

Schedule of Submissions DA17/0866  
**PROPOSAL: INDUSTRY – EXTRACTIVE : LOTS 2 AND 3 NUTTMAN ROAD, CHAPMAN HILL**  
**SUBMISSIONS CLOSE: 24 Oct 2019**  
**OFFICER: Joanna Wilson**

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT
1.	Department of Water, Environment, and Regulation, Brendan Kelley	<p><u>Submission 1 – 20/12/2017</u></p> <p>Identified risks include:</p> <p><b>Groundwater</b></p> <ul style="list-style-type: none"> <li>• Potential interception of groundwater (insufficient hydrogeological details provided)</li> <li>• Ground water contamination due to potential hydrocarbon spills from heavy machinery either from servicing, refuelling or leaks.</li> <li>• Groundwater contamination with nutrients, if there is insufficient separation to groundwater from the final rehabilitatd surface (for grazing landuse).</li> </ul> <p><b>Surface Water</b></p> <ul style="list-style-type: none"> <li>• Water runoff from the extraction are via sheet flow during major storm events.</li> </ul> <p><b>Water Supply</b></p> <ul style="list-style-type: none"> <li>• Insufficient Water to meet the needs of the proposed extraction, such as water for dust suppression.</li> </ul> <p><u>Submission 2 – 6/11/2019</u></p> <p>The proposed EI site is located within the ‘Busselton Capel Groundwater Area’ and the ‘Geographe Bay Rivers Surface Water Area’, both proclaimed under the ‘Rights in Water and Irrigation Act 1914’.</p> <p>DWER identified a “moderate risk” in its original assessment, as follows:</p> <ul style="list-style-type: none"> <li>• Potential interception of groundwater, noting that insufficient hydrogeological detail was provided, Water runoff (carrying sediment) from the extraction area via sheet flow during major storm events, Insufficient water to meet the needs of the proposed extraction, particularly water for dust suppression.</li> </ul>	<p>Noted.</p> <p>Conditions proposed:</p> <ul style="list-style-type: none"> <li>• separation from groundwater is maintained’</li> <li>• revised stormwater water management plan</li> </ul>

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		<p><b><u>Groundwater</u></b>  Apart from references to water levels in local stock dams, no new information of significance has been provided with regards to groundwater levels beneath the EI site. However, the additional information states:  <i>“Extraction of gravel will be to a depth of up to 2 metres, at least 2 metres above the anticipated maximum groundwater level in this area”</i>  DWER has concluded that this reference to the EI achieving a 2 metre separation to the anticipated maximum groundwater level remains as a presumption.  Nonetheless, after reviewing the referral, DWER acknowledges that the risk of intercepting groundwater in this geological setting is <b>low</b>, where the extraction depth is no more than 2 metres.  As such, given the low risk of interception and exposure of groundwater, DWER accepts that the EI can proceed with standard conditions (below).</p> <p><b><u>Surface water</u></b>  The additional information states:  <i>“It is nit (sic) expected that any form of stormwater management will be required rather, large rainfall events will pond in the pit floor before naturally dissipating”</i>.  And:  <i>“No erosion is anticipated, this will be prevented by the gravelly nature of the soil on this ridgeline”</i>.</p> <p>It is noteworthy that BSO initially stated:  <i>“As a minimum, a 1 in 20 year flood event must be catered for with all stormwater runoff from exposed areas being initially contained on site...”</i></p>	
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		<p>“Silt ponds will be excavated where point flows are draining to for catchment (sic)... These will be of a capacity to capture the surface flow from a 1 in 20 storm event”.</p> <p>“Our clients are committed to closely monitoring drainage/run-off within the excavation areas and will address any problems which may arise. A draft Surface Water Management Plan is supplied”.</p> <p>The additional information contradicts the initial assessment, which does not provide any detail of stormwater management, e.g. calculations of stormwater volumes, information related to cut-off drains, bunds, sediment traps and/or the like.</p> <p>DWER concluded that the risk of uncontrolled stormwater run-off from the EI site remains as <b>moderate</b> and as such a detailed ‘Stormwater Management Plan’ is still highly desirable.</p> <p><b><u>Water supply</u></b></p> <p>The additional information acknowledges:  “... that a water licence will be required if water is utilised for dust suppression. This will be available in the two dams described above and a licence application will be lodged if this extractive industry application is approved”.</p> <p>The proponent will need to demonstrate that they have sufficient water to meet the needs of the proposed extraction, which may require a licence under the ‘Rights in Water and Irrigation Act 1914’.</p>	
2.	Department of Mines, Industry Regulation and Safety Glennis Hall	<p><u>Submission 1 – 5/12/2017</u></p> <p>Noted the proposal and added to the Departments Database of basic raw materials extraction sites.</p>	Noted
3.	Department of Biodiversity,	<p><u>Submission 1 – 30/4/2018</u></p>	Noted

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	<p>Conservation and Attractions Tracy Teede</p>	<p>The SW Environmental 'Black Cockatoo Habitat Assessment' indicated that the site contains primary values for black cockatoos, including trees with hollows suitable for nesting habitat.</p> <p>Baudin's, Carnaby's and the Forest red-tail are listed as threatened species under the EPBC Act.</p> <p>It is noted that an application for clearing permit has been lodged with DWER and DEE , it is expected that the environmental values likely to be impacted by the proposed sand extraction will be adequately considered through the assessment of the clearing permit.</p>	
4.	<p>Cathy &amp; Neil Howard Whicher Ridge Winery 200 Chapman Hill East Chapman Hill WA 6280</p>	<p><u>Submission 1 – 18/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• Insufficient regard for the direct and indirect impact on Whicher Ridge Wines, including but not limited to environmental impacts through dust, noise and traffic and the social and economic impact for wine tourism generally;</li> <li>• The proposed extraction would be less than 1000m from our winery, vineyard, cellar door, wine sensory garden and house;</li> <li>• The Tourist attraction is one of its kind and the proposal would detrimentally impact the business and loss of income;</li> <li>• The attraction depends on a quiet, rural location and the operation of rock breaking, screening and crushing, earth moving equipment and regular truck movements would be contrary to this;</li> <li>• The cellar door is open Thursday to Monday a gravel operation will detrimentally impact on this, in particular due to the operating times;</li> <li>• The DA lacks information in terms of what cells will be worked first, types of stacking, topsoil and gravel stockpiles will be placed, when rock breaking, screening and crushing</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments</li> <li>• Loss of income is not planning consideration</li> <li>• Noise and disturbance is discussed in Officer Comments</li> <li>• The extraction is restricted to Monday to Fridays, see proposed condition 6.2.</li> <li>• See recommended conditions, in respect of noise and dust management plans and discussion in Officer comments.</li> </ul>

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		<p>activities will be carried out, when rehabilitation is scheduled, noise and dust monitoring will be recorded.</p> <p><u>Submission 2 – 24/10/2019</u></p> <ul style="list-style-type: none"> <li>• The development of a gravel extraction pit in such close proximity to our tourism and wine business will have an adverse impact on our wine tourism business;</li> <li>• Opinion has not changed since 2017;</li> <li>• There has been insufficient regard in DA17/0866 for the direct and indirect impacts on Whicher Ridge Wines by this proposal including but not limited to environmental impacts through dust, noise and traffic, and the social and economic impacts for our wine tourism business in particular and for wine tourism businesses more generally in our region;</li> <li>• The basis of our objection to the land clearing is in relation to the removal of the 2.8 hectares of feeding habitat, but more importantly, the removal of 39 potential breeding trees and the removal of 12 potential breeding with existing suitable hollows for breeding;</li> <li>• This area provides feeding and drinking sites for a large number of Red Tailed Black Cockatoos which are listed as vulnerable;</li> <li>• Trees are aged between 100 and 200 years and it is only when the trees age that they provide critical and essential nesting hollows for these birds;</li> <li>• Clearing for mining that results in the loss of eucalypts with nest hollows will result in a loss of breeding habitat for a significant time and so is likely to impact the species.</li> </ul>	<ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments</li> <li>• Noise and disturbance is discussed in Officer Comments</li> <li>• Support from DWER has already been given for the clearing, see Officer Comments.</li> </ul>
	<p>A Howe 367 Nuttman Road Chapman Hill</p>	<p><u>Submission – 08//12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• Noise and disturbance from the crusher and heavy extraction on residential amenity – dwelling is located 550m from site;</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> </ul>

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		<ul style="list-style-type: none"> <li>• it would produce significant more noise than agricultural machinery;</li> <li>• Nuttman Road is not sufficient in width for two vehicles to pass and serious damage will happen to Nuttman Road;</li> <li>• Dieback is prevalent in this area and could be transported to clear areas with the vehicles;</li> </ul>	<ul style="list-style-type: none"> <li>• Haulage route and road upgrades are discussed in Officer Comments.</li> <li>• Dieback Management Plan has been submitted and condition proposed for implementation, see Condition 6.10.</li> </ul>
6.	Fay & Colin Bock 173 Chapman Hill Road Chapman Hill	<p><u>Submission 1 – 15/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• Noise and disturbance to neighbouring properties;</li> <li>• Vibration from the machinery and damage to property;</li> <li>• Impact on health from dust that is generated and lack of water to suppress the dust;</li> <li>• Impact on the water table;</li> <li>• Retention of stormwater to ensure that it doesn't impact the neighbouring property;</li> <li>• Safety concerns for users of the road from haulage vehicles;</li> <li>• Impact on wildflowers and the large flocks of black cockatoos that feed on the property;</li> <li>• The proposal times and length of operation will affect surrounding residents.</li> </ul> <p><u>Submission 2 – 12/6/2018</u></p> <ul style="list-style-type: none"> <li>• Mud slush and gravel flowing into our property has already blocked the City's culvert and debris flowing down the road washing parts of it away.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• Dust Management plan has been submitted and would be required to be implemented, see Condition 6.12.</li> <li>• Condition 6.7 required separation from the maximum water table.</li> <li>• Condition 3.3 requires a revised stormwater management plan.</li> <li>• Haulage route and road upgrades are discussed in Officer Comments.</li> <li>• Support from DWER has already been given for the clearing, see Officer Comments.</li> </ul> <ul style="list-style-type: none"> <li>• Condition 3.3 requires a revised stormwater management plan.</li> </ul>
7.	Claire Geracitano 208 Nuttman Rd Chapman Hill 6280	<p><u>Submission 1 – 12/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• The neighbouring block is a conservation lifestyle property and we would like to protect the area from disturbance;</li> <li>• Impact on rare flora and fauna;</li> <li>• Rehabilitation of other pits has not be undertaken or enforced, leaving dirt and weeds.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• Support from DWER has already been given for the clearing, see Officer Comments;</li> <li>• Rehabilitation will be a condition of the approval and required by DWER.</li> </ul>

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8.	Simon Brown 290 Chapman Hill East Road Chapman Hill	<u>Submission 1 – 19/12/2017 - Objection</u> <ul style="list-style-type: none"> <li>• Dust and noise associated with the operation will be in excess of farming activities;</li> <li>• How much water will be required and where will this be sourced;</li> <li>• Increase in truck movements poses an unacceptable risk to current residents, the road infrastructure is inadequate;</li> <li>• There is an existing gravel pit on Chapman Hill Road and the drivers have no regard for safety of other users.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• Condition 3.5 requires details validating the water supply.</li> <li>• Haulage route and road upgrades are discussed in Officer Comments.</li> <li>• This is a matter for the police.</li> </ul>
9.	Margaret River Tourism Association 100 Bussell Highway Margaret River WA 6285	<u>Submission 1 – 12/12/2017 - Objection</u> <ul style="list-style-type: none"> <li>• The proposal would have an adverse impact on an adjoining winery that offers visitors a unique experience;</li> <li>• The winery has a ‘one of a kind’ wine sensory garden which is included in the Margaret River Organic Garden Trial and featured in several magazines;</li> <li>• The proposal would be located 500m-1000m from the cellar door building, vineyard and wine sensory garden – it is expected the operations will be affected;</li> <li>• The gravel extraction will be audible and visible disrupting the peaceful vineyard and garden experience for visitors;</li> <li>• Negative impact on tourism facilities and experiences to visitors from extractions.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• As above</li> <li>• Noise and disturbance is discussed in Officer Comments.</li> </ul>
10	V Bussell 225 Nuttman Road Walsall 6280	<u>Submission 1 – 13/12/2017 - Objection</u> <ul style="list-style-type: none"> <li>• No objection to the gravel extraction;</li> <li>• Objection to the use of Nuttman Road without it being widened to 6m seal.</li> </ul> <u>Submission 2 – 10/10/2019</u> <ul style="list-style-type: none"> <li>• The access should be amended so that it is not on the bend of Nuttman Road as it would have insufficient sightlines;</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Haulage route and road upgrades are discussed in Officer Comments.</li> <li>• Discussed in the Background section and Officer Comments, access has been amended.</li> </ul>

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	Geographe Wine Industry Association PO Box 6026 Bunbury	<u>Submission 1 – 13/12/2017 - Objection</u> <ul style="list-style-type: none"> <li>• Insufficient regard for the direct and indirect impact on Whicher Ridge Wines, including but not limited to environmental impacts through dust, noise and traffic and the social and economic impact for wine tourism generally;</li> <li>• Whicher Ridge includes a sensory garden which will be significantly impacted;</li> <li>• The Geographe Wine Region and wine producers are significant contributors to the economy and local economy;</li> <li>• Wine tourism is enhanced by and critical to the quality of the pristine and unique landscape and a ‘clean-green’ environment.</li> </ul>	Noted <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• Noise and disturbance is discussed in Officer Comments.</li> <li>• Noted, not a planning consideration</li> <li>• Noise and disturbance is discussed in Officer Comments.</li> </ul>
12	D Bussell 225/245 Nuttman Road Chapman Hill WA 6280	<u>Submission 1 – 15/12/2017 - Objection</u> <ul style="list-style-type: none"> <li>• The road width is not safe for large trucks, in some sections it is inadequate for the school bus and passing vehicles;</li> <li>• Proposed access would result in the removal of vegetation and located on a corner with inadequate visibility.</li> </ul>	Noted <ul style="list-style-type: none"> <li>• Haulage route and road upgrades are discussed in Officer Comments</li> <li>• Discussed in the Background section and Officer Comments, access has been amended</li> </ul>

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13	J Bussell 225 Nuttman Road Chapman Hill WA 6280	<p><u>Submission 1 – 15/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• The road width is not safe for large trucks, the road should be widened to 6m;</li> <li>• Proposed access would result in the removal of vegetation and located on a corner with inadequate visibility.</li> </ul> <p><u>Submission 2 – 9/10/2019</u></p> <ul style="list-style-type: none"> <li>• No mention of getting a clearing permit to clear the road reserve at the proposed new access on to the dangerous gravel corner of Nuttman Road;</li> <li>• Worst place for access let along destroying a black cockatoo roosting strong hold;</li> <li>• Existing access design for large trucks and requires no clearing or widening;</li> <li>• Support the application but only if the access is moved back to the existing entry.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Haulage route and road upgrades are discussed in Officer Comments</li> <li>• Discussed in the Background section and Officer Comments, access has been amended</li> </ul> <ul style="list-style-type: none"> <li>• Discussed in the Background section and Officer Comments, access has been amended.</li> <li>• As above</li> <li>• Access has been amended so that clearing would not be required.</li> <li>• Noted.</li> </ul>
14	Patrick Iland Wine Promotions PO Box 131 Campbelltown SA 5074	<p><u>Submission 1 – 12/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• We recently featured Whicher Ridge Winery sensory garden in our Australian Wines book due to the innovative, unique and educational way of introducing people to the sensory experience of wine making;</li> <li>• It is a peaceful, scenic country setting that would be greatly detracted from a gravel pit. Furthermore the associated movement of trucks would diminish the rural appeal;</li> <li>• The winery would become a less attractive destination for tourists.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments</li> <li>• Noise and disturbance is discussed in Officer Comments</li> </ul>
15	P & V Dowson 1 Nuttman Road, Chapman Hill WA 6280	<p><u>Submission 1 – 20/12/2017 - Objection</u></p> <ul style="list-style-type: none"> <li>• Owned property for 30 years with the intention of retirement in a peaceful and tranquil surrounding.</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Noise and disturbance is discussed in Officer Comments</li> </ul>
16	Birdlife Western Australia 167 Perry Lakes Drive, Floreat WA 6014	<p><u>Submission 1 – 23/10/2019 - Objection</u></p> <ul style="list-style-type: none"> <li>• The information available shows that 12 trees are suitable for black cockatoo nesting and that there are others that may become suitable;</li> </ul>	<p>Noted</p> <ul style="list-style-type: none"> <li>• Support from DWER has already been given for the clearing, see Officer Comments;</li> </ul>

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17	Andrea Granagan 508 Nuttman Road WALSALL WA 6280	<u>Submission 1 – 9/10/2019 - Objection</u> <ul style="list-style-type: none"> <li>• Nuttman road not designed or adequate for heavy traffic;</li> <li>• Object to noise generated which will be heard from our home;</li> <li>• Frequently see emus, kangaroos and large lizards. Proposal will be devastating on the wildlife in this area.</li> </ul>	Noted <ul style="list-style-type: none"> <li>• Haulage route and road upgrades are discussed in Officer Comments</li> <li>• Noise and disturbance is discussed in Officer Comments</li> </ul>