



## Application for Licence

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

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<b>Licence Number</b>	L9374/2023/1
<b>Applicant</b>	Urban Resources Pty Ltd
<b>ACN</b>	121 043 034
<b>File Number</b>	DER2018/001042-8
<b>Premises</b>	Mather Drive Quarry 85 Mather Drive NEERABUP WA  Legal description - Lot 9003 on Deposited Plan 70103
<b>Date of Report</b>	16 May 2023
<b>Decision</b>	Licence granted

**A/MANAGER, RESOURCE INDUSTRIES  
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 operation of the Premises. As a result of this assessment, Licence L9374/2023/1 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 22/12/2022, Urban Resources Pty Ltd (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 crushing and screening activities (category 12) at the Premises. The Premises is approximately 8 km east of Quinn Rocks.

The Premises relates to Category 12 and assessed production capacity (450, 000 tonnes per annual period) under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L9374/2023/1. 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 2017) are outlined in Licence L9374/2023/1.

Works for the establishment of the site on the Premises were conducted under works approval W6406/2020/1. A compliance report to address conditions on the works approval was submitted by the works approval holder on 27 April 2022. The delegated officer deemed the works approval holder to be compliant with the conditions of the works approval.

#### 2.2.1 Overview of Premises

The premises activities consist of excavation, processing and stockpiling, which are proposed to be carried out in a progressive staged manner (Stages 1 – 5 as shown within the staging plan in Figure 1). The new crushing and screening facility will include mobile crushing (static primary, secondary and tertiary) and screening plants with conveyor belts that will be moved progressively in line with the staged operation. Primarily, limestone will undergo crushing and screening, whereas majority of the extracted sand will not require processing (i.e. screening).

Processed limestone and sand will go into stockpiles depending on the size of the limestone or the type of sand. Stockpiles will usually be around 5m high, however depending on the production, to minimise the footprint, stockpiles may be formed at up to 8m high.

#### Hours of operation

The crushing and screening plant operating hours are limited to 07:00 to 18:00 Monday to Saturday. No operations are carried out on Sundays or public holidays. The works approval application for the premises requested operating hours of 06:00 to 18:00 Monday to Saturday which includes a period of 'night time' operation between 06:00 – 07:00. The works approval includes a condition restricting operation to daytime hours (07:00 to 18:00) as the applicant was unable to adequately demonstrate compliance with the night time assigned noise levels within the *Environmental Protection (Noise) Regulations 1997* at the time of the works approval assessment.

This licence application has not requested ongoing operation of the premises during 'night—time hours' (06:00-07:00) however the premises local government approvals allow operation to occur between 06:00 to 18:00 Monday to Saturday.

### **Production Capacity**

The works approval for the premises was assessed at a production capacity of 450,000 tonnes per year. During commissioning and time limited operation under the works approval, the production capacity was re-assessed as having the potential to be higher due to the nature of the material being excavated (i.e., more sandy material requiring screening only). The equipment already being used can process at much higher volumes (>1 Mt per year) and the applicant is able to utilise multiple pieces of equipment to process material concurrently in two or more stages. Therefore, the licence application is requesting a production capacity of up to 900,000 tonnes per year. No additional processing machinery will be required to meet the proposed 900,000 tonnes per year. There will be no increase in risk of discharges affecting sensitive receptors, as the original risk assessment was undertaken using a scenario where all machinery was operating at the same time.

## **2.3 Other approvals**

The Development Application (DA) DA2020/330 was granted by the City of Wanneroo (the shire) on 01 December 2020. The DA is valid for a period of 10 years expiring on 1 December 2030. The applicant also holds an Extractive Industry Licence (EIL) for the premise granted by the City of Wanneroo which also expires on 1 December 2030. Both the DA and EIL contain regulatory controls (conditions) relating to the management of the extraction activity, including those for dust and noise. The conditions of approval granted under the City of Wanneroo's DA and EIL have been considered in the assessment undertaken for this licence application.

## **2.4 Exclusions to the Premises**

This assessment relates to the operation of a crushing and screening plant at the premises. The extraction of the material (i.e., quarrying activities) is out of the scope of this assessment. Therefore, the environmental assessment performed in this decision report considers the risks of emissions and discharges related to Category 12 crushing and screening operations only.

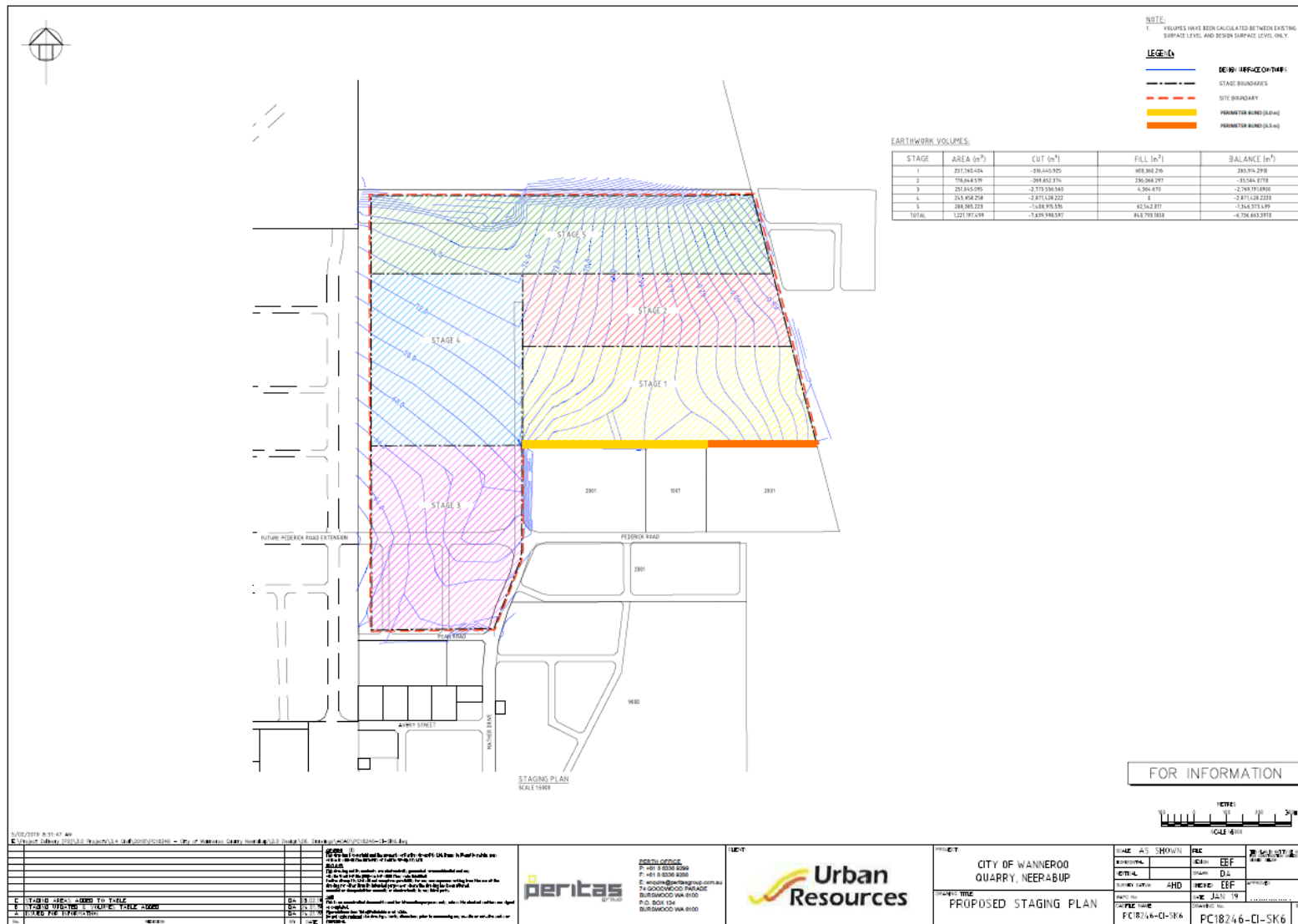


Figure 1: Proposed Project Extension staging operation plan

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IR-T13 Decision Report Template (short) v2.0 (July 2020)

### 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 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.

During assessment of works approval W6406/2020/1 for the establishment of the operations within the Premises, an Environmental Noise Impact Assessment (ENIA) was submitted to manage noise emissions from the construction and operation of the crushing and screening facility. Noise modelling undertaken for the proposed operations at the Premises included a number of noise control measures to ensure the operations were compliant with the *Environmental Protection (Noise) Regulations 1997*. These control measures are shown in Table 1 below and Figure 2.

**Table 1: Proposed applicant controls**

Emission	Proposed controls
Dust	<ul style="list-style-type: none"> <li>• Water truck for high traffic areas;</li> <li>• Water misters on conveyors and chutes;</li> <li>• Limited drop height for loading and unloading product;</li> <li>• Pinch points fitted with guards, screens and sheets;</li> <li>• Crushing and screening plant fitted with shields &amp; curtains with covered conveyors and hoppers; and</li> <li>• Processing will cease in unfavorable weather conditions.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• The crusher and screens will be located on the floor of the pit; in locations which provide for maximum noise screening:               <ul style="list-style-type: none"> <li>○ For stage 1, the topsoil bund on the southern vegetation strip will be maintained at 3m high in the west part and 3.5m in the east part, as shown in Figure 1;</li> <li>○ When mined in the eastern (one third) part of stage 1, the screening plant will be located at least 100m away from the southern pit edge and 170m from the eastern pit edge (the vegetation strip);</li> <li>○ For the eastern (one third) part of stage 2, mining will start from west toward east. The screening plant shall be located at no more than 30m behind the sand face;</li> <li>○ For stages 3 and 4, when mined toward east, both the crushing plant and the screening plant should be located at no more than 40m behind sand face. When mined toward west, the crushers and the screening plant should be located at no more than 70m behind sand face;</li> <li>○ For stage 5, the crushers and the screening plant will be located at no more than 35m behind sand face. When mined close to the west pit edge, the crushers and the screening plant shall also be located at no more than 70m behind the west sand face. When mined in the east part (more than 180m from the east pit edge), the crushers and the screening plant shall also be</li> </ul> </li> </ul>

Emission	Proposed controls
	<p>located at no more than 35m behind the east sand face;</p> <ul style="list-style-type: none"> <li>Lights or low frequency frog beepers are to be used;</li> <li>The premises operating hours are limited to 07:00 to 15:00 Monday to Saturday, no operations are carried out on Sundays or public holidays.</li> <li>The number of noise-generating machinery operating at any one time will be reduced as far as is practicable; and</li> <li>A site code is to be implemented and Urban Resources is committed to site induction and training for all personnel for all parts of the operations.</li> </ul>
Stormwater runoff	<ul style="list-style-type: none"> <li>Contour pit design will direct any surface water to the base of the pit and will be infiltrated in normal conditions due to the porosity of the surface.</li> </ul>
Hydrocarbon-contaminated wastewater	<ul style="list-style-type: none"> <li>All activities will be within the excavation, containing potential flows;</li> <li>Spill kits will be kept on site at all times; and</li> <li>Any contaminated soils will be immediately removed offsite for disposal.</li> </ul>

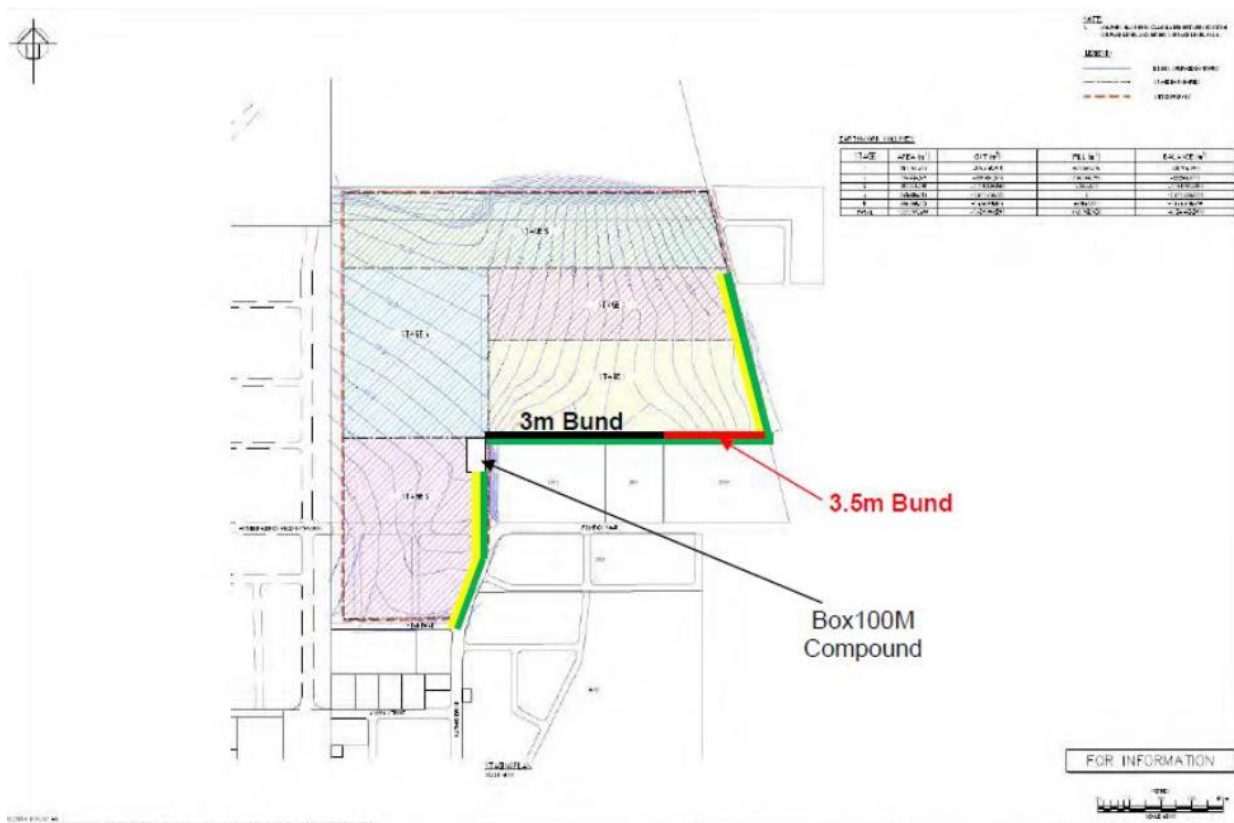


Figure 2: Bund locations

### 3.1.2 Receptors

In accordance with the *Guideline: Risk assessment* (DWER 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 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 2016)).

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

<b>Human receptors</b>	<b>Distance from prescribed activity</b>
Residential Premises	1,000m to the south (measured from the far south boundary of the proposed project area).
<b>Environmental receptors</b>	<b>Distance from prescribed activity</b>
Geomorphic Wetlands - Swan Coastal Plain (Management) <ul style="list-style-type: none"> <li>• Lake Pinjar</li> <li>• Neerabup Lake</li> </ul>	<ul style="list-style-type: none"> <li>• Approximately 700m to the east of the premises</li> <li>• Approximately 2.3km to the west of the premises</li> </ul>
Parks and Wildlife Managed Lands and Waters <ul style="list-style-type: none"> <li>• Gnangara-Moore River State Forest</li> <li>• Neerabup National Park</li> </ul>	<ul style="list-style-type: none"> <li>• Approximately 800m to the north of the premises</li> <li>• Approximately 3.5km to the east of the premises</li> </ul>
Bush Forever: Regional open space or proposed regional open space	Approximately 520m to the south; 1,000m to the south east; 800m to the west and adjacent to the premises in north
Threatened Ecological Communities and Priority Ecological Communities <ul style="list-style-type: none"> <li>• 8 x Tuart (<i>Eucalyptus gomphocephala</i>) woodlands and forests of the Swan Coastal Plain (Priority 3)</li> <li>• 2 x Banksia dominated woodlands of the Swan Coastal Plain IBRA region (Priority 3)</li> </ul>	Intersect the proposed project area
Threatened Fauna	<ul style="list-style-type: none"> <li>• Mammals (Priority 4) - Sothern area of the Project area inside the proposed boundary</li> <li>• Birds (declared threatened Fauna) – approximately 500m to the North from the proposed boundary</li> <li>• Insects (declared threatened Fauna) – approximately 900m to the south east of the proposed project area</li> <li>• Mammals (Priority 5) – Approximately 1.3 km to the east of the proposed project area</li> </ul>
<b>Other relevant ecosystem values</b>	<b>Distance from the Premises</b>
Interim Biogeographic Regionalization of Australia - Regions <ul style="list-style-type: none"> <li>• Swan Coastal Plain</li> </ul>	Intersect the proposed project area
Clearing regulations – Environmentally Sensitive Areas	Approximately 185m to the south; 1,000m to the south east; 750m to the west and adjacent to the premises in north; 700m to the north west; 1.3km to the west



## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk assessments* (DWER 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 L9374/2023/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. crushing and 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 <sup>1</sup>	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
<b>Operation</b>								
Operation of the Crushing and screening plant Loading, unloading and stockpiling Vehicle movements associated with handling of material	Dust	Air/windborne pathway causing impacts to health and amenity	Residential receptors are located approximately 1 km to the south	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 1	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity		Adjacent Raceway	Refer to Section 3.1	C = Moderate L = Possible <b>Medium Risk</b>	N	Condition 1 <b>Condition 4</b>
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Conservation Area	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 1, 5	N/A
	Hydrocarbon contaminated wastewater	Infiltration to groundwater	Localised groundwater	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 1, 2, 3	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2017).

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

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## 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 6/03/2023	None received.	N/A.
Other Stakeholders (ERM Power) advised of proposal 24/03/2023	None received.	N/A
Applicant was provided with draft documents on 21/04/2023	Email reply was received by DWER on 15/05/2023 stating that the applicant had no comments on the draft documents.	Noted.

## 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) 2016, *Guideline: Environmental siting*, Joondalup, Western Australia.
3. DWER 2017, *Guideline: Risk assessments*, Joondalup, Western Australia.
4. JBS&G Australia Pty Ltd 2022, *Application for a Licence under Part V Division 3 of the Environmental Protection Act 1986*, Bunbury, Western Australia.
5. Acoustic Engineering Solutions (18 June 2020), *Environmental Noise Impact Assessment*, Bibra Lake, WA.

## Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY					
<b>Application type</b>					
Licence	☒	Relevant works approval number:	W6406/2020/1	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 Report submitted?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
		Date Report received: 20/04/2022			
Date application received		22/12/2022			
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)		Urban Resources Pty Ltd			
Premises name		Mather Drive			
Premises location		Lot 9003 on Deposited Plan 70103			
Local Government Authority		City of Wanneroo			
<b>Application documents</b>					
HPCM file reference number:		DER2022/000715			
Key application documents (additional to application form):		Supporting information document (A2147409)			
<b>Scope of application/assessment</b>					
Summary of proposed activities or changes to existing operations.		Operation of screening plant to be licensed based on W6406			
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>					
<b>Table 1: Prescribed premises categories</b>					
<b>Prescribed premises category and description</b>		<b>Assessed production or design capacity</b>			
Category 12: Screening etc. of material		900,000 tonnes per annual period			
<b>Legislative context and other approvals</b>					
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Reference No: 2007/3479
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 type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Extractive industry licence and Development approval has been provided. Expiry date: If N/A explain why?
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: 6359/3
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: GW205848
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"/>	
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: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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"/>	
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: Date of classification: N/A