



Application for Licence

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

Licence Number	L9286/2021/1
Applicant	Urban Resources Pty Ltd
ACN	121 043 034
File Number	DER2021/000141
Premises	Urban Resources Boundary Road Operation Boundary Road MARIGINIUP WA 6078 Mining tenement M70/1329 As defined by the Premises maps attached to the issued licence
Date of Report	5/08/2021
Decision	Licence granted

Terrel MacGregor
A/SENIOR ENVIRONMENTAL OFFICER
REGULATORY SERVICES

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

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1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the Premises. As a result of this assessment, Licence L9286/2021/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, 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 Application summary and overview of Premises

On 16 March 2021, the applicant submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a licence to authorise to the use of a wet screening plant and a dry screening plant to produce 450,000 tonnes of sand per annum at the Premises. The Premises is approximately 8 km north-east of Wanneroo within the Local Government Authorities of the City of Wanneroo and the City of Swan.

Construction works for the installation of the screening plants and two stormwater settlement ponds were undertaken under works approval W6392/2020/1. The Environmental Compliance Report (ECR) for the works was submitted to DWER on 11 February 2021. The applicant was notified by DWER on 12 February that the information within the ECR was sufficient to commence time limited operations. The premises has been operating under time limited operational conditions since this time.

The applicant has advised that adjustments to the area for wet screening operations and the settlement ponds have been made during the course of the works to provide greater operational flexibility at the Premises. The departments review of the changes has confirmed that these adjustments to the area are minor in nature with activities restricted to a similar area within the Premises as originally proposed in the works approval. The changes do not alter this risk profile of the premises. The applicant has provided an updated map to clearly indicate the new area, which is outlined in Figure 1 below. Coordinates accompanying the new imagery are included within Licence L9286/2021/1.

The Premises relates to the category and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L9286/2021/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Licence L9286/2021/1.

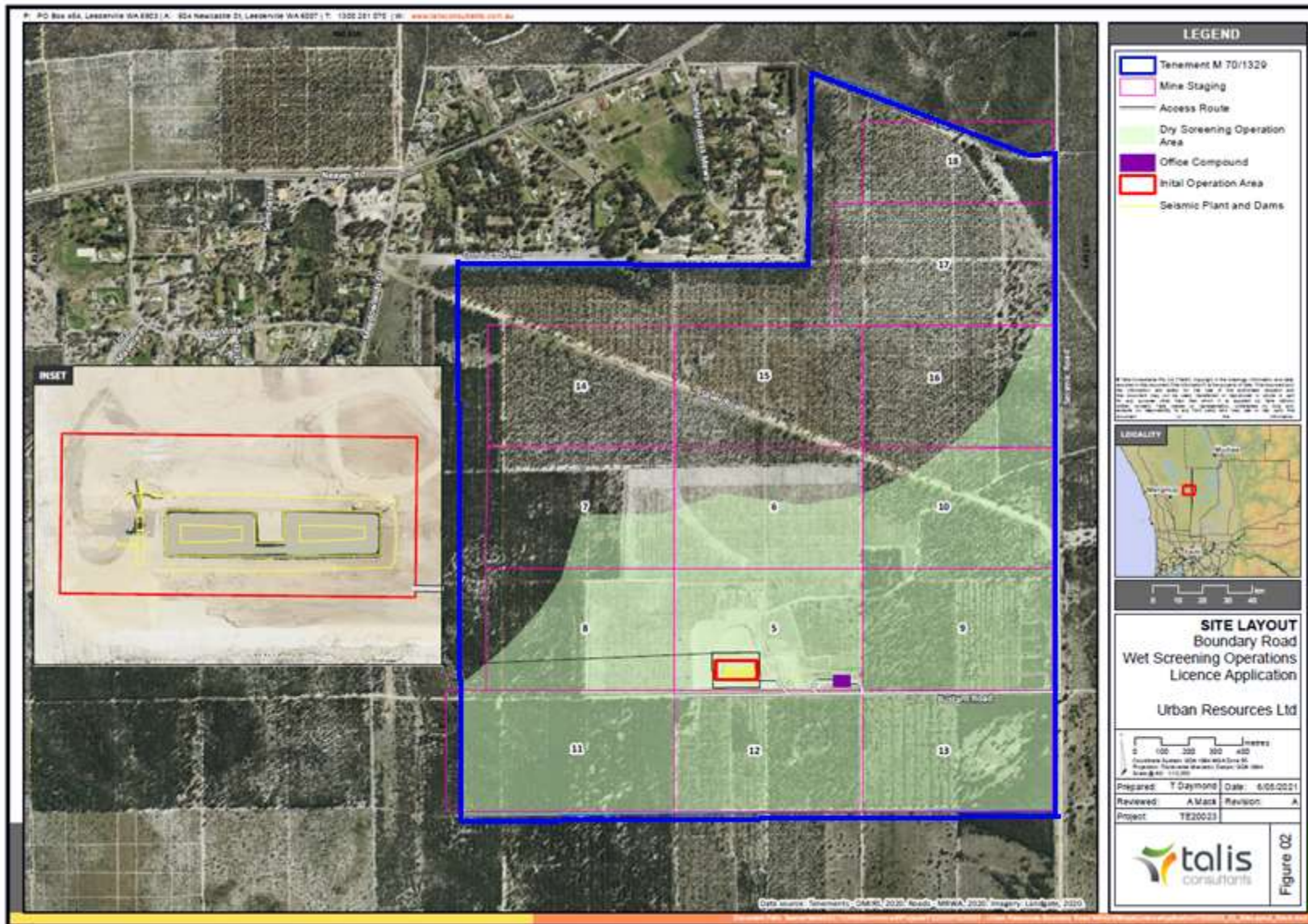


Figure 1: Premises overview - the Premises boundary is indicated by the blue line

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3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guidance Statement: Risk Assessments* (DER 2017).

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.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Decision Report are detailed in Table 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Crushing and screening of material, vehicle movements, lift-off from stockpiles	Air/windborne pathway causing impacts to health and amenity	<p>Crushing and screening equipment will include water sprays and appropriate dust suppression and will be supplemented by external sprays when necessary.</p> <p>Water sprays and carts will be used if high levels of dust are observed.</p> <p>Area authorised for dry screening limited to the southern portion of the Premises.</p> <p>Access roads and operational areas will be constructed using crushed and compacted limestone.</p> <p>Maximum speed limit of 50 kph on all access roads.</p> <p>Material drop heights between loaders and trucks, and trucks to stockpiles will be kept to the minimum practical height.</p>
Noise	Crushing and screening of material, vehicle movements		<p>Operations are limited to 6:00 am to 6:00 pm Monday to Saturday.</p> <p>All mobile equipment fitted with mufflers and noise shielding.</p> <p>Topsoil will be stockpiled to form a noise bund on the northern boundary on the Premises.</p> <p>A 300 m buffer will be retained from residences.</p> <p>Maximum speed limit of 50 kph on all access roads.</p> <p>All complaints will be recorded and</p>

Emission	Sources	Potential pathways	Proposed controls
			investigated.
Sediment laden stormwater	Stockpiled materials	Overland runoff potentially causing ecosystem disturbance or impacting surface/groundwater quality	Stormwater run off is directed to the two settlement ponds on the Premises. Settlement ponds are HDPE lined. Bunds and v-drains will be established along access roads to contain stormwater run-off and settle out sediment. A surface water monitoring program to monitor water quality in the geomorphic wetlands adjacent to mining activities will occur under the sites Mining Proposal.
Potentially contaminated stormwater	Spills or leaks of environmentally hazardous material		Storage of minor quantities of hazardous material will only occur in designated areas which are signed, banded or otherwise contained. Hydrocarbons and chemical containers will be regularly removed from site and disposed of at an appropriately licensed facility. All spills will be immediately contained and cleaned, with contaminated soil removed from site.

3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table

2

and

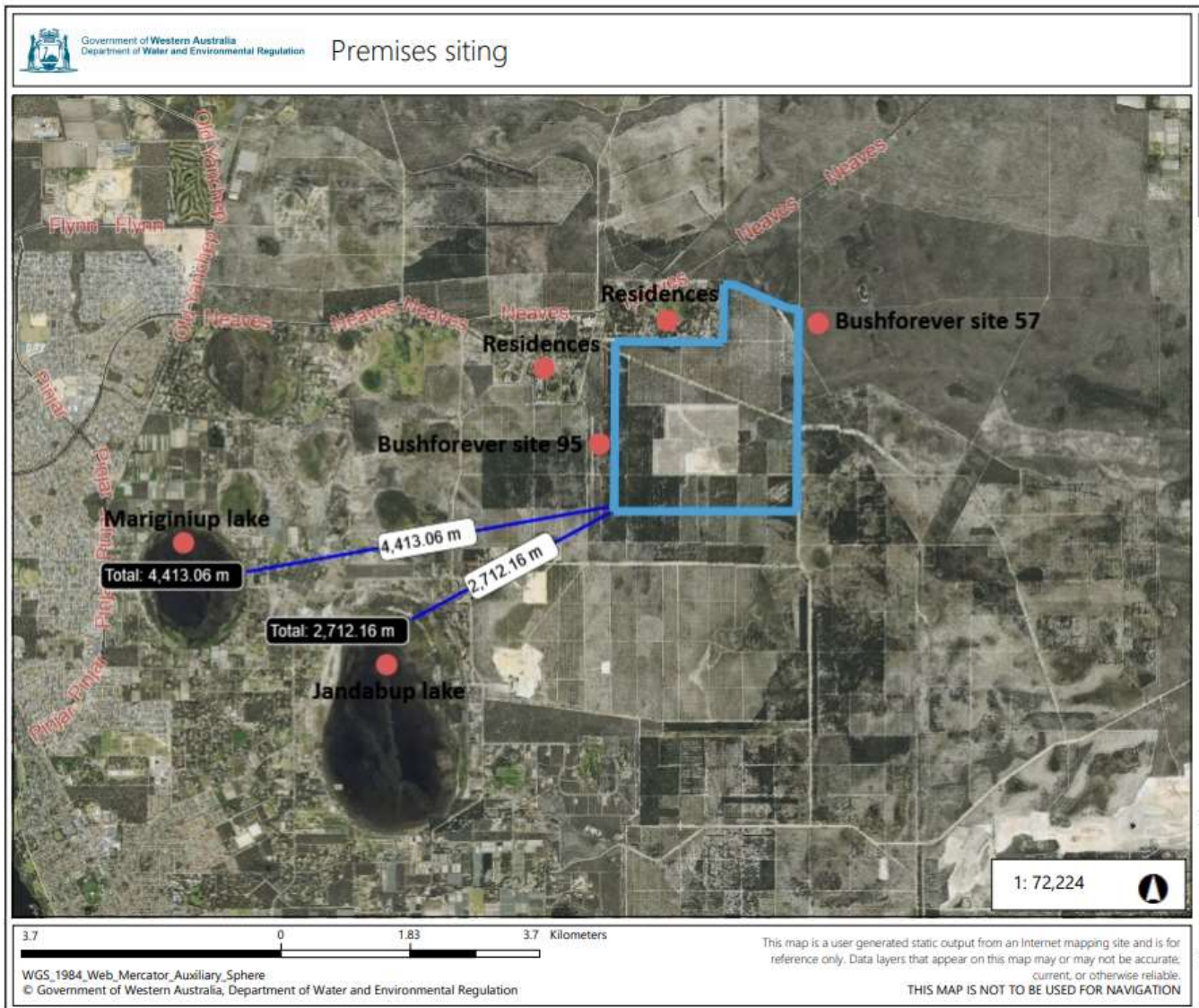


Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Rural Residential Premises	Immediately adjacent to the north and west of the Premises boundary. 1 km north of the dry screening operation area of the Premises
Environmental receptors	Distance from prescribed activity
Bushforever site 57 Bushforever site 95	Immediately adjacent to the west and north east of the Premises boundary.
Threatened fauna	Mapped within Premises area and in immediate

<ul style="list-style-type: none"> • <i>Calyptorhynchus latirostris</i> 'Carnaby's cockatoo' • <i>Calyptorhynchus sp.</i> 'white-tailed black cockatoo' 	vicinity of Premises boundary.
<p>Threatened Ecological Communities (TEC's)</p> <ul style="list-style-type: none"> • Banksia dominated woodlands of the Swan Coastal Plain 	Buffer zones for TEC's mapped immediately surrounding Premises boundary.
<p>Surface water bodies</p> <ul style="list-style-type: none"> • Jandabup Lake • Mariginiup Lake 	<p>2.5 km south west of Premises</p> <p>4.5 km west of Premises</p>
<p>Proclaimed Groundwater Area</p> <ul style="list-style-type: none"> • Gnangara Groundwater Area 	Premises mapped within area
<p>Proclaimed Surface Water Area</p> <ul style="list-style-type: none"> • Swan River System 	Premises mapped within area
<p>P1 Public Drinking Water Source Area (PDWSA)</p> <ul style="list-style-type: none"> • Gnangara Underground Water Pollution Control Area • Groundwater is located 7 mbgl 	Premises mapped within area

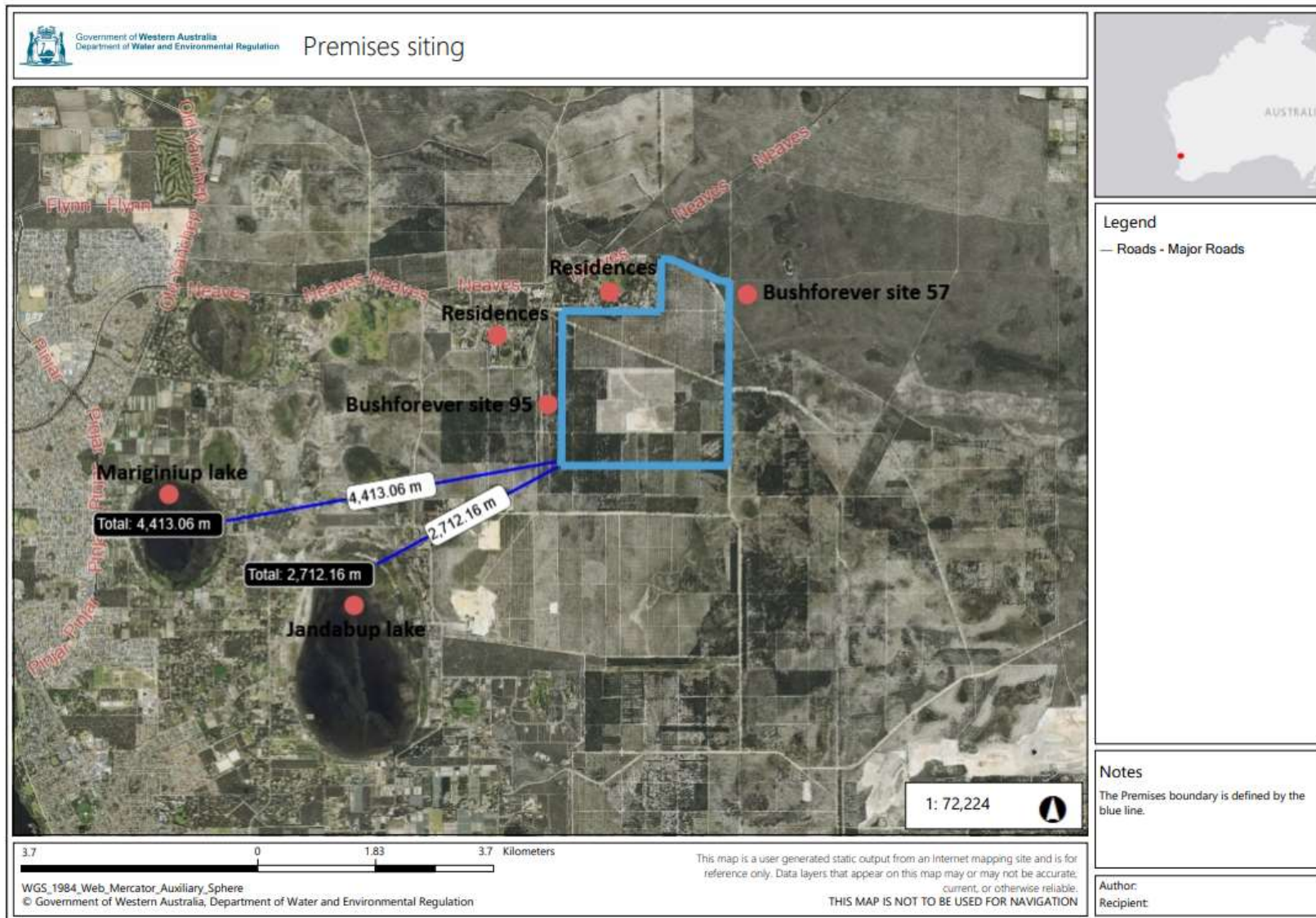


Figure 1: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Licence L9286/2021/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. screening activities.

The conditions in the issued Licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Rural Residential Premises immediately adjacent to the north and west of the Premises and 1km from the operational area of the Premises	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1	<p>For noting: The dry screening plant is limited to operating within an area of the Premises that has a minimum of 1 km separation distance to sensitive receptors (Figure 3 of the licence)</p> <p>Should the Licence Holder wish to operate outside this area, a licence amendment will be required. The licence amendment should include information about how compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> will be achieved and how dust emissions will be managed given the change in distance to the sensitive receptors.</p>
	Noise		Bushforever sites immediately adjacent to the west and north east of the Premises boundary through dust deposition on native vegetation.	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1 and 2	
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface/groundwater quality	Bushforever sites immediately adjacent to the west and north east of the Premises boundary.	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1 and 3	N/A
	Potentially contaminated stormwater		TEC's mapped immediately surrounding Premises boundary Proclaimed groundwater and surface water areas P1 PDWSA	Refer to Section 3.1	C = Moderate L = Rare Medium Risk	Y	Condition 3	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website 28 April 2021	None received	N/A
City of Wanneroo advised of proposal 28 April 2021	<p>Comments received 7 May 2021</p> <p>It is strongly recommended that DWER undertake consultation with the following in respect to the Licence Application:</p> <ul style="list-style-type: none"> • Department of Mines, Industry Regulation and Safety (DMIRS), as they have granted approval for mining activities; • Department of Planning, Lands and Heritage (DPLH), as the land is reserved under the Metropolitan Region Scheme; • Department of Biodiversity, Conservation and Attractions (DBCA), as they have management interests; and • Local Mariginup residents situated on rural-residential properties to the North and North-west of the subject land. 	<p>Noted.</p> <p>The application was advertised on the department's website and the West Australian newspaper.</p> <p>The delegated officer consulted with public authorities who, in the department's opinion, may have a direct interest in the Licence application, as outlined in the <i>Industry Regulation: Guide to Licensing</i>. These are as outlined in this table (Table 4).</p> <p>This level of consultation was determined to be sufficient for the application.</p>
City of Swan advised of proposal 28 April 2021	<p>Comments received 19 May 2021</p> <p>The subject land is reserved under the Metropolitan Region Scheme (MRS). Current development on the subject land is approved under the Mining Act and is therefore exempt under the MRS and no application for development approval is required.</p> <p>The City has no further comments other than that necessary mitigation measures be implemented to limit the impact of proposed activities on surrounding sensitive land uses.</p>	Noted.
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 28 April 2021	None received	N/A

<p>Applicant provided with draft documents 25 June 2021</p>	<p>Comments received 19 July 2021 Formatting issues need to be rectified. The Decision Report suggests there will be a discharge of waste into a designated area (as defined in Section 57 of the EP Act). We do not believe this statement to be correct and request a modification to this be made.</p>	<p>Formatting issues have been corrected in final revision. The Delegated Officer considers that whilst the Premises does reside within designated areas under the <i>RIWI Act 1991</i> (being the Gnangara Groundwater Area, Swan River System and the Gnangara Underground Water Pollution Control Area) there is no discharge which would constitute a discharge of waste. Reference to a discharge of waste into a designated area has been removed from the Decision Report. The potential impact of Premises activities to the designated areas defined under the <i>RIWI Act 1911</i> has been considered in DWER's risk assessment, with the designated areas listed as environmental receptors.</p>
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5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that a licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
4. DWER 2019; *Guideline: Industry Regulation Guide to Licensing*, Perth, Western Australia.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)						
Application type						
Licence	☒	Relevant works approval number:	W6392/2020/1	None	<input type="checkbox"/>	
		Has the works approval been complied with?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			
		Environmental Compliance submitted?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
		Date Report received: 11 February 2021				
Date application received		16 March 2021				
Applicant and Premises details						
Applicant name/s (full legal name/s)		Urban Resources Ltd				
Premises name		Boundary Road Operations				
Premises location		M70/1329				
Local Government Authority		City of Wanneroo and City of Swan				
Application documents						
HPCM file reference number:		DER2020/000150~2				
Key application documents (additional to application form):		Boundary Road Licence Supporting Letter				
Scope of application/assessment						
Summary of proposed activities or changes to existing operations.		<p><u>Licence</u></p> <p>Application to authorise crushing and screening operations at the Premises.</p> <p>Construction works were undertaken under works approval W6392/2020/1. Infrastructure consists of a wet screening plant, a dry screening plant and two settlement ponds.</p> <p>The ECR for the works was submitted on 11 February 2021. The applicant was notified by DWER on 12 February 2021 that the information within the ECR was adequate. The premises is currently operating under TLO.</p> <p>The applicant has identified that a minor change has been made to the premises operational footprint to what was specified in the works approval, to provide greater operational flexibility on the site.</p>				

Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Proposed production or design capacity	
Category 12: Screening etc. of material	450,000 tonnes per annual period	

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 checked="" 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 type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: Mining tenement in place.
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: 8070/1
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Licence/permit No: 119257 and 119258

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: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: Swan Avon
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Gnangara Underground Water Pollution Control Area Priority: P1 Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Mining Act 1978</i>
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"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A