
From: Brett Dunn <brett.dunn@dwer.wa.gov.au>
Sent: Friday, 23 July 2021 2:43 PM
To: Ryan Fleming
Cc: Ashwin Nair; Jane Sturgess; Chris Malley
Subject: RE: FW: Lot 60 (394) Robertson Rd Cardup - PA 040539 - SSJ - Mobile Concrete Batching Plant - advice

Hi Ryan,

Thanks for the extra context, this was helpful.

So consistent with the Departments previous advice, the proposal for a mobile concrete batching plant may require approval from the Department as a category 77 (concrete batching or cement products manufacturing) prescribed activity under Part V of the *Environmental Protection Act 1986* (EP Act). Similarly, the existing Permacast operation, which is not part of this development application, may also require approval as a category 77 prescribed premises. It is recommended the proponent contact the Departments Industry Regulation Branch on 6366 700 or info@dwer.wa.gov.au to determine regulatory requirements pertaining to their current and proposed operations.

With regard to the Shires query to inform consideration of the development application, the definition of *Concrete batching plant or cement products (bricks) manufacture* would be the appropriate reference with regard to *Guidance Statement 3 - Separation Distances between Industrial and Sensitive Land Uses* (EPA, 2005). It should however be noted that this is an EPA document (not DWER) which provides advice on the use of generic separation distances (buffers) between industrial and sensitive land uses to avoid conflicts between incompatible land uses i.e. a guidance document to be considered within planning decisions.

The Department regulates emissions and discharges for prescribed premises using a risk-based framework when undertaking assessments of works approval and licence applications made under *Part V, Division 3* of the *EP Act*. Risk-based regulation ensures that DWER will regulate so that there is not an unacceptable risk of harm to public health or the environment, and so that licensing and approval decisions, including any conditions imposed on any approval, will be proportionate to the level of risk that the activity poses. The Department considers site specific technical analysis of proposals through its Part V assessment process.

I provide this extra context to ensure there is common understanding of the Departments regulatory role and risk based approach to Industry Regulation. Guidance Statement 3, provides generic separation distances which represent a precautionary approach to inform planning processes or are to be applied in the absence of a site specific analysis.

I hope this information is useful. Please feel free to contact me to discuss further.

Kind Regards,

Brett Dunn
A/Regional Manager
Kwinana Peel Region
Department of Water and Environmental Regulation
T: (08) 9550 4202 | www.dwer.wa.gov.au


Peter Cullen
Water and
Environment Trust
Fellow of the Peter Cullen Trust

From: Ryan Fleming <rfleming@sjshire.wa.gov.au>
Sent: Thursday, 22 July 2021 1:56 PM
To: Brett Dunn <brett.dunn@dwer.wa.gov.au>
Cc: Ashwin Nair <anair@sjshire.wa.gov.au>
Subject: FW: FW: Lot 60 (394) Robertson Rd Cardup - PA 040539 - SSJ - Mobile Concrete Batching Plant - advice

Good afternoon Brett,

Thank you for the time on the phone earlier and I really appreciate you looking into this matter further.

I had a discussion with the applicant who has subsequently provided the additional information regarding the request Officers have made to DWER. Please see the attached email to view this. The email from the applicant provides commentary around what they presented to Council at the Council Meeting.

I am happy to discuss this further.

Kind regards,

Ryan.

Ryan Fleming
Statutory Planning Officer

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 6 Paterson Street Mundijong, WA 6123
www.sjshire.wa.gov.au



From: Ryan Fleming <rfleming@sjshire.wa.gov.au>
Sent: Tuesday, 20 July 2021 2:46 PM
To: Brett Dunn <brett.dunn@dwer.wa.gov.au>
Cc: Ashwin Nair <anair@sjshire.wa.gov.au>; Haydn Ruse <hruse@sjshire.wa.gov.au>
Subject: CM: FW: Lot 60 (394) Robertson Rd Cardup - PA 040539 - SSJ - Mobile Concrete Batching Plant - advice

Good afternoon Brett,

In reference to the subject application, Officers are responding to a request of Council to seek clarification on the applicable industry classification to the proposed concrete batching plant within the *Environmental Protection*

Authority Guidance Statement 3 - Separation Distances between Industrial and Sensitive Land Uses (Guidance Statement) document. The proposal was considered as a 'Concrete batching plant or cement products (bricks) manufacture' industry and I note that my Coordinator Heather had a verbal conversation with someone from your office confirming this. It is noted though that the proposal could fall within a 'Cement product manufacturing works' industry, based on considering it as an expansion to the existing general industry occurring on site. Should this be the case the buffer for considering sensitive receptors would change from 500m to 1000m.

Would you please be able to confirm in writing the applicable industry classification for this application based on the Guidance Statement and the buffer required to be considered for sensitive receptors?

I am happy to discuss this further.

Kind regards,

Ryan.

Ryan Fleming
Statutory Planning Officer

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Report It** 



From: Brett Dunn <brett.dunn@dwer.wa.gov.au>

Sent: Friday, 16 April 2021 1:01 PM

To: Info Shire <Info@sjshire.wa.gov.au>

Cc: Ryan Fleming <rfleming@sjshire.wa.gov.au>

Subject: Lot 60 (394) Robertson Rd Cardup - PA 040539 - SSJ - Mobile Concrete Batching Plant - advice

Hi Ryan,

Please find the Departments advice attached regarding a Mobile Concrete Batching Plant for Lot 60 (394) Robertson Rd Cardup.

Kind Regards,

Brett Dunn

Manager – Planning Advice

Kwinana Peel Region

Department of Water and Environmental Regulation

T: (08) 9550 4202 | www.dwer.wa.gov.au



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