groundwater Contours Oct 2017

ANNEXURE 1
Hydrocarbon Spill Management Plan

Safety Practice

SAF-SP-029 HYDROCARBON SPILL RESPONSE

PURPOSE

This procedure summarises the safety practice of B & J Catalano to control the personal and environmental hazard posed by hydrocarbon spills. It outlines the correct procedure for controlling, recovering and reporting hydrocarbon spills to ensure compliance with West Australian legislative requirements.

SCOPE

This safety practice will apply to all B & J Catalano areas and employees.

DEFINITIONS

MSDS: Material Safety Data Sheet - A document which describes the properties and use of a substance, i.e., its identity, chemical and physical properties, health hazard information, precautions for use and safe handling information.

Hydrocarbon: An organic compound containing only carbon and hydrogen including diesel, oil, petrol, grease, solvent-based degreasers, hydraulic fluids and transformer oils.

Hydrocarbon Spill: Any uncontrolled release of hydrocarbon products.

Bund: An embankment or wall that may form part or the entire perimeter of a compound. Usually made of concrete, bunds are placed around storage tanks to contain spills.

INFORMATION

Under the general and specific provision of duty of care an employer shall, so far as is practicable, provide and maintain a working environment in which his employees are not exposed to hazards existing in the workplace. This requirement includes the hazards associated with hydrocarbons spills.

It is the responsibility of ALL employees and contractors to manage hydrocarbon spills as they occur. Supervisors are accountable if their immediate areas are found to have poor hydrocarbon management practices (this includes the clean-up of minor spills).

Spills involving hydrocarbons have the potential to produce adverse consequences to human health and/or the environment. Environmental spills can lead to contamination of water (both surface and aquifers), soil and habitats. The effect is higher closure costs, loss of a potable resource, death of flora and fauna, requirement for remediation, classification into Western Australia's Contaminated Sites database and prosecution by the Department of Environment and Conservation (DEC).

Document No.	Doc Type	Approved	Rev. No.	Rev. Date	Page
SAF-SP-29	SAF	May 2011	1.0	May 2012	1 of 4

This safety practise outlines:

- Action required when a spill is identified
- Techniques to restrict the extent of the contamination
- Techniques to collect spilled material
- Techniques to collect and dispose of contaminated material
- Techniques to treat soils contaminated by hydrocarbon
- Reporting requirements in regard to hydrocarbon spills

REQUIREMENTS

1 Action required when a spill is identified

- 1.1 Isolate the spill area
- 1.2 Identify the spilt substance
- 1.3 Identify hazards and PPE requirements – consult the appropriate MSDS.
- 1.4 If safe to do so, the source of the spill should be restricted or stopped (i.e. shutdown machinery, switch off pumps, close valves).
- 1.5 If suitable equipment is readily available and can be operated in a safe manner, the extent of the spill is to be contained.
- 1.6 Contact immediate Supervisor as soon as possible and advise of spill.

2 Techniques to restrict the extent of the contamination

- 2.1 If possible restrict the source of the spill to ensure the flow of hydrocarbon is stopped.
- 2.2 If the spill is occurring outside a containment bund, use earthmoving equipment to construct additional earthen bunds to contain the extent of the flow.
- 2.3 Isolate drains.
- 2.4 On advice of Environmental Department, pump source material from either or both of the source container or the bunded containment into a safe container.

3 Techniques to collect spilled hydrocarbon

- 3.1 On advice of Environmental Department, pump source material from either or both of the source container or the bunded containment into a safe container.
- 3.2 Use absorbent materials to soak up residual hydrocarbon.
- 3.3 If the spill occurs in an area where a water body has become contaminated, use mini air booms to contain the spread of hydrocarbon on the surface of the water.
- 3.4 Use a skimmer to collect contained hydrocarbon in a triple oil separator or retain on the surface of the water body and pump to a waste oil tank or other safe container.
- 3.5 Hydrocarbon absorbents are to be collected and disposed of as decided by the Environmental Department and according to site requirements.

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4 Techniques to treat soils contaminated by hydrocarbon

- 4.1 Dependent on site requirements and on advice from the Environmental Department, contaminated soils may be treated in the following ways:
- Collected and disposed of
 - Encapsulated in the waste dump
 - Collected or remain in situ and treated by bioremediation to breakdown the hydrocarbon.
- 4.2 On completion of the rehabilitation program the Environmental Department must inspect and verify that the spill has been successfully remediated.

5 Reporting requirements in regard to hydrocarbon spills

- 5.1 All incidents of hydrocarbon spills are to be reported to the immediate Supervisor as soon as possible and followed up with the completion of the B&J Catalano Incident Report Form which requires an incident investigation to determine root cause and assists in the prevention of a reoccurrence.
- 5.2.1 The immediate Supervisor must then report the incident to the Environmental Department to determine what reporting to external departments is required i.e. Department of Conservation.

Table 1: Suggested Spill Equipment

Type of Spill	Recommended Spill Equipment
Spill on rocks / dirt	<ul style="list-style-type: none"> • Use earthen bunds or booms to contain spill • Polypropylene pads to mop up excess oil at the outset • Global Peat or Enretec to treat contaminated soil in-situ
Spill on concrete / hardstand area e.g. workshop	<ul style="list-style-type: none"> • Polypropylene pads (easiest and quickest) • Floorsorb / kitty litter if pads not available (this must be swept up and disposed of in hydrocarbon bins immediately, as these products are not hydrophobic and will not contain the spill if they become wet)
Spill in containment bund	<ul style="list-style-type: none"> • Polypropylene pads or pillows • Bund can be drained or sucked out to waste oil receptacle if the spill is large
Spill occurs when raining or on a water body	<ul style="list-style-type: none"> • Polypropylene pads

Document No.	Doc Type	Approved	Rev. No.	Rev. Date	Page
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RELATED DOCUMENTS

- a. B&J Catalano Incident Report Form

REFERENCES

- a. Occupational Safety and Health Act (WA) 1984
- b. Occupational Safety and Health Regulations (WA) 1996
- c. Mines Safety and Inspections Act (WA) 1994
- d. Mines Safety and Inspections Regulations (WA) 1995
- e. Environmental Protection Act 1986
- f. Environmental Protection (Unauthorised Discharges) Regulations 2004
- g. AS 1940 : 2004 Storage and handling of flammable and combustible liquids

DOCUMENT CONTROL

Approval			
Role	Name	Date	
General Manager	Nunzio Giunta	Sept 2011	
HSE/HR Manager	Doriann Walls	Sept 2011	
Revision Events			
Rev.	Author	Changes	Date
1.0	Nic Henley		May 2011
2.0	Ian Prosser	Definitions / Table 1	March 2012

Document No.	Doc Type	Approved	Rev. No.	Rev. Date	Page
SAF-SP-29	SAF	May 2011	1.0	May 2012	4 of 4

APPENDIX 5

DUST MANAGEMENT PLAN



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DUST MANAGEMENT PLAN

Prepared for B&J Catalano Pty Ltd
For Lot 7 Runnymede Road, Wellesley
Shire of Harvey

1. INTRODUCTION

This Dust Management Plan (DMP) has been prepared in accordance with guidelines published by the Department of Environment and Conservation (DEC) (2011), now the Department of Water and Environmental Regulation (DWER) "A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities". This DMP should be read in conjunction with the report entitled "Extractive Industries Licence Application & Environmental Management Plan (EMP), Lot 7 on Diagram 40591 Runnymede Road, Wellesley, prepared for B&J Catalano, March 2020".

The objectives of this DMP are as follows:

- To describe the nature of the proposed operation
- To identify any sources of dust that might arise from these operations
- To identify the proximity of any sensitive premises in this regard
- To identify measures that will limit the generation of dust from the operations
- To identify measures that will limit the impact of dust on sensitive premises

2. SITE BACKGROUND

2.1 Locality

Lot 7 Runnymede Road, Wellesley, Shire of Harvey.

2.2 Ownership

B, C & S Catalano

2.3 Land Use

The property has historically been used for the grazing of livestock and for quarrying. Figure 1 illustrates the land use of the property and its immediate surrounds

2.4 Geology and Soils

The property is covered by grey and yellow sands of the Spearwood System comprising mainly dunes and dune ridges. The sand reaches a maximum thickness of 18 meters and is underlain by sandy clays of the Guildford Formation and limestones of the Tamala Formation.

The topsoil is approximately 500mm thick and comprises mainly fine to medium sand.

Particle size distribution test results in Annexure 1 show that the sand has the following texture:

Coarse, medium and fine sand:	98%
Silt:	2%
Clay:	0%

Although there will be some uplift of the finer particle component of this soil during stripping and stockpiling operations, this will be limited due to the low proportion of fines. During strong winds the potential exists for fine particles to become airborne especially when they are disturbed by excavation activities and further discussion on mitigation measures in this regard is contained in section 4 below.

2.5 Potentially Sensitive Receptors

2.5.1 Residential Dwellings

The positions of closest residential dwellings are shown on Figure 1 with details listed in Table 1.

Table 1: Residential Dwellings within 1500m of the Site

Reference No. (Figure 1)	Lot No.	Occupants Name	Distance to closest area of proposed pit (meters)
Res 1	101	G.P. Reading	649
Res 2	111	P. W Ivankovich – listed as owner but not sure if occupier	827
Res 3	22	LandCorp	647

2.6 Prevailing Winds

As winds are strongest in this area in the afternoon, data has been extracted for this time. The wind speed and direction data utilised is from the Bunbury weather station, within 20km of the site. These data show that prevailing winds are predominately from the west with occasional winds from the south-west and north-west. Winds from the north, south and east occur less than 10% of the time (Bureau of Meteorology 2016).

3. PROPOSED WORKS AND POTENTIAL IMPACTS

B&J Catalano propose to extract a total of approximately 160,000m³ of sand from two additional areas; an area of 1.97ha immediately to the east of the existing pit (~70,000m³) and the northern batter of the existing pit adjoining Lot 21 (~90,000m³) as shown in Figure 1.

It is estimated that the existing approved resource (15.61ha) has 80,000m³ remaining. The additional resource created by this application will thus make a total available resource from this site of approximately 240,000m³. Annual extraction will be approximately 50,000m³ per annum, this may vary depending on the demand for sand.

It is intended to rehabilitate 2.61ha to native vegetation and the remainder of the disturbed area back to pastures. Table 2 provides a description of all activities, their duration, aspect and an assessment of potential for dust impacts.

Table 2: Aspects and Impacts of Dust Generating Activities

Activity	Duration	Aspect	Impact
Topsoil Stripping and stockpiling of new EIL area and remainder of existing pit.	2 weeks in 2021	Disturbance of grass and soil exposes ground to wind erosion	Dust may create an amenity issue with nearby residents
Rehabilitation (including existing pit)	1 week per annum over 5 year period	Disturbance of topsoil could release dust into the atmosphere	Dust may create an amenity issue with nearby residents
Loading of trucks from workface	4 years at an average of 16 trucks per day	Loading of sand may release dust into the atmosphere	Fine dust may create an amenity issue with nearby residents
Transport of sand from site	4 years	Dust could escape from the truck in transit	Amenity, health or traffic safety issue

3.1 Plant and Equipment to be used

The list of Equipment to be used is as follows:

Caterpillar 980 and 950 front end loaders
 Finlay Screen 693
 Striker 25m Stacker
 Caterpillar generator set

3.2 Summary of Mining Actions

The following Table outlines the proposed mining actions:

Table 3: Stages of the Mining Operation

Stage	Action	2017	2018	2019	2020	2021	2022	2023	2024	2025
PAST OPERATIONS										
1	Remove topsoil and stockpile									
1	Extract sand by loader & truck									
2	Remove topsoil and stockpile									
2	Extract sand by loader & truck									
3	Remove topsoil and stockpile									
3	Extract sand by loader & truck									
1	Rehabilitate Stage 1									
2	Rehabilitate Stage 2									
3	Rehabilitate Stage 3									
Infill planting	2.28ha native vegetation									
Revegetation	2.61ha native vegetation									
PROPOSED OPERATIONS										
New Extraction Area and Existing Pit Batter	Clearing of approx. 10 trees									
	Remove topsoil and stockpile									
	Extract sand by loader & truck									
	Rehabilitate									

3.3 Site Risk Assessment and Classification

The site risk assessment is based on the format provided in Appendix 1 of the DEC guideline document "A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities" (March 2011) referred to in Section 1 of this DMP. Based on the risk assessment conducted the classification derived is "low risk". Measures for managing dust impacts are discussed in Section 4 below.

4. Measures Proposed for Managing Dust

This report has identified the potential dust generating activities associated with the proposed development and has also identified the potentially sensitive receptors. The measures that are proposed to manage dust impacts are listed below:

- A 15kl water cart will be on site during all periods when earth is being moved or screening is being conducted. If dust is generated during these periods, the water cart will be employed to damp down the areas of concern.
- If the wind is blowing strongly from the south in the direction of the closest residences and conditions are dusty, operations will be stopped until such time as adequate wetting down has occurred.
- A polymer-based spray-on soil stabilizer will be applied to topsoil and overburden stockpiles if they do not stabilize by crusting and grass regrowth.
- Truck loads will always be covered so that no dust is generated in transit.
- A complaints system will be put in place and these will be recorded by the Quarry Manager and acted on promptly.
- A notice will be erected at the front gate and this will provide emergency contact details for the Quarry Manager.

5. REFERENCES

Bureau of Meteorology. Wind data for Bunbury 1995-2010 (Accessed from www.bom.gov.au November 2016)

Department of Environment and Conservation, 2011. A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities.

6. ATTACHMENTS

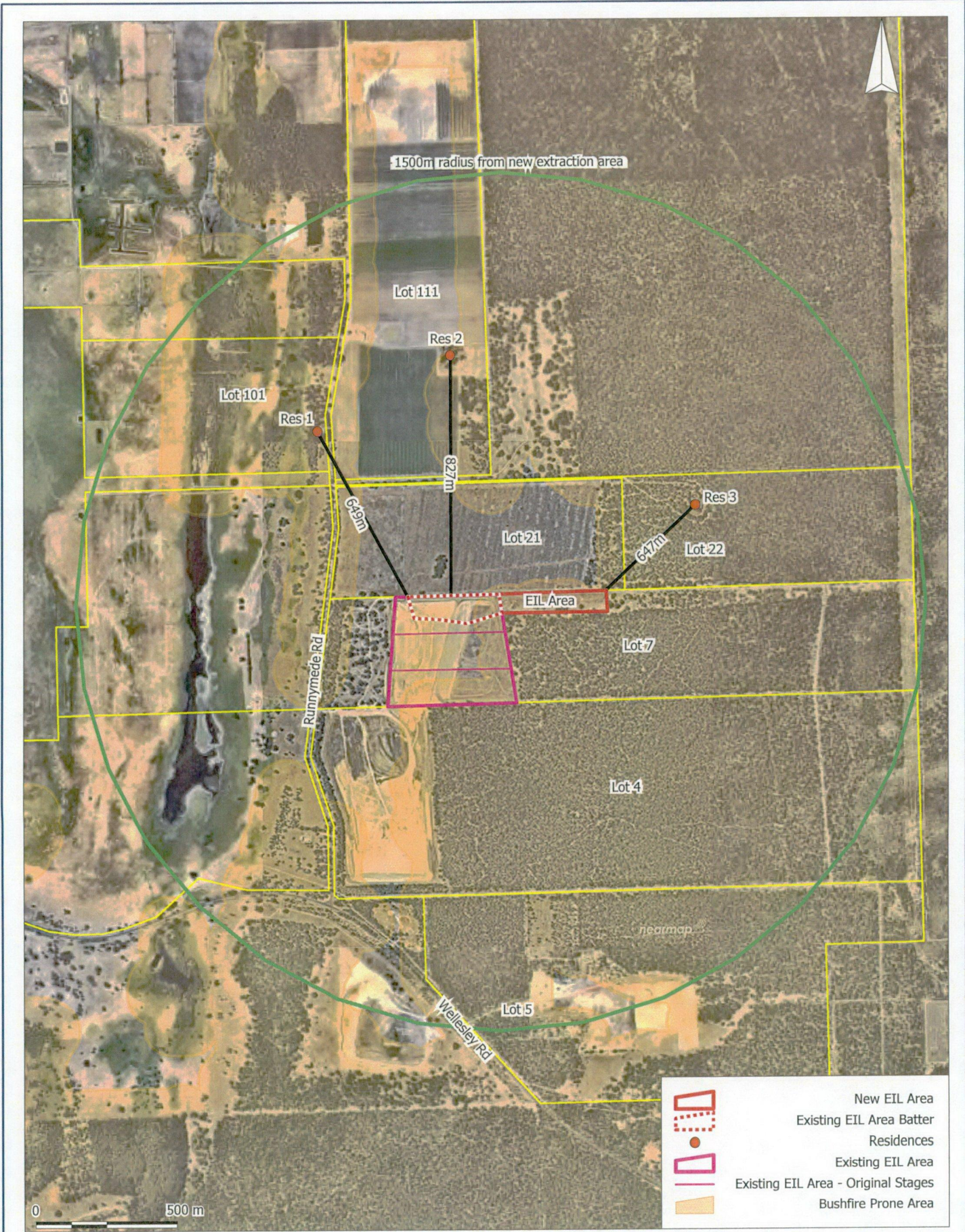
FIGURES

Figure 1 Site and Surrounds

ANNEXURES

Annexure 1 Particle Size Distribution Test

FIGURES



Lundstrom Environmental Consultants Pty Ltd
 Leeming WA 6149
 Mob: 0417934863
 mikelund1@bigpond.com

Scale: 1:16000
 Original Size: A4
 Air Photo Source: Nearmap Dec 2019
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Sand Extraction
 Location: Lot 7 Runnymede Rd
 Wellesley

**Figure 1:
 Site and
 Surrounds**

ANNEXURE 1
Particle Size Distribution Test

ANNEXURE 1



Geotech Materials Testing Services, ABN: 48 137 480 034
 Karemmi Pty. Ltd. ABN: 94 078 149 425
 51-55 Forrest Avenue, Bunbury 6230 WA
 Telephone: (08) 9721 6255 Facsimile: (08) 9721 6455
 Email: quality@geotechsoil.com.au

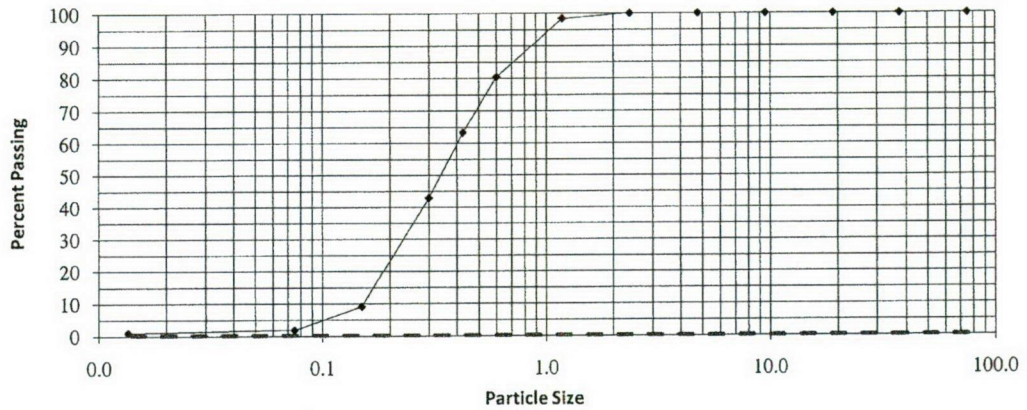
Bunbury Base Lab
 NATA SR#5029
 13a Leichardt Street, Bunbury WA 6230
 (08) 9725 6034
bunburylab1@geotechsoil.com.au



TEST CERTIFICATE
PARTICLE SIZE DISTRIBUTION
TEST METHOD - WA 115.1

Sample No:	BBY-4831-1	Date Tested:	4831-1
Tested By:	J.Perkins, J.Perkins		
Client:	B&J Catalano Pty Ltd		
Project:	Sand Compliance		
Project Location:	Runnymede Pit R-1		
Material Description:	Sand		
Sampled By:	Client	Sample date:	-
Sampling Method:	Sampled by client. Sample prepared in accordance with WA 105.1.		
Field Site #:	1	Chainage:	-
		Offset:	-
		Offset from:	-

Particle Size Distribution



Sieve Size (mm)	Percent Passing
75.0	100
37.5	100
19.0	100
9.5	100
4.75	100
2.36	100
1.18	98
0.600	80
0.425	63
0.300	43
0.150	9
0.075	2
0.0135	1

Largest sieve size used: 75.0 Percent Retained: 0

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Approved Signatory: S. McMahon Date: 22-Mar-11



**TEST CERTIFICATE
TEST FOR LINEAR SHRINKAGE
TEST METHOD - WA 123.1**

Lab Prefix:	BBY	Date Tested: 18-Mar-11
Sample No:	4831-2	Tested By: H.Dellaca
Client:	B&J Catalano Pty Ltd	Test Request: -
Project:	Sand Compliance	
Project Location:	Runnymede Pit R-1	
Material Description:	Sand	
Sampled By:	Client	Sample date: -
Sampling Method:	Sample supplied by Client, and prepared in accordance with WA 105.1.	
Field Site #:	1 Chainage: - Offset: -	Offset from: -

(WA 123.1)
Linear Shrinkage (%): 0.0
Specimen Condition: Normal
Sample Preparation: Oven Dried
Dry Sieved

Notes: This document is issued in accordance with NATA's accreditation requirements.
This report not valid unless reproduced in full.

Approved Signatory: 
S.McMahon **Date:** 22-Mar-11

APPENDIX 6

DIEBACK MANAGEMENT PLAN



LUNDSTROM ENVIRONMENTAL CONSULTANTS Pty Ltd

ACN 600 398 945

21 Sellen Court
LEEMING WA 6149

Mob:0417934863
email: mikelund1@bigpond.com
www.Lundstrom-Environmental.com.au

DIEBACK MANAGEMENT PLAN **Prepared for B & J Catalano Pty Ltd** Lot 7 Runnymede Road, Wellesley Shire of Harvey

1. INTRODUCTION

The purpose of this Dieback Management Plan (DMP) is to describe the measures that will be taken to limit the risk of spread of Dieback disease as a result of sand extraction on Lot 7 Runnymede Road, Wellesley. This DMP should be read in conjunction with the report entitled "*Extractive Industries Licence Application and Environmental Management (EMP), Lot 7 on Diagram 40591 Runnymede Road, Wellesley, March 2020*" prepared for B & J Catalano Pty Ltd by Lundstrom Environmental Consultants Pty Ltd.

2. SITE BACKGROUND

2.1 Property Description, Ownership and Locality

Locality: Lot 7 on Diagram 40591
(Runnymede Road, Wellesley, Shire of Harvey)
Ownership: B, C & S Catalano

The property is located approximately 2km to the east of Forrest Hwy, 23km north of Bunbury.

2.1 Land Use

The property is currently used for sand extraction. Lot 4 adjoining it to the south is also operated by B&J Catalano for sand extraction. Main Roads proposes to establish a sand quarry on Lot 21 adjoining the property to the north. Other properties surrounding the proposed operation are mainly used for grazing.

Figure 1 shows the land use of the property and its immediate surrounds.

2.2 Geology and Soils

The entire property is covered by grey and yellow sands of the Spearwood System comprising mainly dunes and dune ridges. The sand reaches a maximum thickness of 20 metres and is underlain by sandy clays of the Guildford Formation and limestone of the Tamala Formation.

2.3 Vegetation

The eastern half of the property is located in an area mapped as Heddle Vegetation Complex - Bassendean Complex-Central and South. It is described as vegetation ranging from woodland of *Eucalyptus marginata* (jarrah) – *Allocasuarina fraseriana* (sheoak) – *Banksia spp.* to low woodland of *Melaleuca spp.* and sedgelands on the moister sites. (WALGA 2020).

The middle of the property lies in an area mapped as Karrakatta Complex-Central and South. It is described as predominantly open forest of *E. gomphocephala* – *E. marginata*- *E. calophylla* (tuart-jarrah-marri) and woodland of *E. marginata* – *Banksia spp.* (WALGA 2020).

The proposed new EIL area comprises mostly of pasture grasses and is cleared of native vegetation except for approximately 10 trees for which a clearing permit has been applied. No other native vegetation will require clearing.

3. PROPOSED WORKS

B&J Catalano propose to extract a total of approximately 160,000m³ of sand from two additional areas; an area of 1.97ha immediately to the east of the existing pit (~70,000m³) and the northern batter of the existing pit adjoining Lot 21 (~90,000m³) as shown in Figure 1.

It is estimated that the existing approved resource (15.61ha) has 80,000m³ remaining. The additional resource created by this application will thus make a total available resource from this site of approximately 240,000m³. Annual extraction will be approximately 50,000m³ per annum, this may vary depending on the demand for sand.

It is intended to rehabilitate 2.61ha to native vegetation and the remainder of the disturbed area back to pastures.

Proposed mining actions are as follows:

- The active area will be stripped of topsoil, which will be placed in stockpiles within the extraction area.
- Within the active cell sand will be excavated using a front-end loader and bulldozer. Trucks will enter the pit from via Runnymede Road to be loaded from the stockpile by a front-end loader.
- It is anticipated that excavation beneath the old EIL batter will proceed until a level of 9.0 m AHD has been reached so it is level with the existing pit.
- The depth of the excavation within the new EIL area is constrained by the fact that the entire area needs to serve as a batter to the Main Roads pit on Lot 21. Excavation will only proceed until a minimum of 16 m AHD is reached in the north western corner. The final landsurface will slope upwards to the north eastern corner which will have final of elevation of 33 m AHD.
- Batters of 1:6 (vertical: horizontal) will be achieved at the completion of landsurface rehabilitation.

4. DIEBACK STATUS OF THE AREA

Dieback mapping has not been undertaken for the site. No obvious signs of dieback infestation were observed in the uncleared vegetation surrounding the proposed extraction area. Since the majority of the area within which the extraction is to be undertaken has been completely cleared, the status of this area could not readily be ascertained. On the basis of this, the site should be classified as uninterpretable and managed as such.

Guidelines for the management of the pit and the movement of vehicles in and out of the pit are contained in the Dieback Working Group guideline document (Dieback Working Group 2010).

4.1. Proposed Dieback Management Measures

The following management measures will be put in place to minimise future spread of dieback:

- The property will be fenced at all times.
- Access to the property will be via a single entrance gate.
- All machinery, trucks and other vehicles will arrive in a clean condition free of soil and organic matter that may contain dieback fungus.
- Any soil and plant material brought to the site for rehabilitation purposes should be from dieback free sources.
- The site will not be worked during wet periods.
- Employees and contractors working on the site will be informed of the purpose of the above measures and their responsibilities in relation to dieback prevention.

At the entrance to the property, a gate is installed and will be sign-posted: "CLEAN ON ENTRY, NO UNAUTHORISED ENTRY", Vehicles must be free of soil before passing beyond this point". All B & J Catalano vehicles will be cleaned down at their depot in Brunswick Junction before entering this property for the first time, after leaving another pit. Any outside contractors coming in will have to ensure that their vehicles are cleaned off-site.

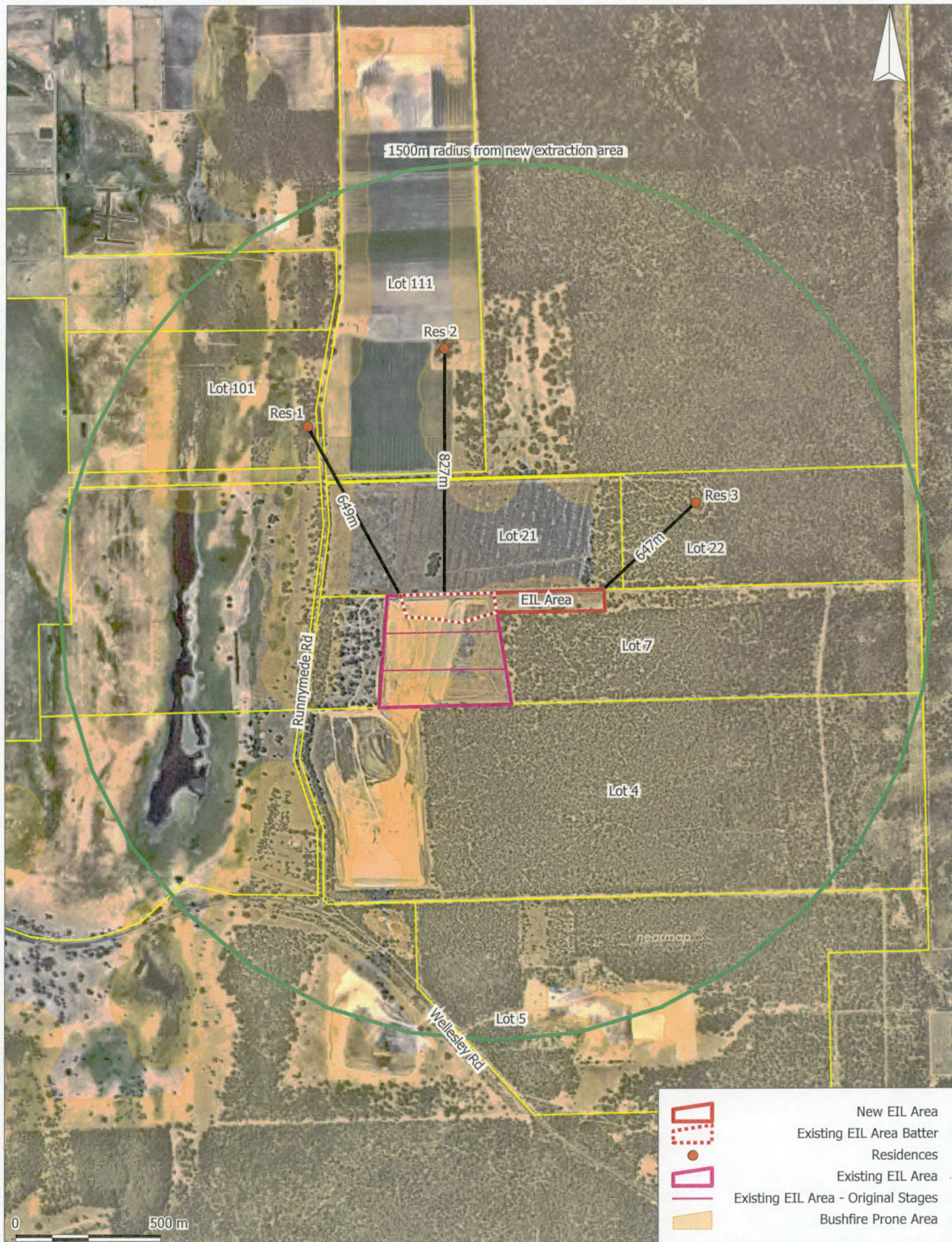
An information brochure explaining dieback management guidelines is handed out to all new customers of B & J Catalano. This information brochure states that the extracted material is considered to be 'uninterpretable' and may therefore contain *Phytophthora* Dieback and that the extracted material should not be used in areas adjoining any vegetation which is known to be susceptible to *Phytophthora* Dieback. It also includes a list of vegetation that are potentially susceptible to *Phytophthora* dieback. The information brochure is contained in Annexure 1.

6. REFERENCES

Dieback Working Group (2010). Management of *Phytophthora* Dieback in Extractive Industries. Best Practice Guidelines. Available on www.dec.wa.gov.au

WALGA (2020). Environmental Planning Tool (EPT). [Online], http://lbp.asn.au/index_public.html. Accessed January 2020.

FIGURES




Lundstrom Environmental Consultants Pty Ltd
 Leeming WA 6149
 Mob: 0417934863
 mikelund1@bigpond.com

Scale: 1:16000
 Original Size: A4
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 Project: Sand Extraction
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 Wellesley

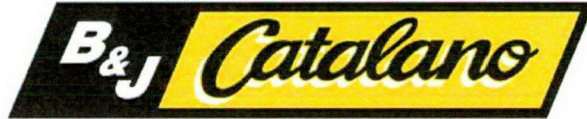
**Figure 1:
 Site and
 Surrounds**

ANNEXURE 1

Dieback Information Brochure

**PHYTOPHTHERA DIEBACK AND
EXTRACTIVE INDUSTRIES
INFORMATION BROCHURE**

for



Staff, Customers and Clients

What is *Phytophthora (cinnamomi)* Dieback?

Phytophthora dieback is a soil-borne fungal pathogen that kills a wide range of plant species in the southwest of WA by destroying their root systems. There are over fifty species of *Phytophthora* that occur worldwide. Although most *Phytophthora* species can cause plant disease, *Phytophthora cinnamomi* is the most frequently isolated *Phytophthora* species from native plant communities in WA' south west.

Impact of *Phytophthora* Dieback

Phytophthora Dieback occurs in all Southern Australian States and has had a significant impact on the biodiversity of native plants and animals from WA. It sometimes occurs in the nursery, mining, and forestry industries in WA.

According to CALM (2003), a conservative estimate places approximately 15-20% of the Jarrah forest as infested by *Phytophthora cinnamomi*. Furthermore, approximately 60% of the shrubland, *Banksia* woodland and Mallee woodland in the Stirling Range National Park are infected by the pathogen. Similarly, 70% of the Shannon and D'Entrecasteaux. National Parks are also affected by *Phytophthora cinnamomi*.

Managing *Phytophthora* Dieback

The movement of large volumes of soil is a significant risk in terms of spreading *Phytophthora cinnamomi*. The extractive industry has the opportunity to reduce the rate of spread of *Phytophthora cinnamomi* by taking steps to minimise the accidental spread of the pathogen, with extraction in the >400 mm rainfall zone at greatest risk of spreading the pathogen.

In particular, operations occurring near native plant communities dominated with *Banksia* species and other Proteaceae may be at high risk. Different types of extracted materials have their different levels of inherent risk with regards to the likelihood of being infested with *Phytophthora* Dieback and therefore these differences need to be taken into account. For example, sand and gravel which carries organic matter or topsoil can be infested with *Phytophthora*, whereas limestone and hard rock are normally always dieback free.



Plants Susceptible to *Phytophthora* Dieback

Banksias, *Adenanthos* and other Proteaceae, *Grass Trees (Xanthorrhoea)*, *Lomandra*, *Hibbertia*, *Dasyopogon*, *Patersonia*, Jarrah (*Eucalyptus marginata*) are highly susceptible to *Phytophthora* impacts, as are 2,300 native plant and some exotic plants (Shearer 2004). The Dieback Working Group site provides a list of susceptible species. On the other hand species such as Marri (*Corymbia calophylla*) are not affected.

Disturbed native vegetation, farmland, urban and other similar areas are not normally able to be assessed for *Phytophthora*.

Should you have concerns with the use of particular gravels next to or high quality native vegetation please contact B & J Catalano for further advice or view

<https://www.dwg.org.au>.

Best Practice Management Techniques

are described by the Dieback Working Group¹ and these are used by B & J Catalano to minimise the risk of their operations in acting as a vector for the transfer of the pathogen. The techniques described in this document are by no means all-encompassing but provide a summary.

B & J Catalano choose resources that are elevated, dieback free or have species not favoured by *Phytophthora* such as blue gum plantations and pasture, where best practice is possible. Resources are extracted, processed, managed and tested to provide the lowest possible *Phytophthora* Risk.



Summary of Best Practice Guidelines for a site entirely infested with *Phytophthora* Dieback

- Entirely dieback infested sites are only used to supply to similarly infested sites.

Guidelines for *Phytophthora* free, excluded from assessment or partially impacted sites.

- Training of staff on *Phytophthora* Dieback and management.
- No unauthorised entry is permitted.
- Vehicles must be “clean on entry”
- Areas are identified as follows:
 - Extraction and processing areas
 - Roads, including haul roads
 - Turn around points
 - Hygiene – quarantine points
 - Storage and stockpile areas
 - Water sources
- Surface water is contained on site.
- Stockpile areas are hard and well drained.
- All vehicles are clean on exit.
- The site and activities are secured by fencing, Signage, training and other methods.
- Separate excavation and loading areas.
- Signs illustrate the status and measures required are used as applicable.
- Dieback free water is used.
- Customers are notified of the Dieback status of the site and the resource.
- Stockpiles are regularly checked for organic matter or topsoil contamination.
- Product is regularly tested for *Phytophthora*.



South Western Highway Brunswick 6224
PH: 08 9726 8120
admin@catalano.com.au



INFORMATION FOR THIS BROCHURE
HAS BEEN OBTAINED FROM:

¹Dieback Working Group, 2019.
Management of *Phytophthora* Dieback
in Extractive Industries.

ATTACHMENT TO APPLICATION FOR REVIEW BY B & J CATALANO PTY LTD

FOUNDATIONS OF REVIEW

- 1 B & J Catalano Pty Ltd (**BJC**) is the owner of the property at Lot 7 Runnymede Road, Wellesley (**Lot 4**).
- 2 Lot 7 is zoned "Kemerton Industry Buffer" under the Shire of Harvey District Planning Scheme No,1 (**Scheme**).
- 3 Lot 4 has an area of 80.19 hectares.
- 4 Approximately 17.6 hectares of the western portion of Lot 7 has existing development approvals for extractive industry and has been used since 2011, pursuant to earlier development approvals, for the extraction of sand.
- 5 By an application made in September 2021, BJC applied for –
 - (a) development approval under the Scheme for an extractive industry (**Development Application**), and
 - (b) an Extractive Industry Licence under the Shire's Extractive Industries Local Law 2017 (**EIL Application**),to extract sand from an additional area of 1.17 hectares of Lot 7, immediately to the east of the existing and ongoing extraction area.
- 6 In addition to the Development Application and the EIL Application, BJC has also applied to the Department of Water & Environmental Regulation (**DWER**) under the *Environmental Protection Act 1986 (WA)* for a clearing permit for the clearing of an area of approximately 0.88 hectares native vegetation required in order to carry out the extraction the subject of the Development Application (**Clearing Permit Application**).
- 7 The Clearing Permit Application has not yet been determined by the DWER.
- 8 The Development Application was refused by the Shire's planning officers, under delegated authority, with the Notice of Determination issued on 15 February 2022 (**Development Refusal**).
- 9 The EIL Application has not been formally determined by the Shire.
- 10 The reasons given for the Development Refusal are entirely based on the supposed environmental impacts of the clearing of the native vegetation required in order to carry out the extraction the subject of the Development Application.
- 11 The environmental impacts (if any) of the clearing of the native vegetation required in order to carry out the extraction the subject of the Development Application are matters for the primary consideration of the DWER in its determination of the Clearing Permit Application.
- 12 If the DWER determines to grant the Clearing Permit Application, having had regard to the environmental impacts (if any) of the clearing sought by the Clearing Permit Application, there are no "planning" reasons arising from the clearing of that native vegetation in order to carry out the extraction the subject of the Development Application, to refuse the Development Application.
- 13 The Development Application should be approved subject to reasonable and appropriate conditions, including a condition (or, alternatively, an Advice Note) noting the requirement for a Clearing Permit to be granted by the DWER under the *Environmental Protection Act 1986 (WA)* to allow for the clearing of the native vegetation required to carry out the extractive industry the subject of the approval, and requiring that no clearing of native vegetation take place prior to the issue of a Clearing Permit by the DWER.
- 14 The EIL Application should be approved subject to reasonable and appropriate conditions.



Notice of Representation

If you did not provide details of your Legal Representative or Agent with your application, you can use this form to notify SAT you are being represented.

v1.0

You must give a copy of this notice to each other party to the proceeding.

SAT Application Details

SAT matter number DR 63/2022 *Eg. CC 123/2015*

SAT matter name B&J CATALANO PTY LTD v SHIRE OF HARVEY
Eg. 'Party v Party', or the subject person of an application 'John Smith'

Person completing this notice Craig Slarke - Partner

Party being represented

Party Name Shire of Harvey

Applicant Respondent

Person the subject of a Guardianship or Administration application

Other party type

Type of Representative

Legal Representative Other

Service Details for representative

Name of Firm McLeods

Address 220 Stirling Highway, Claremont WA 6010

Phone number 9424 6235

Email Address cslarke@mcleods.com.au

Use email address for service