



<b>Licence Number</b>	L9019/2016/2
<b>Licence Holder</b>	Swan Gravel Pty Ltd
<b>ACN</b>	149 921 586
<b>Registered business address</b>	Level 4 46 Colin Street WEST PERTH WA 6005
<b>Duration</b>	14/08/2023 to 13/08/2043
<b>Date of issue</b>	14/08/2023
<b>Date of amendment</b>	16 February 2024
<b>Prescribed Premises</b>	Category 12: Screening etc of material
<b>Premises</b>	Swan Gravel Pty Ltd Pit  3650 Toodyay Road BAILUP WA 6082 Lot 556 on Plan 77558

This Licence is granted to the Licence Holder, subject to the following conditions, on 16 February 2024, by:

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

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

## Licence history

Date	Reference number	Summary of changes
04/04/2017	L9019/2016/1	Licence issued
16/11/2017	L9019/2016/1	Licence amendment
29/01/2020	L9019/2016/1	Licence amendment
25/03/2020	L9019/2016/1	Licence amendment
16/05/2022	L9019/2016/1	Licence amendment to reporting periods
14/08/2023	L9019/2016/2	Licence reissue
15/02/2024	L9019/2016/2	Licence amendment to change equipment and boundary

## Interpretation

In this licence:

- (a) the words ‘including’, ‘includes’ and ‘include’ in conditions mean “including but not limited to”, and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
  - (i) if dated, refers to that particular version; and
  - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

**NOTE:** This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

# Conditions

## Emissions

- The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for Specified Emissions and General Emissions described in column 1, subject to the exclusions, limitations or requirements specified in Column 2, of Table 1.

If the Licence Holder proves that it has acted in accordance with this Condition, it may be a defence under s 74A of the EP Act to proceedings for offences under the EP Act.

**Table 1: Authorised Emissions Table**

Column 1	Column 2
Emission Type	Exclusions/Limitations/Requirements
<b>Specified Emissions</b>	
Dust	Subject to compliance with <ul style="list-style-type: none"> <li>Rows 5, 6, 7, 10, 11 of Table 2.</li> <li>Condition 8</li> </ul>
Contaminated surface water	Subject to compliance with: <ul style="list-style-type: none"> <li>Rows 4, 20, 21 of Table 2</li> <li>Condition 10</li> </ul>
<b>General Emissions (excluding Specified Emissions)</b>	
Emissions which arise from the Primary Activities set out in the General Description in Schedule 2.	Emissions excluded from General Emissions are: <ul style="list-style-type: none"> <li>Unreasonable Emissions; or</li> <li>Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or</li> <li>Discharges of Waste in circumstances likely to cause Pollution; or</li> <li>Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or</li> <li>Emissions or Discharges which do not comply with an Approved Policy; or</li> <li>Emissions or Discharges which do not comply with a prescribed standard; or</li> <li>Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or</li> <li>Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials Discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</li> </ul>

## Notification of Material Change

2. The Licence Holder must notify the CEO of any Material Change within 14 days of a Material Change occurring and such notification (which the CEO will make publicly available) must:
  - (g) be in writing;
  - (h) include details of the changes, including duration, infrastructure details (if any); and
  - (i) include risk analysis of the changes, including proposed controls to mitigate risks.

Nothing in this Condition constitutes a defence to offences under the EP Act.

3. The Licence Holder must provide to the CEO any additional information the CEO may reasonably require to assess the Material Change under Condition 2 and in order for the CEO to determine if an amendment is required under the EP Act.
4. The Licence Holder must cease carrying out, or modify, a Material Change in the manner and at the time required by the CEO if:
  - (j) the CEO forms the view, acting reasonably, that the Material Change has or may have an unacceptable impact on public health, amenity or the environment; and
  - (k) the CEO has provided written notice (which the CEO will make publicly available) to the Licence Holder specifying the grounds for the CEO's views.

Nothing in this Condition prevents the Licence Holder subsequently submitting an amendment in relation to the Material Change.

## Infrastructure and Activities

5. The Licence Holder must ensure that the infrastructure, equipment and activities specified in column 1 of Table 2 are maintained, operated and conducted in accordance with the requirements specified in column 2 of Table 2.
6. The Licence Holder must ensure that the equipment and infrastructure in Table 2 are maintained in good working order.

**Table 2: Infrastructure equipment and activities requirements**

Column 1	Column 2
Site infrastructure/activities	Specified requirements
Processing plant (crusher and screener) and processing stockpiles	Located in a depression between extraction areas Area 1 and Area 2, as depicted in Schedule 1: Map 2- Site plan, labelled 'Processing and product stockpile area'.
Extraction areas	Extraction confined to Area 1, located as depicted in with Schedule 1 Map 2 – Site plan.
Excavation	Final depth of any excavation no deeper than 285 m AHD.

Column 1	Column 2
Site infrastructure/activities	Specified requirements
Soak/Dam	Maintained as a water source for dust suppression and storage of stormwater, located as depicted in Schedule 1: Map 2 – Site Plan.
Water cart/sprays	<p>Available on site at all times for purposes of dust suppression when any earthmoving, crushing, screening, or cartage activities are occurring.</p> <p>Operated when visible dust is generated from external ground surfaces on the Premises.</p> <p>Operated proactively subject to weather forecasting over a 24 hour period.</p>
Dust suppressants (other than water)	<p>Applied proactively.</p> <p>Re-apply proactively subject to visual inspection and weather forecasting over a 24 hour period.</p>
Temporary cessation of activities	Cease an activity causing visible dust lift-off where dust management measures have not prevented dust lift-off and there is a risk of dust affecting sensitive receptors (residences).
Acoustic barrier	<p>Dimensions sufficient to meet the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> at the nearest sensitive receptors.</p> <p>Located as depicted in Schedule 1: Map 3 - Location of acoustic barrier.</p> <p>Constructed within a 6 week period.</p>
Acoustic barrier construction material	If constructed of earth, in accordance with the <i>Environmental Protection (Noise) Regulations 1997</i> , material (other than topsoil) used to construct the acoustic barrier shall not be excavated from Extraction Area 2.
Control of dust from trucks	<p>The loads of trucks leaving the premises covered to prevent dust generation.</p> <p>Vehicle speeds limited to less than 25 km/hour on areas of unconsolidated or unsealed road.</p>
Unsealed internal roads	Surfaced with gravel.
Crusher (TerexJ1175)	Maximum sound power level 113 dB(A)
Wirtgen 2500SM Surface Miner	Maximum sound power level 98 dB(A)
Screening Plant	Maximum sound power level 101 dB(A)
Small excavator	Maximum sound power level 98 dB(A)

Column 1	Column 2
Site infrastructure/activities	Specified requirements
Dozer	Maximum sound power level 109 dB(A)
Truck and water cart	Maximum sound power level 102 dB(A)
Front end Loader x 2	Maximum sound power level 105 dB(A)
Quarry Truck x 2	Maximum sound power level 106 dB(A)
Static equipment	Provided with sound dampening and mufflers
Stormwater cut-off drains	<p>Located in accordance with Schedule 1: Map 2 - Site Plan.</p> <p>Constructed at commencement of earthworks.</p> <p>Constructed and maintained to divert stormwater overflow from extraction areas to a soak/dam south of the premises.</p> <p>Constructed and maintained to divert stormwater away from Red Swamp Brook.</p>
Rip rap and screening fabrics sediment trap	Located and maintained at gullies where stormwater flows off the works area, to trap sediment.
Diesel tanks	<p>Tanks mounted on a concrete pad.</p> <p>Tanks double skinned.</p> <p>Hydrocarbon spill kit mounted next to the fuel tank.</p>

- The works approval holder must ensure that operations at the premises only occur between the hours of 07:00 and 17:00 and on the days Monday to Saturday.

### Dust Monitoring

- The Licence Holder must install the monitoring equipment listed in column 1 to the specifications listed in column 2 of Table 3.

**Table 3: Monitoring equipment for dust**

Column 1	Column 2
Site infrastructure/activities	Specified requirements
Dust monitors (nephelometers or equivalent)	Each located at a premises boundary, as depicted in Schedule 1: Map 4 - Dust monitors location – labelled as dust monitoring stations 101 and 201. When the acoustic barrier is installed, monitor 201 shall be located on top of the barrier.  Installed in accordance with AS 3580.1.1  Installed prior to commencement of operations on the premises.
Real time weather station or anemometer	Continuous recording of wind speed and direction.  Installed prior to commencement of operations on the premises.

9. The Licence Holder must utilise dust monitoring and remedial management measures including, but not be limited to the following:
- (a) continuous dust monitoring for operational management purposes for particulate matter 10 micrometres or less in diameter (PM10) ;
  - (b) dust monitoring stations to be automatic feedback (SMS text message or equivalent) to the quarry manager or supervisor if a trigger level of 0.5 mg/m<sup>3</sup> of PM10 is reached over a one hour averaging period;
  - (c) meteorological monitoring to provide wind data to assist in determining the source of dust;
  - (d) the dust monitoring system is to be used at all times the quarry is in operation;
  - (e) in the event the trigger value is reached, and the dust is attributable to operations at the Premises, management measures (use of water cart, sprays or other appropriate methods) are to be promptly activated to control the dust to avoid further exceedance of the trigger value;
  - (f) the Licence Holder shall reduce the trigger level if necessary in response to verified complaints or other evidence of off-site impacts;
  - (g) the Licence Holder shall continuously improve site dust management through identification of dust sources and identifying and implementing improved dust controls; and
  - (h) the Licence Holder shall keep a written log, signed by the responsible person, of dust trigger exceedance events including identification of the sources of dust and action taken to control dust.

### Surface water monitoring

10. The Licence Holder must undertake surface water monitoring at locations specified in column 1 for parameters specified in column 2 and in accordance with requirements specified in columns 3, 4, 5 of Table 4.

**Table 4: Surface water monitoring**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
<b>Monitoring point reference and location on Schedule 1: Map 5.</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>	<b>Reportable event</b>
Water Sample Location 1 (upstream) and Water Sample Location 2 (downstream)	pH <sup>1</sup>	-	Spot sample	Monthly when water is flowing and Primary Activities have occurred in that month	NA
	Electrical conductivity (EC)	µS/cm			NA
	Total Suspended Solids (TSS)	mg/L			Water Sample Location 2 records 20% increase from Water Sample Location 1

Note1: In-field non-NATA accredited analysis permitted.

11. The Licence Holder must ensure that
  - (a) All water samples are collected and preserved in accordance with AS/NZS 5667.1;
  - (b) All surface water sampling is conducted in accordance with AS/NZS 5667.6;
  - (c) All samples are submitted to and tested in a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in this licence.
12. The Licence Holder must submit to the CEO an Environmental Report by 29 June 2022 and biennially thereafter, the results of the monitoring required by condition 10 for the preceding two Annual Periods. The results to be provided to the CEO must include, but not be limited to:
  - (a) Sampling dates for each location specified in column 1 of Table 4;
  - (b) The raw monitoring data from monitoring of each location specified in Column 1 of Table 4, for each parameter specified in column 2 of Table 4 in tabulated form.
  - (c) Summary of any reportable events and action taken in response to those events
13. In the event the Reportable Event value is reached in column 6 of Table 4, the Licence Holder must ensure management measures are to be promptly activated to avoid further exceedance of the Reportable event value.
14. The Licence Holder must ensure that the CEO is notified of a Reportable Event as soon as practicable but no later than 5 pm of the next usual working day.
15. The Licence Holder must provide, as soon as practicable, a monitoring report, as specified in Schedule 3, to the CEO for Reportable Events which have occurred.



## Noise monitoring

16. Within 30 days of the commencement of surface miner operations the Licence Holder must retain the services of a person qualified and experienced in environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
  - (a) investigate the nature and extent of noise emissions from the premises including undertaking noise monitoring while undergoing normal premises operations at the boundaries of the closest and/or most impacted sensitive receptor(s) (human)
  - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations), the compliance of the noise emissions from the primary operations against the relevant assigned levels specified in the Noise Regulations; and
  - (c) compile and submit to the works approval holder within 3 months of the commencement date of surface miner operations a report in accordance with condition 17.
17. A report prepared pursuant to condition 16(b) is to include:
  - (a) a description of the methods used for monitoring of noise emissions from the premises.
  - (b) details and results of the investigation undertaken pursuant to condition 16
  - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the Noise Regulations undertaken pursuant to condition 16(a); and
  - (d) an assessment of noise levels against the most recent previous noise assessment.
18. The Licence Holder must submit to the CEO the report prepared pursuant to condition 16(b) within 14 days of receiving it.
19. Where an assessment pursuant to condition 16(b) indicates that noise emissions do not comply with the relevant assigned levels in the Environmental Protection (Noise) Regulations 1997, the Licence Holder must:
  - (a) cease operations for the infrastructure specified in condition 6.
  - (b) within 30 days of receiving an assessment report pursuant to condition 16(b) prepare a plan to ensure the undertaking of the licensed activity will no longer lead to any contravention of the Environmental Protection (Noise) Regulations 1997; and
  - (c) provide to the CEO a copy of the plan prepared pursuant to condition 19(b) within 30 days of its preparation.
20. A report prepared pursuant to condition 19(b) is to include timeframes for the completion of additional noise mitigation measures.
21. The Licence Holder may recommence operations of the infrastructure specified in condition 6 upon implementation of all noise mitigation measures identified in accordance with condition 19(b).
22. Where operations are recommenced in accordance with condition 21, the Licence

Holder must notify the CEO in writing a minimum of 48 hours prior to recommencing operations.

## Monitoring general

23. The Licence Holder must ensure that monthly monitoring is undertaken at least 15 days apart.
24. The Licence Holder must have all monitoring equipment referred to in any condition of the Licence calibrated and maintained in accordance with the manufacturer's specifications.

## Information

25. The Licence Holder must maintain accurate and auditable records in relation to:
  - (a) the calculation of fees payable in respect of this Licence; and
  - (b) any Material Change.
26. If an Emission that is not a Specified Emission or General Emission occurs on the Premises, then the Licence Holder must:
  - (a) investigate why the Emission occurred;
  - (b) take all reasonable steps to prevent the Emission occurring again;
  - (c) record the details of the investigation and all steps taken; and
  - (d) provide a copy of the record to the CEO within 21 days of the date Licence Holder became aware of the Emission occurring.
27. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to the Premises, and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:
  - (a) an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;
  - (b) the name and contact details of the complainant, if provided by the complainant;
  - (c) the date of the complaint; and
  - (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.
28. The Licence Holder must:
  - (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
  - (b) prepare and submit to the CEO within 90 days after the Anniversary Date, an Annual Audit Compliance Report in the approved form.
29. The Licence Holder must comply with a CEO Request, within 7 days from the date of the CEO Request or such other period specified in the CEO Request.

## Definitions

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

**Table 1: Definitions**

Term	Definition
AHD	means the Australian Height Datum.
ACN	Australian Company Number
anniversary date	means 31 March of each year.
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	means a 12-month period commencing from 1 April until 31 March in the following year.
AS 3580.1.1	means the Australian Standard AS3580.1.1 Methods for Sampling and Analysis of Ambient Air - Guide to siting air monitoring equipment.
AS/NZ 5667.1	means the Australian Standard AS/NZS 5667.1 Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples.
AS/NZS 5667.6	means the Australian Standard AS/NZS 5667.6 Water Quality – Sampling – Guidance on sampling of rivers and streams.
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. “submit to / notify the CEO” (or similar), means either: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 or: <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
CEO Request	means a request made by the CEO to the Licence Holder in writing, sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: (a) information, records or reports in relation to specific matters in connection with this Licence including in relation to compliance with any Conditions and the calculation of fees (whether or not a breach of Condition or the EP Act is suspected); or (b) reporting, records or administrative matters: (i) which apply to all Licences granted under the EP Act; or (ii) which apply to specified categories of Licences within which this Licence falls.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.

<b>Term</b>	<b>Definition</b>
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
General Description	means the description of activities and operations carried out on the Premises as set out in Schedule 2 of this Licence.
Implementation Agreement or Decision	has the same meaning given to that term under the EP Act.
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
Material Change	means a change to the activities carried out on the Premises as described in the General Description set out in Schedule 2 and: <ul style="list-style-type: none"> <li>(a) that may result in an increased risk to public health, amenity or the environment; and</li> <li>(b) includes the types of changes specified in Schedule 2; and</li> <li>(c) does not include the Non Material Change specified in Schedule 2.</li> </ul>
Material Environmental Harm	has the same meaning given to that term under the EP Act.
NATA	means the National Association of Testing Authorities, Australia;
NATA Accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;
PM	means total particulate matter including both solid fragments of material and miniscule droplets of liquid;
PM10	means particles with an aerodynamic diameter of less than or equal to 10 $\mu\text{m}$ ;
Pollution	has the same meaning given to that term under the EP Act.
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map in Schedule 1 to this licence.
prescribed	has the same meaning given to that term under the EP Act.

Term	Definition
premises	
Reportable Event	means an exceedance above the limit specified in Column 6 of Table 4.
Rip-rap	means loose rock deposited to protect against scour and erosion.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Screening fabric	means heavy duty geo fabric specifically designed to allow the free passage of water and trap sediment.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
waste	has the same meaning given to that term under the EP Act.

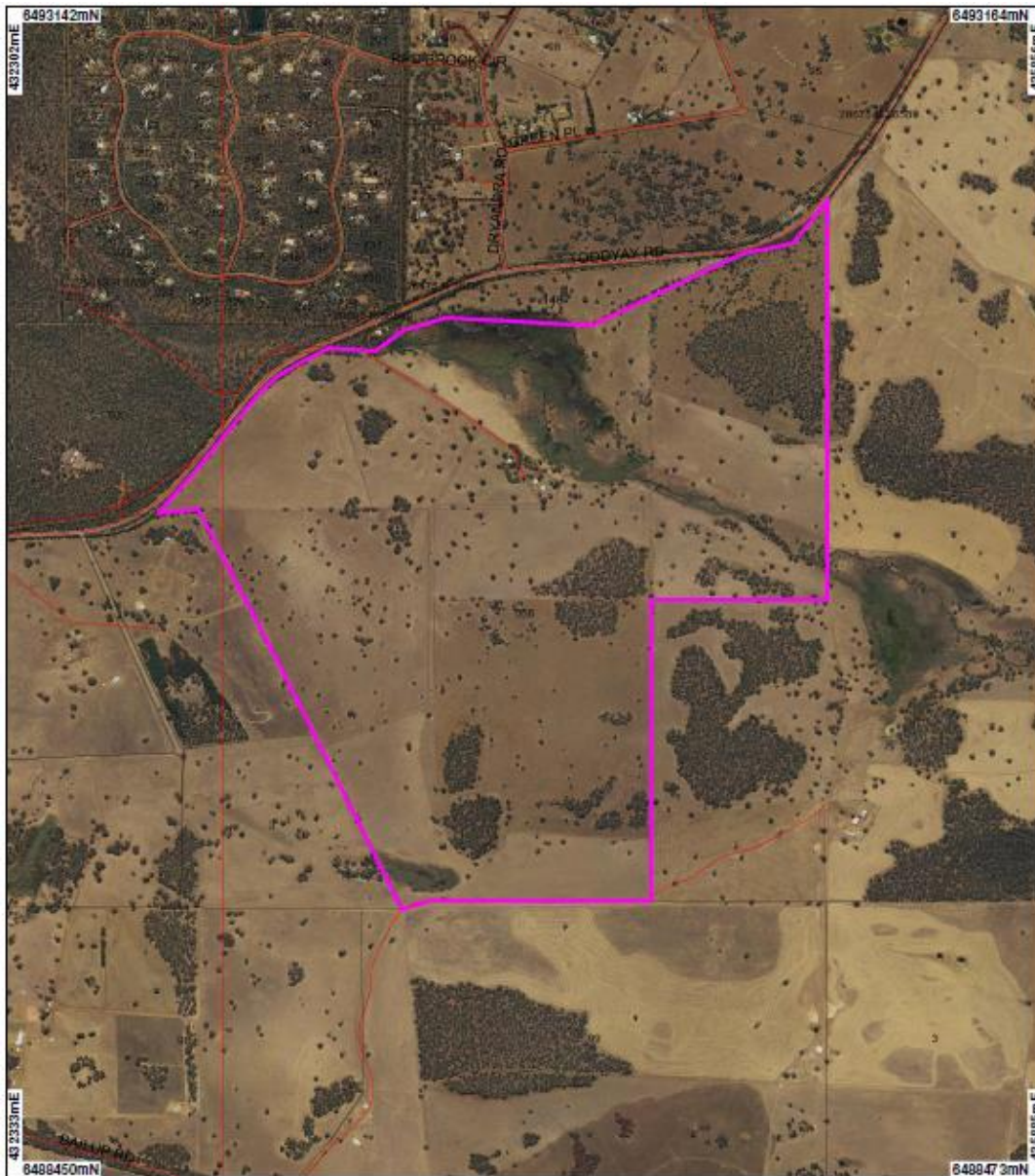
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**END OF CONDITIONS**

# Schedule 1: Maps

## Map 1: Premises boundary map

The Premises are shown in the map below. The pink line depicts the boundary to the Premises.



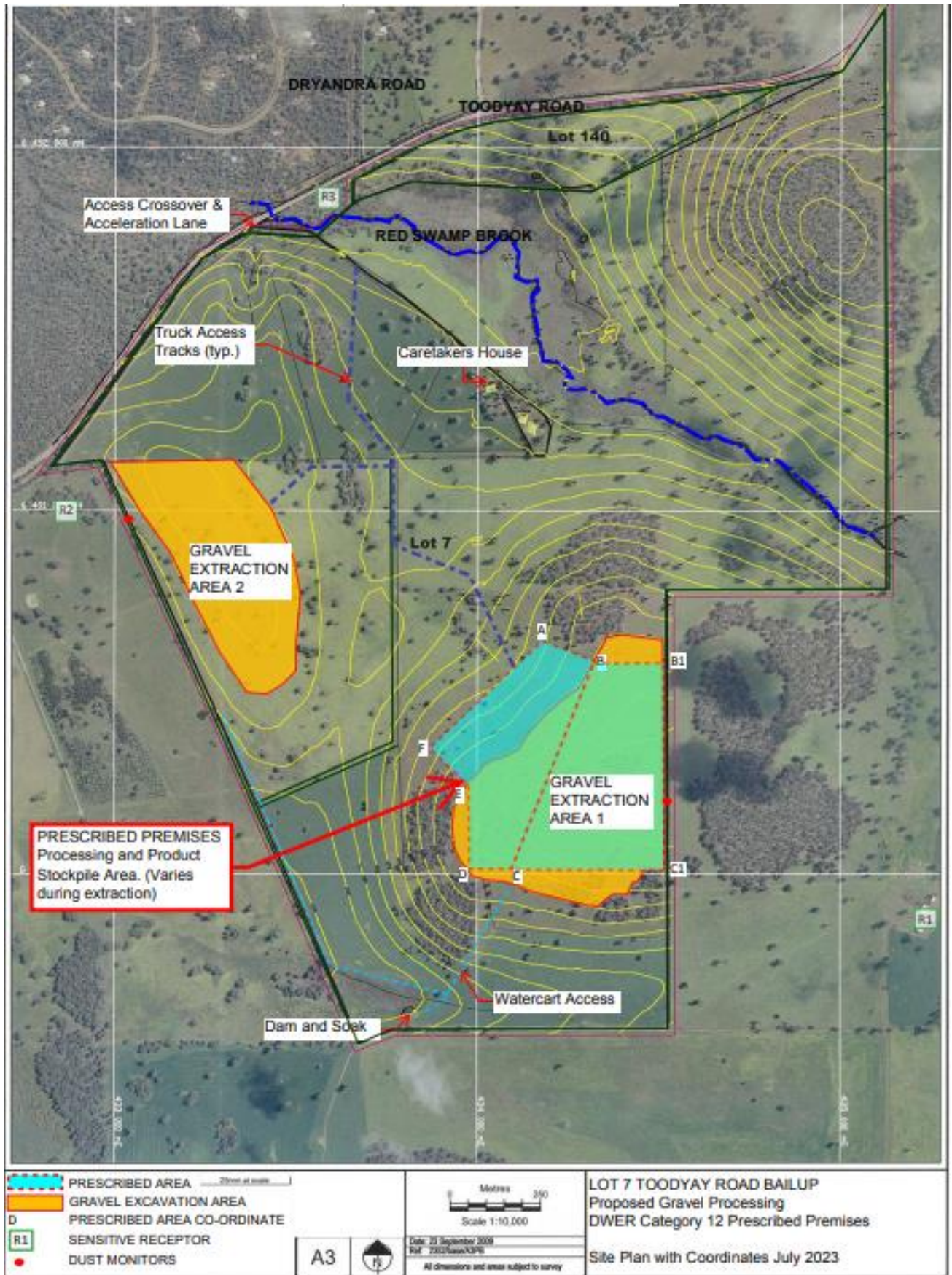
<b>LEGEND</b> Non-Residential RWI Act, Rivers Cadastre for labelling <input type="checkbox"/> Fenceline <input type="checkbox"/> Crown Reserve (cont)		<input type="checkbox"/> State Forest / Timber Reserve <input type="checkbox"/> Marine Park <input type="checkbox"/> Crown Lease <input type="checkbox"/> Other Public Lands <input type="checkbox"/> Lease / Reserve <input type="checkbox"/> Lease on State Forest / Timber Reserve <input type="checkbox"/> Public Waste (cont)	<input type="checkbox"/> Unallocated Crown Land <input type="checkbox"/> Water <input type="checkbox"/> Other Public Lands Perth Metropolitan Area Central 150m Orthorectified Landgate 2015	 Geocentric Datum Australia 1994 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies. Prepared by: Lindy T Prepared for: Date: 5/01/2017 2:29:52 PM
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Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Government of Western Australia  
 Department of Environment Regulation  
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\* Project Data. This data has not been quality assured. Please contact map author for details.

## Map 2: Site Plan

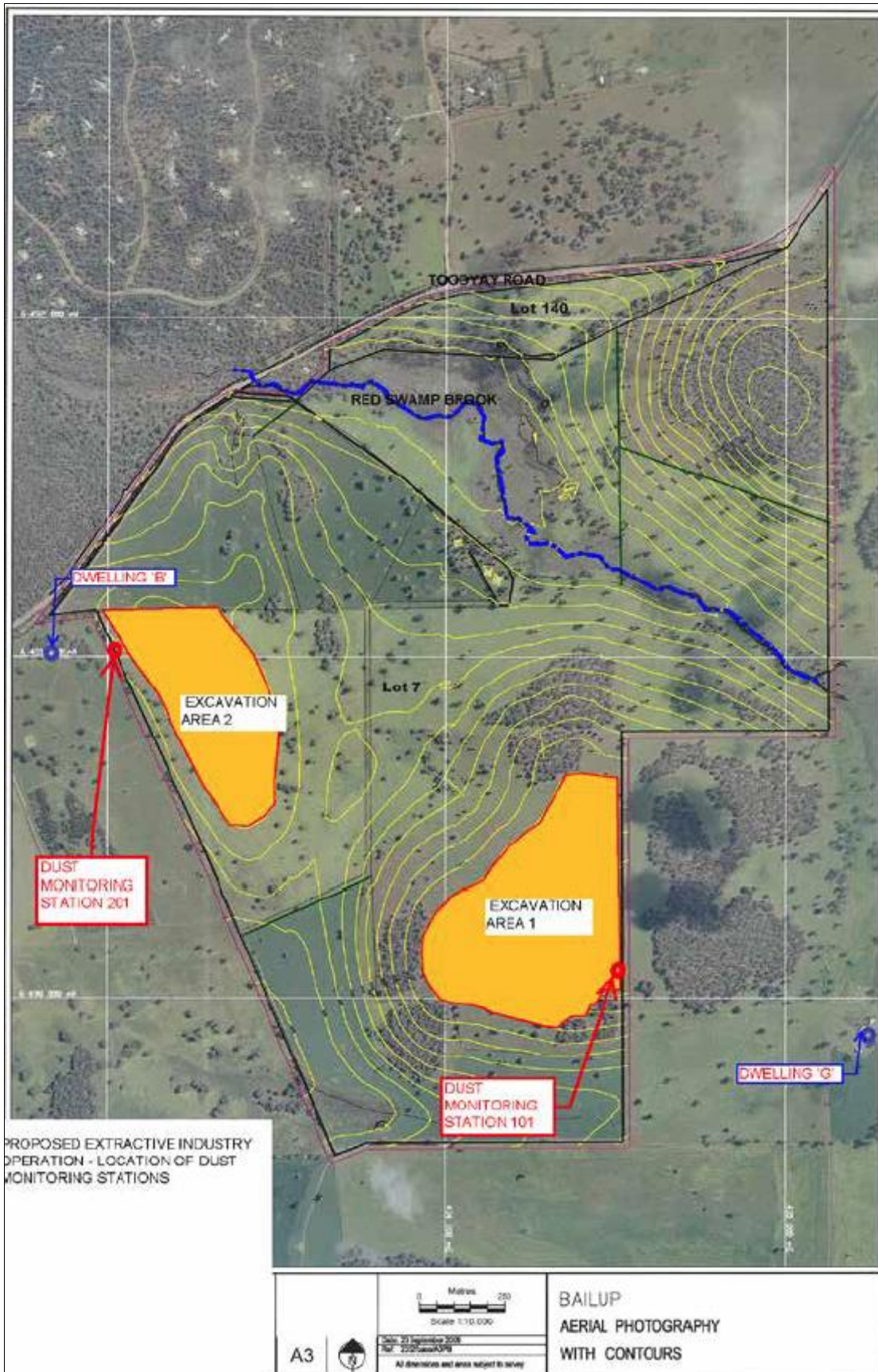


### Map 3: Noise bund location

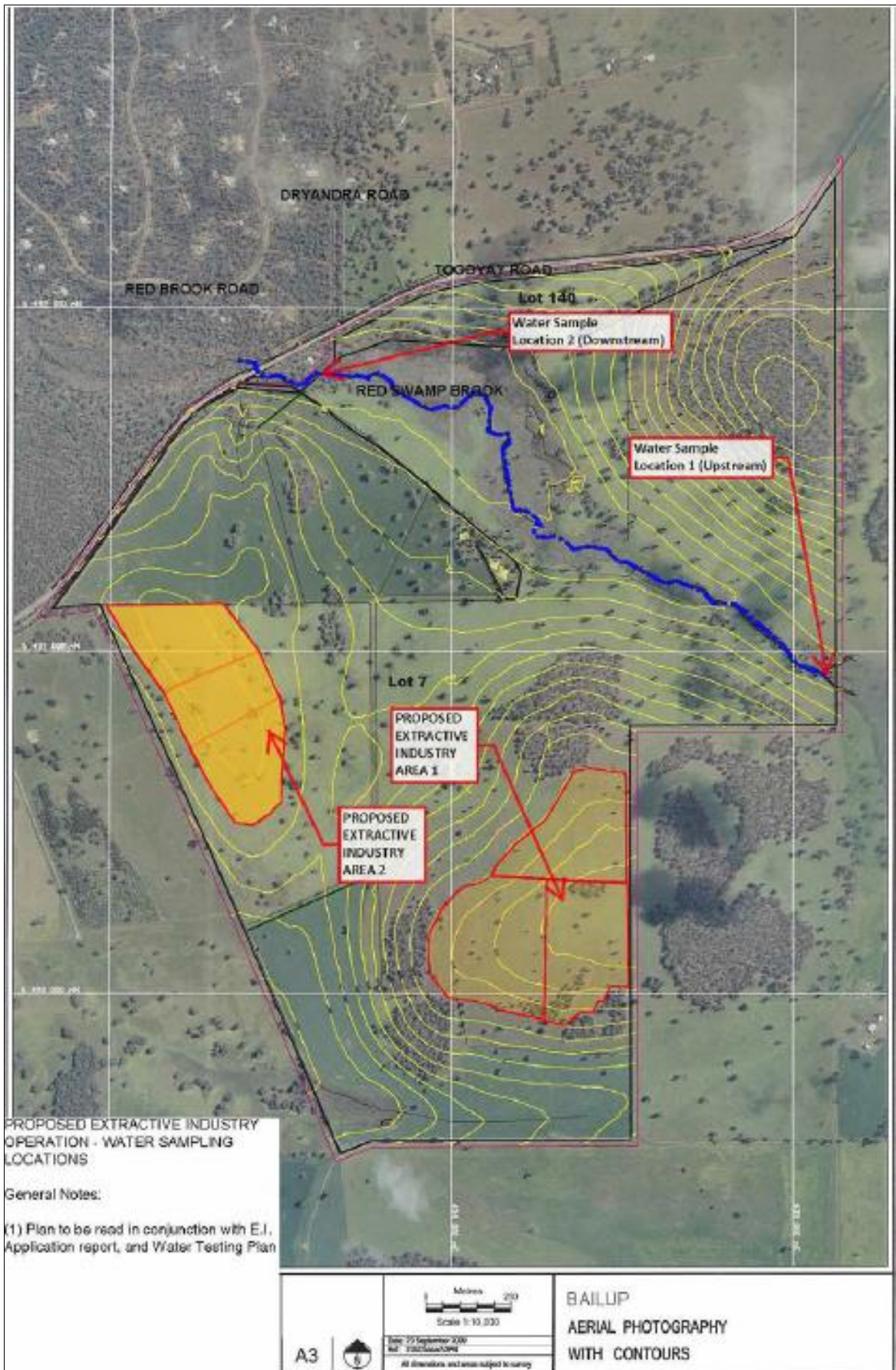




Map 4: Dust monitors location



### Map 5: Red Swamp Brook sampling locations



## Schedule 2: General Description

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 5:

**Table 5: Primary Activities**

Primary Activity	Premises Production or Design Capacity
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.	950,000 tonnes per year

## Infrastructure and equipment

The following Primary Activity infrastructure and equipment specified in Table 6 are situated on the Premises:

**Table 6: Infrastructure and equipment**

	Infrastructure	Plan reference
1	Crusher (TerexJ1175)	Schedule 1: Map 2 – Site plan - processing area
2	Wirtgen 2500SM Surface Miner	Schedule 1: Map 2 – Site plan - processing area
3	Screener	Schedule 1: Map 2 – Site Plan - processing area.
4	Soak/Dam	Schedule 1: Map 2 – Site plan

## Site layout

The infrastructure and equipment are set out on the Premises in accordance with the site layout specified Map 2 – Site plan, in Schedule 1.

## Examples of Material Change

- Changes to the control or ownership of the Premises or changes (other than Non-Material Changes) to the infrastructure or equipment within the Premises.
- Removal of infrastructure and equipment.
- Changes to the site layout of infrastructure and equipment specified on the maps in Schedule 1.
- Changes to the material processed.

## Non-Material Change

- Improvements or additions to, or replacement of, or other changes to infrastructure and equipment that do not increase the risk of emissions and discharges

## Schedule 3: Reportable events

### Surface water Monitoring

#### Monitoring Reports

Monitoring reports must contain in relation to a Reportable Event:

1. the Reportable Event date(s);
2. the sampling or measurement date;
3. the raw monitoring data for the Reportable Event in tabulated form; and
4. details of investigation and mitigation measures.