



Government of **Western Australia**
Department of **Environment Regulation**

Your ref: L8687/2012/1
Our ref: 2012/004832-1
Enquiries: Luke Claessen
Phone: 08 9333 7487
Email: luke.claessen@der.wa.gov.au

Mr Barry Dickson
B & J Catalano Pty Ltd
Lot 27 Bushmead Road
HAZELMERE WA 6055

Dear Mr Dickson

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE

Licence: L8687/2012/1
Premises: B & J Catalano Pty Ltd – Jenkins Road Gravel Pit
Lot 22 and 23 on Diagram 61245, Bullsbrook, WA, 6084

Further to my letter dated 25 September 2014, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9333 7487 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

Danielle Eyre
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

16 October 2014
enc: L8687/2012/1
copy to: City of Swan

Greater Swan Region – Industry Regulation
181-205 Davy Street, Booragoon WA 6154
Ph: (08) 9333 7510 Fax: (08) 9333 7550
Postal Address: Locked Bag 33, Cloisters Square, Perth WA 6850
www.der.wa.gov.au



Licence

Environmental Protection Act 1986, Part V

Licensee: B & J Catalano Pty Ltd

Licence: L8687/2012/1

Registered office: C/- AMD Chartered Accountants
Unit 1, 28-30 Wellington Street
BUNBURY WA 6230

ACN: 008 961 975

Premises address: Jenkins Road Gravel Pit
Lot 22 and 23 Jenkins Road
BULLSBROOK WA 6084
Being Lot 22 and Lot 23 on Diagram 61245 as depicted in Schedule 1.

Issue date: Wednesday, 20 June 2013

Commencement date: Monday, 24 June 2013


Expiry date: Saturday, 23 June 2018

Prescribed premises category
Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
12	Screening, etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50 000 tonnes or more per year	100,000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.


.....
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.



You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The premises is located on Lots 22 and 23, Jenkins Road, Bullsbrook. B & J Catalano have an agreement with the owners of these properties (HPPL Pastoral Properties Pty Ltd) to extract ferricrete.

The site lies on the Darling Scarp at an elevation of 210 metres above sea level (AHD). The laterite present onsite has been exposed by the removal of the overlying soils and gravel. Kaolin-rich clay sub-soils over weathered basement rocks occur at depth beneath the laterite.

Excavation methods will consist of extracting the lateritic duricrust in sequence starting with the removal of topsoil and overburden, the extraction of gravel and duricrust followed by rehabilitation activities. Material processing occurs on a campaign basis depending upon commercial demand with approximately 82,000 tonnes produced in the 2013-2014 reporting period.

The nearest residence to the operational area is approximately 400 metres to the north-east of the premises boundary and there is an identified Bushforever area within the premises boundary (as identified by the pale pink polygons on the Premises map at Schedule 1).

A change of DER (then DEC) policy resulted in the operational area being licensed in place of the existing mobile plant licence (L7842). As a result, this premises did not require a works approval prior to being issued with a licence.

This Licence is the result of an amendment sought by the Licensee to reduce the approved production or design capacity for the premises to reflect more closely the amount of material processed on site.

The licences issued for the Premises since 01/01/2008 are:

Instrument log		
Instrument	Issued	Description
L7842/2003/3	25/01/2010	Mobile plant licence
L8687/2012/1	26/06/2013	New site-specific licence
L8687/2012/1	16/10/2014	Licence amendment

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 August until 31 July in the following year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Manager Licensing (Greater Swan)

Department of Environment Regulation

Locked Bag 33

CLOISTERS SQUARE WA 6850

Telephone: (08) 9333 7510

Facsimile: (08) 9333 7550

Email: grswanbooragoon@der.wa.gov.au ;

'code of practice for the storage and handling of dangerous goods' means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources;

'Licence' means this Licence numbered L8687/2012/1 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated; and

'usual working day' means 0600 – 1800 hours, Monday to Saturday, excluding public holidays in Western Australia.



- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the the standard in force from time to time during the term of this Licence.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

- 1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
- (a) pollution;
 - (b) unreasonable emission;
 - (c) discharge of waste in circumstances likely to cause pollution; or
 - (d) being contrary to any written law.
- 1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.
- 1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.5 The Licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

There are no specified conditions relating to Premises operation in this section.



2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in these sections.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

- 2.6.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.
- 2.6.2 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.
- 2.6.3 The licensee shall implement and adhere to "Section 5.4 Dust", of the document entitled "Completion and Rehabilitation of Gravel Excavation Lots 22 and 23 Jenkins Road Bullsbrook", Landfarm Research, dated August 2012 .

2.7 Odour

There are no specified conditions relating to odour in this section.

2.8 Noise

- 2.8.1 The licensee shall implement and adhere to "Section 5.3 Noise", of the document entitled "Completion and Rehabilitation of Gravel Excavation Lots 22 and 23 Jenkins Road Bullsbrook", Landfarm Research, dated August 2012.

3 Monitoring

There are no specified conditions relating to monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.



5 Information

5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

5.2 Reporting

- 5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified
-	Measures taken to suppress dust	
-	Measures taken to minimise noise	

Note 1: Forms are in Schedule 2



5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2

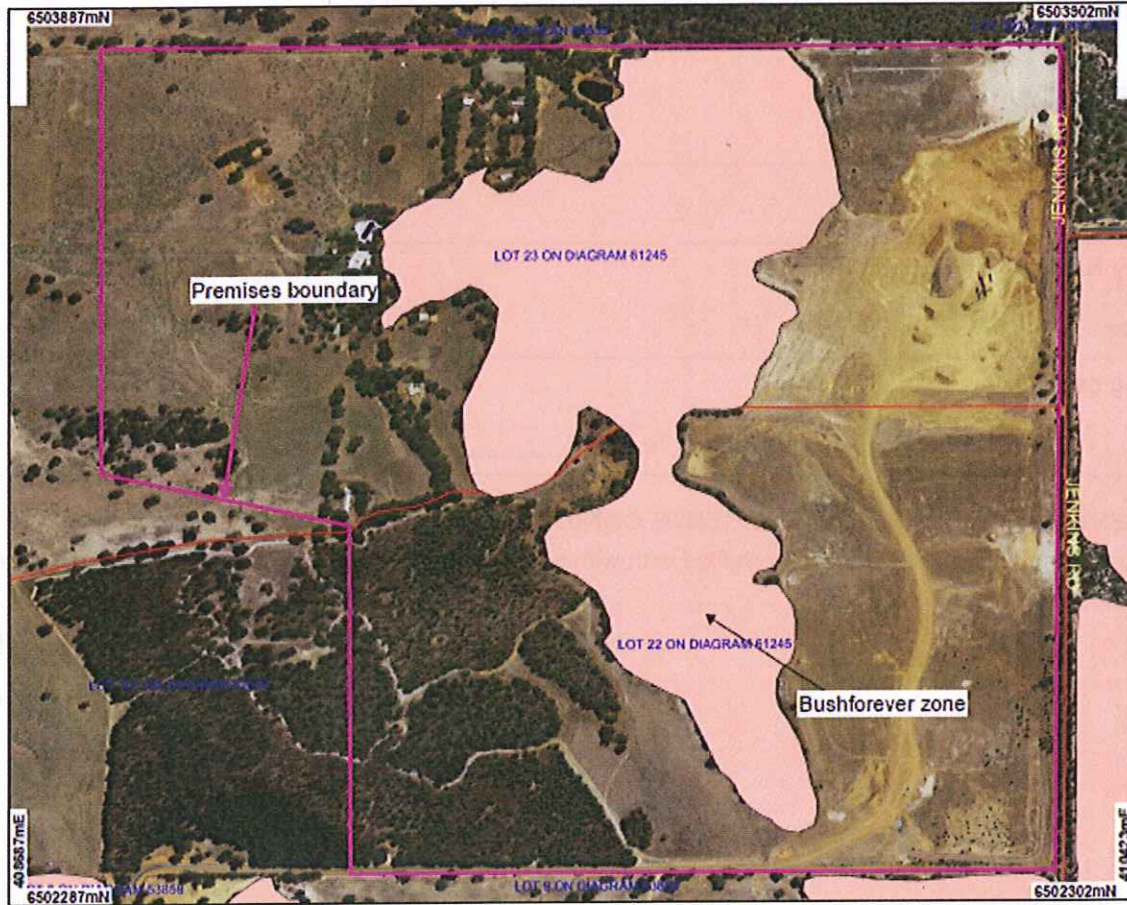


Schedule 1: Maps

Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.

Jenkins Road Gravel Pit



LEGEND		
<ul style="list-style-type: none"> Person responsibility area North 15cm Orthomosaic - Landgate 2012 Road Control Lines Bushforever Cadastre (cont) 	<ul style="list-style-type: none"> Freight Crown Reserve State Forest / Timber Reserve Mature Park Crown Lease Lease / Reserve (cont) 	<ul style="list-style-type: none"> Lease on State Forest / Timber Reserve Public Roads Unallocated Crown Land Water Other Public Lands

Scale 1:5070
(Appropriate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: JJJJJ
Prepared for:
Date: 03/02/14 3:57:50 PM

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Government of Western Australia
Department of Environment Regulation
WA Govt Copyright 2012



Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L8687/2012/1
 Form: N1

Licensee: B & J Catalano Pty Ltd
 Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of B & J Catalano Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: B & J Catalano Pty Ltd

Licence: L8687/2012/1

Registered office: C/- AMD Chartered Accountants
Unit 1, 28-30 Wellington Street
BUNBURY WA 6230

ACN: 008 961 975

Premises address: Jenkins Road Gravel Pit
Lot 22 and 23 Jenkins Road
BULLSBROOK WA 6084
Being Lot 22 and Lot 23 on Diagram 61245

Issue date: Wednesday, 20 June 2013

Commencement date: Monday, 24 June 2013

Expiry date: Saturday, 23 June 2018

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Luke Claessen
Licensing Officer

Decision Document authorised by: Alan Kietzmann
Manager Licensing



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application for a works approval or licence, and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

Non-standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	
	New Licence <input type="checkbox"/>	
	Licence amendment <input checked="" type="checkbox"/>	
	Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	12	100,000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



3 Executive summary of proposal and assessment

B & J Catalano own a number of gravel quarries in the Swan region and took over operation of the Jenkins Road Gravel Quarry in 2001. Previously the premises was operated by Quarry Park Pty Ltd who were granted an Extractive Industries Licence for the Premises in 1996. The quarry supplies gravel materials to the north-eastern Perth metropolitan area for the construction industry and for road bases. Some of B & J Catalano's clients include Main Roads, City of Swan, City of Belmont and the Shires of Busselton, Northam, Donnybrook, Harvey and Augusta-Margaret River.

The premises is located on Lots 22 and 23 Jenkins Road, Bullsbrook. B & J Catalano have an agreement with the owner of these properties (HPPL Pastoral Companies Pty Ltd) to extract ferricrete. The site is classified as rural according to the City of Swan Town Planning Scheme.

Dust and noise are the main emissions of concern, with the licensee having well-developed management plans in place to reduce the potential impacts from these sources. Detail of the Premises and operation are included in Appendix A.

This partial Decision Document relates to an application by the Licensee to amend (reduce) the approved design capacity of the Licence from 120,000 tonnes per annum (tpa) to 100,000 tpa on the basis the operation does not achieve the approved throughput which attracts a higher annual fee. Material processing occurs on a campaign basis depending upon commercial demand with approximately 82,000 tonnes produced in the 2013-2014 reporting period.

The Licence has also been updated incorporating minor administrative changes while the wording in relation to 2.6.2 and 2.8.1 have also been amended to reflect a more accurate description of the document referenced in the condition.

The Premises has been determined to have a low priority risk rating and the current licence is issued for a five year period.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DEC's Policy Statement - Limits and targets for prescribed premises (2006), and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.5	OSC	General conditions relating to the premises have not been re-assessed as part of this amendment. The wording of OSC 1.2.5 has been updated. Approved premises production or design capacity has been decreased to 100,000 tonnes per annual period as per the amendment application.	
Fugitive emissions	L2.6.1 - L2.6.2 L2.6.3	OSC NSC	Fugitive emissions have not been reassessed as part of this amendment. The previous licence contained a condition that stipulated the licensee must adhere to the dust strategy developed for the site operations, therefore this condition has been retained in the amended licence. The wording of this condition has been updated to reflect a more accurate description of the applicable section within the supporting document that relates to dust.	General provisions of the <i>Environmental Protection Act 1986</i> .
Noise	L2.8.1	NSC	Noise has not been reassessed as part of this amendment. The previous licence stipulated that the licensee must adhere to the noise strategy developed for the site operations, therefore this condition has been retained in the amended licence. The wording of this condition has been updated to reflect a more accurate description of the applicable section within the supporting document relating to noise. The <i>Environmental Protection (Noise) Regulations 1997</i> and SC 1.2.1 also continue to apply.	<i>Environmental Protection (Noise) Regulations 1997</i> General provisions of the <i>Environmental Protection Act 1986</i>
Monitoring of inputs and outputs	N/A	N/A	Monitoring requirements have not been reassessed as part of this amendment. As the previous licence did not require monitoring of inputs and outputs no specific conditions have been included in this section.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
25/092014	Proponent sent a copy of draft instrument	No comment received.	N/A



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



Appendix A

Details of the Premises and operation.

The site lies on the Darling Scarp at an elevation of 210 metres above sea level (AHD). The laterite present onsite has been exposed by the removal of the overlying soils and gravel. Kaolin rich clay sub-soils over weathered basement rocks occur at depth beneath the laterite. The characteristic soil profile is a grey-brown sandy gravel and loamy gravel soil over yellow-brown pisolithic gravels and lateritic duricrust. Under the duricrust are loam subsoils that extend to basement rocks.

The land decreases gently in elevation towards the West of the site. High soil porosity and deep sands result in limited run off flows from the site under most conditions - other than extreme storm events. There are no defined watercourses within the area, with the closest surface water bodies lying off the edge of the plateau. A dam approximately 400 metres from the excavation area collects surface water running from the steeper slopes of the breakaway.

No clearing of bushland on the premises will take place. The excavation area of the site has little vegetation, with the majority of it having been cleared for agricultural use in the past. Isolated and scattered *Eucalyptus calophylla* and *Eucalyptus marginata* exist. Remnants of the original vegetation remain on the slopes of the breakaway that delineates the Darling Scarp, but this is outside the Premises. Remnant vegetation onsite accounts for approximately 33% each of Lots 22 and 23. It is anticipated that 65 hectares of remnant vegetation will remain on these lots and will not be disturbed by excavation. The remainder of these areas consist of Bushforever vegetation (identified in Figure 1 by light pink polygons). The operations do not involve clearing of this area and the perimeter of the Bushforever vegetation is fenced.

The excavation methods undertaken consist of extracting the lateritic duricrust in prescribed sequence - starting with the removal of topsoil and overburden, the extraction of gravel and duricrust followed by the restoration of the land (see Figure 2 for a summary of the process).

Topsoil is removed and stockpiled in windrows or placed directly onto an area requiring rehabilitation. Any overburden is also scraped and stored in windrows or placed directly onto rehabilitation areas. This material is also used to form bunds along the edge of the excavation area which can provide a separation barrier between the operations and surrounding environment. The depth of the excavated area is expected to average between 1-2 metres deep with a bulldozer used to conduct ripping of the duricrust and the ripped material fed into the crusher. Any precipitation that falls within the pit is collected in a temporary sump on the pit floor. The portable crusher is located on the floor of the excavation - out of view from any nearby road or dwelling. Stockpiles of boulders and manufactured products are formed on the floor of the excavation area. Operations occur between 7:00am and 6:00pm Monday to Saturday inclusive.

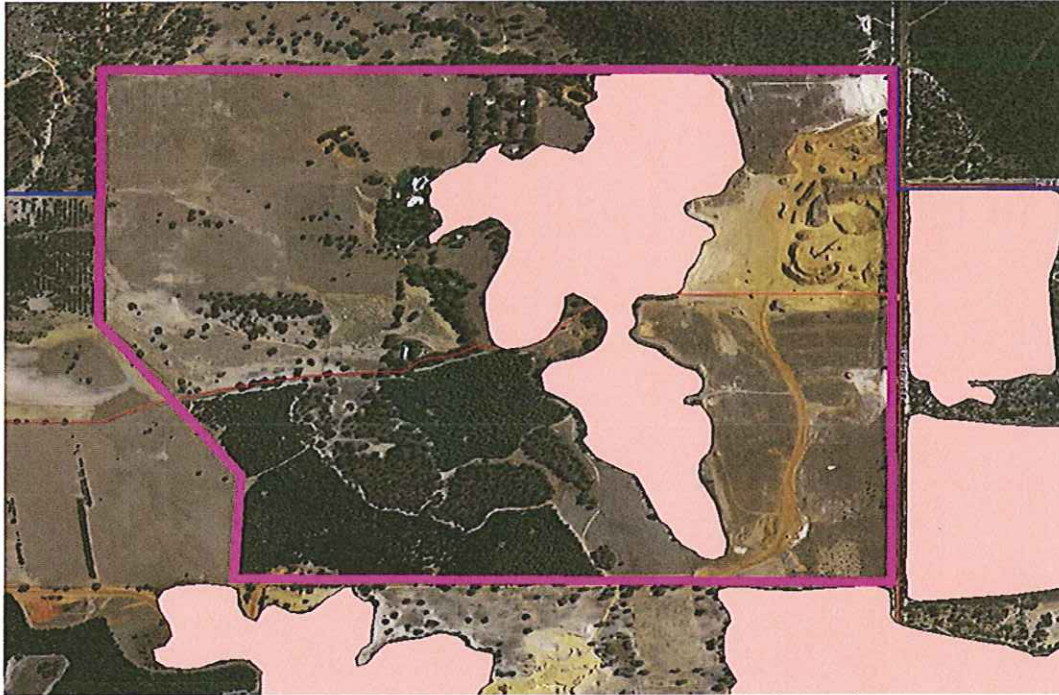


Figure 1: Bushforever areas at Lot 22 and 23 Jenkins Road, Bullsbrook.

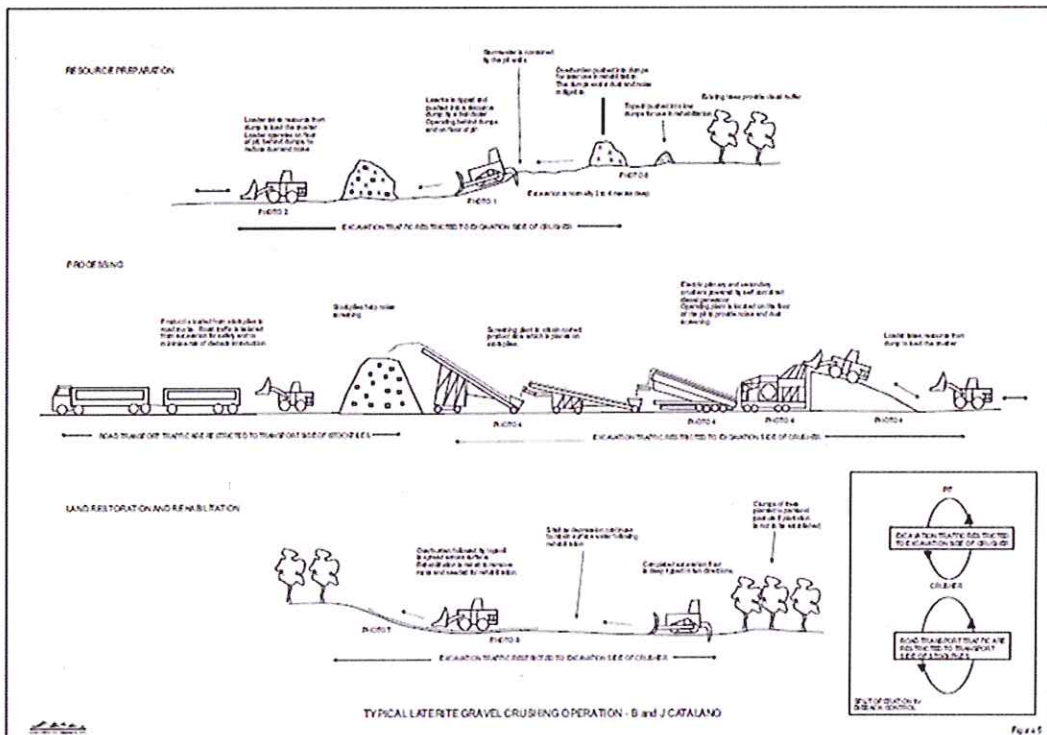


Figure 2: Summary of the gravel removal process.