



Application for Licence

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

Licence Number	L8928/2015/2
Licence Holder	Carmelo Borrello, Paul Anthony Borrello, Adam Robert Borrello and Carl Albert Borrello
File Number	DER2015/000852
Premises	Carramar Resource Industries 150 FLYNN DRIVE NEERABUP WA 6031 Legal description – Part of Lot 901 on Deposited Plan 50843 Certificate of Title Volume 2635 Folio 896 As defined by Schedule 1 and excluding the portion bound by the coordinates in Schedule 2
Date of Report	14 December 2020
Proposed Decision	Licence granted

Jane Dalin
SENIOR ENVIRONMENTAL OFFICER
INDUSTRY REGULATION

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

The Delegated Officer has determined to Renew Licence L8928/2015/2. The renewal is administrative in nature and therefore a risk assessment of the emissions and discharges associated with the Premises has not been undertaken.

This Decision Report documents the amendments made pursuant to section 59 and 59(B) of the Environmental Protection Act 1986 (EP Act).

The decision report for the Existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In renewing the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Renewal application summary

Carmelo Borrello, Paul Anthony Borrello, Adam Robert Borrello and Carl Albert Borrello (Licence Holder) for the Carramar Resource Industries (CRI) (the Premises), located at Lot 901 on Plan 50843, Flynn drive Neerabup. On 25 September 2020 the Licence Holder submitted an application to DWER to renew licence L8928/2015/1 as it expires on 20 December 2020.

The premises has been used as a sand quarry since 1996. CRI is located in an area zoned Rural with Residential Development zoning located on the other side of Flynn Drive. A new planning approval application was submitted to the City in September 2020, which is currently undergoing assessment.

DWER's GIS viewer system indicates that residential developments are occurring approximately 250 metres (m) south to south-east of the premises boundary. The premises is bound by Bushforever site 295 m to the south and immediately adjacent to the east of the premises boundary. A resource recovery facility and farmlands are located to the northern boundary, and the Wanneroo Golf Club is located 220 m to the east of the premises boundary. The nearest surface water is the Lake Pinjar sumpland which is located approximately 700 m to the north east of the premises, and Little Coogee Swamp and Lake Adams are located approximately 1.5 kilometres to the east and south east respectively. No surface water bodies or drainage lines exist on site.

As identified through DWER's software system Perth Groundwater Atlas (PGA), groundwater on the premises ranges from 26.8 to 49 metres below ground level (mbgl), with these differences attributed to the varying contours of the premises topography. PGA also states that groundwater is considered fresh (total dissolved solids between 0 – 500 mg/L) and groundwater flows are from east to west. Water is extracted from one high production bores used for dust suppression purposes. The Licence Holder has two groundwater licence (GWL 182623 and GL151853) to extract a total of 53,000kL per annum of water across this premises and additional adjacent lots.

The Licence Holder have advised that the site is located on Karakatta sands overlying Tamala limestone at depth, which is confirmed by the DWER's GIS viewer. A Threatened Ecological Community (TEC) buffer area exists adjacent and within the premises. The buffer is in relation to endangered Banksia Dominated Woodlands of the Swan Coastal Plain (P3 Endangered TEC) and Banksia attenuate woodlands over species rich dense shrublands (Endangered TEC). A large portion of the premises is located within the buffer area to this TEC. TEC buffers

are important to assist in preventing impacts from weeds or dust emissions and can be susceptible to impacts when there are groundwater and surface water discharges that are within the vicinity of the buffer area.

The activities undertaken on site are:

- sand extraction and stockpiling;
- recovery of construction and demolition waste, concrete, clay, asphalt and limestone for recycling and re-sale;
- machine storage and maintenance;
- fuel storage; and
- offices and staff amenities

The potential emissions arising from the proposed activities include:

- dust and noise emissions from vehicular movement and machinery use on-site;
- asbestos fibre emissions from the screening of asbestos contaminated soil;
- odour emissions from screening of construction and demolition waste and sand extraction activities; and
- fire emissions from the storage of flammable materials.

There are no direct (point source) emissions or discharges to air, surface water or groundwater associated with the proposed activities.

This Licence is for the operation of an existing facility that was previously licenced under L8472/2010/1. This licence ceased to have effect due to non-payment of annual licence fees.

3. Licence history

Table 1 provides the licence and amendment history for L8928/2015/2.

Table 1: Licence history

Instrument	Issued	Description
<i>W4887/2011/1</i>	<i>21/03/2011</i>	<i>New works approval</i>
<i>L8472/2010/1</i>	<i>15/09/2011</i>	<i>New application</i>
<i>L8472/2010/1</i>	<i>19/04/2013</i>	<i>Licence amendment to include asbestos conditions</i>
<i>L8928/2015/1</i>	<i>17/12/2015</i>	<i>New licence after previous licence ceased to have effect</i>
<i>L8928/2015/2</i>	<i>14/12/2020</i>	<i>Renewed for 20 years</i>

4. Consultation

The Licence Holder was provided with the draft Amendment Report on 3 December 2020. Comments received from the Licence Holder on 7 December 2020 have been considered by the Delegated Officer as detailed in Appendix 1.

5. Conclusion

The Delegated Officer has determined that a licence L8928/2015/2 will be renewed and the expiry date extended until 20 December 2040 in accordance with *Guideline: Licence Duration (August 2016)*. This Licence renewal is an administrative renewal, DWER has not undertaken a risk assessment of the emissions and discharges associated with the Premises at this time.

The obligations of the Licence Holder have not changed in renewing the licence. DWER may undertake a review of the licence at any time to reassess the emissions and discharges associated with the Premises if deemed necessary.

5.1 Summary of amendments

Table 2 below provides a summary of the proposed amendments as a result of renewing this licence and reformatting into the current licence template. The table will act as a record of implemented changes. All proposed changes have been incorporated into the Renewed Licence as part of the renewal process.

Table 2: Summary of licence amendments as part of this renewal

Existing licence condition	Condition Summary	Revised licence condition	Conversion notes
All relevant	licensee	Licence Holder	Update to standard terminology and nomenclature
1 General			
Condition 1.1.1 and 1.1.2	Interpretation and definitions	N/A Definitions and interpretation section –Table 6	Updated definitions relevant to the existing licence and amendment
Condition 1.1.3	Australian or other standard	N/A Definitions and interpretation section – Interpretation	Updated to latest format and wording. Removed from condition and introduced into definitions and interpretation section as per latest template.
Condition 1.1.4	Reference to code of practice	N/A Definitions and interpretation section – Interpretation	Updated to latest format and wording. Removed from condition and introduced into definitions and interpretation section as per latest template.
Condition 1.2.1	Waste acceptance criteria	Condition 1 – Acceptance and throughput restrictions and Table 1 Waste acceptance criteria	Updated to include new waste categories and throughput
Condition 1.2.2 and 1.2.3	Waste acceptance criteria	Condition 2 and 3 – Waste that does not	Updated to latest format and wording.

		meet the waste acceptance criteria	
Condition 1.2.4	Waste processing requirements	Condition 4 – Waste processing Requirements, Table 2 Waste processing	Updated to latest format and wording.
Condition 1.2.5	Waste processing requirements – recycled output sampling and testing	Condition 5 - Waste processing requirements, Table 3 Recycled output contamination limits	Updated to latest format and wording.
Condition 1.2.6	Waste processing requirements – recycled output contamination limits	Condition 6 – Waste processing requirements, Table 4 Recycled output sampling and testing	Updated to latest format and wording.
Condition 1.2.7	Waste processing requirements – Asbestos Management Plan	Condition 7 – processing requirements – Asbestos Management Plan	Updated to latest format and wording.
Condition 1.2.8 and 1.2.9	Environmental noise assessment	N/A	<p>Conditions removed from licence.</p> <p>DWER has risk assessed the requirements of these conditions and determined that the level of risk does not require a condition for noise. Internal advice from Noise Branch in 2015 gave general advice as the information provided from the applicant was insufficient determine if noise would be an issue. DWER records show no noise complaints have been received in regard to the premises since issue of L8928/2015/1 in December 2015.</p> <p>In the absence of any Noise conditions, adherence to the <i>Environmental Protection (Noise) Regulations 1997</i> for premises operations will apply.</p>
2 Monitoring			
Condition 2.1.1	Monitoring inputs and outputs	Condition 8 – Monitoring inputs and outputs to premises, Table 5	Updated to latest format and wording.

		Waste accepted and removed from premises	
3 Information			
Condition 3.1.1	Records -	Condition 11 and 12 – Recording information requirements	Updated to latest format and wording.
Condition 3.1.2	Records	Condition 10 – Annual Audit Compliance Report requirement	Updated to latest format and wording.
Condition 3.1.3	Records	Condition 9 – Complaint records requirements	Updated to latest format and wording.
Condition 3.2.1	Reporting	Condition 13 – Annual Environmental Report requirement, Table 6 Annual Environmental Report	Updated to latest format and wording.
Condition 3.3.1	Notification	Condition 14 – Notification requirements, Table 7 Notification requirements	Updated to latest format and wording.

References

	Document title	Availability
1	Licence L8928/2015/1 issued on 17 December 2015.	accessed at www.dwer.wa.gov.au
2	Carramar Resource Industries, Licence renewal application form, L8928/2015/1, received on 25 September 2020	
3	DER, August 2016. <i>Guidance Statement: Licence duration. Department of Environment Regulation, Perth</i>	

Appendix 1: Summary of Licence Holder's comments on renewal

Condition	Summary of Licence Holder's comment	Department's response
1 Licence		
Table 1 Waste acceptance criteria, Item 3	Removal of Putrescible Waste (green waste) acceptance: Applicant has requested the removal of green waste from the waste acceptance criteria table. Carramar Resource Industries (CRI) have not accepted or processed green waste to site for several years and had previously amended the licence to remove.	Removal of wording and conditions as requested DWER has actioned as per requested and can be verified through previous site inspections to site noting reduction of green waste stockpiles onsite and the cessation of acceptance, processing and storage of green waste activities. Removal of these activities and associated emissions from licence reduces overall risk of the premises.
Table 2 Waste processing; Item 3	Removal of Putrescible Waste (green waste) processing: Applicant has requested the removal of green waste from the waste processing criteria table. Carramar Resource Industries (CRI) have not accepted or processed green waste to site for several years and had previously amended the licence to remove.	
Table 5 Monitoring of inputs and outputs; Item 1	Removal of Putrescible Waste (green waste) waste inputs parameter: Applicant has requested the removal of green waste from the waste monitoring of inputs and outputs table. Carramar Resource Industries (CRI) have not accepted or processed green waste to site for several years and had previously amended the licence to remove.	
2 Decision Report		
Page 2; Activities undertaken onsite; point 2	Removal of wording Applicant has requested the removal of ' <i>greenwaste mulching and storage (no composting)</i> '	Removal of wording and conditions as requested DWER has actioned as per requested and can be verified through previous site inspections to site noting reduction of green waste stockpiles onsite and the cessation of acceptance, processing and storage of green waste activities. Removal of these activities and associated emissions from licence reduces overall risk of the premises.
Page 2; Potential emissions arising from the proposed activities; point 3, 4 and 5	Removal of wording: Applicant has requested the removal of ' <i>leaching of nutrients and other contaminants to the soil subsurface and underlying groundwater from greenwaste mulching and soil treatment activities</i> ', ' <i>unloading, loading and storage of greenwaste</i> ' and ' <i>storage of greenwaste</i> '	

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>	
		Has the works approval been complied with?	Yes <input type="checkbox"/>		No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input type="checkbox"/>		No <input type="checkbox"/>	N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input type="checkbox"/>		No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input checked="" type="checkbox"/>	Current licence number:	L8928/2015/1			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:				
Amendment to licence	<input type="checkbox"/>	Current licence number:				
		Relevant works approval number:		N/A	<input type="checkbox"/>	
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>	
Date application received	25 Sep 2020					
Applicant and Premises details						
Applicant name/s (full legal name/s)	Carmelo Borrello, Paul Anthony Borrello, Adam Robert Borrello, Carl Albert Borrello					
Premises name	Carramar Resource Industries					
Premises location	Lot 901 on Plan 50843, 150 Flynn Drive					
Local Government Authority	Wanneroo City					
Application documents						
HPCM file reference number:	DER2015/000852-1--1					
Key application documents (additional to	<i>Certificate of Title</i>					

application form):	<i>Site Plan</i> <i>Clearing Site Plan</i>	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<i>Licence Renewal – Cat 12 and 13</i> <i>Application also included area proposed for clearing</i>	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	[Proposed] [Assessed] production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 12: <i>Screening of material</i>	<i>Assessed – 100,000 tonnes per annual period</i>	N/A
Category 13: <i>Crushing building material</i>	<i>Assessed – 100,000 tonnes per annual period</i>	N/A
Category 62: <i>Solid waste depot</i>	<i>Assessed – 5,000 tonnes per annual period</i>	N/A
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	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"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input checked="" type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Approval: N/A Expiry date: N/A <i>Applicant in process of renewal of planning approval from LGA</i>

Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CPS No: N/A Clearing has been proposed for future, this will not be assessed in this application
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input type="checkbox"/> No <input checked="" 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"/>	

<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Classification: N/A Date of classification: N/A</p>
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