



Application to renew a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L8502/2010/2
Licence Holder	Great Sand Supplies Pty Ltd
ACN	129 870 211
File Number	2010/010330
Premises	Great Sand Supplies Abercorn Quarry Abercorn Road THE LAKES WA 6556 Legal description Lot 5 on Diagram 28855 Abercorn Road THE LAKES WA 6556 As defined by the Premises map and coordinates attached to the issued licence
Date of Report	14 September 2022
Decision	To grant a licence

Senior Environmental Officer, Industry Regulation
An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L8502/2010/1 without conducting any additional risk assessment.

The licence can be issued for 10 years, which is consistent with internal direction from the Industry Regulation sector and the *Guidance Statement on Licence Duration 2016*.

In renewing the licence the Delegated Officer has determined to:

- increase the production capacity from 120,000 tonnes per year to the initial assessed production capacity of 193,000 tonnes per year.
- update the format and appearance of the licence;
- incorporate licence amendment/s issued prior to the new licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- remove Dust Management Plan conditions and consolidate existing management control into new condition 3;
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment requirements*;
- correct clerical mistakes and unintentional errors; and
- include new maps in new licence Schedule 1 & 3 and premises coordinates in Schedule 2.

As a result of the above, the Delegated Officer decided to grant Licence L8502/2010/2, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 21 June 2022, Great Sand Supplies Pty Ltd (licence holder) applied to renew licence L8502/2010/1 as the licence is due to expire on 18 September 2022. The licence was granted to the licence holder for the premises located at Lot 5 on diagram 28855, Abercorn Road in The Lakes (Premises).

The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 12: Screening etc. of material	193,000 tonnes per year

The prescribed activity was initially assessed for a production throughput of 193,000 tonnes per year. The production design capacity of each plant is estimated as 300,000 tonnes per year. Annual production is subject to material demands and market requirements and has averaged 258,000 tonnes per year over the last five years. The licence holder expects this to be reduced to 170,000 tonnes in future years by screen around 120,000 tonnes per year of sand and clay plus, crushing and screening an anticipated 50,000 tonnes per of gravel.

A Works Approval W5685/2014/1 was issued on 13 November 2014 for the introduction of the crushing plant. The licence holder submitted a works approval compliance document to the Department on 18 November 2014. The works approval assessment included a Dust Management Plan dated 27 October 2014 plus acoustics assessment dated 28 October 2014.

The acoustic assessment and Dust Management Plan indicated the hours of operation would be from 7am to 5pm Monday to Friday, and 7am to 12 noon Saturday. Noise modelling confirmed the plant and equipment to be used, and for the proposed hours of operation, and determined the operations comply with the *Environmental Protection (Noise) Regulations 1997*.

Dust suppression will continue to be primarily managed by application of water, staging exposed areas, and by ceasing operations if indicated by local conditions or the amount of dust generated. Prevailing winds are from the south quadrants and the east, away from the closest resident.

It is anticipated quarrying operations will continue for the next ten years. The surface area of the material excavation will be approximately 65 hectares. Material extraction will be to a maximum depth of 5m below ground level. Groundwater levels are deeper than 30m below ground level. There will be no dewatering. The area of the quarry is well drained. Given that the excavation area will be within the pit, no contaminated stormwater runoff from the working area is expected. Overland runoff from the non-operational parts of the site will be diverted around disturbed areas and allowed to exit through the site's natural drainage lines.

No blasting is required or proposed at the Abercorn Road quarry.

There are no fuel or chemical storage facilities or vehicle servicing at the site. Fuel is delivered to the site by truck when required. Refuelling of machinery on site occurs on a limestone pad.

The Premises are located within the Shire of Mundaring and within the Helena River and Mundaring Weir catchments. The closest resident is 338 metres (m) south of the operations and 175m from the Premises boundary. Two residences are approximately 998m and 1,455m west of the Premises boundary.

Noise and dust are the main emissions of concern. Noise and dust from the proposed gravel quarrying and crushing will be in addition to noise and dust from the current sand and clay extraction activities.

Water is sourced from two earthen dams and a groundwater bore. Dams are replenished by water collected in the clay excavation pits. Water tanks on site hold a combined capacity of 100,000 litres. If necessary, water will be carted in from offsite. The property is in the Karri subarea of the Karri Groundwater area plus, the upper Helena River of the Mundaring Weir Surface water area. A water licence to extract groundwater from the bore is required if used for the category 12 prescribed activities.

The licence renewal includes the operation of material screening and crushing plant approved by works approval W5685/2014/1 and includes the initial operational throughput of 193,000 tonnes per annum.

3. Regulatory framework

The Delegated Officer decided the application to renew the licence will not require a full review and risk assessment of emissions and discharges from the Premises, which aligns with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position*.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There have been nine incidents or complaints identified at the Premises by the department since 2013. Eight of these incidents are for late Annual Audit Compliance Reports or Annual Environmental Report which have no impact upon the environment. An incident did occur in September 2016 where waste was illegally stored in 200 litres containers at the Premises. This matter was quickly rectified by the licence holder.

There has been no enforcement action taken against the licence holder regarding the licence since 2013.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy via a lease with the landowner of the Premises. The licence holder expects operations to continue for the next 10 years which will be the duration of the new licence.

4.3 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder was previously assessed.

4.4 Planning approval

The planning approval supporting the licence application incorrectly named the licence holder which is current being amended by the local government authority.

The licence holder provided evidence to the department that it has a current planning approval for the activities on the Premises.

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 2 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 2: Licence conditions changes, description and rationale

Current condition / table	New condition / table (if relevant)	Description and rationale
1.1.1 & 1.1.2	N/A.	Redundant conditions removed from licence.
Definitions	Table 2	Redundant definitions removed or updated to current wording as required.
1.1.3 & 1.1.4	N/A	Redundant condition covered by Interpretation dot point (d)
1.2.1, 1.2.2, 1.2.3 & 1.2.4	N/A	Redundant conditions removed from licence.
1.2.5	N/A	Covered by the provisions of the <i>Environmental</i>

Current condition / table	New condition / table (if relevant)	Description and rationale
		<i>Protection (Unauthorised Discharge) Regulations 2004</i>
1.3, 2.1, 2.2, 2.3, 2.4, 2.5, 2.7 and 2.8	N/A	Redundant headings removed from the licence.
2.6.1	N/A	Redundant conditions removed from licence.
New Condition	1 and Table 1	Infrastructure and equipment table included in licence to explain the operational requirements and location of infrastructure at the premises.
2.6.2	2	Conditions transferred to new licence
2.6.3	3	The dust management controls described in the Dust Management Plan dated 27 October 2014 prepared by 360 Environmental have been converted to a new condition and the redundant Management Plan condition removed from the licence.
Section 3 & 4	N/A	Redundant sections have been removed from the licence.
5.1.1	4	New records condition
5.1.2	N/A	Redundant condition removed from the licence.
5.1.3	5	New AACR condition replacing redundant condition.
5.1.4	6	New complaints conditions replacing redundant condition.
5.2.1	7	Annual Environmental Report is no longer required as per Amendment Notice dated 16 May 2022 but has been replaced by new condition requiring record keeping.
5.3.1	N/A	Redundant condition removed from licence as s72 of the EP Act requires reporting of discharges or emissions that may cause pollution.
Definitions	Table 2	Definitions removed: controlled waste, dangerous goods, environmentally hazardous materials fugitive emissions and code of practice. Schedule 1 and schedule 2. Included: ACN, Annual Audit Compliance Report, books, and redefined: EP Act, EP Regulations, licence holder, licence, emission, discharge, Department, CEO, premises, prescribed premises & waste.
Schedule 1 - Maps	Schedule 1	New Premises boundary map produced.
Schedule 2	New Schedule 2. Premise Boundary coordinates	Include co-ordinates of premises boundary and removed Notification Form (N1) and old format AACR form to be consistent with current licence format.
	New Schedule 3 Map	New map that indicates the location of the crushers, sand extraction screens and clay extraction screens.
Forms	N/A	Removed Notification Form N1, to be consistent with current licence format.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 21 July 2022.	Submissions closed on 16 August 2022 with no submissions received.	N/A
Local Government Authority advised of application on 19 July 2022.	The Shire of Mundaring were informed of the proposed renewal of the licence and received a response on 31 August 2022 with not comments but reminded the licence holder is responsibility to ensure approvals remain current.	Delegated Officer noted these comments
Applicant was provided with draft documents on 19 August 2022	<p>Licence holder commented on draft licence documents on 7 September 2022 by;</p> <ul style="list-style-type: none"> • Confirming the registered Business address, • Providing the make and models of the infrastructure to be included in Condition 1 table 1, • No comment on new condition 3 which replaced the Management Plan condition, • No comments about the new plans and new schedules 1, 2, and 3. 	The Delegated Officer noted the registered Business address details, endorsed the changes to Condition 1 table 1, new Condition 3 and schedule 1, 2 and 3.