



## Application for Licence Amendment

### Part V Division 3 of the *Environmental Protection Act 1986*

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<b>Licence Number</b>	L9381/2023/1
<b>Licence Holder</b>	Nigel Palmer Earthmoving Pty Ltd
<b>ACN</b>	613 223 608
<b>File Number</b>	DER2023/000152
<b>Premises</b>	<p>Nullaki Limestone Quarry</p> <p>Part of Lot 9005, Eden Road</p> <p>Legal description –</p> <p>Part of Lot 9005 on Deposited Plan 52088</p> <p>Volume 2653, Folio 12</p> <p>As defined by the coordinates in Schedule 2 of the licence</p>
<b>Date of Report</b>	04 June 2025
<b>Decision</b>	Revised licence granted

Manager, Resource Industries  
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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## 1. Decision summary

Licence L9381/2023/1 is held by Nigel Palmer Earthmoving Pty Ltd (Licence Holder) for the Nullaki Limestone Quarry (the Premises), located at Part of Lot 9005, Eden Road.

This amendment report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, revised licence L9381/2023/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this amendment report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

On 20 August 2024, the licence holder submitted an application to the department to amend licence L9381/2023/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The licence holder is seeking to expand the existing prescribed premises boundary to include a new stockpiling area and to extend the crushing and screening operating period for an additional four months each year, until 31 August each year.

The current licence for the premises authorises crushing and screening activities (category 12 activities) in accordance with Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) from 2 January to 30 April each year.

#### 2.2.1 Expanded prescribed premises boundary

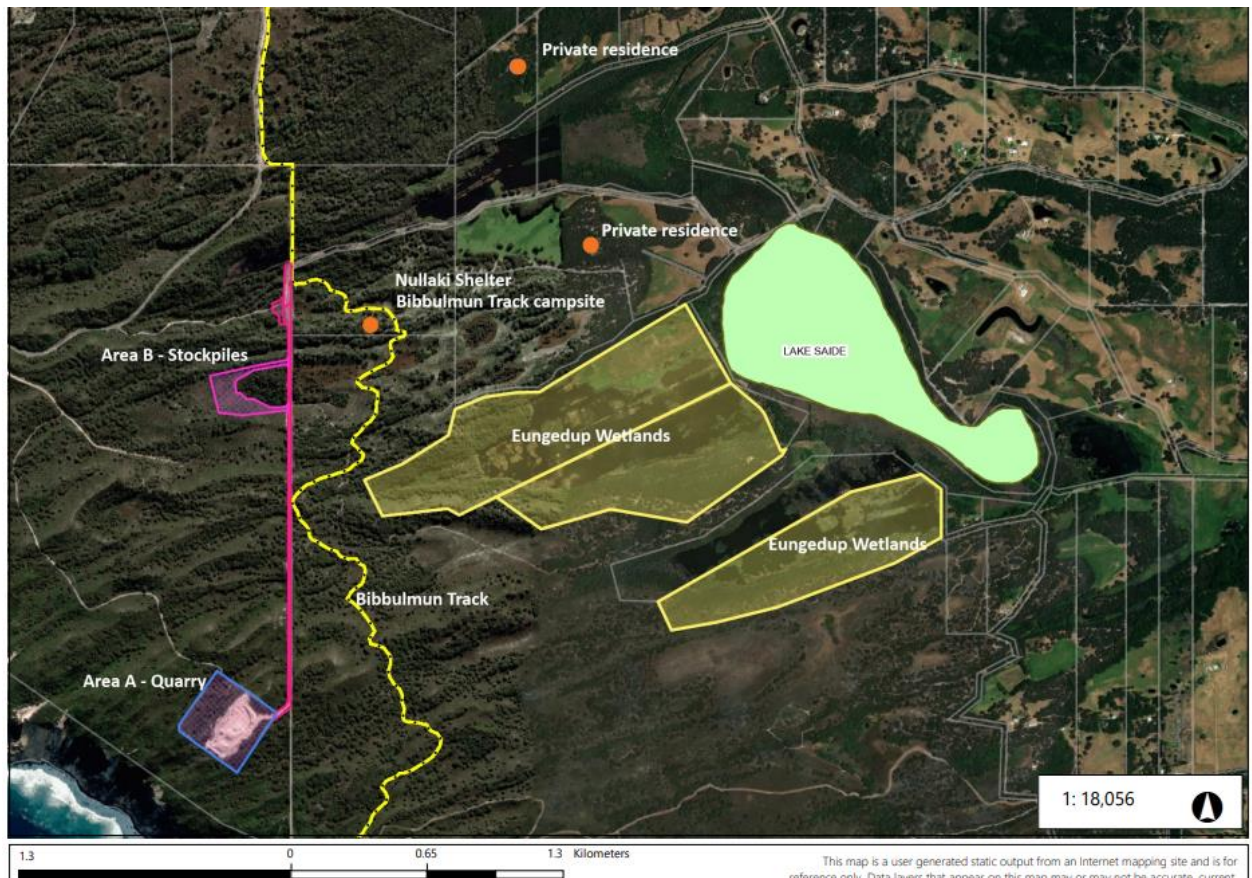
The existing premises (Figure 1 - Area A) contains the limestone quarry, and it was initially intended that all material processing (crushing and screening) and stockpiling activities would be contained within the footprint of the quarry. However, due to safety concerns about fully loaded, customer-operated, road trucks carrying limestone from the quarry, the licence holder is seeking to establish a safer, separate stockpiling and loading area within the same cadastral lot (refer to Figure 1, Area B). It is located about 1 kilometre (km) to the north of the quarrying area, down a steep slope. Relocating the stockpiles of the crushed limestone product to the new location and subsequent loading into customer trucks will be done using the mobile fleet (loaders and haul trucks), which requires this activity to be included within the prescribed premises boundary and assessed under Part V of the EP Act.

The existing prescribed premises boundary is shown in Figure 1, in blue (Area A – quarry), and the proposed expanded prescribed premises boundary is shown in pink (including Area B – stockpiles). The expanded premises boundary also includes the haul road between the quarry and the stockpiling area, which the mobile fleet will travel along.

The existing licence considered the crushing and screening activities at the quarry site to be of relatively low risk, primarily due to the separation distances between the activities and potential receptors. The processing activities will continue only at the quarrying site (Area A), but the expansion of the prescribed premises will bring the use of the mobile fleet, the stockpiling and the handling of crushed limestone into closer proximity to both human and environmental receptors (for further detail see section 4.2).

The licence holder has indicated that the mobile fleet on site will be expanded to include 2 articulated dump trucks (moxy's), 2 front end loaders (FELs), 1 excavator, 1 screening plant, 1

bulldozer, 1 water cart for dust control and customer-operated road trucks for transporting crushed lime offsite. The licence holder has stated that at any given time, the equipment operating in stockpiling Area B will be limited to 1 dump truck, 1 front end loader and 1 road truck. The licence holder is not proposing to undertake crushing and screening activities in Area B.



**Figure 1: Nullaki Limestone Quarry prescribed premises boundary (existing in blue and proposed expansion in pink).**

### 2.2.2 Extended operating timeframe

In addition to expanding the footprint of the prescribed premises, the licence holder is seeking approval to extend the annual operating window which currently limits crushing and screening and associated activities to between 2 January to 30 April each year. The licence holder is seeking approval to also operate from May to August each year (a four-month extension). This would apply to both crushing and screening activities and the associated stockpiling activities.

The licence holder has stated that the extended operational period is required due to the double handling of the limestone material using slower moving, limited capacity, haul trucks for stockpile creation in Area B, prior to the transport of the material offsite. The licence holder is not seeking to increase the annual volume of limestone that will be processed, which is currently limited to 50,000 tonnes per annual period, with a maximum processing capacity of 200 tonnes per hour.

### 2.2.3 Exclusions to the licence

In accordance with Division 3, Part V of the EP Act, the scope of this assessment only includes discharges and emissions from the crushing and screening activities, and the associated stockpiling of material (category 12 activities) and includes the use of heavy vehicles within the prescribed premises.



Quarrying (i.e. the extractive activities) and transportation of product from the premises are regulated through the Extractive Industry Licence (EIL) issued by the City of Albany (refer to section 3.2). Some emissions that may be caused by both quarrying and processing activities (e.g. dust) may require regulation on both the EIL and the licence. However, as a general principle, the Delegated Officer will aim to reduce regulatory duplication. Furthermore, direct impacts to the environment from clearing has been assessed and regulated through a separate Native Vegetation Clearing permit process (refer to section 3.3.2).

These issues will not be reassessed as part of this assessment process, but the Delegated Officer will take into account the reasonings and outcomes of the other regulatory processes and will endeavour to work in alignment with the objectives of the other regulatory instruments.

### 3. Legislative context

#### 3.1 Part IV of the EP Act

The proposal was referred to the Environmental Protection Authority (EPA) under section 38 of the EP Act in 2017. The EPA declined to assess the proposal, as it determined that impacts from this operation could be adequately managed under Part V of the EP Act (decision CMS 17010).

#### 3.2 Extractive Industry Licence

The premises has a current Extractive Industry Licence (EIL) granted by City of Albany, which conditionally approves the extraction of limestone from the quarry and its offsite transport. It is noted that this approval relates to the operation of the “extractive industry”, which under the City of Albany *Extractive Industries Local Law 2009* does not explicitly include crushing and screening of the material extracted.

Like the existing licence, the initial EIL that was granted anticipated all quarrying, processing and stockpiling activities to occur in Area A for four months of the year, over the summer months.

An amendment to the EIL was granted by the City of Albany in December 2023. The revised EIL now authorises:

- The use of Area B for stockpiling and loading of lime, with stockpiles not to exceed 6m in height;
- An additional hardstand area further north along the haul road; and
- The expansion of the extractive industry operating timeframe, such that excavation, processing and stockpiling activities may occur in Areas A and B from 2 January to 31 August (inclusive) each year.

It is noted that transportation of lime offsite remains restricted to the period of 2 January to 30 April each year, in line with the previous City of Albany approval for the premises.

The City of Albany advised the department that the expanded footprint was deemed acceptable to allow for safer stockpile management given that the activity of quarrying limestone had already been deemed acceptable in this area by the State Administrative Tribunal (SAT). They also advised that the four-month extension granted for the extraction, processing and stockpiling activities was considered an acceptable risk as it would not encroach on the Australasian Bittern breeding season (refer to section 4.2.3) or peak Bibbulmun Track usage months.

The City of Albany, however, considered the offsite trucking of material using the local road network to pose a much higher safety, environmental and amenity risk to nearby land users. For this reason, the transportation of lime offsite remains limited to four months of the year (January to April) in the EIL.

### 3.3 Part V of the EP Act

#### 3.3.1 Works approval and licence history

A first works approval (W6420/2020/1) was granted for this site in 2020, to allow for crushing and screening of up to 50,000 tonnes per annual period in Area A from December to March each year. This works approval lapsed prior to the establishment of the mobile fleet at the site, so a second works approval (W6712/2022/1) was applied for and granted for the same activity.

Following this, licence L9381/2023/1 for the ongoing operations at the premises was applied for in February 2023 and subsequently granted in September 2023. The licence application requested that the four-month processing window be shifted by one month to January to April, in alignment with revised EIL conditions. This change was considered acceptable, so that the impacts from the mining and processing activities would align within the same, short, timeframe.

It is noted that a local community conservation group bought the Eungedup Wetlands, which was previously farmland, in June 2023 for the purpose of establishing a conservation zone to aid in the conservation of the Australasian Bittern. This area was classified as farmland during the 2023 licence assessment process, as the plans for a conservation zone were not known to the department at the time.

#### 3.3.2 Native Vegetation Clearing Permit

A Native Vegetation Clearing Permit (CPS 8392/4) applies to Area A, and the associated transport corridor. It includes conditions to minimize impacts to black cockatoos and the western ringtail possum, as well as some conditions that are intended to reduce the potential for dust emissions from cleared areas at the premises.

A second Native Vegetation Clearing Permit (CPS 10188/2) has been granted for the new stockpiling area and a truck turn around area within the expanded prescribed premises footprint. The area subject to this permit has already been cleared. The permit includes conditions that are intended to minimise dust from cleared areas, however, does not contain conditions to prevent or minimise dust from stockpiling activities.

It is noted that CPS 10188 identified that the proposed stockpiling area was allowable but would be constrained along the western side by Department of Biodiversity, Conservation and Attractions (DBCA) conservation covenant 220, and constrained to the east by high quality black cockatoo foraging habitat (refer to Figure 2).

The clearing permit makes it explicit that these areas may not be cleared due to their high conservation values. It is particularly important, therefore, that the operations in the stockpiling area do not cause impacts to vegetation outside of the premises boundary.

The decision report for the clearing permit describes the soil in the area as presenting “*an extremely high risk of wind erosion. This is due to the sandy nature of the topsoil across the application area.*” It also categorises the soils as having “*a very high water erosion risk*”. The Delegated Officer has taken these findings into consideration as part of this assessment.



**Figure 2: Stockpiling area, showing adjacent conservation covenant area and black cockatoo foraging habitat.**

### 3.3.3 Appeals against Part V approvals

The Minister for Environment received appeals against the granting of L9381/2023/1 and the issuing of CPS 10188/1 in 2023 and 2024, respectively. L9381/2023/1 allowed for crushing and screening in Area A only, while CPS 10188/1 authorised the clearing of vegetation to allow for the proposed stockpile area, Area B. The Minister took into account the regulation of the premises under the City of Albany EIL, recognising that there are additional environmental protections and controls that may not be included on Part V instruments, in an effort to minimise regulatory duplication.

While the appeal was being considered, the use of Area B as a stockpiling area and the extended operating timeframe to the end of August had been granted under the EIL but had not yet been applied for under L9381/2023/1.

This was recognised by the Minister, and it was specifically recommended that the use of Area B and the extended operating timeframe should be assessed as an amendment to licence L9381/2023/1 (this amendment). The appeals report also states that as part of the licence amendment process:

- “the risk of erosion of stockpiles from wind and/or rain should be assessed”,
- “a review of noise emissions should be conducted”, and
- “conditions to control dust from stockpile operations should be included on the licence.”

As part of the appeal, the Minister also considered the fact that impacts to the Australasian Bittern in the Eungedup Wetlands may not have been appropriately considered in the assessment for the licence. It was noted that impacts to the birds from processing and stockpiling in the quarry area for four months were not likely to materially impact the granting of the licence. However, the report stated that this would need to be reviewed when taking into consideration the expanded operating timeframe and prescribed premises footprint.

In the report, it was noted that impacts to the Australasian Bitterns were considered by the City of Albany approvals process, with the appeal report stating:

“... the City felt there was still a risk of unacceptable impacts on bittern breeding, and for this



*reason denied the operator its request of 12 months' operation. Condition 4 of the DA prohibits extraction or transport activity between September and December, coinciding with the bittern mating season. This is an important control that reflects a precautionary approach."*

The Delegated Officer has taken these findings into consideration as part of this assessment.

### 3.3.4 Compliance actions

During the assessment process for this licence amendment, several public submissions and complaints were received, concerned that stockpiling operations had already commenced in Area B, prior to this activity being authorised on licence L9381/2023/1. These included reports of excessive noise, dust and sediment contaminated stormwater discharge from the proposed stockpiling area. Several photographs of dust being generated from the stockpiles were included in the submissions. There was also a complaint that screening activities had occurred in Area B.

The department initiated an investigation into these issues, including a site inspection in March 2025. The investigation remains ongoing, but it was confirmed that limestone stockpiling had commenced in Area B without authorisation under Division 3, Part V of the EP Act.

Activities that occurred prior to the granting of this amendment remain unauthorised. This assessment will, however, assess the impacts of the future stockpiling activities in this area, as applied for in the amendment application. It is also noted that the investigation found evidence of sediment contaminated stormwater leaving the boundary of the premises into nearby vegetation after a significant rainfall event.

## 4. Location and siting

### 4.1 Siting context

The prescribed premises lies on the Nullaki peninsula, about 12kms southeast of Denmark. The local planning scheme for the area was updated in February 2024, with the area now being designated an Environmental Conservation zone.

Denmark has a cool climate, experiencing an average annual rainfall of 995mm per year, falling primarily during the winter months of May to August (refer to Figure 3).

The premises is located within the Nullaki Dune System, comprised of coastal limestone dunes. Clearing permit CPS 10188 describes the soils below the premises as having a very high water erosion risk and an extremely high risk of wind erosion.

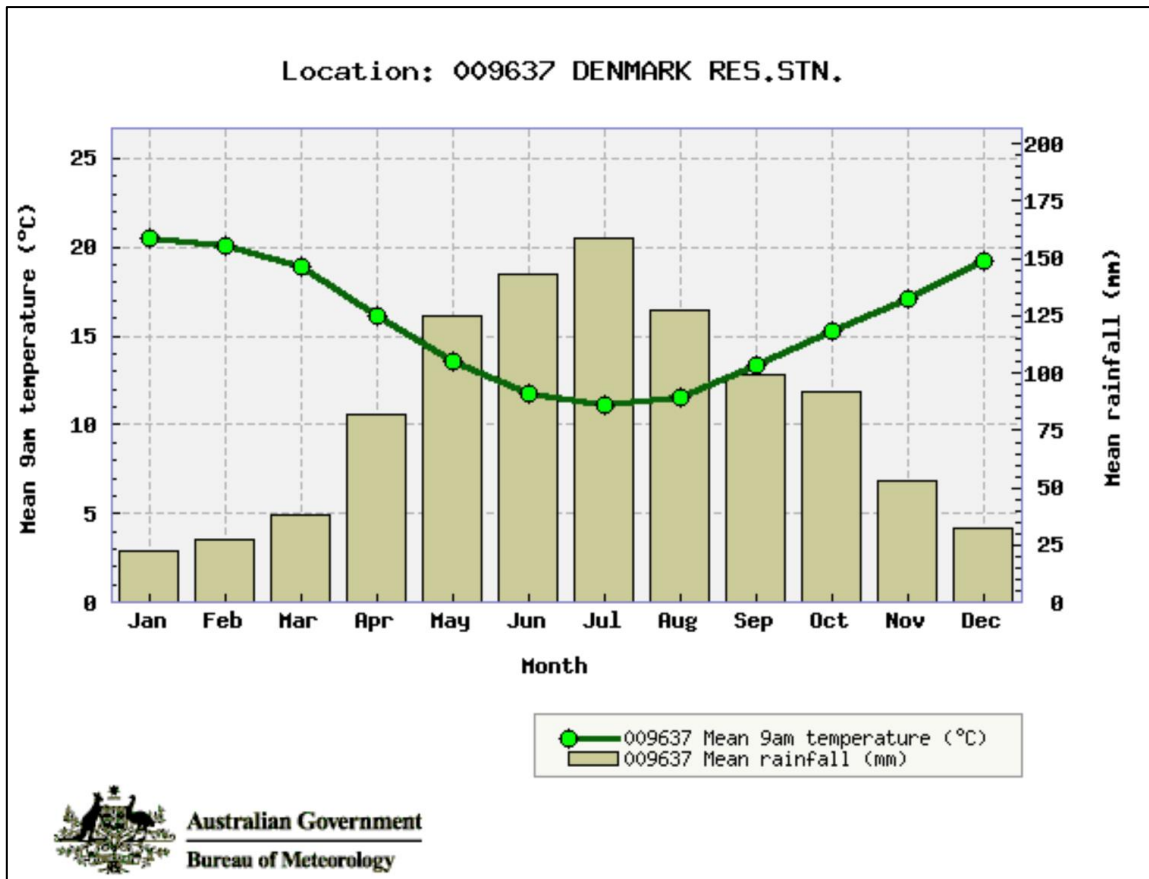


Figure 3: Bureau of Meteorology temperature and rainfall chart for Denmark WA.

## 4.2 Sensitive receptors

The expansion of the prescribed premises footprint to the north brings the operations into closer proximity to both environmental and human receptors. The extended operating period, throughout the months of May to August, also means that any potential impacts are likely to be extended in duration from four months of the year to eight months of the year.

### 4.2.1 Bibbulmun track and Nullaki Campsite

The expansion of the prescribed premises footprint and operating timeframe will result in the Bibbulmun track now running alongside the active haul road for about 1.7 kms for 8 months of the year. This haul road will now have haul trucks running along it instead of road trucks, increasing the noise levels. It will also mean that the Nullaki Campsite will go from being over 1.5 kms from the stockpiling activities, to being about 330m from the haul road and about 550 m from the stockpiling activities (refer to Figure 5).

DBCA have provided advice that their data shows that October is the peak month for Bibbulmun track usage by the public, with November and December the next busiest months, followed by April. They have raised concerns about amenity impacts from the operation of heavy machinery and extraction and processing activities, particularly during the high-usage October through December period each year.

The department can confirm that the Nullaki Campsite meets the definition of a “noise sensitive premises – highly sensitive area” under the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). This means that during operational hours the prescribed premises is required to comply with the corresponding daytime assigned noise levels as outlined in the Noise Regulations, shown in Table 1, below.

**Table 1: Assigned noise levels at the Nullaki Campsite**

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise sensitive premises: highly sensitive area	0700-1900 hours Monday to Saturday	45	55	65

The licence holder submitted noise advice from Herring Storer Acoustics prepared in 2024, indicating that highest noise levels received at the Nullaki Campsite are expected to be due to the road truck movements on the haul road (which would become part of the expanded prescribed premises), and was calculated to reach up to 40 dB(A). Should the noise be tonal, which is typical with the use of heavy machinery, tonality penalties would bring the level up to 45 dB(A) at the campsite. This is on the cusp of the applicable L<sub>A10</sub> daytime assigned level of 45 dB(A) under the Noise Regulations.

#### 4.2.2 Residential receptors

The two closest residential receptors have been highlighted in Figure 5. These residences remain over 2 kms from the crushing and screening activities but will now be about 1.15 kms from the haul road and 1.45 and 1.6 kms, respectively, from the stockpiling activities. These residences have been considered in the risk assessment for the proposed expansion. Other residential premises in the area are over 1.5 kms from the boundary of the expanded prescribed premises and are expected to experience minimal impacts at this distance.

#### 4.2.3 Eungedup wetlands

The DBCA has confirmed that the Eungedup wetlands have been purchased by a community group for the purpose of establishing a bird sanctuary to support the Australasian Bittern, which has been recorded at this location. The Australasian Bittern is defined as Endangered under both the federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the state *Wildlife Conservation Act 1950* (WC Act).

DBCA has advised that there is a risk that the operation of mining equipment including the haulage of material along the haul road, may carry low frequency noise pollution into the Australasian Bittern breeding habitat at Eungedup and the surrounding wetlands. Male bitterns attract mates and defend territories by producing a loud low frequency booming call. As the tolerance to noise for Australasian Bittern is currently unknown, DBCA strongly supports a precautionary approach to this matter, especially during the September to February breeding season.

#### 4.2.4 Native vegetation in the Environmental Conservation zone

Direct impacts to flora and fauna from clearing vegetation has been assessed through the clearing permits and will not be reassessed for this application.

The vegetation immediately surrounding the expanded prescribed premises is native vegetation, which has been reclassified as an Environmental Conservation Zone under the local planning scheme. It is also noted that Clearing Permit CPS 10188 identified that the proposed stockpiling area will be surrounded to the immediate east and immediate west by conservation significant vegetation (refer to section 3.3.2 and Figure 2).

The clearing permit explicitly states that these areas may not be cleared due to their conservation values. It is particularly important, therefore, that the operations in this area of the prescribed premises do not cause any impacts to vegetation outside of the premises boundary, for example by the release of sediment contaminated stormwater into the surrounding area.

## 5. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

### 5.1 Source-pathways and receptors

#### 5.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 2 below. Table 2 also details the control measures the existing controls in the licence and any additional measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 2: Emissions controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Crushing material, vehicle traffic, limestone handling (loading and unloading), lift-off from stockpiles.	Air/windborne pathway	<u>Existing controls on the licence</u> Requirement for a water cart to be available at all times during operations to suppress dust Requirement to ensure that no visible dust generated from the operations crosses the boundary of the premises Crusher/screener and associated activities limited to 10 hours on weekdays and 9 hours on Saturday Throughput limited to 50,000 tonnes per annum
Noise	Crushing and screening of limestone, mobile equipment (such as trucks and loaders).	Air/windborne pathway	<u>Existing controls on the licence</u> All heavy and light mobile equipment on site to be fitted with broadband reversing alarms (as opposed to beepers) Maximum manufacturer sound power level requirement Crusher/screener and associated activities limited to day-time hours (7am to 5pm, Mon – Fri and 8am – 5pm Sat) Crusher/screener to be positioned on the quarry floor behind the working face <u>Proposed controls</u> Mobile equipment restricted to one dump truck, one front end loader and one road truck in Area B (as per the noise modelling report)



Emission	Sources	Potential pathways	Proposed controls
Sediment contaminated stormwater runoff	Cleared areas, stockpiles, roads.	Stormwater runoff potentially smothering vegetation and causing ecosystem disturbance	<u>Existing controls on the licence</u> Requirement to ensure clean stormwater is diverted around operational areas and potentially contaminated stormwater is retained onsite using contour bunds and stormwater detention basins

### 5.1.2 Receptors

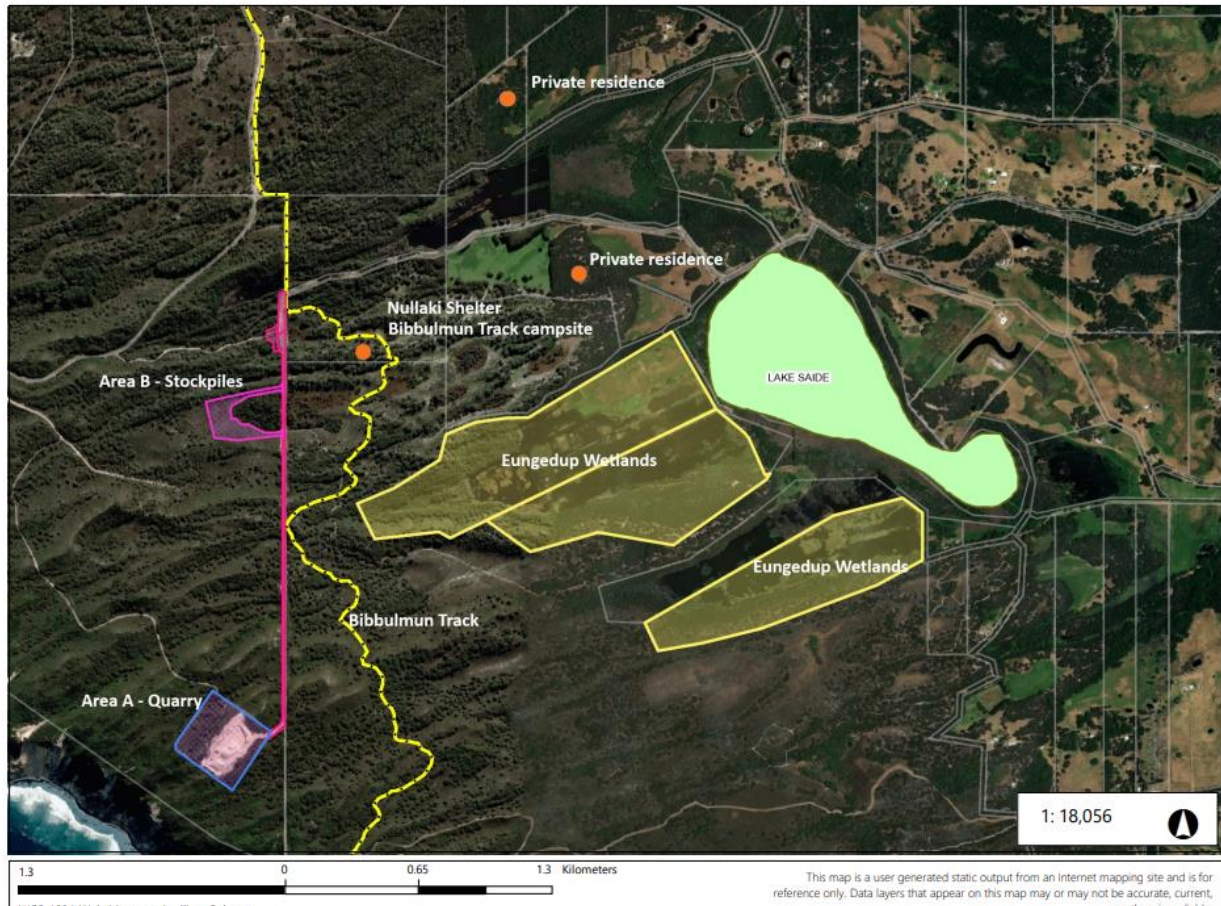
In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the licence holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

**Table 3: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Residential premises A	1.15kms northeast of the prescribed premises boundary (haul road) 1.6kms northeast of the proposed stockpiling area
Residential premises B	1.15kms east of the prescribed premises boundary (haul road) 1.45kms northeast of the proposed stockpiling area
Nullaki campsite	300m east of the haul road 550m northeast of the proposed stockpiling area
Bibbulmun track	Adjacent to the haul road
Environmental receptors	Distance from prescribed activity
Eungedup wetlands (conservation area for the Australasian Bittern)	330m east of the haul road 520m southeast of the proposed stockpiling area 870m northeast of the quarrying and screening area
DBCA conservation covenant 220 in Lot 9005	Immediately to the west of the proposed stockpiling area
High quality black cockatoo foraging habitat (identified in CPS 10188)	Immediately to the east of the proposed stockpiling area
Vegetation – Open heath (no TEC's or PEC's)	Immediately adjacent to site

Lake Saide (south coast significant wetland)	1.7kms east of the haul road 1.85kms east of the proposed stockpiling area
Southern Ocean	200m south of the quarry area



**Figure 4: Prescribed premises showing the distance to the nearest sensitive receptors, including significant and conservation wetlands, Bibbulmun track, Nullaki campsite, and the two closest residential receptors highlighted.**

## 5.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 5.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Given that the expanded premises footprint, including the stockpiling area, was established and began operations prior to this licence amendment being issued, this risk assessment will only consider the operations going forward and not the construction phase.

Where the licence holder has proposed mitigation measures/controls (as detailed in Section 5.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the licence holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The revised licence L9381/2023/1 that accompanies this amendment report authorises emissions associated with the operation of the premises i.e. category 12 activities.

The conditions in the revised licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the premises during operation

Risk Event					Risk rating <sup>1</sup>  C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Expansion of the premises to include limestone stockpiling area (Area B) and the haul road.  Stockpiling activities in Area B for 8 months of the year (January to August).  Vehicle movements along the internal haul road.	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 1.45km and 1.6km northeast of the stockpiles and 1.15km from the prescribed premises boundary	Refer to Section 5.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1 and 3	The nearest residential receptors (rural properties) are over 1.4kms to the north and east of the stockpiling area (Area B), which remains a sufficient distance to ensure that dust impacts from stockpiling and trucking activities at Area B will be slight/rare at these locations. Therefore, the risk of impacts from screening and stockpiling activities (category 12 activities) from this location to these receptors remains low.  Impacts from trucks entering and leaving the premises, which is in closer proximity to the homes, is outside the scope of this assessment and is regulated through the EIL by the City of Albany.
			Bibbulmun Track adjacent to the haul road		C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1 and 3	Dust impacts to hikers walking on the Bibbulmun Track area is likely to increase with the expansion of the activities to Area B with the haul road adjacent to the track in some locations. However, the dust impacts are still considered to be low due to any impacts being very short term and transient.  Hikers are generally only on the stretch of track near the prescribed premises for a short time period. It is also noted that the operating period of January to August does not coincide with the peak Bibbulmun Track usage period of October to December.  This risk remains acceptable with the existing licence conditions.



Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
			Nullaki Campsite 550m east of the stockpiles, 300m east of the haul road		C = Moderate L = Unlikely <b>Medium Risk</b>	N	Condition 1 and 3 <b><u>Condition 7</u></b>	The expansion of the stockpiling and trucking activities to Area B significantly reduces the separation distances to the Nullaki Campsite and the Eungedup wetlands. At 300 to 500m from the stockpiling activities and haul road, this has the potential to result in moderate/minor dust impacts to these receptors.
			Eungedup wetlands 330m east of the haul road and 520m southeast of the stockpiles		C = Minor L = Unlikely <b>Medium Risk</b>	N	Condition 1 and 3 <b><u>Condition 7</u></b>	Additional management-based conditions for dust have been included on the licence, including a requirement to cease dust generating activities that may impact receptors.  Refer to the risk assessment, section 5.4
	Noise	Air/windborne pathway causing impacts to health and amenity	Residences 1.45km and 1.6km northeast of the stockpiles and 1.15km from the prescribed premises boundary	Refer to Section 5.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1, 2 and 7.	The nearest residential receptors (rural properties) are over 1.4kms to the north and east of the stockpiling area (Area B), which remains a sufficient distance to ensure that noise impacts from stockpiling and trucking activities at Area B will comply with the Noise Regulations. The licence holder has indicated that mobile equipment in Area B will be restricted to the front-end loader and a haul truck, along with a road truck. This has been conditioned on the licence.  Impacts from trucks entering and leaving the premises, which is in closer proximity to the homes, is outside the scope of this assessment and is regulated through the EIL by the City of Albany.

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
			Bibbulmun Track adjacent to the haul road		C = Slight L = Rare <b>Low Risk</b>	Y		Noise impacts to hikers walking on the Bibbulmun Track area likely to increase with the additional trucking and stockpiling at Area B, however, the impacts are still considered to be low due to potential impacts being very short term and transient.  Hikers are generally only on the stretch of track near the prescribed premises for a short time period. It is also noted that the operating period of January to August does not coincide with the peak Bibbulmun Track usage period of October to December.  This risk remains acceptable with the existing licence conditions.
			Nullaki campsite 550m east of the stockpiles, 300m east of the haul road		C = Moderate L = Unlikely <b>Medium Risk</b>	N	Condition 1, 2 and 7. <b><u>Condition 8, 9, 10 and 11</u></b>	The licence holder plans to restrict the mobile equipment in Area B to the front-end loader and a haul truck, along with a road truck. Noise levels from this equipment in Area B are expected to be close to the daytime assigned levels under the Noise Regulations at the Nullaki Campsite.  Noise verification monitoring is required to confirm that the activities in Area B are compliant with the Noise Regulations at the Nullaki Campsite.  Refer to the risk assessment, section 5.4
			Eungedup wetlands 330m east of the haul road and 520m southeast of the stockpiles		C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Condition 1, 2 and 7.	It is possible that noise from the processing activities in Area B and haul trucks operating on the haul road could reach the Eungedup wetlands, a known Australasian Bittern habitat. While there is a degree of uncertainty around the potential disturbance that this may have on the Australasian Bittern, the risk is considered acceptable with the existing conditions on the licence.  Refer to the detailed risk assessment in

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
								section 5.3
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance	Black cockatoo foraging habitat immediately east of Area B  Conservation covenant 220 immediately west of Area B	Refer to Section 5.1	C = Major L = Unlikely <b>Medium Risk</b>	N	Condition 4 <b>Condition 12</b>	A specified condition has been added to the licence requiring the establishment of stormwater management infrastructure in the expanded prescribed premises.  Refer to the detailed risk assessment, section 5.4.
Additional screening, crushing, unloading, loading and storage of limestone material from April to August each year (four months) at the "Area A" quarrying and crushing area.	Dust	Air/windborne pathway causing impacts to health and amenity	Residences >2 km north and east of the crushing area	Refer to Section 5.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1 (watercart) Condition 3	The nearest residential receptors remain over 2 kms from the quarrying and crushing area (Area A) and the Nullaki Campsite remains about 1.5 kms from this area.  It is acknowledged that cumulative dust impacts over the course of a year are likely to increase due to the additional four months of processing activities, however, it is only expected to be a marginal increase as the throughput remains restricted to 50,000 tonnes per year. The extension of operations through the April to August period coincides with cooler, wetter weather which is likely to also assist in minimising dust emissions.  At these distances, dust impacts to residences and the campsite, even when extended for an additional four months, is only likely to result in minimal impacts to the receptors.  Authorising an additional four months of crushing and screening operations in Area A is acceptable with the existing licence conditions.
			Nullaki Campsite about 1.5 kms north of the crushing area		C = Minor L = Rare <b>Low Risk</b>	Y		

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
			Eungedup wetlands 900 m northeast of the crushing area	Refer to Section 5.1	C = Minor L = Rare <b>Low Risk</b>	Y	Condition 1 and 2	At a distance of about 900 m, dust impacts to the wetlands may occur but are only expected to have minimal impacts to the environment on rare occasions with the existing controls in place on the licence.  Authorising an additional four months of crushing and screening operations in Area A is acceptable with the existing licence conditions.
			Residences >2 km north and east of the crushing area		C = Slight L = Rare <b>Low Risk</b>	Y		There remains sufficient distance between Area A and the residences and the Nullaki Campsite that the activities in Area A will comply with the assigned levels under the Noise Regulations when operating during the day.
			Nullaki Campsite about 1.5 kms north of the crushing area		C = Minor L = Rare <b>Low Risk</b>	Y		Authorising an additional four months of crushing and screening operations in Area A is acceptable with the existing licence conditions.
			Eungedup wetlands 900 m northeast of the crushing area (Australasian Bittern habitat)		C = Moderate L = Unlikely <b>Medium Risk</b>	Y		It is possible that noise from the processing activities in Area A could reach the Eungedup wetlands, a known Australasian Bittern habitat. While there is a degree of uncertainty around the potential disturbance that this may have on the Australasian Bittern, the risk is considered acceptable with the existing conditions on the licence.  Refer to the detailed risk assessment in section 5.3



Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Eungedup wetlands 900 m northeast of the crushing area  Conservation covenant 220 immediately west of the crushing area	Refer to Section 5.1	C = Minor L = Rare <b>Low Risk</b>	Y	Condition 4, 5 and 6	Due to the excavation in Area A creating a depression in the land, this area is largely internally draining and is unlikely to result in potentially contaminated or sediment laden stormwater being released from this location.  Authorising an additional four months of processing operations will not alter this risk.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

### 5.3 Risk assessment for the impact of noise emissions on the Australasian Bittern from May to August

The licence holder currently has authorisation to conduct category 12 activities (crushing, screening and stockpiling of limestone) for four months of the year, from 2 January to 30 April in Area A (the quarry site). The licence holder is seeking approval to extend the timeframe of the existing processing activities throughout the May to August period of each year, which will result in additional noise emissions during this period.

It is noted that conditions on the licence currently restrict processing activities to the hours of 07:00 to 17:00 on the days Monday through to Friday, and from 08:00 to 17:00 on Saturdays and at no time on Sundays or public holidays. It also does not permit the use of tonal reversing alarms and will also restrict the crushing and screening activities (the loudest activity) to Area A. Together, these conditions are likely to reduce the overall impact of noise on the Australasian Bittern located within the Eungedup wetlands.

The Eungedup wetlands is a recently established sanctuary for the endangered Australasian Bittern. At its most western point, it is 330m to the east of the haul road, 520m to the southeast of the proposed stockpiling area and 900m northeast of the quarrying and screening area (Area A). At these distances, there is the potential for noise emissions from the operation to be carried to the wetlands from the prescribed premises.

The DBCA has raised concerns that the operation of mining and processing equipment at the premises may result in low frequency noise emissions travelling into the Australasian Bittern habitat. The DBCA states that this may have the effect of disturbing and disrupting the Bitterns during the September to February breeding season. During this time, the male Bittern attracts mates and defend territories by producing a loud, low frequency booming call. Under the BC Act, it is an offence to disturb threatened fauna, where the definition of “disturbance” includes *“to engage in an activity that has the effect, whether directly or indirectly, of altering the natural behaviour of fauna to its detriment”*.

The licence holder submitted an assessment prepared by Aurora Environmental regarding potential noise impacts to the Australasian Bittern and the Nullaki Campsite from the stockpiling and trucking activities in the expanded prescribed premises, including Area B and the haul road. The assessment included a literature review about noise impacts on wildlife, which indicates that noise is known to impact the behaviour and abundance of some terrestrial fauna species at levels as low as 40 dB(A). However, it also states that noise tolerance levels specific to the Australasian Bittern are currently unknown.

Noise measurements of truck movements along the haul road were also taken as a part of the assessment, however, a technical review of the data found that they were not measured in accordance with the methodology required by the Noise Regulations. For this reason, this dataset has been considered unlikely to accurately reflect expected noise levels from the operation.

Nonetheless, even though there is a great deal of uncertainty with regard to the potential impacts of noise emissions on the Bittern, it is considered possible that noise levels from the additional processing and stockpiling activities may have the potential to reach the Australasian Bittern habitat. Noise impacts to the Bittern from the operation are unlikely to be high enough to deter the birds from living in the Eungedup wetlands, but it is unclear if the noise from the premises will reach a level that is likely to “disturb” the breeding activities through masking or otherwise impinging upon the distinctive mating call.

As the licence holder is seeking an extension to the operation from the start of May to the end of August, which is outside the Australasian Bittern breeding season, the Delegated Officer considers the potential impact to the Bitterns is unlikely to disturb the birds to the level that would alter the natural behaviour of the fauna to its detriment (such as by impacting breeding

behaviours).

Therefore, the risk of May to August processing activities disturbing the Australasian Bitterns is considered to be **Unlikely** and **Minor**, which results in a final risk rating of **Medium** in accordance with the department's Guideline: Risk Assessment. With the existing conditions on the licence, the Delegated Officer considers it acceptable to authorise processing activities throughout the May to August period of the year.

## 5.4 Risk assessment for the impact of emissions on sensitive receptors from the expanded premises (Area B).

The licence holder is seeking approval to stockpile crushed limestone within a new area (Area B) over 1km to the north of the crushing and screening plant and quarry site (Area A). The potential impacts from stormwater, noise and dust emissions from Area B are higher than from Area A due to the change in siting, which has reduced the separation distances to sensitive receptors (see Figure 3). Stockpiling and the transfer of crushed limestone into trucks will generate noise and dust emissions which have the potential to impact the amenity and health of nearby environmental and human sensitive receptors. Furthermore, Area B is adjacent to conservation significant vegetation which has the potential to be impacted by potentially contaminated stormwater runoff from the premises.

### 5.4.1 Assessment of the impact of noise emissions from Area B on sensitive receptors

#### *Nullaki Campsite*

As part of the licence amendment application, the licence holder submitted noise advice from Herring Storer Acoustics prepared in 2024, which outlined that the only equipment that would be used in Area B at any given time would be one haul truck (moxy), one front-end loader and the road truck for carting away the limestone. The crushing and screening activities would remain restricted to the quarry site at Area A (further from the Nullaki Campsite).

This advice indicated that the highest noise levels received at the Nullaki Campsite (classified as a “*noise sensitive premises – highly sensitive area*” under the Noise Regulations) would likely be due to the road truck movements on the internal haul road, which was calculated to reach up to 40 dB(A). Should the noise be tonal, a tonality penalty of 5 dB(A) would bring the noise level up to 45 dB(A) at the campsite. This is on the cusp of the  $L_{A10}$  daytime assigned levels under the Noise Regulations, which is not to be exceeded.

As the expected noise emissions are close to the assigned levels under the Noise Regulations there is a risk that they may not be met at the closest sensitive receptor, therefore it is considered that the consequence for this risk event is **‘Moderate’** in accordance with the department's Guideline: Risk Assessment. However, based on information provided it has been determined that it is **‘unlikely’** that noise emissions will exceed the assigned noise levels outlined in the Noise Regulations at the nearest sensitive receptor. This results in a **Medium** risk rating for noise impacts to the Nullaki Campsite in accordance with the department's Guideline: Risk Assessments. For this reason, stockpiling activities in Area B and associated trucking activities will be authorised, but it has been determined that noise verification monitoring conditions are necessary to confirm that the activities at the premises will comply with the assigned noise levels outlined within the Noise Regulations at the Nullaki Campsite. Conditions will require the licence holder to reduce or cease operations to achieve compliance with the assigned levels should the verification monitoring indicate that the assigned levels are exceeded. As the restrictions on the use of mobile equipment in Area B is key to complying with the Noise Regulations, this has also been conditioned on the licence.

#### *Eungedup Wetlands*

The Eungedup wetlands, a sanctuary for the endangered Australasian Bittern is 330m to the

east of the haul road and 520m to the southeast of the proposed stockpiling area. This means that there is potential for noise from this area to reach the wetlands, potentially impacting the Australasian Bittern. For the reasons outlined in section 5.3, the potential impacts of noise emissions impacting the Australasian Bittern from trucking and stockpiling in Area B from January to August each year is considered to have a consequence rating of '**Minor**' and a likelihood rating of '**unlikely**', which results in a final risk rating of **Medium** in accordance with the department's Guideline: Risk Assessments. It has been determined that the existing licence conditions are adequate to manage this risk event.

#### 5.4.2 Assessment of the impact of dust emissions from Area B on sensitive receptors

##### *Nullaki Campsite*

The expansion of the premises will result in the Nullaki Campsite being about 300m from the haul road and 550m from the stockpiling activities, which is intended to be operated for eight months of the year from January to August. This camping area is intended to be used by hikers on the Bibbulmun track for overnight stays, resulting in a medium-term exposure to any potential dust impacts.

During this licence amendment assessment process, the department received several submissions that included photographs showing visible dust lift-off from the limestone stockpiling activities and mobile equipment use in Area B. The licence has an existing condition requiring the licence holder to operate in a manner that ensures that visible dust does not cross the boundary of the premises. The public submissions indicate that the site may not be effectively managing dust from the premises.

Based on this information and due to the close proximity of the sensitive receptor the likelihood of dust impacts to the Nullaki Campsite is determined to be '**Possible**', with a consequence rating of '**Moderate**' (mid-level impacts to amenity) in accordance with the departments Guideline: Risk Assessments. For this reason, in addition to the current outcome-based dust condition on the licence (condition 3), additional specific management-based conditions have been included on the licence. These conditions include requirements to employ dust suppression and a requirement to cease dust generating activities that may impact receptors.

With these additional controls it is expected that the risk of dust impacting the campsite will be reduced, with the likelihood rating dropping to '**Unlikely**', while the potential consequence rating remaining at '**Moderate**' levels for the Nullaki Campsite. This results in a **Medium** risk rating for dust impacts to the Nullaki Campsite in accordance with the departments Guideline; Risk Assessment. It is noted that this amendment specifically excludes October to December period of the year when peak use of the campsite occurs, where dust impacts have the potential to be even more frequent due to the dry conditions.

##### *Eungedup Wetlands*

The Eungedup wetlands is 330m to the east of the haul road and 520m to the southeast of the proposed stockpiling area. At this distance, there is potential for dust emissions from the operation to travel to the wetlands. Excessive dust emissions may result in dust loading having a short-term impact on the ecosystem function of the wetlands through increases in sedimentation or turbidity of the water.

Additional management-based conditions for dust have been included on the licence, including a requirement to cease dust generating activities that may impact receptors. With these additional controls in place, the risk of dust impacting the wetlands is considered to have a consequence rating of **Minor** (short-term, minimal, reversible impacts) and a likelihood rating of **Unlikely**. This results in a final risk rating of **Medium** in accordance with the department's Guideline: Risk Assessments.

#### 5.4.3 Assessment of the impact of potentially contaminated stormwater



### emissions from Area B on conservation value flora

It is noted that the clearing permit for the stockpiling area (CPS 10188) identified the vegetation to the immediate east and west of the stockpiling area as having high conservation value which is not permitted to be cleared. To the east is high quality black cockatoo foraging habitat, and to the west the vegetation is under a DBCA conservation covenant (refer to Figure 2).

It is also noted that the department has received reports from the public raising concerns that sediment laden stormwater washed into the nearby vegetation from the new stockpiling area and haul road. If this occurs on a regular basis, this is likely to negatively impact the health of the vegetation. Even though there is an existing condition on the licence to prevent sediment laden stormwater from leaving the premises, it is noted that the licence holder considered stormwater impacts to be minimal and does not propose establishing additional surface water management structures such as sedimentation basins in Area B.

Because of this incident, it has been determined that the likelihood of this risk event is **'Possible'** that contaminated stormwater impacts could cause **Major** consequences (defined as short-term impacts to an area of high conservation value) resulting in a risk rating of 'High' in accordance with the department's Guideline: Risk Assessments. Given that the licence holder is seeking to undertake operations during the high rainfall May to August period of the year, the Delegated Officer considers it appropriate to include a Specified Action on the licence requiring the establishment of stormwater management infrastructure within the expanded prescribed premises footprint, to ensure contaminated stormwater is prevented from being released into the environment.

With this additional condition, the risk of stormwater impacts remains **Major**, but the likelihood of impacts will reduce to **Unlikely**, which results in an overall risk rating of **Medium** in accordance with the department's Guideline: Risk Assessments.

## 6. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

**Table 5: Consultation**

Consultation method	Comments received	Department response
Local Government Authority advised of proposal 08/01/2025	The City of Albany replied on 06/02/2025 confirming that the EIL had been amended to allow the new stockpiling area and to allow extraction activities within the premises to occur from January to August. However, offsite trucking was restricted to January to April due to the high impacts to safety and amenity to the local community.	The Delegated Officer has taken note of the changes to the EIL conditions and have considered them in this assessment.
Department of Biodiversity Conservation and Attractions (DBCA) advised of proposal 08/01/2025	Response received on 29/01/2025. DBCA advised that they are concerned about impacts to Conservation Covenant 220, including from weeds, dieback and dust.  They confirmed that the Eungedup Wetlands are a sanctuary for the Australasian Bittern, and raised concerns about noise impacts	The Delegated Officer has taken into account the advice provided about the conservation covenant, the wetlands, the Bitterns, the Bibbulmun Track and Nullaki Campsite. This information has informed the risk assessment for this application.

	<p>potentially disturbing the birds during their breeding season.</p> <p>They provided evidence of operations in Area B emitting noise and dust impacting the Nullaki Campsite, and raised concerns about amenity impacts the camp and the track. They provided data showing the peak track usage months are October to December.</p> <p>Comments included in summary in Appendix 1.</p>	
Letters sent to 9 community stakeholders on 08/01/2025 and advertised on the department's website 09/01/2025	Four responses received, refer to Appendix 1 for a summary of the issues raised.	Refer to Appendix 1.
Licence Holder was provided with draft amendment on 8 May 2025	No comments on the draft.	N/A

## 7. Conclusion

Based on the assessment in this amendment report, the Delegated Officer has determined that a revised licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 7.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

**Table 6: Summary of licence amendments**

Condition no.	Proposed amendments
1	<p>Operations authorised to 31 August each year</p> <p>Mobile equipment list updated</p> <p>Locations clarified to specify expanded premises areas</p> <p>Mobile equipment reversing alarms to include broadband reversing alarms as acceptable</p>
7	Additional management-based noise and dust conditions specified
8 – 11	Noise verification conditions added to the licence to confirm assigned noise levels are achieved at the Nullaki Campsite
12 -13	Specified action requiring the establishment of surface water management structures
Definitions	Area A and Area B of the prescribed premises defined

Schedule 1	Maps updated to reflect expanded prescribed premises boundary
Schedule 2	Updated to reflect expanded prescribed premises boundary

## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Office of the Appeals Convenor 2024, *Appeals Committee Report to the Minister for Environment: Appeals objecting to L9381/2023/1 and CPS 10188/1, Nullaki Limestone Quarry, City of Albany*, Western Australia.
5. DWER 2024, *Purpose permit and decision report: CPS 10188/1*, Perth, Western Australia. Available from: <https://ftp.dwer.wa.gov.au/permit/10188/Permit/>
6. Aurora Environmental 2024, *Noise Monitoring – Nullaki Lime Pit and Haul Road*, prepared for Great Southern Lime Partnership.
7. Herring Storer Acoustics 2024, *Lime Stockpile / Loading Area - Nullaki Environmental Noise*, prepared for Bowman and Partners Environmental Pty Ltd.

## Appendix 1: Summary of stakeholder issues raised in the comment period and DWER response

Number	Issue	Summary of comments received	Department's response
5	Operating without a licence	Concerns raised that the licence holder has begun operating the stockpiles in Area B prior to DWER assessment and approval.	An investigation has been opened by the department, with a site visit conducted on 11 March 2025 (refer to section 3.3.4). The investigation remains ongoing.
1	Operating without a licence	Concerns raised that the licence holder was screening material in Area B without approval.	An investigation has been opened by the department, with a site visit conducted on 11 March 2025 (refer to section 3.3.4). The investigation remains ongoing.
4	Extension of operating timeframe	The 4-month extension to operations is unnecessary, as the 50,000t throughput can be achieved within the existing timeframe. Concern that this extension will prolong noise and dust impacts to the community.	The annual throughput of 50,000t per annum has not been increased. While it is acknowledged that the risks of impacts have increased due to the operating time extension, they are considered manageable with the additional regulatory controls on the licence.
1	Extension of operating timeframe	Concern that the extension of the operational timeframe will enable the 50,000t throughput to be exceeded, further increasing noise and dust impacts.	The assessed and approved annual throughput for the premises is 50,000t per annum.  The licence holder will need to apply for an amendment to the licence should they wish to increase the assessed throughput.
4	Dust emissions	Photographic evidence of high levels of visible dust coming from the new stockpiling area.	This issue has been included in the investigation opened by the department.  Dust emissions have been risk assessed as part of this amendment. Additional dust controls have been added to the licence.
4	Dust emissions	Concerns raised that dust management is inadequate.	Dust emissions have been risk assessed as part of this amendment. Additional dust controls have been added to the licence.
3	Noise emissions	Concerns raised about the impacts of noise emissions on the community and on the Nullaki Campsite. Request to not allow operations during the peak Bibbulmun Track usage season (October – December).	Noise emissions have been risk assessed as part of this amendment. Noise verification conditions have been added to the licence to ensure that the EP Noise Regulations are complied with at the campsite. Operations have not been authorised during the peak tourism period of October to the end of December.
2	Noise emissions	Concerns raised about the activities moving closer to the wetlands, and to the potential impacts to the Australasian Bittern.	Impacts to the Australasian Bittern has been risk assessed as part of this amendment. The extension of category 12 activities has only been approved to the end of August, prior to the start of the breeding season.
1	Noise emissions	Request to not allow operations during the Australasian Bittern	Impacts to the Australasian Bittern has been risk assessed as part of this amendment.

Number	Issue	Summary of comments received	Department's response
		breeding season (September – February).	The extension of category 12 activities has only been approved to the end of August, prior to the start of the breeding season.
1	Flora management	Request that a Phytophthora Dieback Management Plan be developed	Impacts relating to Dieback management were assessed as part of the Native Vegetation Clearing Permitting process and are outside the scope of this assessment.
3	General	Concerns raised about impacts to businesses and tourism in the area given that it is an environmental conservation zone.	Impacts to users of the Bibbulmun track and camp have been assessed as part of this amendment. Operations have not been authorised during the peak tourism period of October to the end of December.