Nature Conservation | Margaret River Region

Post Office Box 1749 Margaret River
Western Australia 6285
ABN: 20103 - 363 - 831

Telephone: (08) 9757 2202
Email: info@natureconservation.org.au
Web: www.natureconservation.org.au

25 October 2024

Shire of Augusta Margaret River

SUBMISSION ON JDAP APPLICATION – EXTRACTIVE INDUSTRY - 9730 (LOT 22) CAVES ROAD, HAMELIN BAY

Nature Conservation Margaret River Region (**Nature Conservation**) is the peak non-profit community-based environmental organisation working on the key environmental challenges facing the southwest of Western Australia. Nature Conservation has more than 3000 local supporters (including members, donors, active volunteers, businesses and project partners/participants). We advocate for best practice environmental land use and management for the natural environment in our region.

Thank you for the opportunity to comment on this application. Our recommendations and concerns are set out below.

Background

The site that is the subject of the above application is located within the Leeuwin Naturaliste Ridge area, a location highly valued for its natural values and remoteness. It is identified as a priority for conservation. State Planning Policy 6.1 Leeuwin Naturalise Ridge Policy (1998) (**SPP 6.1**) applies to the subject site and underscores the significance of this area for conservation and the need for careful planning decisions that prioritise the environmental values of the Leeuwin Naturaliste Ridge.

Australia's southwest has been identified as one of 36 global biodiversity hotspots. Biodiversity hotspots are regions with exceptionally concentrations of endemic species - species found nowhere else on Earth – and are undergoing an exceptional loss of habitat. These areas are critical for global biodiversity conservation due to their unique ecological significance and the extent of loss already sustained (Mittermeier et al., 2011; Myers et al., 2000). As stated, in order to qualify as a global biodiversity hotspot, the region in question must have had significant loss of habitat and that habitat be under threat, which is a key factor in the critical importance of preserving the remaining biodiversity assets in southwest WA.

Climate change is already having a warming and drying impact on our southwest region. Given these threatening processes are already occurring, and the likelihood that the entire hotspot region will become a significant refugia in years to come, it is vital that we take all steps possible to protect and conserve the remaining vegetation and wildlife and protect them from unnecessary harm.

For these reasons, we believe the precautionary principle (Environmental Protection Authority (WA), 2016) should be applied in considering the potential environmental impacts that may occur as a result of this proposed project.

Summary of recommendations

Our comments and recommendations, as discussed in detail below, are:

1. Groundwater monitoring is inadequate to support the claims made that groundwater and acid sulphate soils will not be impacted. More robust data is required.
2. Water usage, to potential maximums, should be described fully with an explanation for how water will be sourced.
3. Changes to topography may result in environmental impacts which should be identified, considered and addressed.
4. Dust from the project may impact vegetation and wildlife, and noise may impact wildlife. These impacts should be mitigated by a vegetated buffer zone of minimum 20m width.
5. Visual amenity:
    a. Visual amenity from Caves Road should be mitigated by a 20m buffer (not 5m).
    b. Visual amenity from the Cape-to-Cape Track is likely to be adversely impacted due to its proximity to the site and this should be fully considered in the application.
6. Rehabilitation should include some form of native vegetation and should be required to be properly completed on schedule and prior to any further application being considered in the future.
7. This application does not provide for any long term improvement to the conservation values of the surrounding area and consequently fails to satisfy the landscape policies set out in SPP 6.1.
8. We recommend that the EPA should be informed of this application, given the wilderness location and potential for significant environmental impacts.

Discussion of reasons

1. Water impacts (groundwater and acid sulphate soils)

The monitoring for groundwater used in the application to inform a baseline measurement is inadequate for the purpose of determining the likelihood of groundwater contamination during the proposed extraction project.

The applicant states that groundwater will not be impacted by extraction activities, because the groundwater maximum levels are 2m below the planned extraction depths. However, the maximum groundwater levels described in the application have been determined on the basis of only one set of monitoring data taken in July 2024, and an incomplete set of monitoring data taken from a different lot. In mid-2024, groundwater levels were at an uncharacteristically low level, due to a lengthy period of reduced rainfall over the summer and autumn of 2023/2024 (it was the dryest and hottest seven months on record). This period has been widely referred to as the 'Big Dry'. Although rainfall is overall reducing over time, the annual variation in rainfall fluctuates considerably and could, in any year in the coming decade (the period for which the license is sought), be well above the measured maximums in mid-2024.

Groundwater contamination can harm the surrounding environment and, where it impacts potential drinking water, can also impact on human health. Groundwater contamination can also involve costly and difficult clean up processes. For these reasons, it is very important to ensure that groundwater contamination is not likely to occur and that any risks are properly addressed.

This single monitoring event and incomplete monitoring from a neighbouring property are utterly inadequate to use as the basis for determining the likelihood of groundwater contamination that may be caused by this proposed

project. We recommend that the applicant be required to provide significantly more robust data to support the claim that no groundwater contamination will occur.

We also note that this monitoring baseline also underpins the applicant's claim that no acid sulphate soil impacts will occur. This claim is therefore similarly weak and requires additional data before it can be properly assessed.

2. Water impacts (usage)

Water usage is an important consideration, particularly over a lengthy timeframe, as the southwest will continue to experience a drying climate and the available water resources need to be carefully managed.

Water usage is not fully addressed in the application, which states that anticipated water usage is 30KL per day for the months of October to March each year (see application pp 11-12). The water is required for dust suppression and the application also contemplates adjusting dust suppression depending on complaints received. However, the maximum potential water usage is not estimated. We are concerned that water usage could be considerable depending on demand and on neighbour complaints. The anticipated maximum water usage and sources should be fully described in the application so the potential impacts of water usage can be properly considered.

3. Changes to topography

The application states that the extraction of limestone will result in changes to existing land topography that will be considerably different from the current natural state.

The application does not consider whether the topography changes are likely to have any environmental impacts. However, we are concerned that the changes could significantly impact natural heritage, landform stability, soil erosion and visual amenity. It may also be a consideration for the local Indigenous custodians (we note the application states that cultural heritage registers have been reviewed but the application does not refer to any consultation with local Indigenous custodians, as recommended in SPP 6.1, policy 6.1). We recommend that further work is undertaken to fully understand these potential impacts.

4. Noise and dust impacts

The site borders national park, nature reserves and conservation areas along most of its perimeter. Noise and dust from the proposed operations are likely to impact adjacent wildlife, and dust is likely to impact adjacent vegetation, particularly to the south and southeast of the proposed extraction operation. Vegetated buffer zones would assist with mitigation of these impacts and we suggest including a requirement to plant a minimum 20m vegetated buffer zone along the site perimeter to help protect these highly valued and pristine natural areas from noise and dust impacts.

5. Visual amenity impacts

The applicant proposes a 5m wide buffer zone for visual amenity from Caves Road. The proposed width of 5m is, in our view, too small to act as a visual buffer zone and we recommend it should be 20m wide. We also recommend that the buffer should be comprised of local native species.

The application does not consider the potential visual amenity impacts for recreational users of the Cape-to-Cape track, other linkage trails and Cosy Corner Rd. The Cape to Cape Track is one of the region's key tourist attractions and known for being a wilderness experience, providing visitors with a vital connection to nature. The track passes close to the application site: in this area the track is located inland and traverses the ridge line before moving back westward towards the coast. Consequently, the potential for visual amenity impacts from the track is significant and this should be properly assessed in the application. This assessment should also consider visual amenity impacts in the event of fire and vegetation cover is removed thus opening up new sight lines and impacts. This is also a requirement of SPP

6.1, policy 3.3 and, by way of example, this type of impact was one of the potential impacts raised by the EPA in relation to the Smiths Beach Resort application.

6. Rehabilitation

The application states that the site will be rehabilitated to pasture after extraction is completed (10 years). We suggest that this would be a better fit with the surrounding natural landscape if it was rehabilitated to native vegetation rather than pasture, or, at the very least, includes a requirement to plant a number of large native trees as paddock trees, as part of the rehabilitation to rural landscape values. With a view to the possibility that there may be another similar application in 10 years, we consider it is important to include a condition that rehabilitation must be completed on a pre-set schedule and to the satisfaction of the Shire / EPA prior to any further extractive applications being considered for the site.

7. Improvement to natural landscape

The application largely ignores the conservation setting and the significance of the site's surrounding landscape, including the requirements of SPP 6.1 (landscape values, policies 3.1 – 3.8)). Given the location of this site, set in conservation areas, we would expect that an applicant would make provision for substantial long term improvement to the natural landscape and conservation values as part of the application. For example, we would expect to see the application providing for a significant portion of overall site to be revegetated appropriately and ceded to the Crown or placed under a conservation covenant.

8. EPA review

In our view, the EPA should be advised of this proposal as it may wish to assess the application, given its location, long term operation and the potential for significant environmental impacts.

For the above reasons, we do not believe the application as currently prepared demonstrates that the need for the proposed development outweighs its likely adverse impacts on the environment.

We would be happy to discuss our comments and recommendations with the applicant, the Council and/or Shire planners. Please feel free to contact Drew McKenzie to arrange a meeting.

Yours Sincerely,

Drew McKenzie
General Manager
Nature Conservation Margaret River Region

REFERENCES

Environmental Protection Authority (WA). (2016). *Statement of Environmental Principles, Factors and Objectives*.

Mittermeier, R. A., Turner, W. R., Larsen, F. W., Brooks, T. M., & Gascon, C. (2011). Global Biodiversity Conservation: The Critical Role of Hotspots. In *Biodiversity Hotspots* (pp. 3–22). Springer Berlin Heidelberg. https://doi.org/10.1007/978-3-642-20992-5_1

Myers, N., Mittermeier, R. A., Mittermeier, C. G., da Fonseca, G. A. B., & Kent, J. (2000). Biodiversity hotspots for conservation priorities. *Nature*, *403*(6772), 853–858. https://doi.org/10.1038/35002501