



Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L9214/2019/1
Applicant	Alltrack WA Pty Ltd
ACN	132 850 232
File Number	DER2019/000351
Premises	Cooljarloo Limestone 10092 Indian Ocean Drive Cooljarloo WA 6507 Legal description - Lot 80 on Deposited Plan 411025
Date of Report	5/12/2019
Status of Report	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
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
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.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
m ³	cubic metres
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
PM	Particulate Matter
PM ₁₀	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
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

2. Purpose and scope of assessment

An application was received from consultants Harley Dykstra Pty Ltd on behalf of Cooljarloo Investments Pty Ltd (the Applicant) on 7 June 2019 for a Licence under the *Environmental Protection Act 1986* (EP Act) at Lot 80 on Deposited Plan 411025 (the Premises). The application was put on hold by the applicant on 29/08/2019. On 22 November 2019, the new owner, Alltrack WA, requested the licence be issued.

2.1 Application details

This application is to allow for an increase in throughput from 49,000 to 75,000 tonnes per annual period. The operations at the Premises currently operate as a Category 70 premises, under Registration R2447/2017/1. A licence will be required to operate at 75,000 tonnes per annual period under Category 12.

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
<i>Application for License - Lot 80 (No. 10092) Indian Ocean Drive, Cooljarloo. Harley Dykstra – email</i>	7 June 2019

3. Background

Alltrack WA Pty Ltd (The Applicant) holds written permission from the land owner to operate a Lime sand quarry at the Premises.

Historically, the Premises was used for the extraction of limestone for road base by Main Roads WA for public works in the construction of Indian Ocean Drive. Subsequent to this, the Owners applied for and obtained planning approval to continue this extractive industry.

The Applicant applied for and were issued Works Approval W6044/2017/1 on 26 May 2017 to establish the crushing and screening of lime sand at the then premises, Lot 800 on Plan 71316. Once the works had been undertaken, Registration R2447/2017/1 was issued to operate a category 70 crushing and screening operation.

The Owners of the premises subsequently subdivided Lot 800. The operations are now located on the current cadastral location, Lot 80 on Deposited Plan 411025.

This application is to increase the product output from 49,000 to 75,000 tonnes per annual period. The increase in tonnage will be achieved by increasing the hours of operation. No additional equipment or staff will be required.

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 on which material is extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	75,000 tonnes per year

4. Overview of Premises

4.1 Operational aspects

The primary activities under construction and operation which have been proposed for the Premises, (note not all activities are regulated by DWER) include:

- Removal of topsoil from excavation area and stockpiling for rehabilitation works with the use of a loader.
- Extraction of lime sand with the use of a loader;
- Screening of product to remove organic material, rocks and spoil;
- Excavation proposed to a floor elevation to align with prevailing natural level of the surrounding land (removal of elevations/ undulations);
- Quarry area to be progressively excavated towards the north and east of the primary activity area in compliance with *Mines Safety and Inspection Act 1994*;
- Rehabilitation of the primary activity area in accordance with the 'Shire of Dandaragan 2007, *Extractive Industries Information Package*';
- Abstraction of groundwater under the *Rights in Water and Irrigation Act 1914* (RiWI Act);
- Roads, footpaths and parking areas; and
- Access roads and tracks.

A 3,000 litre water cart will be used for dust suppression at the premises during operation, with no dry topsoil stripping to occur when the wind speed is greater than 25km/hr. No dry excavation or truck loading will occur in winds of greater than 40km/hr.

4.2 Infrastructure

Cooljarloo Limestone infrastructure, as it relates to Category 12 activities, is detailed in Table 4 and with reference to the Site Plan (attached in the Issued Licence).

Table 4 lists infrastructure associated with each prescribed premises category.

Table 4: Cooljarloo Limestone Category 12 infrastructure

	Infrastructure	Site Reference
	Prescribed Activity Category 12	
1	Mobile screening plant and associated infrastructure to be located within the premises approximately 1.2 km north of Indian Ocean Drive, no closer than 600 m to Wanagarran Nature Reserve (western boundary), ≥ 500 m from any sensitive residential receptors.	Diagram 1 – Limesand extraction area
2	Screening equipment to include screens or covers to manage dust emissions.	Various locations
3	1 x 10,000 L water tank for dust suppression and fire-fighting purposes.	
4	1 x Sandvik UH430E Mobile screening unit mounted on a wheeled chassis.	
5	Location of a 1 x 3,000 litre water cart for use in dust suppression.	



Diagram 1: Proposed extraction area

5. Legislative context

5.1 Other relevant approvals

5.1.1 Planning approvals

Planning approval was granted by the Shire of Dandaragan on 29 November 2016 to establish a Limesand Quarry at the Premises under the *Planning and Development Act 2005*.

An Extractive Industry licence was granted to the Applicant by the Shire of Dandaragan

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: 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 5 summarises the works approval and licence history for the premises.

Table 5: Works approval and licence history

Instrument	Issued	Nature and extent of works approval, licence or amendment
W6044/2017/1	26/5/2017	New Works Approval issued
R2447/2017/1	9/3/2018	New Registration issued
L9214/2019/1	3/12/2019	New licence issued to reflect production increase to 75,000 tonnes/annum and new ownership (Alltrack WA Pty Ltd).

6. Location and siting

6.1 Siting context

The Premises is located approximately 25 km north of Lancelin and north-west of Nilgen, within the Shire of Dandaragan, adjacent to Wanagarran Nature Reserve on the west; and Department of Planning, Lands and Heritage to the south and east with designated land use for 'explosives' (Lancelin Defence Training Area) (Local Planning Scheme 7 – Map 3).

The premises is located within a high fire risk (Fire and Emergency Services Commissioner), 'rural' zoned area as determined by Local Planning Scheme 7 of the Shire of Dandaragan and is isolated. Indian Ocean Drive is located on the south south-eastern boundary of the premises.

6.2 Residential and sensitive Premises

The distances to residential and sensitive receptors are detailed in Table 6.

Table 6: Receptors and distance from activity boundary

Sensitive Land Uses	Distance from Prescribed Activity
Nil	The premises does not adjoin, and is not in close proximity to, any sensitive residential receptors. The primary activity area is located approximately 600 m from the western and 1.5 km from the southern boundaries of the premises.

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 7. Table 7 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 7: Environmental values

Specified ecosystems	Distance from the Premises
Wanagarran Nature Reserve	Adjacent to the western boundary of the prescribed premises, approximately 600 m west of the primary activity area (Category 70).
Threatened and Protected Flora – Conservation value 3 (within Wanagarran Nature Reserve)	Approximately 3.3 km west of the primary activity area (Category 70).

6.4 Groundwater and water sources

The distances to groundwater and water sources are shown in Table 8.

Table 8: Groundwater and water sources

Groundwater and water sources	Distance from Premises	Environmental value
Groundwater and groundwater salinity	According to DER's GIS dataset groundwater within the premises varied between 30.4 mBGL in the south (TDS 680 mg/L) to 17.01 mBGL (TDS 460 mg/L) in the north.	Groundwater is considered fresh to marginal across the premises (DoW, Salinity status classification).
<i>RiWI Act 1914</i>	According to DER's GIS dataset the Premises is located in the Proclaimed Gingin Groundwater Area.	Protection of proclaimed groundwater area.
Watercourses	According to DER's GIS dataset there is a significant stream located approximately 4 km north east of the premises boundary.	N/A
	According to DER's GIS dataset there is a Minor Tributary, which feeds into the Douaraba Swamp and Walyengarra Lake, located approximately 7.52 km east of the premises boundary.	

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 5: Identification of emissions, pathway and receptors during operation

Risk Events					Continue to detailed risk assessment	Reasoning	
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts			
Category 12 Screening etc. of material (lime sand)	Screening of lime sand	Noise	No residences within > 5 km outside of the premises boundary;	Air / wind dispersion	Amenity	No	The premises are isolated from other human receptors. The Delegated Officer considers that for the size of the proposed operation, separation distance to specified ecosystems and its location within a low population density area, general provisions of the EP Act are sufficient to regulate dust emissions during operation.
		Dust	No specified ecosystems within 600 m from primary activity area.	Air / wind dispersion	Potential to be deposited on vegetation which may prevent photosynthesis and plant respiration.	No	

Risk Events					Continue to detailed risk assessment	Reasoning
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
Category 12 Screening etc. of material (lime sand)	Screening of lime sand	Leaks and spills of hydrocarbons from operation of trucks, screening equipment and storage areas (abnormal operation)	Soil, surface water or groundwater	Surface runoff, direct discharges to land and infiltration through soils.	Potential contamination of soil, surface water, groundwater.	No The distance to groundwater water is considered significant (>15 m within medium to fine grained soils) and potential spillage volumes during operation are considered to be small in nature. No surface water bodies are in close proximity to the premises (>3.9 km). No hydrocarbon storage will occur onsite. Trucks removing sand from the site will not be refueled on site. The operators have an 11,000 L fuel truck which will be used to refuel the loader, but will otherwise be garaged offsite. The Delegated Officer considers that small volumes of hydrocarbon spills through abnormal operations can be adequately addressed under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .

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 on 7 February 2027.

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

Table 6: 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 Licence 26/08/2019. 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.	Licence L9214/2019/1 – Cooljarloo Limestone Licence	L9214/2019/1	accessed at www.der.wa.gov.au
2.	Works Approval W6044/2017/1 – Dawe Quarry Works Approval	W6044/2017/1	DWER records (A1798381)
3.	<i>Application for Licence – W6044/2017/1 – Cooljarloo Investments Pty Ltd – Lot 80 Indian Ocean Drive Cooljaroo – Shire of Dandaragan</i> ; Email – Harley Dykstra, 07/06/2019	Licence Application	DWER records (A1794871)
4.	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
5.	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
6.	DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
7.	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
8.	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	

Appendix 2: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder comment	DWER response

Attachment 1: Issued Licence L9214/2019/1
