



Application for Licence

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

Licence Number	L9343/2022/1
Applicant	B. & J. Catalano Pty Ltd
ACN	008 961 975
File number	DER2022/000248
Premises	Lots 4 and 7 Runnymede Road Quarries Runnymede Road WELLESEY WA 6233 Legal description – Part of Lot 4 on Plan 5888 Part of Lot 7 on Diagram 40591 As defined by the coordinates in Schedule 2 of works approval
Date of report	6 February 2023
Decision	Licence granted

**A/MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES**

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary and overview of premises	1
3. Risk assessment	2
3.1 Source-pathways and receptors	2
3.1.1 Emissions and controls	2
3.1.2 Receptors	5
3.2 Risk ratings	7
4. Consultation	10
5. Conclusion	10
References	10
Appendix 1: Summary of applicant’s comments on risk assessment and draft conditions	11
Appendix 2: Application validation summary	12
Table 1: Proposed applicant controls	2
Table 2: Sensitive human and environmental receptors and distance from prescribed activity	5
Table 3: Risk assessment of potential emissions and discharges from the premises during construction and operation	8
Table 4: Consultation	10
Figure 1: Distance to sensitive receptors	6

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, L9343/2022/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 3 May 2022 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 relating to Category 12 screening activities at the premises. The premises is approximately 21 km north of Bunbury.

On Lot 7 Runnymede Road, the applicant is proposing to operate a Terex Finlay screen and associated ancillary equipment in order to screen up to 200 000 tonnes of sand per year. In addition to the primary activities on lot 7 Runnymede Road, standard (dry) screening will take place intermittently on Lot 4. A total throughput of up to 250 000 tonnes between lot 4 and 7 is proposed.

Additional volumes of sand will also be extracted from the premises but do not require screening due to the nature of the material. A weighbridge is located at the entrance to the premises within Lot 4. The premises will operate from 7:00 am to 6:00 pm Monday to Friday, and 7:00 am to 12:00 pm Saturdays.

Extraction will be undertaken using a front-end loader. Extractive operations within the stages will include topsoil removal, excavating, screening and stockpiling of sand, truck loading of sand and rehabilitation of the extraction area. There are no unique or non-standard processes or operations associated with the proposed sand extraction.

Process water from the wet screening operations will be discharged into a recycling circuit of 3 settling tanks and 2 sediment ponds, and then reused in the wet screening process. The sediment fines collected from this process will be temporarily stored in a fines storage facility to later be mixed with the fill sand (unscreened sand product) produced on site, and/or be used to enhance the water retaining properties of the topsoil used in rehabilitation.

The infrastructure on site was constructed under Works Approval W6629/2022/1 which was granted 19 April 2022. A review of the construction compliance report by the department on 20 June 2022 determined that site construction was compliant with the conditions of W6629/2022/1. The applicant requested a modification to site processes than what was assessed under the works approval, this request was received on 7 October 2022 and has been incorporated into this existing licence application. The applicant has requested approval for the construction of a pit (Fines storage facility) to improve efficiency of site processes. Construction risks are assessed in this decision report and conditions have been included in L9343/2022/1 to manage these risks.

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 L9343/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9343/2022/1.

The applicant holds Extractive Industry Licenses for Lot 4 granted by the Shire of Harvey on 29 October 2018 and Lot 7 granted in July 2021 (which expire on 17 March 2022 and 20 June 2027 respectively). Extractive operations will include removal and storage of topsoil, excavating, screening and stockpiling of sand, and rehabilitation of the extraction area.

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 *Guideline: Risk Assessments* (DWER 2020).

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 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
Construction			
Dust	Construction of fines storage facility	Air/windborne pathway causing impacts to health and amenity.	<ul style="list-style-type: none"> Not to exceed dimensions of 50 m (l) x 50 m (w) x 3 (m) depth Implementation of a dust management plan A 15 kL water cart will be on site during all periods when earth is being moved. When dust occurs, the water cart will be employed to damp down areas of concern. If fugitive dust can be seen crossing the premises boundary, the source of the dust will be identified and measures implemented to prevent or minimise further dust emissions. If there are high winds and conditions are dusty, then operations will cease until adequate wetting down has occurred or conditions have changed. Internal roads to be surfaced with limestone.

Emission	Sources	Potential pathways	Proposed controls
			<ul style="list-style-type: none"> • 20 km/hr speed limit will apply to trucks on internal roads. • Training to be provided to employees and contractors. • A notice will be erected at the front gate that provides emergency contact details for the Quarry Manager. • A complaints system will be in place and any complaints will be recorded by the Quarry Manager and acted on promptly.
Noise	Construction of fines storage facility	Air/windborne pathway causing impacts to amenity.	<ul style="list-style-type: none"> • Not to exceed dimensions of 50 m (l) x 50 m (w) x 3 (m) depth • Late model equipment will be utilised with reduced noise level outputs, including broadband reversing alarm. • Operations will be restricted to 7am to 6pm Monday to Friday and 7am to 12pm Saturdays. • A complaints register is in place with all complaints being formally recorded. Signage on the gate includes a contact number for the Quarry Manager to allow for quick response to any complaints that might arise.
Operation			
Dust	Handling, screening, stockpiling of material and vehicle movements	Air/windborne pathway causing impacts to health and amenity.	<ul style="list-style-type: none"> • Implementation of a dust management plan. • A 15 kL water cart will be on site during all periods when earth is being moved or screening is being conducted. When dust occurs, the water cart will be employed to damp down areas of concern. During dry-screening, a spray-bar will be employed when required. • A combination of wetting down and surfactant application will be used on stockpiles if dust issues are encountered, preventing fine dust from becoming airborne. • Fines will only be stockpiled temporarily and will be a maximum of 2 m high. • If fugitive dust can be seen crossing the premises boundary, the source of the dust will be identified and measures implemented to prevent or minimize further emissions. • If there are high winds and conditions are dusty, then operations will cease until adequate wetting down has occurred or

Emission	Sources	Potential pathways	Proposed controls
			<p>conditions have changed.</p> <ul style="list-style-type: none"> • Handling of materials to be kept to a minimum. • Internal roads to be surfaced with limestone • 20 km/hr speed limit apply to trucks on internal roads. • Truck loads to be covered during transit. • Training to be provided to employees and contractors. • A notice will be erected at the front gate that provides emergency contact details for the Quarry Manager. • A complaints system will be in place and any complaints will be recorded by the Quarry Manager and acted on promptly.
Noise	Handling, screening, stockpiling of material and vehicle movements	Air/windborne pathway causing impacts to health and amenity.	<ul style="list-style-type: none"> • Topsoil will be pushed up in bunds along the edges of the pit. • Sand will be stockpiled in a manner that will maximise the buffering of noise that might occur from loading trucks. • Late model equipment will be utilized with reduced noise level outputs, including broad band reversing alarm. • Operations will be restricted to 7am to 6pm Monday to Friday and 7am to 12 pm Saturdays. • A complaints register is in place with all complaints being formally recorded. Signage on the gate includes a contact number for the Quarry Manager to allow for quick response to any complaints that might arise.
Process water (containing a high fine sediment load and added flocculant)	Wash screening plant	Overland runoff causing impacts to surface water quality and infiltration	<ul style="list-style-type: none"> • Process water ponds and settling ponds lined with PVC or HDPE geomembranes. • Sludge from tanks will be discharged into cement pits. • dewatered fines from the cement pits will be pumped to an approximately 50mx50m fines storage facility.
Sediment laden stormwater	Dry screening plant	Overland runoff causing impacts to surface water quality	<ul style="list-style-type: none"> • The existing pits and final land surface will be internally draining.

3.1.2 Receptors

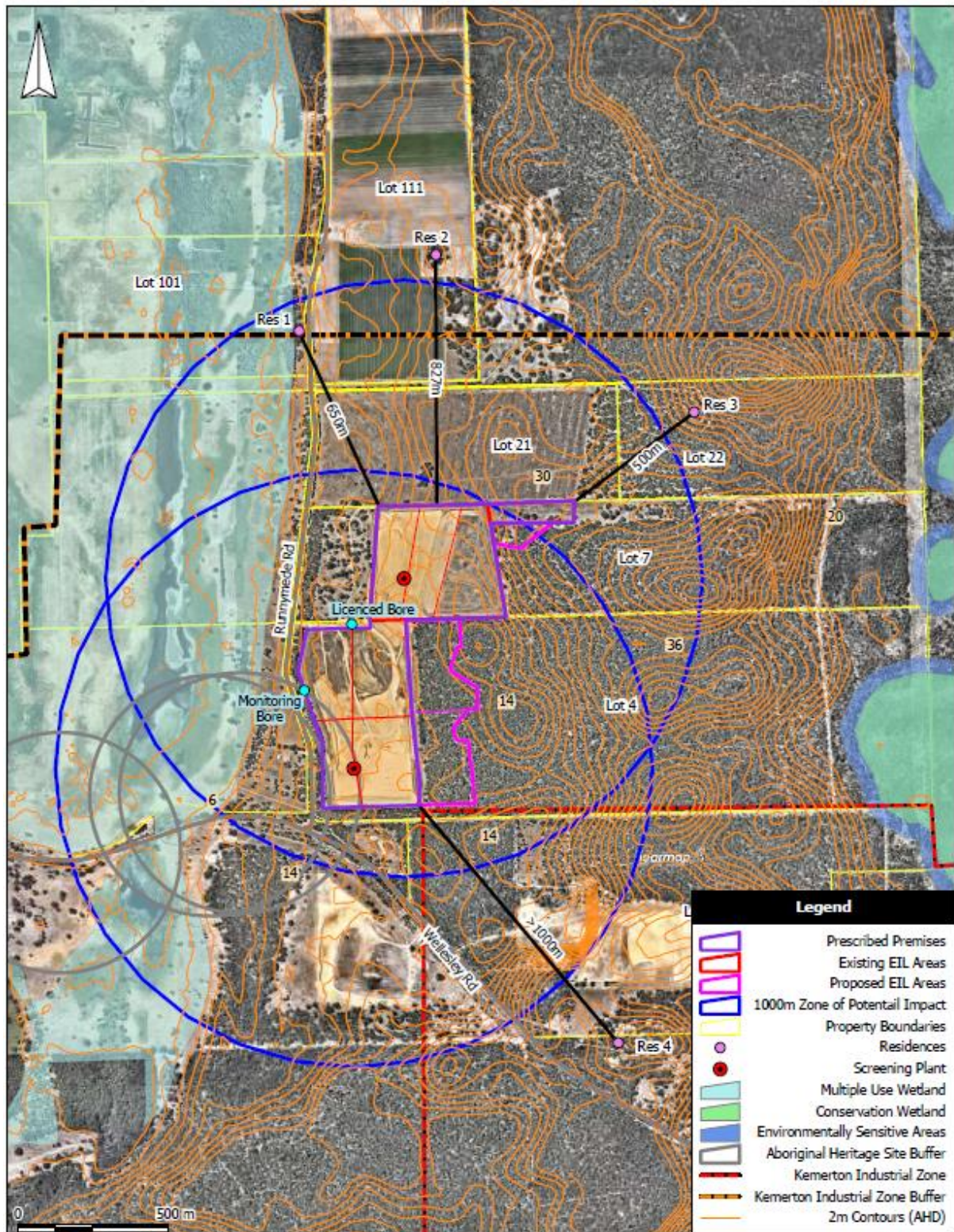
In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other 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 (*Guideline: Environmental Siting* (DWER 2020)).

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

Human receptors	Distance from prescribed activity
Residential premises	Residence 1 – >1000m north-west of wet screening plant Residence 2 – >1000m north of wet screening plant Residence 3 – 870 m north-east of wet screening plant
Environmental receptors	Distance from prescribed activity
Threatened Ecological Community (TEC)	Banksia dominated woodlands of the swan coastal plain are located adjacent to the premises boundary to the east, within the cadastral lot.
Wetlands	<ul style="list-style-type: none"> • Myalup swamp – approximately 400 m west of prescribed activity and 95 m west of prescribed premise boundary • Unnamed damplands – approximately 1.7 km east of prescribed activity
<i>Rights in Water and Irrigation Act 1914</i> – Perth Groundwater Area	Within the South West Coastal groundwater area Depth to groundwater is approximately 6.5 to 10 m AHD

Figure 1: Distance to sensitive receptors



Lundstrom Environmental Consultants Pty Ltd
 Leeming WA 6149
 Mob: 0417934863
 mikelund1@bigpond.com

Scale: 1:16000
 Original Size: A4
 Air Photo Source: Nearmap Dec 2019
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Sand Extraction
 Location: Lots 7 & 4 Runnymede | Wellesley

Attachment 7
Siting and Location

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 L9343/2022/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. Category 12 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 construction and operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Construction of Fines Storage Facility	Dust	Air / windborne pathway causing impacts to health and amenity	Neighbouring residential premises	Refer to Section 3.1.1	C = Slight L = Possible Low Risk	Yes	Condition 10	N/A
Vehicle movements and earthworks.	Noise	Air / windborne pathway causing impacts to health and amenity	Neighbouring residential premises	Refer to Section 3.1.1	C = Slight L = Possible Low Risk	Yes	Condition 10	N/A
Operation								
Handling, wet and dry screening, stockpiling of material. Vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Threatened ecological communities	Refer to Section 3.1.1	C = Slight L = Possible Low Risk	Yes	Applicant controls conditioned as 1, 3 and 4 Standard reporting condition 7 applies	N/A
	Noise	Air / windborne pathway causing impacts to health and amenity	Neighbouring residential premises	Refer to Section 3.1.1	C = Slight L = Unlikely Low Risk	Yes	Applicant controls conditioned as 1 and 2 Standard reporting condition 7 applies	N/A
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Neighbouring wetlands Threatened Ecological Communities Groundwater	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Yes	Applicant controls conditioned as 1 Standard reporting condition 7 applies	N/A
	Contaminated water	Discharge to groundwater	Neighbouring wetlands Threatened Ecological Communities Groundwater	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	No	Applicant controls conditioned as 1 and 10. Monitoring condition 5 proposed by department. Standard reporting condition 7 applies	Applicant has not demonstrated that the discharge of low volumes of process water through the unlined fines storage facility presents no risk to

L9343/2022/1

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								the environment. The department has proposed a surface water monitoring condition to provide certainty.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

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
<i>Application advertised on the department's website on 24/10/22</i>	No comments received	Noted
<i>Local Government Authority advised of proposal on 22/10/22</i>	No comments received. Follow up email sent on 20/12/2022 and no comment was received. An automated reply was received on both occasions acknowledging receipt of email.	
<i>Development WA advised of proposal on 24/10/22</i>	Development WA advised on 20/12/2022 that they had no comments to provide.	
<i>2 x Residential stakeholder letters were mailed on 21/10/22.</i>	No comments received. DWER contacted the applicant on 21/12/2022 and confirmed that there have been no complaints registered from these stakeholders regarding operation.	
<i>Applicant was provided with draft documents on 22 December 2022.</i>	<i>Refer to Appendix 1</i>	<i>Refer to Appendix 1</i>

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) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. *Environmental Protection Authority (EPA) 2018, Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual, Environmental Protection Authority, Perth, WA.*

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Prescribed premises category description (licence cover page)	Applicant confirmed that lots 4 and 7 combined throughput is up to 250 000 tonnes of sand per year. For the wet screening operations on Lot 7 alone, a throughput of up to 200 000 tonnes of sand per year is	Assessed production capacity updated from 230,000 to 250,000 in licence.
Condition 1, table 1	the Fines Storage Facility (FSF), a freeboard of 300mm is proposed. The natural topography of the location of the FSF combined with the porous nature of the sand surface means runoff is unlikely to be generated. While the installation of a fence will require some bunding (of approximately 300mm) on the lower side of the FSF, bunding is not considered necessary for this FSF.	Freeboard requirement has been condition in Table 1 of licence.
Schedule 1 maps	Applicant has provided an updated Figure 1 to include in decision report. This now references	Revised figure 1 updated and incorporated in this decision report.
Section 3.1.1 and table 3	Applicant confirmed that construction controls from licence application also apply to construction of the fines storage facility.	Section 3.11 and Table 3 updated to include construction risk assessment.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY					
Application type					
Works approval	<input type="checkbox"/>				
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:	W6629/2021/1	None	<input type="checkbox"/>
		Has the works approval been complied with?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Environmental compliance report submitted; compliance demonstrated A2108146
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>		TLO in progress
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
		Date Report received: 28 April 2022 (RFI response 19 July 2022)			
Date application received	3 June 2022				
Applicant and Premises details					
Applicant name/s (full legal name/s)	B. & J. Catalano Pty Ltd				
Premises name	Lots 4 and 7 Runnymede Road Quarries				
Premises location	<ul style="list-style-type: none"> Part of Lot 7 on Diagram 40591 (Volume 1358; Folio 260) Part of Lot 4 on Plan 5888 (Volume 1942; Folio 426) 				
Local Government Authority	Shire of Harvey				
Application documents					
HPCM file reference number:	DER2022/000248				
Key application documents (additional to application form):	<ul style="list-style-type: none"> Attachment 1A: Certificate of Title (for all relevant lots at the premises) Attachment 1B: ASIC Extract for B. & J. Catalano Pty Ltd (dated 28/10/14) Updated ASIC Extract (dated 4/7/2022) provided through RFI. Attachment 2: Figures Attachment 3B: Proposed Activities (including relevant Safety Data Sheet and laboratory certificate of analysis) Dust Management Plan (for Lot 7 Runnymede Road, Wellesley) Water Management Plan (for Lot 7 Runnymede Road, Wellesley) Hydrocarbon Spill Management Plan (generic) Relevant Approvals for all relevant lots at the premises, including clearing permits, planning consent, extractive industry licence, abstraction licence and EPBC approval. 				
Scope of application/assessment					

Summary of proposed activities or changes to existing operations.	<u>Licence</u> Operation of Category 12 activity (wet and dry sand screening).	
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	Proposed changes to the production or design capacity (amendments only)
Category 12: Screening etc. of material	Proposed – 250,000 tonnes per annual period (unlikely to reach due to non-continuous campaigns) Maximum (accounting to operating hour restriction and plant specs) - 485,000 tonnes per annual period	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"/>	Not significant
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not significant
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	EPBC 2011/5996 authorised the clearing activities in Lot 7, with designated revegetation area and buffer area specified. Clearing approval was subject to conditions. The premises is abutting Banksia woodland of Swan Coastal Plain TEC to its east. There is currently a referral under assessment to clear the TEC for a future stage in Lot 7. This is not within the scope of this assessment, but if approved, will likely be onto the premises boundary under a future amendment.
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"/> Owned by S & C & B Catalano Pty Ltd General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:

<p>Has the applicant obtained all relevant planning approvals?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	<p><u>Lot 4</u> Approval: Development Approval Approval: Extractive Industry Licence</p> <p><u>Lot 7 (Stage 1-3; Initial)</u> Approval: Development Approval Approval: Extractive Industry Licence</p> <p><u>Lot 7 (Stage 4a: Additional)</u> Approval: Development Approval</p>
<p>Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>CPS No: 5480/1, 8916/1 Clearing works have been completed for the premises. Additional clearing under a separate clearing permit is being sought; under assessment – to be dealt with under a future amendment.</p>
<p>Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Applicant has clearing permits (see above) but not under CAWS Act.</p>
<p>Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Licence/permit No: GWL 165046(2) Amended on 9/6/2022 to add Lot 7 works as authorised activities for water use and to decrease allocation from 350,900 kL/annum to 151,000 kL/annum.</p>
<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Name: South West Coastal Groundwater Area Type: Proclaimed Groundwater Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Low risk – already have an Abstraction Licence under RIWI</p>

Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Local Government Act 1995; Planning and Development Act 2005
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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"/>	N/A