



Francesca Lefante  
Chief Executive Officer

# FROM THE OFFICE OF THE CHIEF EXECUTIVE OFFICER CITY OF BAYSWATER

Office of the Environmental Protection Authority	
File: .....	
<b>20 APR 2016</b>	
A:	<input type="checkbox"/> For Information
fa:	<input type="checkbox"/> For Discussion
Officer:	<input type="checkbox"/> For Action
<input type="checkbox"/> Dir.AC	Response please: <input type="checkbox"/> GM Signature <input type="checkbox"/> Dir for GM (copy to GM) <input type="checkbox"/> Dir Signature (copy to GM) <input type="checkbox"/> Mr Direct GM
<input type="checkbox"/> Dir. Bus Ops	
<input type="checkbox"/> Dir. SPPD	
<input type="checkbox"/> Dir. Strat Sup	
<input type="checkbox"/>	

12 April 2016

Office of the Environmental Protection Agency  
Locked Bag 10  
EAST PERTH WA 6892

registrar@epa.wa.gov.au

Dear Sir/Madam

**REFERRAL OF A PROPOSAL UNDER SECTION 38 OF THE ENVIRONMENTAL PROTECTION ACT 1986  
ALTERATIONS AND ADDITIONS TO CONCRETE BATCHING PLANT  
LOT 1, 33 KING STREET, BAYSWATER**

The City has received a development application dated 4 November 2015 for alterations and additions to the existing concrete batching plant at Lot 1, 33 King Street, Bayswater.

The development is considered to be a significant proposal and is therefore referred to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*.

Please find attached the EPA Referral Form, Application for Development Approval and associated documentation for the abovementioned development application.

Should you have any queries, please contact Mr Steven De Piazzzi in the City's Planning and Development Services, on 9272 0627.

Yours faithfully

**FRANCESCA LEFANTE  
CHIEF EXECUTIVE OFFICER**



Civic Centre

61 Broun Avenue  
Morley WA 6062

Telephone: (08) 9272 0642  
Facsimile: (08) 9272 0610

National Relay Service  
Help Desk: 1800 555 660  
133 677 (TTY)  
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## 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 proposals<sup>1</sup> 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](mailto: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](mailto:info@epa.wa.gov.au)

Website: [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

<sup>1</sup> 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 type="checkbox"/> Yes <input type="checkbox"/> No
Completed all the questions in Part B	<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 additional document(s) the proponent wishes to provide	<input type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 2 – confidential information (if applicable)	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No
Completed the Declaration	<input 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 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, ....., (full name) declare that I am authorised on behalf of..... (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)		
Position		Organisation		
Email				
Address	Street No.	Street Name		
	Suburb	State	Postcode	
Date				

## (b) Decision-making authority

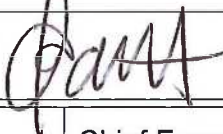
The EPA expects decision-making authorities to complete applicable sections of Part A of the form and provide the proponent an opportunity to provide additional information in Part B of the form where appropriate.

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Provided Part B to the proponent for completion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Completed all other applicable questions	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any supporting information	<input checked="" 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 checked="" type="checkbox"/> No
Completed the below Declaration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred?	<input checked="" type="checkbox"/> significant proposal <input type="checkbox"/> significant proposal under an assessed scheme

## Declaration

I, Francesca Lefante submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	Francesca Lefante		
Position	Chief Executive Officer	Organisation	City of Bayswater		
Email	mail@bayswater.wa.gov.au				
Address	61	Broun Avenue			
	MORLEY	WA	6061		
Date	15/4/16				

### (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, Francesca Lefante submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Email			
Position		Organisation	
Address			
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)	57 008 686 904
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>	Boral Resources WA Level 1, 63-69 Abernethy Road BELMONT WA 6014
Key proponent contact for the proposal  <i>Please include: name; physical address; phone; and email.</i>	Anthony Watson 0401 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	Additions to Concrete Batching Plant
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"/> <b>Power/Energy Generation</b> <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 If other, please state below: <input type="checkbox"/> Other _____
Proponent and/or DMA to complete	
Description of the proposal – describe the key characteristics of the proposal in accordance with <a href="#">EAG 1</a> .	Proposed secondary portable batch facility consisting of a portable batch plant, mobile cement silo, and auxiliary weight hopper and conveyor.
Timeframe in which the proposal is to occur (including start and finish dates where applicable).	Estimated four weeks following approval.
Details of any staging of the proposal.	Nil
What is the current land use on the property, and the extent (area in hectares) of the property?	Concrete batching plant 1.36 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.	No
DMA (Responsible Authority) to complete	
For a proposal under an assessed scheme (as defined in <a href="#">section 3 of the EP Act</a> , applicable only to the proponent and DMA) provide details (in an attachment) as to whether: <ul style="list-style-type: none"> <li><i>The environmental issues raised by the proposal were assessed in any assessment of the assessed scheme.</i></li> <li><i>The proposal complies with the assessed scheme and any environmental conditions in the assessed scheme.</i></li> </ul>	The City of Bayswater Town Planning Scheme No. 24 is not an 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 type="checkbox"/> No
Are you seeking that this proposal be declared a derived proposal?	<input type="checkbox"/> Yes <input 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.	Lot 1, 33 King Street, Bayswater Nearest Intersections: King Street and Raymond Avenue King Street and John Street Raymond Avenue and Wright Street
Have maps and figures been included with the referral (consistent with <a href="#">EAG 1</a> 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"> <li>maps showing the regional location and context of the proposal; and</li> <li>figures illustrating the proposal elements.</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proponent and DMA to complete	
Have electronic copies of spatial data been included with the referral? <b>NB:</b> <i>Electronic spatial (GIS or CAD) data, geo-referenced and conforming to the following parameters:</i> <ul style="list-style-type: none"> <li>GIS: polygons representing all activities and named;</li> <li>CAD: simple closed polygons representing all activities and named;</li> <li>datum: GDA94;</li> <li>projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA);</li> <li>format: ESRI geodatabase or shapefile, MapInfo Interchange Format, Microstation or AutoCAD..</li> </ul>	<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

<b>Proponent, DMA and Third Party to complete</b>	
	<input checked="" type="checkbox"/> Air Quality & Atmospheric Gases <input checked="" type="checkbox"/> Amenity <input type="checkbox"/> Heritage <input checked="" 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 <i>EIA Administrative Procedures 2012</i> ) in what ways do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?	<i>In accordance with Section 7(j) there is public concern about the likely effect of the proposal, if implemented, on the environment.</i>

### 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.*

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

## 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

<b>DMA to complete</b>	
What approval(s) is (are) required from you as a decision-making authority?	Development approval under the Planning and Development Act 2005.
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## 2.1.2 Regulation of aspects of the proposal

Complete the following to the extent possible.

Proponent to complete	
Do you have legal access required for the implementation of all aspects of the proposal?  <i>If yes, provide details of legal access authorisations / agreements / tenure.</i>  <i>If no, what authorisations / agreements / tenure is required and from whom?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

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>EP Act 1986 – Part V</i>	<i>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)?	<input type="checkbox"/> Yes <input type="checkbox"/> No  <i>If no continue to Part A section 2.1.4.</i>
2. What is the status of the decision on whether or not the action is a controlled action?	<input type="checkbox"/> Proposal not yet referred <input type="checkbox"/> Proposal referred, awaiting decision <input type="checkbox"/> Assessed – controlled action <input type="checkbox"/> Assessed – not a controlled action
3. If the action has been referred, when was it referred and what is the reference number (Ref #)?	Date: _____  Ref #: _____

<b>Proponent to complete</b>	
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.

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

### 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
DER	Works Approval	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	W5896/2015/1 Lauren Trott - 9333 7473 Lauren.trott@der.wa.gov.au

### 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)	<i>Development Plans and Supporting Report</i>	<i>Boral Resources (WA) Ltd</i>	<i>Proposed plans for alterations and additions to the existing concrete batching plant and documentation detailing the proposed plans the process of the portable plant.</i>

## 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).

<b>Proponent to complete. DMA and Third Party to complete to the best of their knowledge.</b>		
1	Factor, as defined in <u>EAG 8</u>	Air quality
2	EPA Objective, as defined in <u>EAG 8</u>	To maintain air quality for the protection of the environment and human health and amenity.
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<ul style="list-style-type: none"> <li>• <i>Environmental Protection (Concrete Batching and Cement Production Manufacturing) Regulations 1998</i></li> <li>• <i>Environmental Protection Act 1986</i></li> </ul>

**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	<p>The City has undertaken community consultation with property owners and occupants within 500m of the subject site.</p> <p>Following the consultation period three submissions were made, the key points raised included the following:</p> <ul style="list-style-type: none"> <li>• The plant subjects nearby properties to loud noise from metal on metal machine hammering and vibrators, and tailgate slamming of large tip trucks.</li> <li>• Corrosive windborne dust from the premises has resulted in adjoining premises to replace galvanised gutters and roofing much earlier than normal life expectancy.</li> <li>• Concern about the level of dust particles and cement products from this plant affecting properties hundreds of metres away. Request for testing of air quality to be undertaken to ensure the levels are safe.</li> </ul>
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	<p>Located within a General Industry zone. The lot is located within close proximity to residential dwellings, residential zones, public primary school and the Collier Road and Tonkin Highway intersection.</p>
6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	<p>Sensitive land uses, such as residential dwellings and residential zoned land is located within close proximity to the lot. Residential dwelling with the industrial zone such as 6 Cullen Street, Bayswater is located approximately 75m from the lot. Residential dwellings on residentially zoned land are located north of Beechboro Road and approximately 400m from the lot. Serious concerns are raised with respect to air quality (dust), noise and other pollutants.</p>



**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"><li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li><li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li><li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li><li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li></ul>	<p>Applicant has provided management measures within their supporting report addressing air quality, noise, wastewater management, and waste management.</p>
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**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

<p>8</p>	<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"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>It is considered the applicant has not produced adequate material to demonstrate that the proposal will not generate unacceptable emissions of particulates. In particular, the applicant has not adequately demonstrated:</p> <ul style="list-style-type: none"> <li>(a) details relating to water spraying and sweeping measures to ensure dust materials are contained on site;</li> <li>(b) how dust is captured given the portable plant is an open process and receiving materials from the open bin area;</li> <li>(c) whether and to what extent particulate emission controls for haulage roads within the site will be effective at all times, in particular during the summer months whether strong hot winds and high evaporation rates of water sprayed onto roadways and open surfaces prevail;</li> <li>(d) how the raw materials delivered to the plant will be wetted to a moisture level sufficient to minimise dust emissions during unloading at the proposed development;</li> <li>(e) The relationship between PW10 concentrations and the potential for visible dust emissions which could give rise to resident complaints;</li> <li>(f) The possible effect of near-field wind turbulence from surrounding development that could give rise to up-lift of dust that may be present on open surfaces into the atmosphere; and</li> <li>(g) The effectiveness of the portable plant to ensure compliance with all relevant environmental requirements.</li> </ul>
<p>9</p>	<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 <a href="#">EAG 9</a></p>	<p><input type="checkbox"/> <i>meets the EPA’s objective</i></p> <p><input checked="" 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>

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
10	Describe any assumptions critical to your conclusion (in Question 9). <i>e.g. particular mitigation measures or regulatory conditions.</i>	Provided the applicant fully complies on an ongoing basis with all relevant legislative requirements and potential conditions of approval.

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <a href="#">EAG 8</a>	Amenity
2	EPA Objective, as defined in <a href="#">EAG 8</a>	To ensure that any undue impacts to amenity is reduced as low as reasonably practicable.
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<ul style="list-style-type: none"> <li>• <i>Environmental Protection (Concrete Batching and Cement Production Manufacturing) Regulations 1998</i></li> <li>• <i>Environmental Protection Act 1986</i></li> <li>• <i>Environmental Protections (Noise) Regulations 1997</i></li> </ul>
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"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	The City has undertaken community consultation with property owners and occupants within 500m of the subject site. Following the consultation period three submissions were made, the key points raised included the following: <ul style="list-style-type: none"> <li>• The plant subjects nearby properties to loud noise from metal on metal machine hammering and vibrators, and tailgate slamming of large tip trucks.</li> <li>• Corrosive windborne dust from the premises has resulted in adjoining premises to replace galvanised gutters and roofing much earlier than normal life expectancy.</li> <li>• Concern about the level of dust particles and cement products from this plant affecting properties hundreds of metres away. Request for testing of air quality to be undertaken to ensure the levels are safe.</li> </ul>

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	<p>Located within a General Industry zone. The lot is located within close proximity to residential dwellings, residential zones, public primary school and the Collier Road and Tonkin Highway intersection.</p>
6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	<p>Sensitive land uses, such as residential dwellings and residential zoned land is located within close proximity to the lot. Residential dwelling with the industrial zone such as 6 Cullen Street, Bayswater is located approximately 75m from the lot. Residential dwellings on residentially zoned land are located north of Beechboro Road and approximately 400m from the lot. Serious concerns are raised with respect to air quality (dust), noise and other pollutants.</p>
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"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Applicant has provided management measures within their supporting report addressing air quality, noise, wastewater management, and waste management.</p>

**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

<p>8</p>	<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"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>It is considered the applicant has not produced adequate material to demonstrate that the proposal will not generate unacceptable emissions of particulates. In particular, the applicant has not adequately demonstrated:</p> <ul style="list-style-type: none"> <li>(h) details relating to water spraying and sweeping measures to ensure dust materials are contained on site;</li> <li>(i) how dust is captured given the portable plant is an open process and receiving materials from the open bin area;</li> <li>(j) whether and to what extent particulate emission controls for haulage roads within the site will be effective at all times, in particular during the summer months whether strong hot winds and high evaporation rates of water sprayed onto roadways and open surfaces prevail;</li> <li>(k) how the raw materials delivered to the plant will be wetted to a moisture level sufficient to minimise dust emissions during unloading at the proposed development;</li> <li>(l) The relationship between PW10 concentrations and the potential for visible dust emissions which could give rise to resident complaints;</li> <li>(m) The possible effect of near-field wind turbulence from surrounding development that could give rise to up-lift of dust that may be present on open surfaces into the atmosphere; and</li> <li>(n) The effectiveness of the portable plant to ensure compliance with all relevant environmental requirements.</li> </ul>
<p>9</p>	<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 <a href="#">EAG 9</a></p>	<p><input type="checkbox"/> <i>meets the EPA's objective</i></p> <p><input checked="" 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>

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
10	Describe any assumptions critical to your conclusion (in Question 9). <i>e.g. particular mitigation measures or regulatory conditions.</i>	Provided the applicant fully complies on an ongoing basis with all relevant legislative requirements and potential conditions of approval.

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <a href="#">EAG 8</a>	Human Health
2	EPA Objective, as defined in <a href="#">EAG 8</a>	To ensure that human health is not adversely affected.
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	<ul style="list-style-type: none"> <li>• <i>Environmental Protection (Concrete Batching and Cement Production Manufacturing) Regulations 1998</i></li> <li>• <i>Health Act 1911</i></li> </ul>
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"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	The City has undertaken community consultation with property owners and occupants within 500m of the subject site. Following the consultation period three submissions were made, the key points raised included the following: <ul style="list-style-type: none"> <li>• The plant subjects nearby properties to loud noise from metal on metal machine hammering and vibrators, and tailgate slamming of large tip trucks.</li> <li>• Corrosive windborne dust from the premises has resulted in adjoining premises to replace galvanised gutters and roofing much earlier than normal life expectancy.</li> <li>• Concern about the level of dust particles and cement products from this plant affecting properties hundreds of metres away. Request for testing of air quality to be undertaken to ensure the levels are safe.</li> </ul>
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>	Located within a General Industry zone. The lot is located within close proximity to residential dwellings, residential zones, public primary school and the Collier Road and Tonkin Highway intersection.

**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

6	<p>Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.</p>	<p>Sensitive land uses, such as residential dwellings and residential zoned land is located within close proximity to the lot. Residential dwelling with the industrial zone such as 6 Cullen Street, Bayswater is located approximately 75m from the lot. Residential dwellings on residentially zoned land are located north of Beechboro Road and approximately 400m from the lot. Serious concerns are raised with respect to air quality (dust), noise and other pollutants.</p>
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<p>8</p>	<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"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>It is considered the applicant has not produced adequate material to demonstrate that the proposal will not generate unacceptable emissions of particulates. In particular, the applicant has not adequately demonstrated:</p> <ul style="list-style-type: none"> <li>(o) details relating to water spraying and sweeping measures to ensure dust materials are contained on site;</li> <li>(p) how dust is captured given the portable plant is an open process and receiving materials from the open bin area;</li> <li>(q) whether and to what extent particulate emission controls for haulage roads within the site will be effective at all times, in particular during the summer months whether strong hot winds and high evaporation rates of water sprayed onto roadways and open surfaces prevail;</li> <li>(r) how the raw materials delivered to the plant will be wetted to a moisture level sufficient to minimise dust emissions during unloading at the proposed development;</li> <li>(s) The relationship between PW10 concentrations and the potential for visible dust emissions which could give rise to resident complaints;</li> <li>(t) The possible effect of near-field wind turbulence from surrounding development that could give rise to up-lift of dust that may be present on open surfaces into the atmosphere; and</li> <li>(u) The effectiveness of the portable plant to ensure compliance with all relevant environmental requirements.</li> </ul>
<p>9</p>	<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 <a href="#">EAG 9</a></p>	<p><input type="checkbox"/> <i>meets the EPA’s objective</i></p> <p><input checked="" 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>



<b>Proponent to complete. DMA and Third Party to complete to the best of their knowledge.</b>		
10	Describe any assumptions critical to your conclusion (in Question 9). <i>e.g. particular mitigation measures or regulatory conditions.</i>	Provided the applicant fully complies on an ongoing basis with all relevant legislative requirements and potential conditions of approval.

*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.*