



## Application for Licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence Number</b>	L9205/2019/1
<b>Applicant</b>	Split Rock Enterprises Pty Ltd
<b>ACN</b>	619 839 066
<b>File Number</b>	DER2019/000286
<b>Premises</b>	Split Rock Quarry Lot 22 Caraban Road Caraban 6041  Legal description - LOT 222 ON DEPOSITED PLAN 60931
<b>Date of Report</b>	15/08/2019
<b>Status of Report</b>	Final

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## 1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Applicant	Split Rock Enterprises Pty Ltd acting as Trustee for the Clifton family trust
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation  As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
m <sup>3</sup>	cubic metres
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
PM	Particulate Matter
PM <sub>10</sub>	used to describe particulate matter that is smaller than 10 microns (µm) in diameter

Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Primary Activities	as defined in Schedule 2 of the Revised Licence
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

## 2. Purpose and scope of assessment

Split Rock Enterprises Pty Ltd acting as Trustee for the Clifton family trust (the Applicant) has applied for a category 12: screening etc. of material licence at Lot 22 Caraban Road, Caraban (the Site). The Applicant have been operating a category 70 crushing and screening operation under Registration R1015/1999/1 and are planning on increasing the annual production to 100,000 tonnes which requires a category 12 licence under Part V of the *Environmental Protection Act 1986* (EP Act).

### 2.1 Application details

Table 2 lists the documents submitted during the assessment process.

**Table 2: Documents and information submitted during the assessment process**

Document/information description	Date received
Application for Licence Attachment 1 A Attachment 1 B Attachment 2 Attachment 4 Attachment 7	7 May 2019

## 3. Background

Table 3 lists the prescribed premises categories that have been applied for.

**Table 3: Prescribed Premises Categories in the Existing Licence**

Classification of Premises	Description	Approved Premises production or design capacity or throughput
Category 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.	100,000 tonnes per annual period

## 4. Overview of Premises

### 4.1 Operational aspects

The Applicant currently operates a small crushing and screening operation under Registration (R1015/1999/1) and has applied to increase the throughput of the operations to 100,000 tonnes per year. This means the activities will require licensing under category 12 of the Environmental Protection Regulations 1987. This Decision Report is to assess the increase of material crushed and screened to 100,000 tonnes per year.

The Applicant currently operate a small (under 50,000 tonnes per year) limestone crushing and screening operation for local markets. Activities onsite have been in operation since 1998 at the current levels of throughput with no complaints on DWER records about emissions from the site. The Applicant proposes to increase production to 100,000 tonnes per year. The Applicant plans to increase production by increasing the hours that the equipment is operational. No additional equipment or methods will be required.

Limestone is broken by a dozer track that crushes the excavated material to a specific size.

The material is then fed through a jaw crusher or other suitable purpose built crusher to achieve desired sized material. Crushed material is then fed through the mobile screen plant to achieve specific sizes for customers.

Vehicles are serviced off-site and no notable volumes of hydrocarbons are permanently stored onsite.

Dust is managed by the use of an on-site water truck to prevent dust lift-off on haulage roads and other traffic areas.

The increase of product throughput is not expected to change the volume or nature of emissions by any notable level and no additional machinery or equipment will be used. The increase in production will be achieved by increasing the hours of operation.

## 4.2 Infrastructure

The Split Rock Quarry infrastructure, as it relates to Category 12 activities, is detailed in Table 4 and with reference to the Site Plan.

Table 4 lists infrastructure associated with each prescribed premises category.

**Table 4: Split Rock Quarry facility Category 12 infrastructure**

	Infrastructure	Site Plan Reference
	<b>Prescribed Activity Category 12</b>	
1	Dozer	Mobile – various locations
2	Jaw Crusher	
3	Mobile screen	
4	Water truck	

## 5. Legislative context

Table 5 summarises approvals relevant to the assessment.

**Table 5: Relevant approvals and tenure**

Legislation	Number	Approval
<i>Planning and Development Act 2005</i>	BLD/3005	Notice of approval of Planning consent.
Rights in Water and Irrigation Act 1914	GWL152667(2)	Licence to take water from the superficial aquifer

### 5.1 Other relevant approvals

#### 5.1.1 Planning approvals

Planning consent was granted by the Shire of Gingin to the Applicant for the establishment of an extractive industry for the Site on 11 September 2009. The Applicant is required by the Shire of Gingin to apply for an Extractive Industry Licence (EIL) every year. The current EIL expires on 30 June 2019.

## 5.2 Part V of the EP Act

### 5.2.1 Applicable regulations, standards and guidelines

The overarching legislative framework of this assessment is the EP Act and EP Regulations.

The guidance statements which inform this assessment are:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessments (February 2017)*

### 5.2.2 Works approval and licence history

Table 6 summarises the works approval and licence history for the premises.

**Table 6: Works approval and licence history**

Instrument	Issued	Nature and extent of works approval, licence or amendment
R1015	17/11/1998	New Registration
L9205/2019/1	15/8/2019	New Licence to increase throughput, changing the prescribe activity from Category 70 to Category 12.

## 6. Location and siting

### 6.1 Siting context

The Applicant currently operates a small crushing and screening operation within Lot 222 on Plan 60931 (the Premises). All proposed activities will be undertaken within the boundary of the Premises.

### 6.2 Residential and sensitive Premises

The distances to residential and sensitive receptors are detailed in Table 7.

**Table 7: Receptors and distance from activity boundary**

Sensitive Land Uses	Distance from Prescribed Activity
Residential Premises	Approximately 800 metres south-east of the quarry is a number of lifestyle residential blocks.

### 6.3 Specified ecosystems

Specified ecosystems are areas of high conservation value and special significance that may be impacted as a result of activities at or Emissions and Discharges from the Premises. The distances to specified ecosystems are shown in Table 8. Table 8 also identifies the distances to other relevant ecosystem values which do not fit the definition of a specified ecosystem.

The table has also been modified to align with the *Guidance Statement: Environmental Siting*.

**Table 8: Environmental values**

<b>Specified ecosystems</b>	<b>Distance from the Premises</b>
Important wetlands – Western Australia	The Moore River is located approximately 330 meters directly west of the boundary of Lot 222.
<b>Biological component</b>	<b>Distance from the Premises</b>
Threatened/Priority Flora	None within 2km of Lot 222
Threatened/Priority Fauna	1km south-west of the boundary of Lot 222



## 7. Risk assessment

### 7.1 Determination of emission, pathway and receptor

In undertaking its risk assessment, DWER will identify all potential emissions pathways and potential receptors to establish whether there is a Risk Event which requires detailed risk assessment.

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission. Where there is no actual or likely pathway and/or no receptor, the emission will be screened out and will not be considered as a Risk Event. In addition, where an emission has an actual or likely pathway and a receptor which may be adversely impacted, but that emission is regulated through other mechanisms such as Part IV of the EP Act, that emission will not be risk assessed further and will be screened out through Table 9.

The identification of the sources, pathways and receptors to determine Risk Events are set out in Table 9 below.

**Table 9: Identification of emissions, pathway and receptors**

Risk Events						Continue to detailed risk assessment	Reasoning
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts			
Crushing and screening of material	Vehicle movements on unsealed access roads; crushing, screening of raw material, dust lift off from stockpiles and as a result of moving material and vehicle loading.	Dust	Nearest residence located 800m SE of the crushing and screening activities.	Air / wind dispersion	Amenity and potential suppression of photosynthetic and respiratory functions.	No	The applicant has been operational at the site for a number of years with no recorded complaints to DWER made about the operational activities. The increase to 100,000 tonnes per year is a nominal increase that will not have any noticeable effect on noise or dust emissions.  The Delegated Officer considers the <i>Environmental Protection (Noise) Regulations 1997</i> and the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> are sufficient to regulate noise and dust emissions during operation.
		Noise					

## 8. Determination of Licence conditions

The conditions in the issued Licence in Attachment 1 have been determined in accordance with the *Guidance Statement: Setting Conditions*.

The *Guidance Statement: Licence Duration* has been applied and the issued licence expires in 10 years from date of issue.

Table 10 provides a summary of the conditions to be applied to this licence.

**Table 9: Summary of conditions to be applied**

Condition Ref	Grounds
Environmental Compliance Condition 1	Environmental compliance is a valid, risk-based condition to ensure appropriate linkage between the licence and the EP Act.
Infrastructure and Equipment 2	These conditions are valid, risk-based and contain appropriate controls.
Record Keeping Conditions 3 - 6	These conditions are valid and are necessary administration and reporting requirements to ensure compliance.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the Licence under the EP Act.

## 9. Applicant's comments

The Applicant was provided with the draft Decision Report and draft issued Works Approval on 5/08/2018. The Applicant did not provide comments on the draft documents.

## 10. Conclusion

This assessment of the risks of activities on the Premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this Decision Report (summarised in Appendix 1).

Based on this assessment, it has been determined that the Issued Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

**Tim Gentle**  
**Manager, Resource Industries**

Delegated Officer  
under section 20 of the *Environmental Protection Act 1986*

## Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Split Rock Enterprises Pty Ltd 20 July 2017 - <i>Licence application form</i>	N/A	accessed at <a href="http://www.der.wa.gov.au">www.der.wa.gov.au</a>
2.	Registration R1015 – Caraban Road Limestone and Sand Supplies	R1015	DWER records (A541365)
3.	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
4.	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
5.	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
6.	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2016b	
7.	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	DER 2016c	

## Attachment 1: Issued Licence L9205

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