



Environmental Protection Authority

Mr Andrew Watson
Boral Resources (WA) Ltd
Level 1, 63-69 Abernethy Road
BELMONT WA 6014

Our Ref: CMS 16100
Enquiries: Richard Sutherland 6145 0834
Email: richard.sutherland@epa.wa.gov.au

Dear Mr Watson

NOTICE REQUIRING FURTHER INFORMATION
s38A of the *Environmental Protection Act 1986*

**PROPOSAL: ADDITIONS TO CONCRETE BATCHING PLANT – 21 KING ST,
BAYSWATER**
PROPONENT: BORAL RESOURCES (WA) LTD

The above proposal has been referred to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act).

This means that the EPA is required to:

- determine the significance of the effect on the environment of the proposal, if implemented, and
- make a decision on whether or not to assess the proposal and, if the decision is to assess, the level of assessment.

The EPA considers that it does not have enough information about the proposal to enable it to make decisions on significance and appropriate level of assessment. Accordingly, the EPA requests that you, as the proponent, provide it with the following additional information about the proposal:

- a completed form that identifies the relevant information that needs to be provided (copy enclosed); and
- confirmation that the proposal remains the same as that described in Boral's application for Development Approval dated 4 November 2015. If the proposal has changed, please provide further information detailing the changes.

Should you have any enquiries please contact the person cited above.

Please provide your response to this request for additional information by 20 May 2016. Please respond with either:

- a) the information requested; or
- b) advice that further information is not available and/or cannot be obtained.

Your response should be sent by email to registrar@epa.wa.gov.au marked for the attention of the person cited above, or by post to the Office of the Environmental Protection Authority, Locked Bag 10, East Perth WA 6892. Please quote the above "Our ref" on any further correspondence.

It should be noted that, under the EP Act, the EPA has 28 days in which to make a decision on whether or not to assess a proposal, and if assess, the appropriate level of assessment. The 28-day period will start to run either on 20 May 2016, i.e. the expiration of the specified period, or on receipt of the requested information, whichever occurs first. However, if the information is not received within the specified period, or if it becomes apparent that such information is not available, the EPA can proceed (at the expiration of the specified period) to make its decision on whether or not to assess and if assess, the appropriate level of assessment, based on information derived from its own investigations and inquiries. You will be notified once the EPA has made a decision.

Yours sincerely



Anthony Sutton
Director
Assessment and Compliance Division

Delegate of the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 published 17 December 2013

9 May 2016

Encl: Proponent Referral Form



Environmental Protection Authority

EPA REFERRAL
FORM

Referral of a Proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*.

PURPOSE OF THIS FORM

Section 38 of the *Environmental Protection Act 1986* (EP Act) makes provision for the referral to the Environmental Protection Authority (EPA) of a proposal (significant proposals, strategic proposals and proposals under an assessed scheme) by a proponent, a decision making authority (DMA), or any other person.

The purpose of this form is to ensure that EPA has sufficient information about a proposal to make a decision about the nature of the proposal and whether or not the proposal should be assessed under Part IV of the EP Act. Information provided in the referral form must be brief (no more than 30 pages), sharp and succinct to achieve the purposes of this form.

This form does not prevent the referrer from providing a supplementary referral report. Should a referrer choose to submit a supplementary referral report please ensure the following.

- i. Information is short, sharp and succinct.
- ii. Attachments are below eight megabytes (8 MB) as they will be published on the EPA's website (exemptions apply) for public comment. To minimise file size, "flatten" maps and optimise pdf files.
- iii. Cross-references are provided in the referral form to the appropriate section/s in the supplementary referral report.

This form is to be used for all proposals¹ which can be referred to the EPA under section 38 of the EP Act; i.e. referrals from: **proponents** of proposals (significant proposals, strategic proposals, derived proposals, proposals under an assessed scheme); **DMAs** (significant proposals); and **third parties** (significant proposals).

This form is divided into several sections, including; Referral requirements and Declaration; Part A - Information of the proposal and proponent; and Part B Environmental Factors. Guidance on successfully completing this form is provided throughout the form and is also available in the EPA's *Environmental Assessment Guideline for Referral of a Proposal under s38 of the EP Act (EAG 16)*.

Send completed forms to

Office of the Environmental Protection Authority
Locked Bag 10, East Perth WA 6892

or

Email: Registrar@epa.wa.gov.au

Enquiries

Office of the Environmental Protection Authority
Locked Bag 10, East Perth WA 6892

Telephone: 6145 0800

Fax: 6145 0895

Email: info@epa.wa.gov.au

Website: www.epa.wa.gov.au

¹ Please note that this form consolidates and replaces the following forms: *Referral of a Proposal by the Proponent to the EPA under section 38(1) of the EP Act*; *Referral of a Proposal by a third party to the EPA under section 38(1) of the EP Act*; and *Referral of a development proposal to the EPA by the decision making authority*.

Referral requirements and Declaration

The following section outlines the referral information required from a proponent, decision making authority and third party.

(a) Proponents

Proponents are expected to complete all sections of the form and provide GIS spatial data to enable the EPA to consider the referral. Spatial GIS data is necessary to inform the EPA's decision.

The EPA expects that a proponent will address Part B of the form as thoroughly as possible to demonstrate whether or not the EPA's objectives for environmental factors can be met.

If insufficient information is provided the EPA will request more information and processing of the referral will commence once the information is provided or the EPA decides to make a precautionary determination on the available information.

Proponent to complete before submitting form	
Completed all the questions in Part A (essential)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all the questions in Part B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any additional document(s) the proponent wishes to provide	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 2 – confidential information (if applicable)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but clearly separating any confidential information	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Completed the Declaration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred? <i>* a referred proposal seeking to be declared a derived proposal</i>	<input type="checkbox"/> significant <input type="checkbox"/> strategic <input type="checkbox"/> derived* <input type="checkbox"/> under an assessed scheme
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, what level of assessment? <i>API = Assessment of Proponent Information</i> <i>PER = Public Environmental Review</i>	<input type="checkbox"/> API Category A <input type="checkbox"/> API Category B <input type="checkbox"/> PER

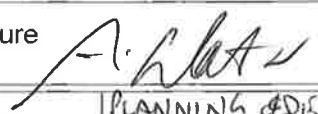
NB: The EPA may apply an Assessment on Proponent Information (API) level of assessment when the proponent has provided sufficient information about:

- the proposal;
- the proposed environmental impacts;
- the proposed management of the environmental impacts; and
- when the proposal is consistent with API criteria outlined in the Environmental Impact Assessment (Part IV Division 1 and 2) Administrative Procedures 2012.

If an API A formal level of assessment is considered appropriate, please refer to Environmental Assessment Guideline No. 14 *Preparation for an Assessment on Proponent Information (Category A) Environmental Review Document EAG 14 (EAG14)*.

Declaration

I, ANTHONY JOHN WATSON....., (full name) declare that I am authorised on behalf of BORAL PROPERTY GROUP..... (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature			Name (print)	ANTHONY JOHN WATSON	
Position	PLANNING & DEVELOPMENT MANAGER - WA	Organisation	BORAL		
Email	anthony.watson@boral.com.au				
Address	Street No. 63-69	Street Name	ABERNETHY ROAD		
	Suburb BELMONT	State	WA	Postcode	6104
Date	11.5.2016				

(b) Decision-making authority

The EPA expects decision-making authorities to complete applicable sections of Part A of the form and provide the proponent an opportunity to provide additional information in Part B of the form where appropriate.

Wherever possible the DMA should obtain relevant spatial information from the proponent and provide this to the EPA with the referral.

DMA to complete before submitting form	
Completed all the questions in Part A (essential)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provided Part B to the proponent for completion	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any supporting information	<input type="checkbox"/> Yes <input type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the below Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred?	<input type="checkbox"/> significant proposal <input type="checkbox"/> significant proposal under an assessed scheme

Declaration

I,, (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Position		Organisation	
Email			
Address	Street No.	Street Name	
	Suburb	State	Postcode
Date			

(c) Third Party

Third parties are asked to have consideration for the Significance Test outlined in Part A Section 1.5 of this form before referring a significant proposal to the EPA. The EPA will only consider proposals that are likely, if implemented, to have a significant effect on the environment.

Third parties are to provide sufficient information to clearly identify the significant proposal, the proponent, and their reasons for referring the proposal. This can be done by completing as much of Part A of the form as possible, taking into consideration the information available. Third parties may wish to fill in Part B of the form to advance their own views of the significance of the environmental impacts and the need for EPA assessment.

In most cases the EPA will seek additional information from the proponent. This will be to confirm or amend the identity of the proponent, the proposal, and to allow the proponent opportunity to provide its views on the significance of the environmental impacts and the need for EPA assessment.

Third Party to complete before submitting form	
Complete all applicable questions in Part A and B	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Declaration

I,, (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Email			
Position		Organisation	
Address	Street No.	Street Name	
	Suburb	State	Postcode
Date			

PART A: Information on the proposal and the proponent

All fields of Part A must be completed by the proponent and/or decision-making authority for this document to be processed as a referral. Third party referrers are only expected to fill in the fields they have information for.

1 PROPONENT AND PROPOSAL DESCRIPTION

1.1 The proponent of the proposal

Proponent and/or DMA to complete	
Name of the proponent	BORAL RESOURCES (WA) LTD
Joint Venture parties (if applicable)	
Australian Company Number(s)	008 686 904
Postal Address <i>(Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State)</i>	Po Box 268 BELMONT WA 6984
Key proponent contact for the proposal <i>Please include: name; physical address; phone; and email.</i>	ANTHONY WATSON 63-69 ABERNETHY ROAD BELMONT WA 6104 0801 893 357 anthony.watson@boral.com.au
Consultant for the proposal (if applicable) <i>Please include: name; physical address; phone; and email.</i>	

1.2 Proposal

Proposal is defined under the EP Act to mean a "project, plan, programme policy, operation, undertaking or development or change of land use, or amendment of any of the foregoing, but does not include scheme". Before completing this section please refer to Environmental Protection Bulletin 17 – Strategic and derived proposals (EPB 17) and Environmental Assessment Guideline for Defining the Key Characteristics of a proposal (EAG 1).

Proponent and/or DMA to complete	
Title of the proposal	SEWAGEWATER CONCRETE BATCH PLANT UPGRADE
What project phase is the proposal at?	<input type="checkbox"/> Scoping <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Detailed design <input type="checkbox"/> Other _____
Proposal type <i>More than one proposal type can be identified, however for filtering purposes it is recommended that only the primary proposal type is identified.</i>	<input type="checkbox"/> Power/Energy Generation <input type="checkbox"/> Hydrocarbon Based – coal <input type="checkbox"/> Hydrocarbon Based – gas <input type="checkbox"/> Waste to energy <input type="checkbox"/> Renewable – wind <input type="checkbox"/> Renewable – wave <input type="checkbox"/> Renewable – solar <input type="checkbox"/> Renewable – geothermal

Proponent and/or DMA to complete

- Mineral / Resource Extraction**
 - Exploration – seismic
 - Exploration – geotechnical
 - Development

- Oil and Gas Development**
 - Exploration
 - Onshore – seismic
 - Onshore – geotechnical
 - Onshore – development
 - Offshore – seismic
 - Offshore – geotechnical
 - Offshore – development

- Industrial Development**
 - Processing
 - Manufacturing
 - Beneficiation

- Land Use and Development**
 - Residential – subdivision
 - Residential – development
 - Commercial – subdivision
 - Commercial – development
 - Industrial – subdivision
 - Industrial – development
 - Agricultural – subdivision
 - Agricultural – development
 - Tourism

- Linear Infrastructure**
 - Rail
 - Road
 - Power Transmission
 - Water Distribution
 - Gas Distribution
 - Pipelines

- Water Resource Development**
 - Desalination
 - Surface or Groundwater
 - Drainage
 - Pipelines
 - Managed Aquifer Recharge

- Marine Developments**
 - Port
 - Jetties
 - Marina
 - Canal
 - Aquaculture

Proponent and/or DMA to complete	
	<input type="checkbox"/> Dredging <i>If other, please state below:</i> <input type="checkbox"/> Other _____
Proponent and/or DMA to complete	
Description of the proposal – describe the key characteristics of the proposal in accordance with EAG 1.	PROPOSAL AS DESCRIBED IN DEVELOPMENT APPLICATION DATED 4 NOVEMBER, 2015
Timeframe in which the proposal is to occur (including start and finish dates where applicable).	JUNE 2016
Details of any staging of the proposal.	
What is the current land use on the property, and the extent (area in hectares) of the property?	CONCRETE BATCHING PLANT 1.4393 ha
Have pre-referral discussions taken place with the OEPA? If yes, please provide the case number. If a case number was not provided, please state the date of the meeting and names of attendees.	
DMA (Responsible Authority) to complete	
For a proposal under an assessed scheme (as defined in section 3 of the EP Act, applicable only to the proponent and DMA) provide details (in an attachment) as to whether: <ul style="list-style-type: none"> • The environmental issues raised by the proposal were assessed in any assessment of the assessed scheme. • The proposal complies with the assessed scheme and any environmental conditions in the assessed scheme. 	

1.3 Strategic / derived proposals

Complete this section if the proposal being referred is a strategic proposal or you are seeking the proposal to be declared a derived proposal. Note: Only a proponent may refer a strategic proposal and seek a proposal to be declared a derived proposal.

Proponent to complete	
Is this referred proposal a strategic proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you seeking that this proposal be declared a derived proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you are seeking that this proposal be declared a derived proposal, what is the Ministerial Statement number (MS #) of the associated strategic proposal?	MS #: _____

1.4 Location

Proponents and DMAs must provide spatial data. Please refer to EAG 1 for more detail.

Proponent, DMA and Third Party to complete	
Name of the Local Government Authority in which the proposal is located.	CITY OF BAYSWATER
Location: a) street address; lot number; suburb; and nearest road intersection; or b) if remote the nearest town; and distance and direction from that town to the proposal site.	33 KING STREET BAYSWATER
Have maps and figures been included with the referral (consistent with <u>EAG 1</u> where appropriate)? <i>The types of maps and figures which need to be provided (depending on the nature of the proposal) include:</i> <ul style="list-style-type: none"> maps showing the regional location and context of the proposal; and figures illustrating the proposal elements. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IN DEVELOPMENT APPLICATION TO THE CITY OF BAYSWATER.
Proponent and DMA to complete	
Have electronic copies of spatial data been included with the referral? NB: <i>Electronic spatial (GIS or CAD) data, geo-referenced and conforming to the following parameters:</i> <ul style="list-style-type: none"> GIS: polygons representing all activities and named; CAD: simple closed polygons representing all activities and named; datum: GDA94; projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA); format: ESRI geodatabase or shapefile, MapInfo Interchange Format, Microstation or AutoCAD.. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1.5 Significance test and environmental factors

Proponent, DMA and Third Party to complete	
What are the likely significant environmental factors for this proposal?	<input type="checkbox"/> Benthic Communities and Habitat <input type="checkbox"/> Coastal Processes <input type="checkbox"/> Marine Environmental Quality <input type="checkbox"/> Marine Fauna <input type="checkbox"/> Flora and Vegetation <input type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input type="checkbox"/> Terrestrial Environmental Quality <input type="checkbox"/> Terrestrial Fauna <input type="checkbox"/> Hydrological Processes <input type="checkbox"/> Inland Waters Environmental Quality

Proponent, DMA and Third Party to complete	
REFER ATTACHED,	<input checked="" type="checkbox"/> Air Quality & Atmospheric Gases <input type="checkbox"/> Amenity <input type="checkbox"/> Heritage <input type="checkbox"/> Human Health <input type="checkbox"/> Offsets <input type="checkbox"/> Rehabilitation and Decommissioning
Having regard to the Significance Test (refer to Section 7 of the EIA Administrative Procedures 2012) in what ways do you consider the proposal may have a significant effect on the environment and warrant referral to the ERA?	Please outline in two paragraphs or less.

1.6 Confidential information

All information will be made publically available unless authorised for exemption under the EP Act or subject to the Freedom of Information Act 1992.

Proponent to complete	
Does the proponent request that the EPA treat any part of the referral information as confidential?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Ensure all confidential information is provided in a separate attachment in hard copy.</i>	

2 REGULATORY CONSIDERATIONS

This section applies to the Local, State and Commonwealth regulatory considerations for the referred proposal.

2.1 Government approvals

2.1.1 State or Local Government approvals

DMA to complete	
What approval(s) is (are) required from you as a decision-making authority?	
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input type="checkbox"/> No

2.1.2 Regulation of aspects of the proposal

Complete the following to the extent possible.

Proponent to complete	
<p>Do you have legal access required for the implementation of all aspects of the proposal?</p> <p><i>If yes, provide details of legal access authorisations / agreements / tenure.</i></p> <p><i>If no, what authorisations / agreements / tenure is required and from whom?</i></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>FREEHOLD OWNERSHIP OF 33 KING STREET, BAYSWATER</p> <p>C/T VOL 1830 Fol 850</p>

Outline both the existing approvals and approvals that will be / are being sought as a part of this proposal.

Proponent to complete			
Aspects* of the proposal	Type of approval	Legislation regulating this activity	Which State agency /entity regulate this activity?
<i>Abstraction / Dewatering</i>	<i>Licence</i>	<i>RIWI Act 1914</i>	<i>DoW</i>
<i>Discharge</i>	<i>Works Approval and Licence</i> <i>SEE ATTACHED LETTER</i>	<i>EP Act 1986 – Part V FROM</i>	<i>DER DER.</i>
<i>Clearing</i>	<i>Native Vegetation Clearing Permit</i>	<i>EP Act 1986 – Part V</i>	<i>DER</i>

*e.g. mining, processing, dredging

2.1.3 Commonwealth Government Environment Protection and Biodiversity Conservation Act 1999 approvals

Refer to the assessment bilateral agreement between the Commonwealth of Australia and the State of Western Australia for assistance on this section.

Proponent to complete	
1. Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If no continue to Part A section 2.1.4.</i></p>
2. What is the status of the decision on whether or not the action is a controlled action?	<p><input type="checkbox"/> Proposal not yet referred</p> <p><input type="checkbox"/> Proposal referred, awaiting decision</p> <p><input type="checkbox"/> Assessed – controlled action</p> <p><input type="checkbox"/> Assessed – not a controlled action</p>
3. If the action has been referred, when was it referred and what is the reference number (Ref #)?	<p>Date: _____</p> <p>Ref #: _____</p>

Proponent to complete	
4. If the action has been assessed, provide the decision in an attachment. Has an attachment been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Do you request this proposal to be assessed under the bilateral agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Complete the following to the extent possible for the Public Comment of EPBC Act referral documentation.

Proponent to complete	
6. Have you invited the public to comment on your referral documentation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. How was the invitation published?	<input type="checkbox"/> newspaper <input checked="" type="checkbox"/> website
8. Did the invitation include all of the following?	
(a) brief description of the action	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(b) the name of the action	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(c) the name of the proponent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(d) the location of the action	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(e) the matters of national environmental significance that will be or are likely to be significantly impacted	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(f) how the relevant documents may be obtained	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(g) the deadline for public comments	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(h) available for public comment for ¹⁴ 28 calendar days	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(i) the likely impacts on matters of national environmental significance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(j) any feasible alternatives to the proposed action	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(k) possible mitigation measures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Were any submissions received during the public comment period?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10. Have public submissions been addressed? If yes provide attachment.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PART B: ENVIRONMENTAL FACTORS

The purpose of Part B is to assist the EPA to determine the significance of the likely environmental impacts of the proposal in accordance with the EPA's *Environmental Assessment Guideline for Environmental factors and objectives* (EAG 8) and *Environmental Assessment Guideline for Application of a significant framework in the EIA process* (EAG 9). Referrers completing Part B should refer closely to EAG 8 and EAG 9.

The EPA has prepared *Referral of a Proposal under s38 of the EP Act EAG No.16 - Appendix A* (Appendix A) to assist in identifying factors and completing the below table. Further guidance can be found in the guidance and policy documents cited in Appendix A under each factor.

How to complete Part B

For each environmental factor, that is likely to be significantly impacted by the implementation of the proposal, make a copy of the table below and insert a summary of the relevant information relating to the proposal. The table can be broken down into more than one table per factor, if the need arises. For example the hydrological processes factor can be presented in two separate tables, one for surface water and one for groundwater, or similarly one for construction and one for operations.

For complex proposals a supplementary referral report can be provided in addition to the referral form. If this option is chosen the table must still be completed (summaries are acceptable) to assist the Office of the EPA with statistical reporting and filtering proposals for processing.

Proponents expecting an API level of assessment must provide information in accordance with the EPA's *Environmental Assessment Guideline for Preparation of an API-A environmental review document* (EAG 14).

For each of the significant environmental factors, complete the following table (Questions 1 – 10).

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.	
1	Factor, as defined in <u>EAG 8</u>
2	EPA Objective, as defined in <u>EAG 8</u>
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?
4	Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including: <ul style="list-style-type: none"> • <i>anticipated level of public interest in the impact;</i> • <i>consultation with regulatory agencies; and</i> • <i>consultation with community.</i>
5	Baseline information - describe the relevant characteristics of the receiving environment. <i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i>
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.

2.1.4 Other Commonwealth Government Approvals

Proponent, DMA and Third Party to complete			
Is approval required from other Commonwealth Government/s for any part of the proposal?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>If yes, please complete the table below.</i>			
Agency / Authority	Approval required	Application lodged?	Agency / Local Authority contact(s) for proposal
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. SUPPORTING INFORMATION

Please attach copies of any relevant information on the proposal, supporting evidence and / or existing environmental surveys, studies or monitoring information undertaken and list the documents below.

Proponent, DMA and Third Party to complete			
(1)	Title	Author	Document Description
(2)	PART B: ENVIRONMENTAL FACTORS		
(3)	LETTER FROM DER		

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> • <i>Avoidance - avoiding the adverse environmental impact altogether;</i> • <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i> • <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i> • <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i> 	
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> • <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i> • <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i> • <i>comparison against any established environmental policies, guidelines, and standards.</i> 	
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><input type="checkbox"/> <i>meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). <i>e.g. particular mitigation measures or regulatory conditions.</i></p>	

In circumstances where there was some uncertainty on the level of significance of a particular factor it is recommended that a brief summary (no longer than 1 - 2 paragraphs) is provided on the steps taken to determine why a factor was not considered to be significant.

Part B: Environmental Factors

As outlined in Environmental Assessment Guideline 16, the summary below is provided in relation to the environmental factor: 'Air Quality and Atmospheric Gases', with an outline as to why this factor is not considered to be significant with regard to the proposed project.

No other environmental factors will be significantly impacted by this proposal.

Air Quality – Dust Management

1. Portable batch plant operational process:
 - a) Aggregates loaded from existing ground bins into auxiliary weigh hopper.
 - b) Aggregates transferred via conveyor to the portable batch plant.
 - c) Cement transferred from mobile silo to portable batch plant via an enclosed auger.
 - d) Batch plant combines raw materials and delivers them to the agitator truck in the load out bay.

2. Dust control measures to be implemented (in accordance with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*):
 - a) Ground bins – raw materials will be stored within allowable height limits in existing ground bins fitted with sprinkler system.
 - b) Traffic areas – will be sealed or treated with water, eg. sprinklers, and maintained free from loose material.
 - c) Weigh hopper – fitted with wind shields.
 - d) Conveyor – product is pre-moistened (before transferring to weigh hopper). Wind shields will be fitted if deemed to be necessary.
 - e) Cement silo:
 - fitted with reverse pulse air cleaning system
 - pressure relief valve dusted to within 1m of ground
 - high level alarm system with audible and visual alarms
 - test circuit for alarms to ensure working correctly
 - f) Load out bay – fitted with water sprays controlled by batching computer.
 - g) All pollution control equipment will be inspected and maintained in accordance with the manufacturer's specifications.

Boral submitted formal application to install the portable batch plant to the Department of Environment Regulation (DER) 18 August 2015. Following their assessment the DER responded 27 November 2015 advising of their intent to issue a Works Approval subject to 'relevant planning approval for the proposal' being granted.



Government of **Western Australia**
Department of **Environment Regulation**

Your ref: W5896/2015/1
Our ref: DER2015/001840
Enquiries: Lauren Trott
Phone: 9333 7473
Fax: 9333 7550
Email: lauren.trott@der.wa.gov.au

Mr Peter Male
Environmental Manager (WA)
Boral Resources (WA) Ltd
PO Box 268
BELMONT WA 6984

Dear Mr Male

**ENVIRONMENTAL PROTECTION ACT 1986: WORKS APPROVAL APPLICATION
W5896/2015/1**

The Department of Environment Regulation (DER) has undertaken an assessment of works approval application W5896/2015/1. The application is to expand of the capacity of your concrete batching plant located at 21 King Street, Bayswater WA 6053 (Lot 1 on Diagram 39526).

Based on the Department's assessment of the application, DER can advise that it intends to grant a works approval, subject to conditions, for the proposed works. A draft works approval and decision document were provided to you on 12 November 2015.

Please note that, in accordance with DER's Guidance Statement: *Land use planning* (October 2015)¹, DER will not grant the works approval until relevant planning approval for the proposal is in place.

Please inform DER once the City of Bayswater has determined the Development Application.

Should you have any queries, please contact A/Manager Licensing - Process Industries, Ms Lauren Trott on 9333 7473.

Yours sincerely

Kelly Faulkner
EXECUTIVE DIRECTOR
LICENSING AND APPROVALS

27 November 2015

Note 1: Available at the Department's website www.der.wa.gov.au

