

Shire of Nannup - Ref A1536

SHIRE OF NANNUP RECEIVED	
Ref: _____	No: _____
25 NOV 2024	
Officer: _____	

Reference: Development Application – Lot 121 (71) Roberts Road, Carlotta.

Proposed Extractive Industry (Gravel)

Owners of 'Mossbrook' 69 Roberts Road, Carlotta, 6275

22/11/24

To whom it may concern,

We are writing to you regarding the proposed development at Lot 121 (71) Roberts Road.

We have reviewed the plans and documents provided and have put together the following summary of our Objections and concerns:

• **2.5 Nearest residence:**

1. Object - The proposed development is within the 1000m EPA Guideline Separation Distances between Industrial and Sensitive Land Uses (No. 3, June 2005)
- Buffer - all the land between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area within which unacceptable adverse impacts due to industrial emissions on the amenity of sensitive land use are possible. This may be represented by the separation distance, which requires a minimum separation of 1000m between sensitive land use and extraction/screening works
2. We reside full time at 69 Roberts Road, working and studying full time from home Monday to Friday, the home office location faces directly to the proposed area which is only 360m from the house
3. Mossbrook 69 Roberts Road was a successful B&B until recently, the current owners are considering re-establishing this business again, the impact of having an extractive industry nearby may adversely affect the ability to attract visitors and manage this as a successful business
4. Object - It is understood Red Gully Road is the proposed access for the site however as there is also access to the site via Roberts Road, we object to contractors using Roberts Road for access due to the current road design, no passing places, school bus pickup/drop off at the Vasse/entrance and potential greater general wear and tear from heavy and increased traffic

• **2.7 Mobile Plant and Vehicles**

1. Object to the inadequate information concerning Mobile Plant and Vehicles
There appears to be an omission of Dozer and Crusher...4.1 mentions gravel is extracted via ripping of the surface, does not indicate with what type of machine
2. Object to crusher and stacker as no risk assessment nor indication of dust suppression for these machines
3. Object to no study having been completed to assess the best position/location for the equipment regarding noise and dust affecting the nearby residence

• **3.8 Dust**

1. Object to the increase of dust as one of the owners at Mossbrook has a lung condition
2. Object to inadequate dust assessment of risk to health and safety
3. Object to distance being within 1000m Buffer
4. Object - Potential impacts from dust – there is nothing stating dust mitigation from working areas, bunds, stockpiles etc, only mentions 'spraying of roads for nearest neighbour'
5. Object to "No extractive operations will occur on High Wind Days" (vague statement – not clear nor enough details)

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6. What indicates a High Wind?
7. Object - "Substantial tree buffer zone" for Mossbrook – this is not on the proposer's land. Owner of Mossbrook is currently re-modelling the property and these trees will be thinned out and or removed which would reduce or remove any buffer as described
8. Object - "Belt of trees (single row but comprising mature trees)" These trees are spaced approx. 10-15m apart and not densely vegetated, minimum buffering if any

- **3.10 Noise**

1. Object to distance being within 1000m Buffer
2. Object to inadequate noise assessment of risk to health and safety
3. We reside full time at 69 Roberts Road, working and studying full time from home Monday to Friday, the home office location faces directly to the proposed area which is only 360m from the house, object to increase in noise nuisance which may impact the residence ability to work from home.
4. Object to vehicle audible reversing alarms
5. Object to no proper design shown for attenuation bunds as contingency planning for those risks. Position, height, relative to a known reference, width/length, and details of gaps, bends or returns in the barrier. No details relevant to the final construction of the barrier and whether the barrier is assumed to be absorptive on one side

Shire of Nannup Local Planning Strategy

It would appear there would be land use inconsistencies that would arise in terms of the current Shire Planning Scheme and policy documents:

4.6 Minerals and Basic Raw Materials

Aims

The aims are to:

A22) prevent or reduce as far as possible, impacts on the environment and human health arising from the extraction, processing, management or transportation of minerals and basic raw materials

S57) minimise land use conflict between industrial and sensitive land uses and ensure that there are adequate buffers. Where appropriate, provide for the establishment of appropriate landscaping and screening buffers

9.0 Rural

9.1 Development and Use Rural and Priority Agriculture

A92) retain farming land in large landholdings to support primary production and generally limit the creation of additional lots

S144) protect the rural character and environmental and visual qualities of the area

S146) provide for the development of land for alternative and complementary non-agricultural uses including tourism, where the applicant can demonstrate:

- iii. adequate separation distance between potential conflicting land uses

Shire of Nannup - Ref A1536

We have sought and received legal advice on the proposal as the document is lacking detail in places. These are our objections and concerns for your consideration.

Sincerely,

Anthony & Andrea Baxter

Owners of 69 Roberts Road, Carlotta (Mossbrook)

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To whom it may concern,

On behalf of myself, Kyah Peeti and Ethan Hancock, owners of 70 Roberts Road, Carlotta, WA 6275, we have prepared a letter of opposition regarding the proposed Extractive Industry Application and Management Plans at lot 121 Roberts Road, Carlotta, WA 6275.

The EPA Guideline Separation Distances between Industrial and Sensitive Land Uses (No. 3, June 2005) requires a minimum separation of 1000 metres between sensitive land use and extraction/screening works.

Due to our dwelling at 70 Roberts Road located 120 metres to the north of the main proposed gravel extraction site (which is our property boundary) we have objections based on the following:

- Dust and particulate matter pollution
- Noise pollution
- Vibration
- Structural house damage due to close proximity
- Reduced property values

There is no evidence of an acoustical engineers report in the application, which would determine how far the noise and vibrations made at the extraction site would project.

If there can be evidence provided that an acoustical engineer has determined just how far the noise will project, as well as evidence the sound/visual/dust barriers (earthen bunds) will be established to meet the best practice requirements to minimise sound or dust emissions for sensitive receptors, there is potential we could reconsider.

We kindly ask that our names and address be withheld and kept confidential during this process.

Kind Regards,
Kyah Peeti and Ethan Hancock.

RM and KM DENNIS
7026 Vasse Highway
Carlotta
WA 6275

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DEVELOPMENT APPLICATION- LOT 121 (71) Roberts Road, Carlotta

To Whom it may concern,

We, the occupants of 7026 Vasse Highway are strongly opposed to the Development Application (Lot 121) 71 Roberts road, Carlotta. Our children bought this property, and we have a "Lifetime Usage Agreement". We were attracted to the area and property by the peace and quiet, bush setting and rural ambience to name a few. We run a small herd of beef cattle on the pastured land. We fear the granting of a gravel extraction license will shatter the idyllic setting we live in for a period of 10 years.

We oppose the development due to the following reasons:

Adjoining properties are within the 1,000-meter buffer recommended in EPA Separation Distances Between Industrial and Sensitive Land Uses.

The visual amenity will be destroyed by this proposal.

There is no need for this extraction development as a major source of gravel is in the area.

NOISE

Mobile Plant and Vehicles 2.7

- There is no mention of a crusher or a bulldozer in this listing but there is reference to crushing and ripping in the document. Both activities are extremely noisy. Ripping requires a bulldozer with its metal-to-metal tracks and a ripper at the rear being dragged through rock. A crusher basically pulverizes larger rocks into smaller ones.

Reversing warning signals fitted to vehicles.

At present we can hear 6 wheeler trucks accessing the sand pit as they climb Red Gully Road forest track from Vasse Highway. This would be significantly louder if the trucks were semis or road trains pulling heavier loads (trailers).

There is no mention of noise monitoring in the document, which you would think would be a minimum requirement in such a sensitive area.

DUST

We will invariably have dust blow onto our property, especially during the drier months of the year. Typically, these winds will blow from south through to north west after early morning Easterlies.

Dust particulates are a health issue by themselves but may contain silicon. Asbestos is found in bauxite extracted from the darling Scarp and could be present in gravel deposits in the south west. It will also contaminate rainwater collection, our only source of drinking and washing water, stock dam water, vegetable crops and washing on the line.

Dust from truck movements on Red Gully road forest track will also impact us when the wind is blowing from a southerly direction.

Water is said to be used to help suppress the dust, and to do this will require a significant amount of water every day of operation. We have concerns about the viability of the water source in a drying climate, last summer being a good example, with some local dams drying out for the first time while others were at all-time lows.

Mentioned in the document is a tree line as an example of a mitigating factor in dust suppression. This is a single row of trees that are spaced wide enough so you can drive a truck between them.

There is no mention of ongoing monitoring of dust during the life of the operation.

VISUAL AMENITY

3.9

The proponents state this is not a visually sensitive area and is only just visible from the highway. If allowed to proceed, the resulting extraction site will most definitely be an eye sore for four of the impacted properties. This is at odds with our existing panorama of a rural landscape, forest and farmhouses.

RED GULLY ROAD FOREST TRACK

The intersection of Red Gully road forest track and Vasse Highway is a safety issue, having about 100 meter vision of it once cresting the hill. (Nannup-Pemberton direction. 90 km zone.) Semis and road trains entering Vasse Highway pose a significant risk to road users, including school buses and caravans.

When dealing with Australia Post regarding placing a letterbox, they refused to deliver to a box placed at this intersection as they deemed it "too dangerous".

Contrary to statements in the document 4.4, we use Red Gully road forest track on a semi regular basis.

Meeting a 6-wheel truck on Red Gully road forest track requires one vehicle to pull over while the other passes. This will become extremely difficult when confronting semis and or road trains up to 36 times a day. 18 in 18 out.

DBCA - RED GULLY ROAD USE

As we read DBCA Conditional Continued Use of Red Gully road forest track approval (Appendix A), it states

“It should not be used as an alternative to gazette road network access provided by the shire”. Lot 121 is directly accessible via Roberts road, a gazetted road.

Point 11 of the above document states in part, “Use of the track for access to your location is not exclusive or restrictive of public use in any way.”

In the Development Application document 2.1 it states that “approval was sought and granted from Main Roads WA for use of the intersection of Red Gully road forest track and Vasse Highway”. From my correspondence with Main Roads WA via email they say “no recommendation or advice has been drafted or submitted from Main Roads WA” regarding the use of Red Gully road forest track - Vasse Highway intersection. They are looking at the intersection and safety implications with regard to the application. “This is in the very early stages.” 14/11/24

NANNUP LOCAL PLANNING STRATEGY

2.2 (a)

Develop a long-term use planning strategy to manage the growth in the Shire that contributes to the lifestyle enjoyed by residents.

Economic Development, Infrastructure and Community Services

The local government aim to:

d) conserve land required for agricultural production and support opportunities for agricultural diversification and value adding.

Agricultural Land and Basic Raw Materials

The local government aims to:

- a) maintain and protect areas of agricultural production and conserve their non-urban character whilst accommodating other complimentary rural activities.
- b) ensure the extraction of basic raw materials occur in accordance with best practice and addressing environmental and landscape considerations; and
- c) avoid or minimize land use conflicts due to the extraction of mining and basic raw materials, addressing water resource, environmental and landscape considerations.

2.6 Key Strategy Expectations

During the strategy period, the local governments vision will be to work towards the Following on-the-ground use, environmental, economic and community outcomes.

- f) agricultural areas will continue to be effectively conserved and managed for agricultural and rural uses.

Strategy

The local government strategy is to:

- S4) Generally not support the introduction of land uses that may adversely impact upon

Existing land uses;

- S5) support land uses where consistent with the Land Use areas shown on the Strategy Maps and supported by the Scheme; (Priority Agriculture)
- S6) Buffer distances are guided by the standards recommended by the Environmental Protection Authority (EPA)

4.6 Minerals and Basic Raw Materials

a22) prevent or reduce as far as possible impacts on environment and human health arising from the extraction, processing, management or transportation of minerals and basic raw materials:

9.1 Development and use – Rural and priority Agriculture

The aims are to:

A89 Protect rural land from incompatible uses by:

- i. making land use decisions for rural land that support existing and future primary production
- iv. minimize land use conflicts that compromise agricultural land uses.

Strategy.

S144 Protect the rural character and environmental and visual qualities of the area

The granting of this application will have a major impact on the property values and lifestyle of neighbouring households for many years. This would be of major concern for prospective property purchasers in the shire, having little faith in their purchase remaining what they paid for.

As stated above, the application goes against many objectives in the Shire Planning Strategies. WE hope these concerns will be taken into account when you make your decision.

Yours sincerely,



R.M. DENNIS



K.M. DENNIS

19/11/2024

Shire of Nannup Council

15 Adam Street, Nannup WA 6275

PO Box 11, Nannup WA 6275

SHIRE OF NANNUP	
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Ref: _____	No: _____
19 NOV 2024	
Officer: _____	

Subject:

Objection to the Proposed Extractive Development at Lot 121, Carlotta, Shire of Nannup

Dear Council Members,

I am writing to express my strong disapproval of the proposed extractive development at Lot 121, Carlotta, detailed in the recent application and management plans submitted by L.M. and E.A. Crouch. My brother and I purchased the house next to this site (7026 Vasse Highway, Carlotta 6275) for our parents' retirement, and the proximity of the proposed gravel extraction area raises serious concerns regarding the well-being, safety, and quality of life for my family and other neighbouring residents.

The points of significant concern include:

1. Noise and Traffic Disruptions: The use of heavy machinery and increased traffic from semi-trailers and road trains on Red Gully Road will produce continuous noise. This road traffic will significantly disrupt the tranquillity essential for retired residents, like my parents, and will elevate the risk of accidents due to increased vehicle movement.

2. Health Risks from Dust: Dust generation from the proposed topsoil removal, excavation, and transportation could negatively impact my parents' health, especially with the potential spread of particulate matter to their property, which is only 400 meters from the site. According to the EPA Guideline Separation Distances between Industrial and Sensitive Land Users, a minimum of 1000m is required between sensitive land use and extraction/ screening works. There are five properties within 800m of the proposed industrial site. This proximity and the absence of thorough noise or dust monitoring protocols in the current documentation amplify my concerns.

3. Impact on Rainwater Collection: The dust will not only affect air quality but also compromise the rainwater collection system that my parents rely on. Dust contamination in rainwater could pose additional health hazards, particularly as most properties in the area are dependent on rainwater tanks for drinking and domestic use.

4. Reduced Property Value: The establishment of an extraction site so close to residential properties will inevitably devalue nearby homes. The noise, dust, and heavy traffic are deterrents for future potential buyers and undermine the investments made by current homeowners, including myself and my brother.

5. Insufficient Mitigation Measures: While the document mentions general dust suppression and limited extraction times, there are no specifics on active noise monitoring or a detailed plan for mitigating the spread of dust and its effects on local properties. These gaps raise serious concerns regarding the enforceability of such measures and the extent to which residents will be protected.

6. Damage to Infrastructure: Red Gully Road and other local roads will suffer from erosion and wear due to the excessive passage of heavy vehicles. The long-term maintenance costs and disruptions to regular road use should be a significant consideration.

The proposal's outlined measures are inadequate in addressing the real and ongoing impacts this project will have on the neighbouring community, including my parents' quality of life and property investment. I strongly urge the Shire of Nannup to reconsider the approval of this application.

Thank you for considering the concerns of residents whose lives and properties will be impacted by this proposed development. I hope that the council will make a decision that prioritizes the health, safety, and well-being of the community.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'Amber Dennis', written in a cursive style.

Amber Dennis

17/11/2024

To Shire of Nannup

20th November 2024

Shire Planning Unit

PO Box 11, Nannup WA 6275

SHIRE OF NANNUP RECEIVED	
Ref:	
25 NOV 2024	
Officer:	

RE- DEVELOPMENT APPLICATION – LOT 121 (71) ROBERTS RD, CARLOTTA.

PROPOSED EXTRACTIVE INDUSTRY GRAVEL.

REF: A1536

We, Robert & Kerrie Gillespie are the owners of 7018 Vasse Hwy Carlotta WA 6275.

We wish to voice our opposition and objection to the proposed gravel quarry at Lot 121 Roberts Rd Carlotta, as our home is situated approximately 730m from the proposed quarry.

Our concerns with noise, from large dozers and crushing equipment operating 6 days a week, Monday to Saturday, 10 hours a day from 7am to 5 pm would be untenable to us, destroying the very reason we moved to the area, to live in a quiet, rural / agricultural community.

Dust suppression is also a concern to us, both in quarry activities and the proposed use of Red Gully Rd (Forestry Access Track). The access track is situated 300m from our home. We believe that dust ingress to our property is inevitable with increased traffic, being mainly large trucks on Red Gully Rd.

Extra traffic noise will result from trucks slowing down to enter Red Gully Rd and travelling down a steep hill to re-enter Vasse Hwy. The main form for a truck slowing down is compression braking (Engine Brake) which is a loud and very intrusive noise and will destroy the ambience of the area.

SAFETY CONCERNS

Vehicles entering and leaving Red Gully Rd have a very limited view of traffic to the South on Vasse Hwy, approximately 100m travelling at 90km per hour. That would give on coming traffic approximately 4 seconds to avoid interaction with large trucks.

Red Gully Rd is a Forestry Access track with limited passing spots and blind corners and bends. For the safety of other road users, the track would have to be widened. Most trees that would have to be removed along the side of existing track are large Jarrah habitat trees.

After speaking to independent and various people in the Real Estate industry, Quarrying and mining within 1km of your property will de-value our property significantly. A quick google search estimates that it could be up to 19%. This would result in an approximate \$150,000 loss to us alone. There are 5 homes that are within the 1km radius of the

proposed quarry. With our property being the smallest and lowest in value. Approximate value of the 5 properties combined is 4.5 million dollars. At 19%, it could result in a combined loss of \$855,000 to the owners.

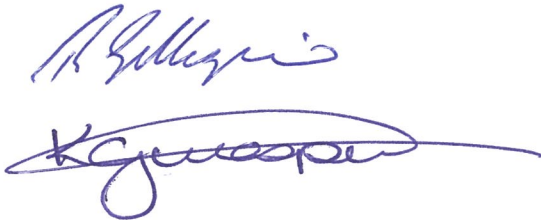
On a very personal note, we moved to the area to try and seek a peaceful and healing life after we suffered a heart-breaking and tragic loss as the result of a traffic accident. As road trauma is a large concern constantly to us both, an interaction between cars and large trucks so close to our home would be our worst nightmare.

After reading through the Shire of Nannup Local Planning Strategy, we feel there are many points that have not been taken into consideration for the proposed development. This includes to protect the rural character and environmental and visual qualities of the area. (S1440)

We thank you for allowing us to provide and express our concerns and views regarding the proposed development. We ask that you please acknowledge and take our thoughts and concerns into account.

Regards

Robert and Kerrie Gillespie

Two handwritten signatures in blue ink. The first signature is 'R Gillespie' and the second is 'K Gillespie'.

Proposal for gravel extraction at Lot 121 (71) Roberts Road, Carlotta
(Brookdale)

Application reference: A1536

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Officer: _____

Handwritten signature

I, Jodi MacDonald of 21 McKelvie Road Carlotta, am approx. 650m from the proposed gravel pit.
I wish to express my opposition to the proposal based on the following concerns and considerations.

We recently approached lawyers as a group opposing the application for a gravel extraction proposal on the neighbouring property as per above.

From these and other investigations we have concerns that the proposal has failed to

1. Act with due diligence regarding the collection of site-specific data for both noise and dust implications on any of the neighbouring properties falling within the EPA guidelines of 1000 metres.
2. That the proposal for rezoning contradicts with the shires own policy of preserving the area as a place of ambience and rural living. Would the rezoning of this block raise concerns and implications to all prospective buyers of any block in the shire, that their blocks could also be impacted by a neighbour proposing a rezoning?

On top of this I have my own concerns outline below:

Noise

- We have recently had dozers operating in the area, these created an annoying rumbling noise, they were a constant presence but were only for a few weeks.
- The gravel operations are much more intense and proposed for 6 days a week for the next 10 years. There is mention of removing soil exposing rock (ripper/dozer?), crushing- which are all loud operating machines.

Dust

- The EPA raises concerns of dust when a gravel pit is based within 1000 metres of a residence. The current tenant has a diagnosed asthma condition and has raised concerns about the proposed gravel extraction.
- Investigations have revealed that the issues of unknown dust containments in rock- asbestos, silica and dust particles themselves can impact on the health of individuals in the vicinity.
- Has any sampling been undertaken to determine levels of contaminants that may be exposed from ripping and crushing.

Water

- It is referred in the documents that water is going to be utilised for dust suppression. From our mining experience we are aware that a large volume of water per sq metre is required especially in windy or warm conditions to

suppress dust effectively. There is no reference to the water source (dam or bore or external), the volume of water or how this is going to be maintained to effectively reduce dust issues.

- As water resources are becoming an increasing concern, with further lowering via bore (if that option is taken) could impact on our own bores, creating lowered water tables, costs of deepening or new bores being required.
- Has an investigation been undertaken for contamination by dust on the creek line that habitat marron? Past spraying of paddocks by the proposed person created a mass evacuation of marron from the creek line many years ago.

Road access

- Although there appears to be current permission to use Red Gully Road for access for trucks up to 40 tonne (Although it is a contentious issue due to safety on the road turn out and excess damage on the road etc) it is a concern that if access to Red Gully Road is revoked that the applicant may request to utilise Roberts, McKelvie and /or Guthridge Roads.
- When trucks were originally accessing the sand pit and utilising Roberts Road (school drop point at end) this caused serious safety concerns with neighbours, the road was "ripped up" after a short space of time and the owner was reluctant to take on responsibility of maintenance as requested by the Shire. This led to them utilising Red Gully Road instead.

Valuation and Selling/Renting potential of property

- I feel that many renters/buyers of property would be deterred from paying at a premium market value or even contemplating occupying a property located in such proximity of a gravel operation.
- The health concerns, the ambience that they are looking for in the area of their own future selling/rental ability would all be factors that I as a buyer would present as a negative.

Tenants

- The implications for current or future tenants with health issues (Current tenant has diagnosed Asthma and is concerned with the impacts on their health)
- The constant noise pollution is also an issue for a person living day in day out on the property, without an escape.

Yours sincerely



Jodi Mac Donald

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20 NOV 2024	
Officer: _____	

K.J. DENNIS

EXTRACTIVE DEVELOPMENT LOT 121 ROBERTS ROAD, CARLOTTA

Dear Sir/ Madam,

I wish to object to the above proposal in the strongest terms.

My Sister and I purchased the adjoining land (7026 Vasse Hwy) 4 1/2 years ago, primarily for the peaceful rural lifestyle and visual amenity it offered. Our parents live on the property and run a small beef cattle venture. They are retired and spend most of their time on the property. My family and I regularly visit and spend time with my parents. Apart from the family connection we adore the tranquility and ambience of the area. This would be lost if the proposed development went ahead.

My major concerns are:

1. Health and Safety.

Dust generated from the proposal during ripping, excavation, crushing, screening, stockpiling and transportation would have a negative impact on the health of nearby residents. Three of the adjoining dwellings are within 400m of the proposed excavation site. The prevailing winds, especially Nov. to April, will blow dust particulates onto these properties.

Rainwater for drinking and domestic use will be impacted by dust settling on rooves used to collect this resource also solar panels will work at a reduced capacity with a layer of dust curtailing their efficiency.

The safety of fellow road users is also of particular concern. Red Gully Road forest track is best described as a narrow gravel road or track and the intersection with Vasse Hwy. is problematic, especially with the use of larger trucks as proposed.

2. Noise.

Noise produced by heavy equipment in the extraction process, rock crushing and large truck movements will have a detrimental impact on the local community. The proposal is for 10 hours a day, 6 days a week all year round. This goes against the ambience of the rural setting.

3. Monitoring.

There is no mention in the document of noise or dust monitoring, either initially or on an ongoing basis. No detailed plan for mitigating the spread of dust or its effect on residents or their properties. Similarly there is no detailed plan for mitigating noise generated by the operation or its effect on residents. This leaves the residents exposed to the whims of the operator.

The EPA recommends a buffer of 1000 metres between extraction pits and residential properties. There are 5 dwellings within this buffer.

The land in the area is zoned priority agriculture which is at odds with the proposal.

4. Property Values.

The granting of this extraction permit will devalue properties in the area significantly undermining the investments made by homeowners. This goes against 9.1 A89 (i) and (iii) in the Shire of Nannup Local Planning Strategy, which says "(i) Making land use decisions for rural land that support existing and future primary production."

(iii) "Providing investment security for the existing and future primary production sector

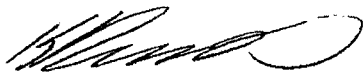
5. Appendix (A) in this letter from DBCA states that Red Gully Road forest track should not be used as an alternative to Gazetted Road network access provided by the Shire.

Roberts Road runs directly into Lot121.

The intersection of Vasse Highway and Red Gully Road forest track is a safety risk as it is almost a blind intersection in a 90 km zone.

In summation, I could not be more opposed to this development that would disturb the peaceful living of the local residents and devalue our assets. I hope after careful consideration you uphold the status quo.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K.J. Dennis', with a stylized flourish at the end.

K.J. DENNIS



[External] Development Application - Lot 121 (71) Roberts Rd, Carlotta - Proposed Extractive Industry (Sand & Gravel)

OFFICIAL

6 November 2024

Our Reference: PA067583, DWERT903~41

Your Reference: A1536

To: Shire of Nannup

From: Department of Water and Environmental Regulation

Attention: Jane Buckland

RE: Development Application - Lot 121 (71) Roberts Rd, Carlotta - Proposed Extractive Industry (Sand & Gravel)

Dear Jane,

Thank you for referring this development application (DA) for the Department of Water and Environmental Regulation (the Department) to consider, including:

‘Extractive Industry Application and Management Plans - Lot 121, Carlotta, Shire of Nannup, ABRUS Consulting, September 2024’ (ABRUS), which contains appendices B and C:

- B. Drainage Management Plan (DMP)
- C. Site Rehabilitation Plan (Rehab. Plan)

The Department has identified that the proposal has the potential for impact on the environment and water resource management. Key issues and advice are provided below, and these matters should be addressed.

– **General Advice**

Advice: The proposed extraction is to be implemented in accordance with the Department’s Water Quality Protection Note (WQPN) No. 15 ‘Basic raw materials extraction’, where appropriate to the site situation, to ensure environmental risks are appropriately mitigated.

– **Issue 1: Groundwater Management**

Advice 1: The maximum depth of excavation shall not be more than 2 metres and no dewatering works are to be undertaken without consultation with the Department of Water and Environmental Regulation. If the water table is intercepted, the Local Government is to be notified within 24 hours for agreed mitigation measures.

- **Issue 2: Stormwater Management**

Advice 2: The Department recommends that a ‘Stormwater Management Plan’ be formalised to the satisfaction of the Shire, in consultation with the Department, consistent with WQPN 15.

– **Issue 3: Crushing and Screening**

Advice 3: Based on the information received, any approved operations may be categorised as Prescribed Premises, as per Schedule 1 of the 'Environmental Protection Regulations 1987' (EP Regulations).

– **Issue 4: Noise Management**

Advice 4: It is recommended that an 'Acoustic Assessment' be prepared and reviewed by the Department.

– **Issue 5: Water Supply**

Advice 5: The proponent is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the Shire.

– **Issue 6: Dust Management**

Advice 6: The EI operations shall be subject to commitments in a formal 'Dust Management Plan' (Dust MP), as approved and implemented to the satisfaction of the Shire.

More detail pertaining to the above issues are provided in Table 1 (below).

Table 1 – Advice & Discussion Lot 121 (71) Roberts Rd, Carlotta

Item No.	Reviewer comment/advice
Issue 1: Groundwater Management	Issue: Groundwater Management Advice: The maximum depth of excavation shall not be more than 2 metres and no dewatering works are to be undertaken without consultation with the Department of Water and Environmental Regulation. If groundwater / the water table is intercepted, the Local Government is to be notified within 24 hours for agreed mitigation measures. Discussion: The proponent has not provided localised data to confirm site groundwater conditions, stating: "No groundwater exposure or contamination from the proposed extractive activities is anticipated" (ABRUS, p.12, s.3.5). The Department acknowledges that there is a low risk of groundwater being intercepted. As such it is satisfied that any approval conditioned to restrict the EI to a 2-metre depth would be appropriate to ensure groundwater protection. If the water is intercepted, Local Government notification is required.
Issue 2: Stormwater Management	Issue: Stormwater Management Advice: The Department recommends that a 'Stormwater Management Plan' be formalised to the satisfaction of the Shire, in consultation with the Department, consistent with WQPN 15. Discussion: Whereas the proponent's Drainage Management Plan outlines an intent for stormwater management, <u>no detailed designs</u> of the indicated management measures are provided. The Department notes (DMP, p.9, Table 1) provides broad management actions for identified risks, however more detailed measures to address sedimentation and erosion from stormwater runoff during the operation of the extractive industry is required. A discrete 'Stormwater Management Plan' will enable clarity for on-ground operations.

Issue 4: Noise Management	Issue: Noise Management Advice: It is recommended that an 'Acoustic Assessment' be prepared and reviewed by the Department. Discussion: Whereas the proponent has stated intent for broad noise management (ABRUS, p.16, s.3.10), an 'Acoustic Assessment' has not been prepared for the project. Generally, a Noise Management Plan (NMP) is based on an acoustic assessment. An NMP contains management principles and specific noise management objectives, which must align with an 'Acoustic Assessment' (AA), to ensure that noise emissions from operations meet with the requirements of the 'Environmental Protection (Noise) Regulations 1997' (Noise Regulations). An AA will ensure that all reasonable and practical measures to minimise noise emissions from the premises, i.e. design features, operational controls and other measures, are identified to achieve the purpose of the NMP and meet the Noise Regulations. An NMP should include: Site preparation Excavation of materials Crushing and Screening Activities Loading of haulage trucks Movement of haulage trucks
Issue 5: Water Supply	Issue: Water Supply Advice: The proponent is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the local government authority, i.e. the Shire. Discussion: The proponent has advised that water required for the operation will be drawn from onsite dams. The property is <u>not located</u> within an area proclaimed under the 'Rights in Water and Irrigation Act 1914' (RIWI). As such a water licence would not be required. However, the proponent should still quantify their water requirements, to the satisfaction of the Shire, to ensure there will not be a water shortage.
Issue 7: Dust Management	Issue: Dust Management Advice: The EI operations shall be subject to commitments in a formal 'Dust Management Plan' (Dust MP), as approved and implemented to the satisfaction of the Shire. Discussion: The proponent is responsible for controlling and minimising the generation of dust from the EI site(s), i.e. extraction, crushing and screening, vehicle movements, stockpiles, and haulage routes. Measures to control and limit dust and air pollution generated from the EI should be outlined in a Dust MP from the commencement date to completion.

	Draft Advice Note: The Stormwater Management Plan shall cover the proposed extraction area, haulage routes and stockpiles within the property boundary, taking into account, but not limited to the following: compliance with the 'Rights in Water and Irrigation Act 1914', compliance with the 'Environmental Protection Act 1986', sediment and erosion control, waterway/wetland impacts, management of road infrastructure (e.g. crossings).
Issue 3: Crushing and Screening	Issue: Crushing and Screening Advice: Based on the information received, any approved operations may be categorised as Prescribed Premises, as per Schedule 1 of the 'Environmental Protection Regulations 1987' (EP Regulations). Discussion: The proponent has advised (ABRUS, p.15, s.3.8), that "crushing and screening of gravel may be required" onsite. Activities such as crushing and screening during extractive industry operations, may cause the premises to become prescribed for the purposes of Part V Division 3 of the EP Act. This will occur if the proposed crushing and screening equipment has a design capacity (when operated 24/7 or at a capacity limited by a planning approval) that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the Regulations. The purpose of a works approval is to allow the Department to assess the environmental acceptability of a proposal's potential to cause emissions and discharges during construction and operation. Note that any works approval or licence issued under Part V of the EP Act will only regulate emissions associated with the crushing and screening operation (such as dust, noise, and contaminated stormwater) and does not extend to the environmental impacts of extracting the material from the ground or transport off-site. It should also be noted that planning approvals may influence the Department's determination of production or design capacity, where an approval has the effect of restricting capacity (such as constraining hours of operation). Draft Advice Note: The applicant is advised that they may meet the requirement for Prescribed Premises as per Schedule 1 of the 'Environmental Protection Regulations 1987' (Regulations) and as such, may require a works approval to construct/install the crushing/screening equipment (mobile or otherwise) and a licence or registration to operate. The applicant is therefore advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our-work/licences-and-works-approvals and / or if they have queries relating to works approvals and licences to contact the Department at info@dwer.wa.gov.au or 6364 7000.

In addition:

- It should be noted that management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department's WQPN 56 – 'Toxic and Hazardous Substance Storage and Use' (Dec 2018).
- Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses, and/or approvals. If the applicant determines a works approval or licence application is required under Part V of the EP Act, the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.
- This advice is based on a desktop analysis of the information provided in this referral. As a site visit has not been undertaken, prior to approval of the EI, the Shire is advised to check for matters raised in this response to ensure appropriate conditions are imposed.
- In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.

Should you require any further information on the comments please contact Brendan Kelly on 97264194.

Brendan Kelly
Senior Natural Resource Management Officer
Department of Water & Environmental Regulation,
Planning Advice, South West Region



Department of
**Primary Industries and
Regional Development**

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SHIRE OF NANNUP RECEIVED	
Ref: _____	No: _____
12 NOV 2024	
Officer: _____	

Your reference: A1536
Our reference: LUP 1994
Enquiries: Leon van Wyk

Erin Gower
Development Services Officer
Shire of Nannup
PO Box 11
NANNUP WA 6275
nannup@nannup.wa.gov.au

12 November 2024

Dear Erin

**COMMENT: Development Application - Lot 121 (71) Roberts Road Carlotta
Proposed Extractive Industry (Gravel)**

Thank you for the opportunity to comment on the proposed extractive industry (gravel) at Lot 121 (71) Roberts Road, Carlotta.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed extractive industry (gravel) at the abovementioned lot, but would like to provide the following comments:

- The EPA Guidelines for Separation Distances between Industrial and Sensitive Land Uses requires a minimum separation of 1000m between a sensitive land use and gravel extraction/screening operations. Multiple residences on the neighbouring properties are within 1000m of the extraction/screening areas and DPIRD is concerned that these activities can have a negative impact on these residences.
- DPIRD recommends that the applicant prepare a Weed Management Plan to ensure that weeds are managed within the property.

If you have any queries regarding the comments, please contact Leon van Wyk at (08) 9780 6171 or leon.vanwyk@dpird.wa.gov.au.

Yours sincerely

Timothy Overheu
**Acting Director Agriculture Resource Management and Assessment
Sustainability and Biosecurity**

444 Albany Hwy, Albany WA 6330
Telephone +61 (0)8 9892 8444 landuse.planning@dpird.wa.gov.au
dpird.wa.gov.au
ABN: 18 951 343 745

Erin Gower

From: South West Region Planning Services <swrplanning@mainroads.wa.gov.au>
Sent: Thursday, 14 November 2024 11:59 AM
To: Shire of Nannup
Cc: Jane Buckland; Daniel Naude
Subject: FW: [External] Development Application - Proposed extractive industry - gravel - Lot 121 (71) Roberts Rd Carlotta
Attachments: 20241018144133286.pdf; 20241018144122263.pdf; 20241018143833473.pdf

Hi Jane

I refer to the above mentioned Development application and advise that Main Roads has no objection to the proposed extractive industry subject to the following comments and conditions.

It is noted that sightlines at the intersection of Red Gully Road and Vasse Highway are very substandard.

On this basis, the intersection will need to be realigned and upgraded including bitumen sealing of the intersection with necessary clearing of vegetation for sightlines and the required realignment.

The realigned intersection will need to be designed and constructed to the specifications and satisfaction of Main Roads.

The proponent will need to submit design drawings for the intersection realignment and upgrading and vegetation clearing to be approved by Main Roads prior to any works being undertaken.

Since Red Gully Road is located within the State Forrest approval, will also be required from DBCA for the required relocation and upgrading of the intersection.

Main Roads supports the use of Red Gully Road for semi-trailer vehicles, however it is not suitable for larger vehicles.

It is noted that the approval from DBCA limits the use of the road to 40 tonnes gross weight.

The following condition is recommended;

- 1) The intersection of Red Gully Road and Vasse Highway to be realigned and upgraded, including bitumen sealing and drainage, clearing of vegetation for sightlines and the required road realignment, to the specifications of Main Roads, at the full cost of the proponent.

If you have any queries please contact Daniel Naude ph 9724 5724

Regards

South West Region Planning Services

Tel: +97245600

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Department of Biodiversity,
Conservation and Attractions



Your ref: A1536
Our ref: 53040 2023/003140
Enquiries: Tracy Teede
Phone: 97254300
Email: swlanduseplanning@dbca.wa.gov.au

Chief Executive Officer
Shire of Nannup
PO Box 11
NANNUP WA 6275

ATTENTION: Erin Gower

EXTRACTIVE INDUSTRY (GRAVEL) – LOT 121 (71) ROBERTS ROAD CARLOTTA

I refer to your letter dated 14 October 2024 seeking the Department of Biodiversity, Conservation and Attractions' (DBCA) comments in relation to an extractive industry for the above property.

DBCA provides the following comments pursuant to DBCA's responsibilities under the Biodiversity Conservation Act 2016 and the Conservation and Land Management Act 1984.

Advice to Shire

Vegetation and State Forest

Lot 121 contains stands of native vegetation within close proximity to the proposed gravel extraction site. Chuditch, quokka, quenda and western brush wallabies have been found nearby.

The western, southern and north-western portion of the Lot 121 boundaries are adjacent to the Milyeannup State Forest. Approval of the development should not result in impositions being placed upon the management of the adjoining DBCA-managed land. There should be no direct or indirect impacts, including surface water run-off, drainage, erosion, pollution and/or weed spread from the site to the adjacent State Forest.

The Abrus Consulting *Extractive Industry Application* (September 2024) (Application) Section 3.2 refers to the retention of native vegetation and vegetation clearing requirements. Orthophotos indicate that some vegetation may need to be cleared within the central extraction area along the southern boundary.

The proponent should seek advice from the Department of Water and Environmental Regulation (DWER) in relation to clearing permit requirements. If a clearing permit is required, DBCA expects that the environmental values that are likely to be impacted by the proposed development will be adequately considered through the assessment of the clearing permit, through which DBCA may provide advice to DWER.

Retained vegetation

The proposed extraction areas along the southern boundary are within close proximity to retained native vegetation. DBCA recommends that a 10 metre demarcated buffer be located outside the tree crown drip zone, with the buffer being measured from the crown drip zone rather than the tree trunk to protect the retained trees and tree roots from accidental vehicle damage, soil compaction and tree root exposure.

Regional and Fire Management Services Division
South West Region
PO Box 1693, Bunbury, Western Australia 6230
dbca.wa.gov.au

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Buffers

Application Section 4.1 refers to extraction areas being a minimum 20 metres from the property boundary. Section 3.2 also refers to a 40 metre buffer between the extraction pits and the adjacent State forest. DBCA supports a 40 metre buffer between extraction works and the State forest.

Stockpiles

Application Section 4.1 refers to the stockpiling of topsoil for use as a noise attenuation bund and for rehabilitation. The application did not indicate where topsoil stockpiles will be located. DBCA recommends that topsoil stockpiles are located outside the 40 metre State forest boundary setback area, and the recommended 10 metre retained vegetation buffer, to minimise potential soil spread impacts to the adjacent State forest and other vegetation.

Figures 2 and 5

Application Figures 2 and 5 depict a striped shaded area located to the south of the eastern-most proposed gravel extraction area (near the Internal Road) within the adjacent State forest. It is unclear what this striped shaded area represents because it has not been referred to within the legend. There should be no direct or indirect development impacts within the adjacent State forest.

Locked Gates

Application Section 4.2 refers to locked gates to restrict public access. There should be no locked gates adjacent to DBCA-managed land without prior agreement. The proponent should discuss the location of any proposed gates adjacent to the State forest with the DBCA Blackwood office on 9752 5555.

Thank you for the opportunity to comment on this application. Please contact Tracy Teede at the Parks and Wildlife South West Region office on 08 97254300 or email swlanduseplanning@dbca.wa.gov.au if you have any questions about this advice.

Yours sincerely



Aminya Ennis
Regional Manager

29 November 2024

cc: Department of Water and Environmental Regulation, clearing permit section