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Appeals Convenor
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**Appeal against level of assessment: Limestone Extractive Industry and Batching Plant, Lot 1
Wanneroo Road, Nowergup.
CRN: 222186 published Monday, September 28th 2009.**

The Urban Bushland Council WA wishes to appeal against the EPA's decision to not assess the proposal. We strongly object to the statement by the Environmental Impact Assessment Division of the EPA, 29 September 2009, that 'the overall environmental impact of the proposal is not so severe as to require formal assessment by the EPA, and the subsequent setting of formal conditions by the Minister for Environment'. Please deduct the \$10 appeal fee from the UBC Account.

Our grounds of appeal are:

1. Significant flora and vegetation

- Community type 26a is a TEC and several patches occur on site.
- Three flora taxa are listed as 'significant'
- Only 8.8% of Cottesloe Complex, Central and South is in secure tenure, while the target set under Bush Forever is a minimum of 10% for each ecological community
- The site has a high level of diversity and its condition is from good to excellent.

2. Impacts on the Conservation Estate

- Lot 1 is adjacent to Neerabup National Park, Nowergup Lake Fauna Reserve and adjacent to part of Bush Forever site 383. The impacts of the proposal such as dust, groundwater perturbations, noise impacts on fauna, destruction of karst formations should be formally assessed.
- Lake Nowergup lies only 400 metres away
- Lot 1 lies within a highly significant environmental area

3. Tuart Woodland

- Lot 1 contains Tuart Woodland in good or better condition and should be protected and not cleared.

4. Fauna Impacts

- A relatively intact community of native fauna species is likely to be present. According to the Fauna Assessment by Western Wildlife, this includes 8 species of amphibian, 48 species of reptile, 94 species of bird and 22 species of mammal.
- Seven reptiles of conservation significance are likely to occur on site (Western Wildlife)
- Carnaby's Cockatoo, listed as endangered under state and federal legislation, use the site. Carnaby's cockatoo is endangered due to declining populations because of land clearing both in the wheat belt and on the Swan Coastal Plain. It is estimated that around 90% of the original vegetation on the northern part of the SCP, that is from Yanchep to Perth, has been cleared. (Johnstone and

Kirkby (2008)). The progressive loss of bushland areas on the SCP may be leading to starvation or inability to put on enough condition to allow breeding success. Loss of this vegetation community is likely to be significant.

- Six species of mammals of conservation significance may occur in the site.

5. Matter of significant public interest

- The proposal for a quarry and batching plant has already been submitted to the City of Wanneroo. There were a very large number of public submissions from the local community opposing it and there is very strong local opposition which has been in the local press. Because the proposal has become a matter of very considerable public interest we believe that it should be formally assessed by the EPA in a publicly transparent process. The community should be able to formally express concerns about environmental (air quality, water, biodiversity conservation issues), and social impacts during a public comment period.
- Any conditions set by the EPA need to be legally binding.

- In view of the significance of the site, we recommend that the EPA formally assesses the site at PER. The proposal, if implemented, would cause environmental harm both at the site and in the wider environment.

Yours faithfully

C Mary Gray

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