Extractive Industry Application

365 Mallokup Road, Stirling Estate

Dunkley Holdings Pty Ltd

Prepared by:

SLR Consulting Australia Pty Ltd

SLR Project No.: 675.V23434.00EA1

26 June 2026

Revision: v1.0

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
v0.1	1 December 2025	Campbell Green	Daniel Lewis	
v1.0	26 June 2026	Hannah Kelly	Daniel Lewis	Daniel Lewis
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Basis of Report

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Dunkley Holdings Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid. SLR may have used AI in the preparation of this document.

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1.0 Development Application Details

Table 1: Development Application Details

Proposed Development	Industry - Extractive
Applicant	SLR Consulting Australia Pty Ltd (SLR), on behalf of Dunkley Holdings Pty Ltd
Landowner	Dunkley Holdings Pty Ltd
Type of approval sought	Development Application to be determined by the Development Assessment Panel (DAP Form 1)
Subject site	Lots 159, 168 & 203 Ludlow Road North and 167 (No. 365), 204, 205, 206 and 207 (No. 363), Mallokup Road, Stirling Estate
Property address	365 Mallokup Road, Stirling Estate
Proposed extraction area	9.6175 ha
Estimated development value	$2,250,000

Table 2: Planning Framework Details

Local Government Area	Shire of Capel
Region Scheme	Greater Bunbury Region Scheme (GBRS) – Rural Zone
Local Planning Scheme	Shire of Capel Local Planning Scheme No. 8 – Priority Agriculture Zone
Land Use Permissibility	A (use not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions)
Aboriginal and/or Local Heritage Considerations	N/A
Environmental Considerations	Existing scattered native vegetation and planted trees
Relevant State Planning Policies, Development Control Policies, Position Statements and/or Planning Bulletins	• SPP 2.4 Basic Raw Materials • SPP 3.7 Bushfire • Greater Bunbury Region Scheme Strategic Minerals and Basic Raw Materials Resource Policy (2018) • EPA Separation Distances between Industrial and Sensitive Land uses (GS3)
Local Planning Policies	• Local Planning Policy 6.2 – Extractive Industry
Local Law	• Shire of Capel Extractive Industry Local Law (2016)

2.0 Consultant List

This development application has been prepared by SLR on behalf of Dunkley Holdings Pty Ltd with input from the following specialist consultants.

Table 3: Consultant List

Planning Consultant	Element Advisory (Part of SLR)
Licensed Surveyor	Harley Dykstra
Environmental Consultant	Accendo
Zoologist	Greg Harewood
Ecologist	Plantecology
Acoustic Consultant	SLR
Hydrologist	Hyd2o
Traffic and Transport	PTG Consulting

3.0 Introduction

This Development Application (DA) has been prepared by SLR on behalf of Dunkley Holdings Pty Ltd for an Extractive Industry over 365 Mallokup Road, Stirling Estate (the subject site).

The subject site is 50.0352ha, currently used for agricultural purposes. A single dwelling is located in the northeastern corner of the site within Lot 167 (No. 365) Mallokup Road, outside of the proposed extraction boundary, which will be retained.

The purpose of this DA is to seek approval from the Regional Development Assessment Panel (RDAP) to allow sand and limestone extraction within the predominantly cleared and degraded portion of the site to a maximum depth of 1.0mAHD to remain 0.5m above the maximum groundwater level. The proposed development is estimated to yield approximately 300,000m3 of sand and limestone.

This report provides an overview of the subject site and the proposed development, as well as a detailed assessment against the relevant planning requirements and an examination of the planning merits of the proposal.

This report is accompanied by the following detailed technical reports, statements, approvals and plans:

- Appendix A – Certificate of Title
- Appendix B – Planning Assessment
- Appendix C – Development Plans
- Appendix D – Acoustic Report
- Appendix E – Traffic Impact Statement
- Appendix F – Environmental Management Plan
- Appendix G – Groundwater Monitoring Report
- Appendix H – Geotechnical Investigations

4.0 Subject Site

4.1 Property Description, Ownership and Locality

The subject site is situated approximately 4km northwest of the Capel Town Centre and 22km south of the Bunbury City Centre.

The proposed staged extraction area totals approximately 9.6175ha of the 50.0352ha of property as outlined within the Excavation Works Plan.

Refer to Appendix C – Development Plans.

The subject site contains an existing residence and outbuildings fronting Mallokup Road in the northeastern portion of the property within Lot 167 (No. 365) Mallokup Road. There are no above-ground services located near the proposed extraction area. The extraction area of the subject site has historically been used for agricultural purposes and currently accommodates several cleared paddocks with lines of planted trees along the fence line.

Most lots on the subject site are owned by Dunkley Holdings Pty Ltd, with Lot 203 being owned by Alison Thelma Dunkley. Lots 201 and 202 to the west are privately owned. Lot 60 to the east is a dense native vegetation reserve with no buildings onsite, owned by the State of Western Australia.

The property details are provided within Table 4, with a copy of the Certificates of Title attached at Appendix A.

Table 4: Property Details

Lot No.	Landowner	Area	Vol.	Folio	Plan No.
159	Dunkley Holdings Pty Ltd	4.02ha	35	34A	P116463
167	Dunkley Holdings Pty Ltd	12.45ha	1210	643	P121267
168	Dunkley Holdings Pty Ltd	4.05ha	1210	644	P128606
203	Alison Thelma Dunkley	4.67ha	1949	849	P128606
204	Dunkley Holdings Pty Ltd	4.86ha	1210	647	P128606
205	Dunkley Holdings Pty Ltd	6.71ha	1210	647	P128606
206	Dunkley Holdings Pty Ltd	5.85ha	1210	647	P128606
207	Dunkley Holdings Pty Ltd	7.41ha	1210	647	P128606

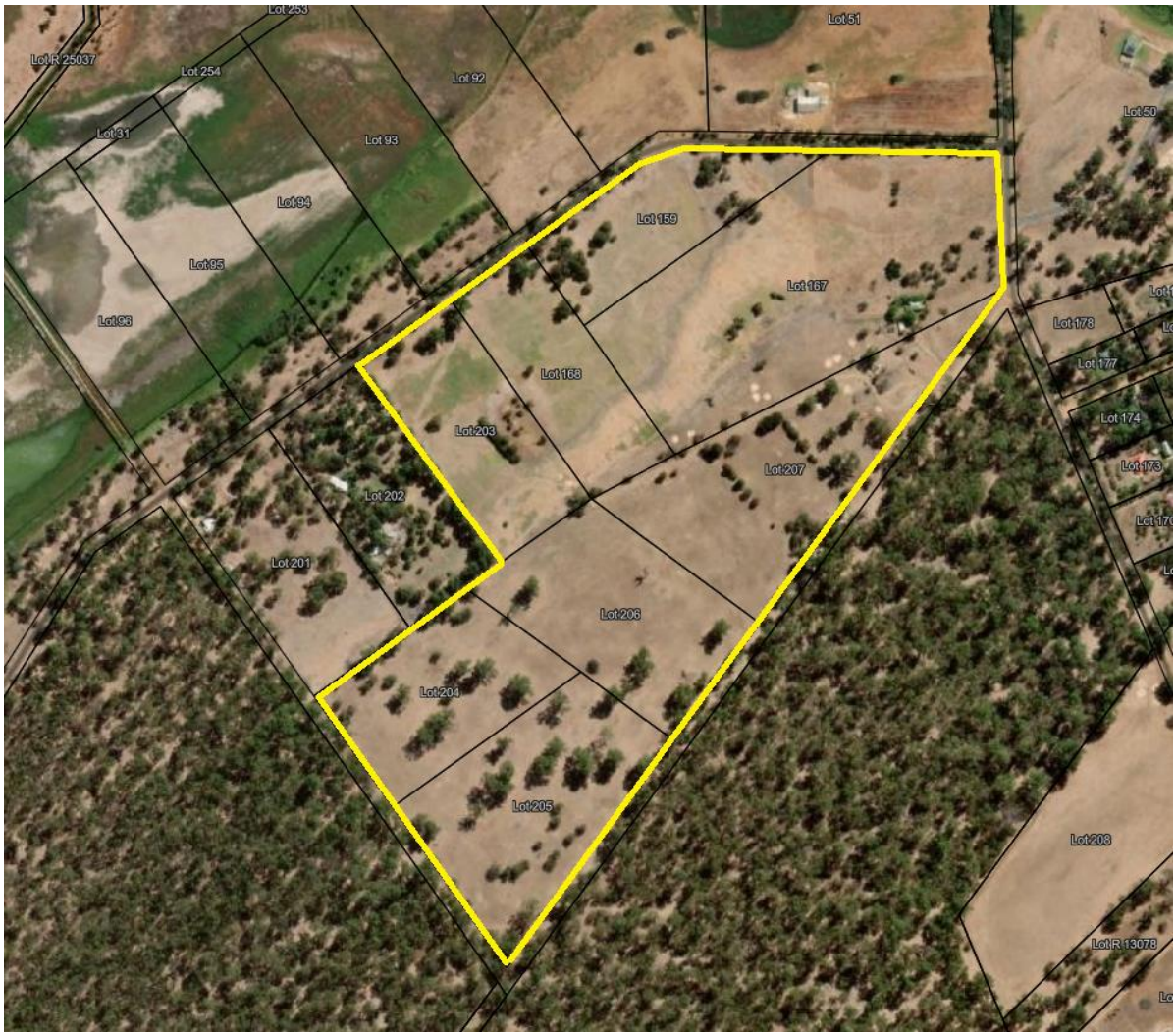

Figure 1: The subject site

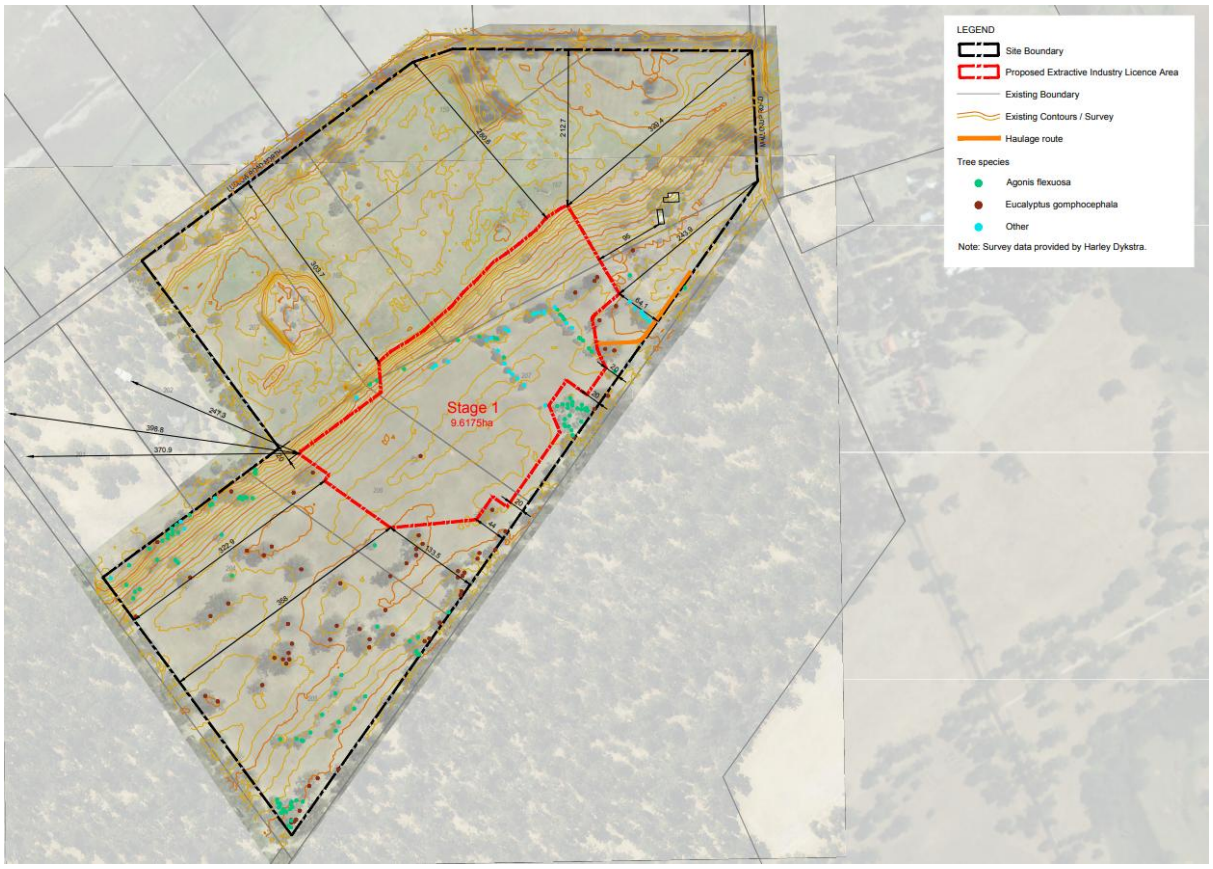

Figure 2: Subject site including vegetation, buildings, topography, proposed extraction area and haulage route

4.2 Heritage and Environmental Considerations

4.2.1 Existing Site Topography

The topography of the subject site is a slight slope upwards from the northern portion of the site moving south. The surrounding area is very low-lying and wet, situated at 1m AHD at the lowest. The high-point of the sand and limestone resource is located at the southern rear of the site at slightly over 6m AHD in elevation. Elevations within the proposed extraction area range from 1-5m AHD.

Refer to the Site Plan at Appendix C.

4.2.2 Geology, Soils and Groundwater

The subject site has been assessed by Galt Geotechnics and found to include fine to coarse grained orange, yellow and brown sand suitable for engineered fill. Additionally, the site was shown to house Tamala Limestone beneath the sand resource.

Regional groundwater flows on the subject site generally south to north, flowing towards the wetlands. Hyd20 have undertaken a groundwater monitoring program throughout 2024 and 2025. A depth from natural surface to annual maximum groundwater level (AAMGL) was determined, ranging from -0.08 mAHD in the south east of the monitoring area to 0.72 mAHD in the north west of the monitoring area.

Refer to the Groundwater Monitoring Report at Appendix G and Geotechnical Investigations at Appendix H.

4.2.3 Acid Sulphate Soils (ASS)

Department of Water and Environmental Regulation (DWER) Acid Sulphate Soil (ASS) risk mapping for the Swan Coastal Plain demonstrates that a portion of the extraction area is at a moderate to low risk of containing ASS. Due to no extraction of sand or limestone below the groundwater level, the risk associated with disturbance of ASS is considered low for this proposal.

4.2.4 Surface Water

The site is well drained through highly permeable sandy soils allowing for all surface water to be contained onsite through onsite infiltration. No surface water is to be discharged offsite and is contained pursuant to Water Quality Protection Note No. 15 (WQPN 15).

4.2.5 Wetlands

Pursuant to the DWER Geomorphic Wetland mapping data, the subject site is not identified as containing any geomorphic wetlands.

4.2.6 Native Vegetation

An Environmental Management Plan (EMP) has been prepared by Accendo. The report highlights that the subject site is comprised of pasture areas that have been 'parkland cleared' apart from paddock trees consisting mainly of Eucalyptus gomphocephala (Tuart) and Agonis flexuosa (Peppermint).

The Tuart woodland within the extractive site is considered to be in a 'Poor' condition.

Surrounding the subject site to the east and south of the subject site is vegetation mapped as the Tuart Woodland TEC. The vegetation survey conducted by Plantecology (2025) determined that the subject site only captures approximately 1.3 ha of a patch of Tuart woodland TEC. The patch that intersects the subject site is comprised of three planted Tuarts which comply with the diagnostic criteria associated with the federally listed Tuart Woodlands on the Swan Coastal plan TEC, and therefore approval pursuant to the EPBC Act will be required for their removal.

The south-eastern portion of the extraction area is mapped as an Environmentally Sensitive Area (ESA) due to its proximity to the Summerlea Heritage Place (Heritage Place No. 14961).

Refer to the Environmental Management Plan at Appendix F.

4.2.7 Native Fauna

A fauna assessment has been undertaken by Greg Harewood in 2025, covering 23 ha of the subject site. Key findings include:

- As a consequence of the survey area's history of disturbance and lack of natural vegetation, the original fauna diversity has been significantly compromised. The area would now only support a small subset of the original fauna assemblage, with most (though not all) of those using the area being generally widespread, common species (mostly birds) able to persist in highly disturbed areas.
- The overall poor value of the habitat present is however supplemented by the fact that the Tuart Forest National Park borders the survey area on two sides and some

fauna species which otherwise may not persist in the survey area alone could potentially frequent the area, if only occasionally.

- The survey area contains no hollow bearing trees suitable for breeding back cockatoos and the black cockatoo foraging habitat present is of low overall value. No evidence of black cockatoos roosting was evident during the survey period.
- No evidence of western ringtail possum (WRP) was detected within the proposed stage boundaries however a small number of scats were detected elsewhere in the survey area. WRPs are also known to be common in the adjoining Tuart Forest National Park. Habitat within the stage boundaries is relatively poor given scattered nature of trees and paucity of favoured plant species and only a small number of occasional transient WRP individuals are therefore anticipated to occur, if only occasionally. The potential presence of WRPs will need to be taken into consideration during the approval and development process.
- Several additional species of conservation significance may also utilise the survey area, though, as no evidence of their presence was identified during the field survey, their status in the area remains uncertain.

The fauna assessment notes that, in cases where some habitat is present and available information indicates at least some probability of a species occurrence, likely impacts are anticipated to be related to the loss of small areas of habitat and in some cases, the potential for fauna to be killed or injured during clearing. However, the landowner's intent is for extraction to progress without the need for clearing.

Refer to the Environmental Management Plan at Appendix F.

4.2.8 Heritage

A search using the Department of Planning, Lands and Heritage (DPLH) mapping system indicates that there are no places with Aboriginal Cultural Heritage significance on the subject site.

Furthermore, the Heritage Council's State Heritage Register and the Shire's heritage records indicate there are no sites or places of State or Local heritage significance that will be impacted by the proposed development.

5.0 Proposed Development

5.1 Development Details

5.1.1 Overview

The proposal is for sand and limestone extraction restricted to 9.6175ha of the subject site. Extraction is to occur over five (5) stages, with each stage to comprise of an area no more than 2ha open to extraction at any given time.

Sand and limestone extraction is to be completed by the landowner, with haulage proposed to use 19m trucks on the road network identified in the Haulage Route Plan attached in Appendix C. The haulage route is to connect to Bussel Highway via Mallokup Road and Stirling Road to the east of the subject site.

Following extraction, the site is to be recontoured to enable rehabilitation to pasture in accordance with the Rehabilitation Management Plan attached as an Appendix G of the EMP.

Refer to the Environmental Management Plan at Appendix F.

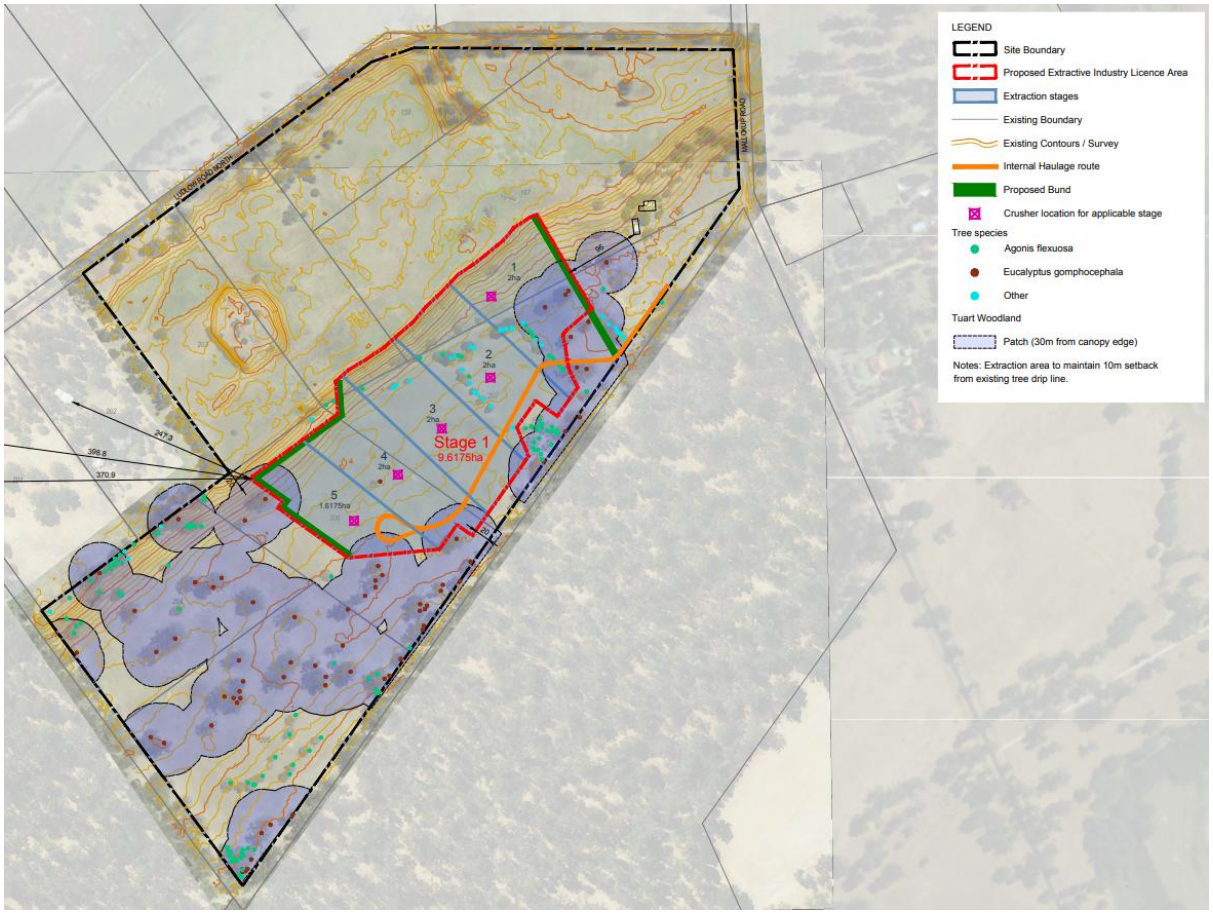

Figure 3: Proposed excavation works plan

Table 5: Development Details

Subject Site area	50.0352ha
Material	Sand and Limestone
Lot Boundary Setbacks	Minimum 20m
Minimum Separation Distance to Sensitive Land Use	150m (west) at Stage 5
Extractive Industry License Area	9.6175ha
Rehabilitation Area (% of Extraction Area)	100%
Rehabilitation Type	Pasture
Requested Approval Timeframe	10 years (8 years extraction activity, 2 years rehabilitation)

Extraction Method	Front-end loader, D9 Dozer, Excavator, campaign crusher and screen
Batter Slopes (Vertical: Horizontal)	1:6
No. of Stages	5
Proposed Extraction Yield	300,000m^3
Annual Extraction Rate (Estimate)	50,000m^3 per year
Depth of Extraction	To 1.0 mAHD to remain 0.5m above the water table
Proposed Haulage Vehicle Movements	Maximum of 20 trips per peak hour (in inbound and 10 outbound) (dependent on market demand)
Haulage Route	Refer to Appendix C
Hours of Operation	Mon-Fri: 7:00am to 6:00pm Sat: 7:00am to 12:00pm No works are to occur on Sundays or Public Holidays.

Machinery located onsite during daily extraction works may include but are not limited to the following:

- A loader for the purpose of loading sand and limestone into trucks;
- A bulldozer or tracked bobcat for the clearing of topsoil located within each extraction stage and the sequential rehabilitation of each stage by respreading topsoil;
- Trucks for transporting material off-site; and
- A 15KL watercart for dust suppression.

The duration of works onsite are anticipated to occur over an eight-year period in accordance with a time-limited extractive industry license granted under the *Shire's Extractive Industry Local Law (2016)*.

It is anticipated that all material may be extracted within eight (8) years, with rehabilitation to be completed following the completion of each stage, resulting in a 10-year approval period overall.

Rehabilitation and ongoing monitoring and maintenance of the rehabilitation area to a self-sustaining status will require management over a period of 2 years following the completion of works onsite.

The following activities are expected as part of the on-going operation of the site:

- Removal and Stockpiling of Topsoil - the top 100mm of topsoil from the active extraction stage is to be removed and stockpiled. Stockpiles are to be located where convenient within each extraction stage for operations with a batter no greater than 1:3 to ensure minimal erosion of the stockpile during winter periods and a height no greater than 2m for reduced wind erosion.
- Sand and limestone excavation - active excavation of the sand and limestone resource from within the stage and loading of trucks for haulage offsite.
- Screening - Screening of excavated material may be required dependent upon the particle size of material and market demand for material permeability. Should screening be undertaken onsite, a mobile screen is to be located within centre of the stage. Material is to be loaded into the screen by front-end loader prior to loading trucks for haulage.

- Crushing – A crusher is to be located within the centre of the stage (as shown on the Excavation Works Plan in Appendix C) and operated in accordance with the environmental acoustic report attached at Appendix D. It is noted that, at Stage 5, the crusher may need to be moved 15m to the east of the location shown in the Excavation Works Plan to meet noise requirements, as discussed in the environmental acoustic report.
- Final contouring and topsoil respread - A combination of equipment may be used to undertake spreading and earthworks including a bulldozer and/or tracked bobcat. Final batters are to be no greater than 1:6 and certified by a feature survey prior to rehabilitation to pasture.
- Site rehabilitation – Rehabilitation is to be completed in stages, following each stage of extraction. Annual reporting for pasture re-establishment is to be provided to the Shire annually, in compliance with an anticipated condition of the extractive industry license.

5.1.2 Stages of Excavation

Extraction is to progress gradually in five (5) sequential stages, followed by progressive rehabilitation to pasture. Extraction will begin in the north-eastern portion of the extraction area and move south-west, in accordance with the stages shown on the Excavation Works Plan in Appendix C.

5.1.3 Depth of Extraction

The maximum depth of extraction is to be limited to 1 mAHD, +0.5m above the maximum ground water level monitored onsite (+0.5 mAHD). Detailed post extraction contours are provided within the Maximum Extraction Design Plan provided at Appendix C.

It is the operator’s responsibility to not exceed this depth of extraction to prevent any risk of exposing groundwater within the site.

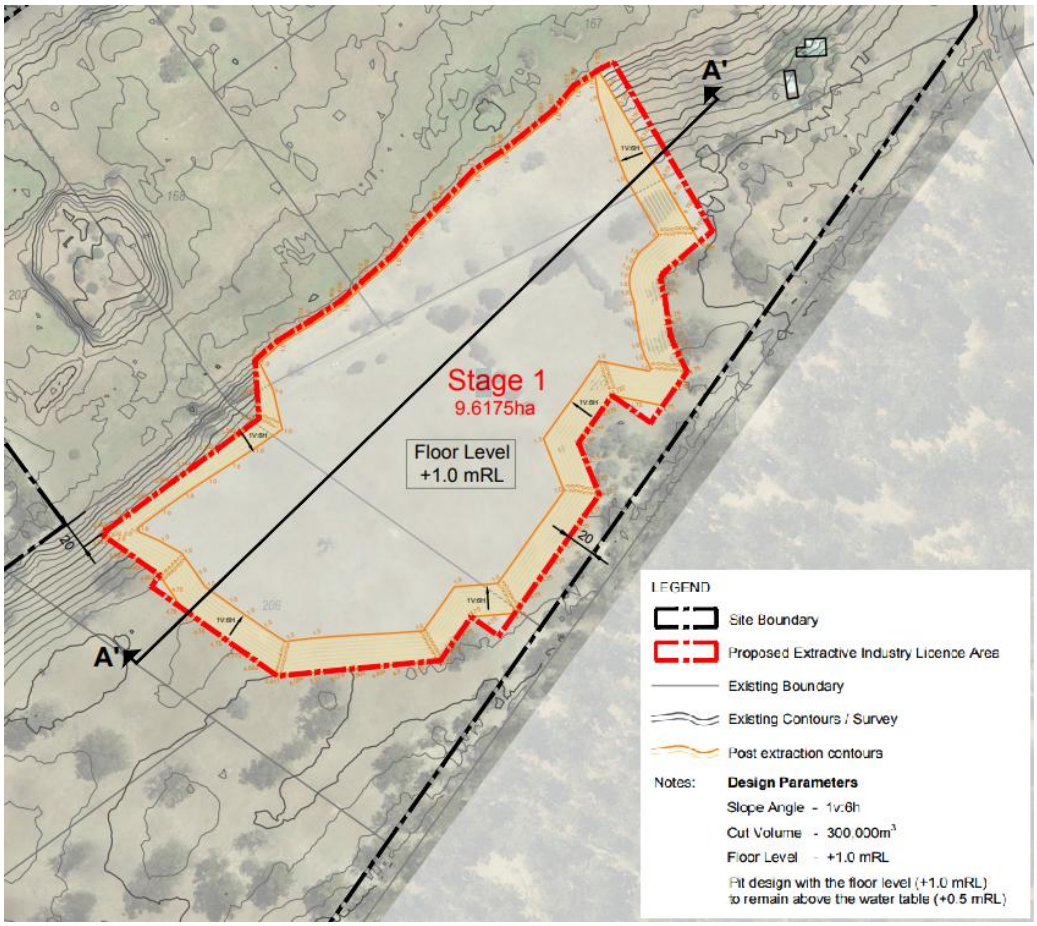

Figure 4: Proposed maximum extraction design plan

5.1.4 Site Access and Movement

Site access is set out within the Excavation Works Plan and Haulage Route Plan provided at Appendix C.

External haulage will utilise Mallokup Road before accessing regional access through to Bussell Highway. The proposed haulage route is adequate to accommodate the proposed 19m as-of-right vehicles.

Internal access will utilise a limestone access road constructed during extraction operations for loading and turnaround facilities as required by operations. Removal of the internal limestone driveway will be completed prior to rehabilitation of each extraction stage and amelioration to the soil pH completed to ensure pasture growth (if required).

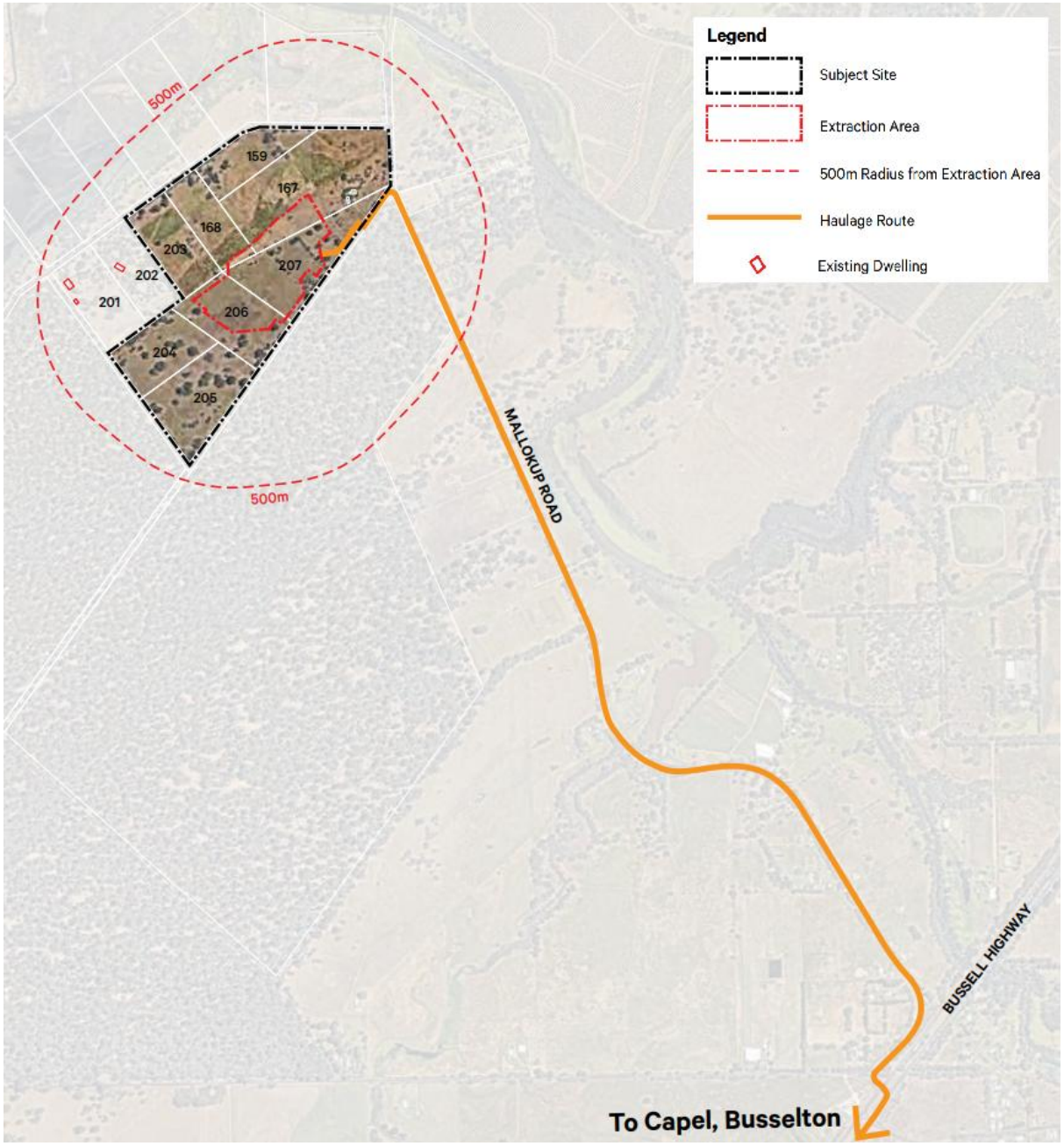

Figure 5: Proposed haulage route

5.1.5 Hours of operation

The proposed hours of operation are 7:00am to 6:00pm, Monday to Friday inclusive, and 7:00am to 12:00pm on Saturdays. No works are to occur on Sundays or Public Holidays.

5.1.6 Site Office & Ablutions

Operations onsite may require a site office and portable ablution facilities in periods of peak haulage and activity onsite. These are to be lodged at the entrance to the site adjacent to the proposed internal haulage route.

5.1.7 Water Supply for Dust Suppression

It is anticipated that during the summer months of October to March, approximately 30KL (two full water carts) will be required for dust suppression per day. An estimated 4,500KL of water is required per year for dust suppression. This volume of water supply is to be provided by use of the existing groundwater bore onsite owned by the landowner.

5.2 Noise

An acoustic report was prepared by SLR to model proposed developments noise emissions with a copy of the report included at Appendix D.

This informed the Noise Management Plan at Appendix E of the EMP, which describes the proposed management measures necessary to ensure noise impacts on surrounding receptors will be managed in accordance with best practice and the *Environmental Protection (Noise) Regulations 1997*.

Management measures outlined in the Noise Management Plan include:

- As part of site inductions, employees, contractors and visitors to the site are reminded of their responsibility to undertake work activities in an environmentally sensitive manner, including minimising noise while on site, or entering and leaving the site.
- Daily planning
    - The use of significant noise generating equipment or activities simultaneously is avoided.
    - The noisiest activities are scheduled to the least sensitive times of the day
- Regular review of meteorological data, specifically wind speed and direction, to guide decisions on quarrying activities.
- Equipment and machinery
    - Use machinery and equipment with minimal noise output levels.
    - Ensure all machinery is regularly serviced as per the equipment's maintenance schedule to minimise noise generation.
    - Where appropriate, all machinery and equipment will be shut off when not in use.
    - Use flashing lights/broadband alarms instead of tonal reversing alarms on excavators/loaders.
    - Apply speed restrictions (20 km/hr) within the site and a ban on exhaust breaking.
- Earth bunds
    - Overburden and topsoil will be used to form perimeter bunds to assist with noise screening.
    - Earth bunds around the plant, as specified in either Figure F or Figure G of the Acoustic Assessment (Appendix D) will be constructed to reduce noise impacts to nearby residents.
- Erect on-site signage directing public to make complaints to the relevant person.
- Maintain a Complaints Register. If the complaint is verified as being due to a site source, remedial action will be undertaken within 2 hours. The Shire of Capel will be

advised of all complaints as soon as they are received. If a complaint cannot be resolved within the 2-hour response period, it may be necessary to cease operations.

Refer to Appendix D – Environmental Acoustic Report and Appendix F – Environmental Management Plan

5.3 Traffic and Transport

A Transport Impact Statement (TIS) has been prepared by PTG in support of the proposed haulage operations onsite.

The TIS makes the following conclusions:

- The proposed development is estimated to generate the following truck movements:
  - Maximum of 10 loaded trucks per hour (20 combined in-and-out trips)
  - Up to 50 loaded trucks per day (100 combined in-and-out trips) during typical busy periods
  - Occasional periods of peak demand where additional daily trips will occur.
- The extracted material will be transported between site and Bussell Highway via Mallokup Road by 19m semi-trailer trucks.
- Access to the site from Mallokup Road is via ‘Road 300’ (an unsealed, unconstructed public road reserve) and an existing crossover from ‘Road 300’ to the site, approximately 150m south west of Mallokup Road. This existing crossover will be upgraded to accommodate the design vehicle movements.
- While the swept paths show that the 19m trucks can undertake the left-in and right-out turns at the intersection within the unsealed section of Road 300, it is recommended that Road 300 be sealed at the throat of the intersection to accommodate the volume of haulage trucks as part of the proposed extractive industry development. The extents of the sealing of Road 300 should be undertaken to the Shire of Capel specification and be able to accommodate the swept paths.

Overall, the TIS confirms that the proposed development is expected to have minimal impact on the traffic operations and safety of the surrounding network.

Refer to Appendix E – Transport Impact Statement

5.4 Native Flora and Fauna Management

The three planted tuarts in stage one comply with the diagnostic criteria associated with the federally listed Tuart Woodlands on the Swan Coastal Plan TEC, and therefore approval pursuant to the EPBC Act will be required for their removal.

Other than approval under the EPBC Act should the identified tuarts be removed, the EMP does not propose any specific mitigation measures relating to flora and fauna. It notes the following:

- No impact to any flora or vegetation of conservation significance is proposed, as confirmed via a vegetation survey (Plantecology, 2025)
- No impacts to groundwater will result from the proposal and therefore any potential impacts to stygofauna or troglofaunal are considered unlikely.
- Three planted trees within the subject site with a DBH greater than 50 cm were identified, one of these trees contained possible hollows but were considered unsuitable for Black Cockatoos. Additionally, there was no evidence of Black

Cockatoos roosting within the trees located within the subject site. Overall, the foraging value of the subject site for Black Cockatoos can be regarded as being very low given the paucity of favoured foraging species (Harewood, 2025).

- Furthermore, available mapping indicates that there is approximately 7,000ha of remnant native vegetation within a 12km radius of the subject site. The majority of this is unlikely to contain 'potential' breeding habitat as defined by DCCEEW (i.e. suitable trees species with a DBH >30 cm) (Harewood, 2025). On this basis, clearing three planted, potential habitat trees (without hollows), representing approximately 0.03ha of highly degraded vegetation, would result in a 0.0004% reduction in Black Cockatoo habitat within 12 km radius of the subject site.
- The presence of preferential foraging species within the subject site such as planted Peppermint represents potential WRP habitat, albeit marginal in quality due to the absence of canopy connectivity and understorey. The subject site contains approximately 0.03 ha of native vegetation that provides potential habitat which will be removed. Given that this is a reduction of 0.007% of the WRP habitat within a 2km radius, this is unlikely to be significant to the WRP population in the local area. Furthermore, no evidence of WRP utilising this vegetation for any purpose was recorded during the fauna survey (Harewood, 2025).

In consideration of the above, the EMP confirms that no significant impacts to species of conservation significance are anticipated as a result of the proposal.

Refer to Appendix F – Environmental Management Plan

5.5 Dieback Management

Dieback management Plan has been addressed in the EMP, setting out the contingency measures required to prevent the introduction and spread of *Phytophthora cinnamomi* within the subject site.

Dieback management measures proposed are listed below:

- Training will be provided to all personnel during an initial safety and environment induction course. This will include an explanation of the specific requirements with regard to Phytophthora dieback management.
- Fencing and lockable gates will be maintained and used to control unauthorised access to the excavation area.
- As far as reasonable and practicable haulage vehicles are to be cleaned of all loose external soil and plant material prior to entry and exit from the extraction area.
- Access to the subject site during operation will be restricted to the proposed roads. No other access points should be established. The access location and vehicle inspection point should be clearly sign posted.
- The extraction area will be managed to avoid ponding of surface water where vehicle access is required.
- Trucks will be loaded and covered to ensure there is no spillage of material during transport.

Refer to Appendix F – Environmental Management Plan

5.6 Dust Management

Dust generated onsite is to be managed in accordance with Dust Management Plan, attached as Appendix F to the EMP.

As outlined within the Dust Management Plan, the following management actions will be taken to minimise dust impacts:

- Notice to be erected at the site, providing contact details of the person to be contacted regarding the works. This person will also be available outside of operational hours to address any complaints.
- Induction for all employees will include information on:
    - Potential sources of dust
    - Dust Management Plan
    - Speed limits onsite and staying on designated roads
    - Reporting procedure for dust issues
- Topsoil stripping shall not occur during winds in excess of 30 km/hr.
- Areas of land cleared and the period of time they remain cleared are to be kept to a minimum.
- Water trucks are to water down unsealed roads during operation to reduce dust lift.
- Stockpiles, where possible, will be limited to the anticipated cubic volume/vehicle movement for cartage on the following operating day.
- Temporary stockpiles and exposed areas will be watered and stabilised as required. Stabilisation techniques that will be considered depending on environmental conditions will include hydro-mulching.
- Topsoil stockpiles will be watered and stabilised as required. Stabilisation techniques that will be considered depending on environmental conditions will include hydro-mulching and/or seeding with cover crops such as (but not limited to) cereal rye.
- Minimise area impacted on and the time between extraction and rehabilitation (maximum 2 hectares open at any one time).
- Managing operations to minimise dust emissions during windy conditions. Timing of earthworks (daily and seasonally) will coincide with periods of low wind velocity. Operations will cease if winds are observed on site to exceed 40 knots.
- Water trucks are to be available at all times for immediate response during pit activities to water the site on observation of dust lift.
- Truck loads will be covered by tarpaulins during transport.
- Maintain a Complaints Register.

Visual monitoring of dust will be ongoing throughout the day during operations. All monitoring is to be maintained on a logging sheet for reference and proof of compliance.

Corrective actions are outlined in the Dust Monitoring Plan.

Refer to Appendix F – Environmental Management Plan

5.7 Water Management

The current water cycle within the subject site consists of inputs from rainwater flowing downhill towards the wider drainage system located to the north and west of the subject site. The development is not proposing to alter this process, as there are no drainage lines within the proposed extraction area.

A Water Management Plan has been prepared for the subject site and is provided in Appendix D of the EMP.

- The following measures are to be implemented, as per the EMP: Potential impacts associated with sedimentation and erosion from stormwater runoff during the operation of the pit will be minimised by the construction of diversion drains around the excavation areas to divert clean water away from the pit and contain any potentially sediment laden surface water within the pit.
- Surface water runoff produced within the excavation area from the two hour, 1 in 10 (10%) annual exceedance probability event will be contained within the pit.
- During excavation activities, the surface will be internally drained, with the gradients in the stages being constructed to ensure that no surface water runoff occurs.
- Maximum excavation levels have been determined to ensure at least 0.5m separation from the maximum groundwater level will be maintained at all times.

To ensure excavation remains separated from the maximum groundwater level by 0.5m, groundwater monitoring bores located onsite are to remain in place during operations and monitored monthly for compliance.

Refer to Appendix F – Environmental Management Plan

5.8 Hydrocarbons and Dangerous Goods Management

Hydrocarbons are the only dangerous goods that will be utilised within the proposed extraction area. However, storage of hydrocarbons on the site will not occur

Servicing of machinery and equipment will not occur onsite further reducing the possibility of contamination.

There is the minor possibility for soil and water contamination as a result of an incidental hydrocarbon leakages or spills during the operation of machinery. Accordingly, management measures for hydrocarbon spills are provided in the Water Management Plan at Appendix D of the EMP, including:

- Mobile refuelling of equipment and vehicles will be undertaken on site by a mobile fuelling truck on a hard stand area outside of the pit area.
- Spill kits containing appropriate equipment for control, containment and cleanup of hydrocarbon and chemical spills will be available in appropriate locations onsite and maintained.
- No vehicles or machinery are to be serviced or cleaned within the subject site.

Refer to Appendix F – Environmental Management Plan

5.9 Rehabilitation

Following the extraction of sand and limestone from each stage, each stage is to be progressively rehabilitated to pasture as detailed within the Rehabilitation Management Plan at Appendix G of the EMP.

The rehabilitation methodology set out within the Rehabilitation Management Plan will ensure future rehabilitation returns the land to a condition capable of supporting agricultural activities, with pasture production rates equivalent to or better than pre-mining production rates. This will include dryland pasture with a variety of species suitable for future grazing purposes.

Refer to Appendix C – Development Plans

Refer to Appendix F – Environmental Management Plan

6.0 Orderly and Proper Planning

In addition to the assessment and justification provided in the planning assessment at Appendix B, the principles of orderly and proper planning require that new development is consistent with the planning vision and strategic direction for the locality.

The key matters relating to orderly and proper planning are as follows:

- The application seeks approval for an Extractive Industry land use, a discretionary land use within the Priority Agriculture Zone of LPS 8, subject to public comment and is time limited in its operation.
- In accordance with the provisions of SCA8 in LSP8, the proposed development respects the values of surrounding areas of ecological significance. The proposal only removes vegetation of lesser quality and has conducted adequate flora and fauna assessment to map appropriate vegetation for clearing.
- The development proposal meets the objectives of the Greater Bunbury Region Scheme Rural Zone;
- The proposed development seeks to extract sand and limestone to a depth no greater than 1.0 mAHD, ensuring an appropriate buffer is maintained to groundwater to the satisfaction of DWER;
- The proposal will enable the extraction of sand and limestone, supplying critical basic raw materials to the Greater Bunbury Region, contributing to local employment and economic development;
- The proposal will not impact on the amenity of surrounding rural land uses in the vicinity of the site as operations are appropriately separated from sensitive land uses to the west and the site is bound by Tuart Forest to the south and east;
- The proposed haulage route is sealed and appropriate to accommodate the proposed haulage vehicles and achieves efficient regional access via Bussell Highway.
- The proposed development is capable of managing dust and noise emissions within the site without any offsite amenity impacts on the locality;
- Following Extraction, each stage is to be progressively rehabilitated to pasture in a manner set out within the Environmental Management Plan and monitored annually to the satisfaction of the Shire of Capel.

Given the above, the proposed development is considered to be consistent with the principles of orderly and proper planning and therefore should be supported by the RDAP on its planning merit.

7.0 Conclusion

This report has been prepared by SLR, on behalf of Dunkley Holdings Pty Ltd for an Extractive Industry at Lots 159, 167 (No. 365), 168, 203, 204, 205, 206 and 207 (No. 363), Mallokup Road, Stirling Estate. The development proposal seeks approval to extract sand and limestone within five (5) stages before rehabilitating each stage to pasture within a period of ten (10) years.

This report sets out the development approval framework, project area description, proposed development and planning framework applicable to the proposal. The planning assessment demonstrates the proposed development will achieve the strategic intent for the area and is consistent with the requirements and standards in the applicable statutory planning framework.

Whilst some variations are proposed to the relevant development standards under the local planning framework, they have been appropriately justified. This proposal provides a sequential, yet sustainable land use opportunity to provide supply of sand and limestone into the southwest.

The proposal is therefore consistent with the principles of orderly and proper planning and can be appropriately managed as outlined within this report.

It is respectfully requested that the Shire support and recommend approval of the proposed development to the RDAP, subject to appropriate conditions reflective of current operations.

Appendix A Certificates of Title

Extractive Industry Application

365 Mallokup Road, Stirling Estate

Dunkley Holdings Pty Ltd

SLR Project No.: 675.V23434.00EA1

26 June 2026

Appendix B Planning Framework

Extractive Industry Application

365 Mallokup Road, Stirling Estate

Dunkley Holdings Pty Ltd

SLR Project No.: 675.V23434.00EA1

26 June 2026

B.1 Greater Bunbury Region Scheme

The Greater Bunbury Region Scheme zones the subject site 'Rural' as shown in Figure B.1.

Figure B.1: Greater Bunbury Region Scheme

The purpose of the 'Rural' zone is as follows:

> *Rural – to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments.*

The aims of the GBRS relevant to this proposal are as follows:

> *The aims of the Scheme are to —*
>
> *(A) Promote the sustainable development of land taking into account relevant environmental, social and economic factors;*

(H) Protect strategic minerals and basic raw materials of State and regional importance and provide for the efficient and timely extraction of minerals and raw materials and subsequent rehabilitation of affected land.

The proposed development seeks approval for regionally significant use of the land to extract natural resources for urban development. It promotes the sustainable development of the land through the progressive extraction of the sand and limestone, and the subsequent rehabilitation to pasture.

The proposal is therefore in accordance with the purpose of the Rural zone and aims of the GBRS.

B.2 Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) specifies matters which are to be given due regard when determining applications for approval.

An assessment of the proposal against the relevant matters outlined in Clause 67(2) of the Deemed Provisions has been undertaken. A summary of the assessment is provided in Table B.1.

Table B.1: Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015)* Assessment

Provision	Applicant Response	
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	Refer to the planning justification provided under the Local Planning Scheme No. 8.	✓
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving	LPS 8 was adopted by the Shire in July 2023.	✓
(c) any approved State planning policy	Refer to the assessment listed under State Planning Policy 3.7 and 2.4 – Basic Raw Materials	✓
(d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d)	Refer to the assessment outlined under EPA Separation distances between Industrial and Sensitive land uses.	✓
(e) any policy of the Commission	N/A	
(f) any policy of the State	N/A	
(fa) any local planning strategy for this Scheme endorsed by the Commission	Refer to summary of assessment under the Shire of Capel Local Planning Strategy.	✓

(g) any local planning policy for the Scheme area	Refer to summary of the local planning policy 6.2 – Extractive Industries.	✓
(h) any structure plan or local development plan that relates to the development	N/A	✓
(i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015	N/A	✓
(j) in the case of land reserved under this Scheme, the objectives of the reserve and the additional and permitted uses identified in this Scheme for the reserve	N/A	✓
(k) the built heritage conservation of any place that is of cultural significance	N/A	✓
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	The subject site is not listed as a site of heritage significance.	✓
(m) the compatibility of the development with its setting, including – ***(i) the compatibility of the development with the desired future character of its setting; and*** ***(ii) the relationship of the development to development on adjoining land or on other land in the locality, but not limited to, the likely effect of the height, bulk, scale orientation and appearance of the development.***	The proposed development is separated by more than 150m from the nearest sensitive land use (dwelling understood to be constructed in the near future) to the west at Stage 5. There are two other dwellings in relative proximity of 247 and 398 metres from stage 5, respectively. The proposed development is positioned in an area most separated from the surrounding rural dwellings to the north and northwest.	✓
(n) the amenity of the locality including the following – ***(i) environmental impacts of the development*** ***(ii) the character of the locality*** ***(iii) social impacts of the development***	The environmental considerations of the proposal are detailed and addressed in the accompanying environmental reports. Refer to the following: *Appendix D – Acoustic Report* *Appendix E – Traffic Impact Statement* *Appendix F – Environmental Management Plan* *Appendix G – Groundwater Monitoring Report*	✓
(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or mitigate impacts on the natural environment or the water resource	No impacts on water resources are expected. There are no mapped wetlands onsite and groundwater will not be intercepted by operations.	✓

(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	The entire extraction area is to be rehabilitated to pasture, additional environmental offset rehabilitation is also proposed where needed.	✓
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	The site is suitable for sand and limestone extraction. The listed environmental considerations have no impact on the potential of the development.	✓
(r) the suitability of the land for the development taking into account the possible risk to human health or safety	Any potential amenity impacts are appropriately addressed in attached management plans. No risk on human health or safety is expected and will be managed accordingly.	✓
(s) the adequacy of – ***(i) the proposed means of access and egress from the site; and*** ***(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles***	Site access and haulage is in accordance with the Haulage Plan (Appendix C).	✓
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	There will be a maximum of 10 trucks entering and exiting the subject site at the peak hour. Traffic safety is to be managed in accordance with the Traffic Impact Statement.	✓
(u) the availability and adequacy for the development of the following – ***(i) public transport services*** ***(ii) public utility services*** ***(iii) storage, management and collection of waste*** ***(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)*** ***(v) access by older people and people with disability***	N/A	
(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	N/A	
(w) the history of the site where the development is to be located	The subject site has a historic rural use and will continue following completion of extraction.	✓
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	The development will positively impact the community, by providing sand and limestone for future construction purposes within the south west.	✓

(y) any submissions received on the application	Submissions received on the application are to be considered and addressed through the assessment process.	✓
(za) the comments or submissions received from any authority consulted under clause 66	Submissions received on the application are to be considered and addressed through the assessment process.	✓
(zb) any other planning consideration the local government considers appropriate	N/A	

B.3 Shire of Capel Local Planning Scheme No. 8

The subject site is zoned “Priority Agriculture” under the Shire of Capel’s Local Planning Scheme No. 8 (LPS 8), as shown within Figure B.2.

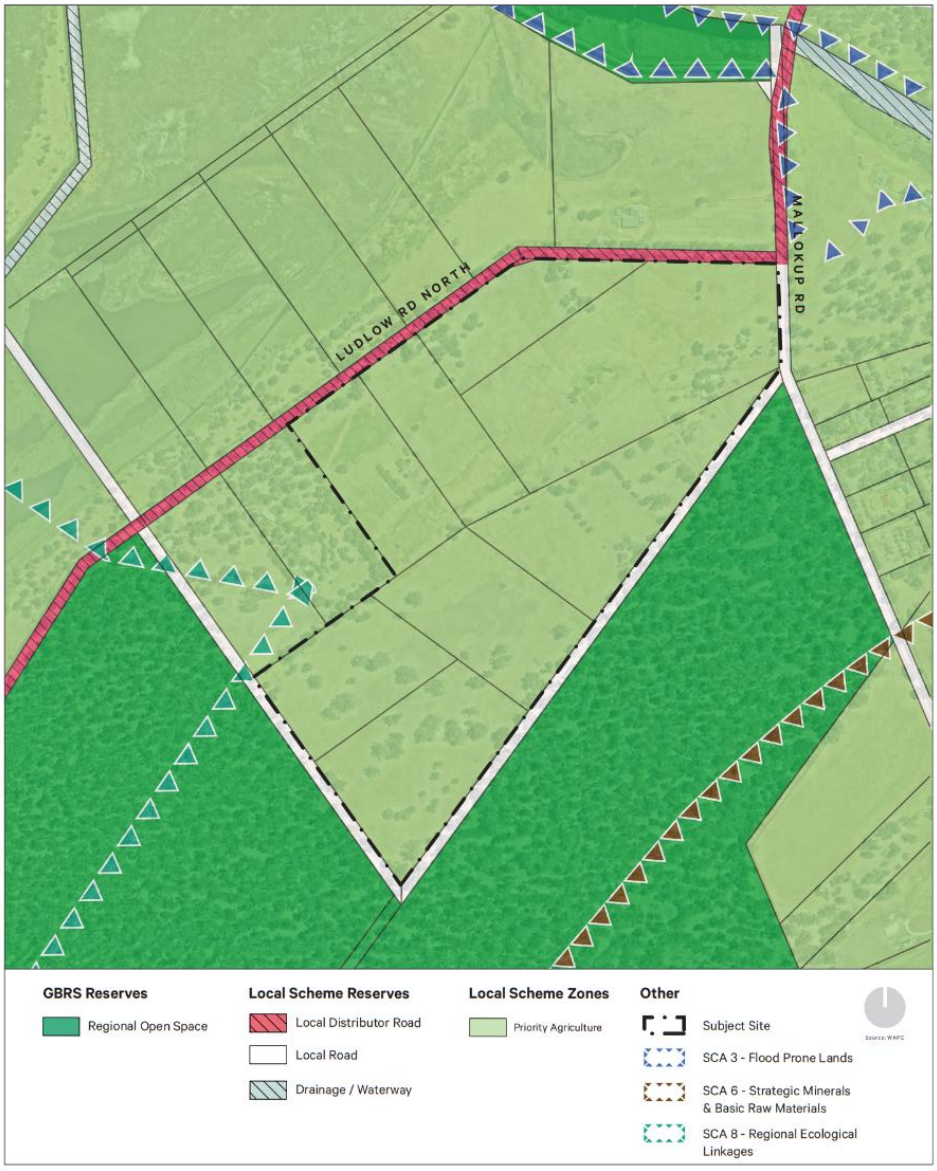

Figure B.2: Local Planning Scheme No. 8 Zoning

The objectives of the Priority Agriculture zone are outlined as follows:

1. To identify land of State, regional or local significance for food production purposes.
2. To retain priority agricultural land for agricultural purposes.
3. To limit the introduction of sensitive land uses which may compromise existing future and potential agricultural production.

The proposed extractive industry is considered to meet the above objectives of the Priority Agriculture Zone, given that the future rehabilitation will return the land to a condition capable of supporting agricultural activities. The proposal does not introduce any sensitive land uses.

An 'Industry – Extractive' land use is defined by LPS 8 as:

> *means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –*
>
> *(a) the processing of raw materials including crushing, screening, washing, blending or grading*
>
> *(b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.*

Within the Priority Agriculture zone, an Industry Extractive land use is a discretionary land use "A" which may be considered, subject to the application being made available for public comment.

The subject site is further located within Special Control Area 8 – Regional Ecological Linkages.

The purpose of SCA 8 is as follows:

> *To identify significant ecosystems on the Scheme Map as a Special Control Area and to provide measures to ensure that land use and development within its boundaries are regulated and managed to protect significant ecological linkages, foreshore environments, biodiversity and environmental quality.*

The proposed development is supported by detailed environmental management plans that detail dust, traffic, groundwater, acoustic, rehabilitation and vegetation management. The provisions of these reports ensure that the ecological value of the subject site is maintained throughout operation and rehabilitated after completion.

B.4 Local Planning Policy 6.2 – Extractive Industries

Local Planning Policy 6.2 – Extractive Industries (LPP 6.2) has been prepared by the Shire to ensure appropriate location of Extractive Industry uses and mitigation of adverse amenity and environmental impacts. LPP 6.2 includes Acceptable Development assessment criteria that must be achieved for proposed extractive industry developments or must demonstrate compliance with the listed Performance Criteria if variations are proposed.

An assessment against the relevant Acceptable Development and Performance Criteria is provided in the table below.

Table B.2 SPP 2.4 Guidelines Assessment

LPP6.2 Acceptable Development Provision	Applicant Comments
Element: Amenity	
AD1.1.1 Hours of operation are limited to 7am to 7pm Monday to Friday and 7am to 1pm on Saturday. No operation on recognised public holiday days.	Approved hours of operation are proposed in accordance with AD 1.1.1.
AD 1.1.2 Development is located, designed and rehabilitated compatible with long-term planning and environmental protection.	Proposed extraction area is to be rehabilitated to pasture as defined in the environmental management plan. The accompanying dust management plans and groundwater report ensure water resources are not adversely impacted.
Element: Environmental	
AD1.2.1 Development does not prejudicially affect native flora and fauna; groundwater quality, quantity and use; surface drainage and surface water quality including discharge of sediment and sites of cultural and/or historic significance on or near the land.	The Environmental Management Plan attached at Appendix F provides measures that will be implemented to prevent adverse impacts to these environmental matters.
AD1.2.2 Dieback is managed in accordance with Best Practice Guidelines – Management of Phytophthora Dieback in Extractive Industries (2005 – Dieback Working Group) as detailed within an agreed Dieback Management Plan.	The Environmental Management Plan attached at Appendix F provides measures that will be implemented to prevent the introduction and spread of Phytophthora Dieback within the extraction and adjoining covenanted areas.
PC1.2.3 Development is located and managed to achieve a high level of surface and groundwater resource protection to provide soil depth for rehabilitation, future land use and a buffer against groundwater contamination and exposing groundwater.	The proposed EIL is seeking extraction to a maximum depth of 1.0 mAHD at the subject site. This is demonstrated to be ample groundwater separation in reference to long-term groundwater monitoring completed by Hyd20. The 0.5m separation allows for the protection of groundwater resources from contamination as well as providing a suitable soil depth for healthy rehabilitation in the future. Groundwater monitoring bores located onsite are to remain in place during operations and monitored monthly for compliance.
AD1.2.4 Batter slopes with gradients up to 1:6 when rehabilitated to pasture for agricultural land uses and/or native revegetation.	The proposed development seeks batter slopes of 1:6.

AD1.2.5 Sites to be rehabilitated in accordance with an agreed Environmental Management Plan and Rehabilitation Implementation Plan prepared and implemented in accordance with application and bonding requirements as specified in Appendix 1 of this Policy. For hard rock extraction sites, an end-of-life pit plan is to be provided and agreed upon between the Shire and applicant at least 5 years prior to the expiration of the approval's validity.	The proposal is accompanied by detailed Environmental Management Plan, prepared by Accendo Australia, which details rehabilitation to pasture.
Element: Buffers	
PC1.3 Development to demonstrate satisfactory mitigation and management measures in accordance with SPP 4.1 Industrial Interface and Guidance Note 3 – Separation Distances Between Industrial and Sensitive Land Uses (EPA – 2005).	The proposed development is appropriately managed in accordance with Guidance Note 3 – Separation Distances Between Industrial and Sensitive Land Uses. The western edge of Stage 5 of the extraction area is located more than 150m from the nearest sensitive land use in lieu of the recommended buffer distance between 300-500m. Potential impacts such as noise and dust are appropriately managed in accordance with the environmental management plan. Acoustic bunding is incorporated to reduce visual and noise emissions.
Element: Visual Impact	
AD1.4.1 Visual screening to be provided through retention of existing vegetation and /or provision of an appropriate landscaping screen/bund to the satisfaction of the Shire. No walls or solid fences will be considered.	The proposed extraction area is set back a minimum of 20m from all boundaries. Bunding is incorporated at the extraction boundary to a height of 2m and 3.5m, screening operations and reducing any visual impact.
Element: Transport	
AD1.5.1 Haulage is to be wholly contained to the 'Tandem Drive 4' Network route, as identified by Main Roads Western Australia.	The proposed development seeks to use 19m as-of-right vehicles for haulage which are not restricted on the identified haulage route.
AD1.5.2 Haulage traffic is to be proposed at times of the day which will minimise conflict with school pick up and drop off hours (7:30am-9am and 2:30pm-4pm Mondays to Fridays)	The proposed haulage route does not conflict with school bus routes along Mallokup Road.
AD1.5.3 Where available, haulage traffic is to utilise road networks which have a sealed surface, and appropriate	The proposed haulage vehicles can be accommodated by the roads on the haulage route.

designed to accommodate the proposed vehicle types.	
PC1.5.2 The application is accompanied by a Traffic Management Plan to demonstrate that haulage periods that conflict with school pick and drop off times are acceptable in their impact to the safety of the road network.	The proposed development is to be accompanied by a Traffic Management Plan prepared to the Shire's satisfaction which details speed controls and road condition management responsibilities to identify and mitigate potential traffic related risks.

B.5 State Planning Policy 2.4 – Basic Raw Materials

State Planning Policy 2.4 seeks to enable the responsible extraction of Basic Raw Materials (BRM) while ensuring the protection of people and the environment. The application of this Policy provides the foundation for land use planning to address the sustainable management of BRM in Western Australia. Applicable to this proposal, the following objectives of the Policy are as follows:

a. *ensure BRM and its regional importance is considered at the earliest stages of the planning process;*
b. *protect BRM in SGS areas and ES by avoiding encroachment from incompatible land uses;*
c. *ensure BRM resources are used efficiently in land use planning and development;*
d. *identify BRM extraction opportunities through sequential land use without compromising the final intended land use; and*
e. *ensure the extraction of BRM avoids, minimises or mitigates any adverse impacts on the community, water resources and biodiversity values.*

Considering the above Policy objectives, the proposed Extractive Industry development seeks to meet the objectives of the Policy as follows:

- The proposed extractive industry seeks to extract a basic raw material in an appropriate manner which considers planning and environmental constraints onsite;
- The proposed rehabilitation to pasture and recontouring of the land allows for the land to be kept for rural use in perpetuity and;
- Potential amenity impacts on surrounding properties are mitigated through detailed management plans.

Demonstration of consistency with the assessment criteria detailed within SPP 2.4 is outlined within the following table.

Table B.3 SPP 2.4 Assessment

SPP 2.4 Guidelines Part 4 Provision	Applicant Response
(a) the avoidance or mitigation of conflicts and detrimental effects on existing and future sensitive land uses and agricultural land in the surrounding areas (that is, noise, dust, vibration, blasting and vehicular traffic);	As detailed in the environmental management plan, the proposed development is adequately separated from sensitive land uses and potential amenity impacts are mitigated.

(b) having an effective consultation process with appropriate stakeholder engagement, including advertising as required;	The development application is to be made available for public comment as part of the development application process with due regard given to any submissions made.
(c) prioritisation of proposals within SGS areas aligned with DMIRS geoVIEW.WA mapping in Perth and Peel;	Not applicable to this application.
(d) if the resource is identified as a SGS area and/or local basic raw material demand;	The site is not identified as an SGS area.
(e) the quantity and quality of resource and scale and duration of extraction;	The proposal seeks approval for approximately 300,000m^3 of sand and limestone
(f) management of finished ground levels for BRM extraction and site rehabilitation to: i. Maintain appropriate horizontal separation between extraction, water supply infrastructure and any other engineering requirements; ii. Avoid the exposure of groundwater and maintain the required vertical separation distances to groundwater for sequential land use; iii. Protect ground water and surface water quality.	The proposed extractive industry will be consistent with SPP 2.4 Guidelines Part 4(f). The proposed extractive industry is adequately separated from water supply and engineering infrastructure. A separation distance to groundwater of +0.5m from the MGL is proposed and is considered sufficient to protect against potential interception of groundwater during winter.
(g) the site's potential for sequential land use and the ability to rehabilitate the land in a manner compatible with its long-term use identified by the Local Planning Scheme;	The subject site is to be rehabilitated to pasture for future rural agricultural use of the land.
(h) the ability to stage the extraction operations to avoid conflicts with any adjacent land uses;	Staging is proposed in a manner which does not impact surrounding sensitive land uses.
(i) the effect of the proposed extractive industry on any adjacent agricultural land;	The proposed extractive industry does not impact any agricultural land uses within proximity of the site.
(j) the availability and suitability of road access;	The proposed haulage is to utilise 19m 'as-of-right' vehicles and will efficiently access Bussell Highway.
(k) the effect of the proposed extractive industry on any native flora and fauna and general landscape values;	No impact on flora and fauna is expected, as the site is largely cleared with only degraded native vegetation remaining within the extraction area.
(l) how all water resources will be protected during BRM extraction including a separation distance to the defined groundwater level plus other management measures to protect water resources during BRM extraction;	No water resources are anticipated to be negatively impacted by this proposal. Adequate separation to groundwater and wetlands is proposed.
(m) potential impacts on fragmentation and connectivity of remnant vegetation;	No fragmentation is anticipated as part of this application. Rehabilitation of the extraction area will enhance connectivity.

(n) any requirements for an environmental offset;	Not required.
(o) sites of cultural and historic significance on and near the land, having regard to how they are likely to be integrated with subsequent land uses; and	Not applicable to this application.
(p) location and stability of excavations, stockpiles and overburden dumps.	No stockpiling is to occur onsite.

The proposal is therefore designed in accordance with the provisions of SPP 2.3 – Basic Raw Materials.

B.6 State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The subject site is designated to be bushfire prone by DFES with the provisions of SPP 3.7 and associated guidelines for November 2024 Planning for Bushfire Guidelines.

Section 1.2.1 – Exemptions stipulate development can be exempt from SPP3.7 where there is no increase in the bushfire risk and where there is no habitable building to assess.

An Extractive Industry is listed as a land use which may be considered exempt from compliance with the guidelines where no habitable buildings are proposed and the proposal does not propose an intensification of land use.

Since the proposal does not contain any habitable buildings, and employees onsite are to be onsite for periods of haulage and loading only as previously approved, the application is considered exempt from requiring a bushfire assessment at this stage.

Additionally, any potential bushfire risk is further mitigated through the lack of vegetation within the extraction area.

B.7 Shire of Capel Extractive Industries Local Law (2016)

The Shire of Capel Extractive Industry Local Law 2016 sets out the licensing requirements for an Extractive Industry within the Shire.

This proposal seeks to meet the policy requirements as stipulated within the Local Law to allow for an appropriately staged and located development to operate in support of regionally significant infrastructure projects within the southwest.

Clause 6.1 – Limits on Excavation Near Boundary reads as follows:

> *6.1 Subject to any licence conditions imposed by the local government, a person shall not, without the written approval of the local government, excavate within—*
>
> *(a) 20 metres of the boundary of any land on which the excavation site is located;*
>
> *(b) 20 metres of any land affected by a registered grant of easement;*
>
> *(c) 40 metres of any thoroughfare;*
>
> *(d) 50 metres of any bore, watercourse, wetland, swamp, or other water reserve; or*
>
> *(e) 2 metres of the estimated maximum groundwater level as determined from time to time by the Department of Water or otherwise as adopted by the local government.*

The proposed extraction area maintains a 20m separation from all lot boundaries, approximately 200m separation from Mallokup Road.

The proposed extraction areaexceeds a 250m setback from all mapped geomorphic wetlands and is separated 580m from the nearest surface water feature (Capel River).

Extraction is proposed to within 0.5m of groundwater, which does not meet the required 2m separation under clause 6.1(e) above. This is appropriate in this instance, in line with the management measures outlined in the EMP (Appendix F) and accompanying Water Management Plan which states:

- This separation to groundwater is consistent with advice provided by the DWER and subsequently many previously approved extractive industry operations in the south west.
- Extractive industries are not associated with any environmental discharges (excluding accidental spills which can occur in any land use).
- The extraction and processing of sand being a chemically free operation with the liquids used being lubricants for machinery and fuel.
- There will be storage of chemicals or fuel on the subject site.

Given the above, the Water Management Plan concludes that a 0.5m separation to groundwater is deemed to be suitable in consideration of the low risk nature of the operation.

To ensure excavation remains separated from the maximum groundwater level by 0.5m, groundwater monitoring bores located onsite are to remain in place during operations and monitored monthly for compliance.

Therefore, it is requested that the Shire provide their written approval for the reduced separation from groundwater.

Refer to Appendix F – Environmental Management Plan

B.8 EPA Separation Distances between Industrial and Sensitive Land Uses (GS3)

The Environmental Protection Authority (EPA) has prepared a guiding document for assessment of environmental factors associated with the separation distances between sensitive land uses and Industrial land uses.

The proposed extractive industry is of a nature which reflects the ‘Extractive Industry - Sand and Limestone’ industry listed within Appendix 1. The generic buffer distance is recommended to be 300-500m to sensitive land uses, depending on the size and nature of operations, with key impacts associated with operations being noise and dust.

The proposed development is located within 150m from the nearest sensitive land use (closest point of Stage 5), separated and screened by the proposed bund. The recommended separation distance of 300-500m is generic in nature and subject to site-specific technical assessment.

The proposal is supported by an acoustic report and environmental management plan that demonstrate the proposal can achieve compliance with the relevant standards and therefore the proposed development will not detrimentally impact the nearest sensitive land uses. It is additionally screened by existing vegetation, providing no visual impact on the landscape from the nearest dwelling.

Appendix C Development Plans

Extractive Industry Application

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Appendix D Environmental Noise Assessment

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Appendix E Traffic Impact Statement

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Appendix F Environmental Management Plan

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Appendix G Groundwater Monitoring Report

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Appendix H Geotechnical Investigations

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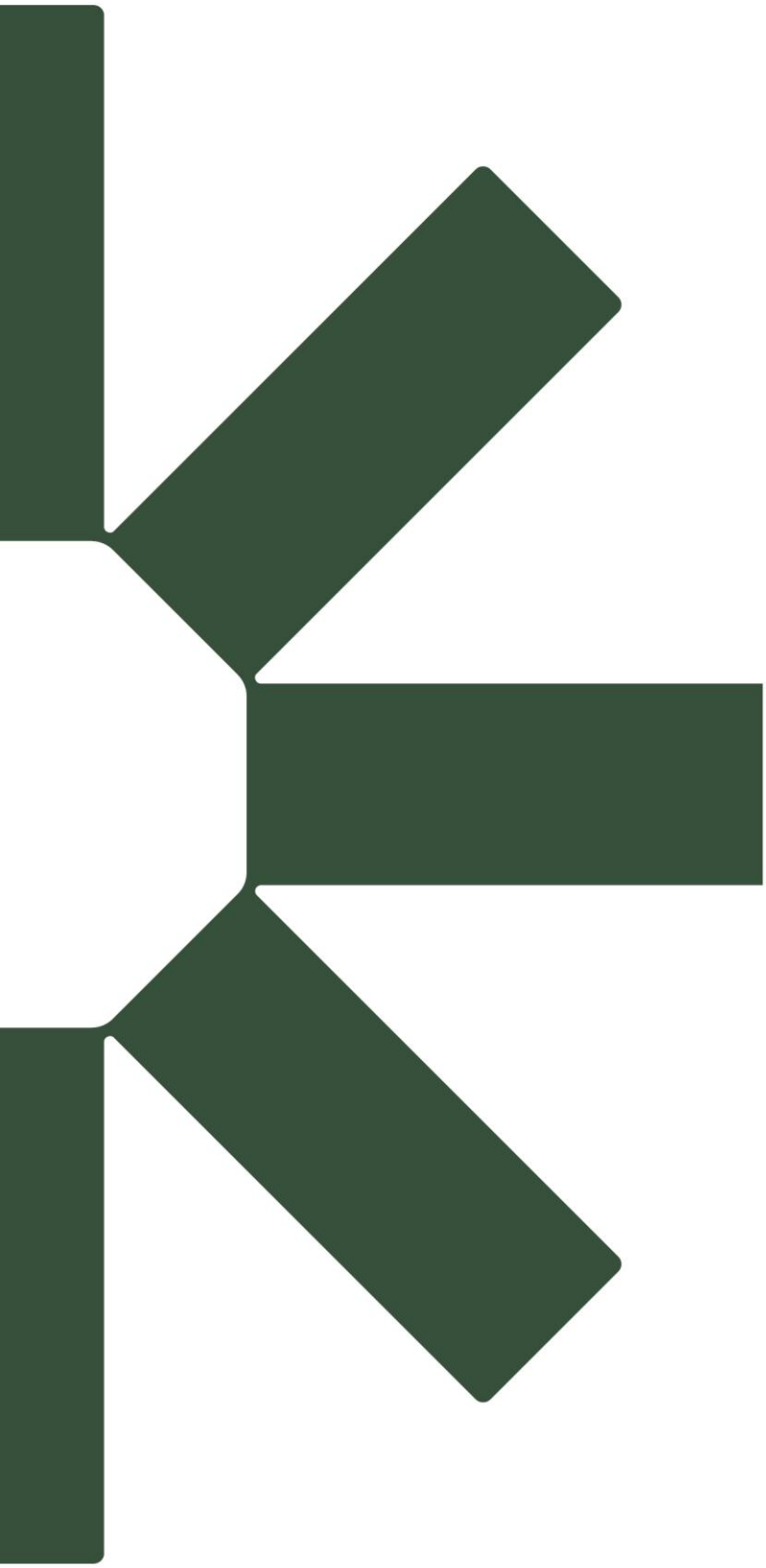

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