



Application for Licence Amendment

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

Licence Number	L8550/2011/1
Licence Holder	B & J Catalano Pty Ltd
ACN	008961975
File Number	APP-0026711
Premises	Martin Road Gravel Quarry Martin Road MORNINGTON WA 6221 Legal description: Lot 202 on Plan 63120 and part of Lot 104 on Diagram 85224
Date of Report	23 July 2025
Decision	Revised licence granted

**SENIOR ENVIRONMENTAL OFFICER, INDUSTRY REGULATION
ENVIRONMENTAL REGULATION (STATEWIDE DELIVERY)**

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

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1. Decision summary

B & J Catalano Pty Ltd (licence holder) hold Licence L8550/2011/1 for Martin Road Gravel Quarry (the premises) in Mornington, Western Australia. This amendment report documents the assessment of potential risks to the environment and public health from emissions caused by proposed changes to the infrastructure and operations at the premises. As a result of this assessment, revised licence L8550/2011/1 has been granted, which supersedes the version previously granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this amendment report, the department has considered and given due regard to its regulatory framework and relevant policy documents available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Licence history and application overview

Licence L8550/2011/1 (the licence) regulates the crushing and screening activities including the operations of the associated infrastructure, at the premises. The premises encompass lot 202 on plan 63120 and a portion of lot 104 on diagram 85224, immediately southwest of lot 202. The premises have been operating under the current licence since 2011.

Licence amendments granted by the department under Part V of the *Environmental Protection Act 1986* (EP Act) include:

- in 2019, the extension of the premises boundary to the southeast of lot 202 into lot 104. The additional footprint was to support the temporary expansion of the crushing and screening activities to the south
- in 2021, the construction and operation of four stormwater ponds (1, 2, 4 and 5) to the southwest of lot 202. The ponds were to manage the environmental risk associated with the crushing and screening activities in areas 8, 9, 11 and 12 respectively (also indicated as C8, C9, C11 and C12) - Figure 1.

On 10 December 2024, the licence holder applied to amend the licence under section 59 and 59B of the EP Act. The application proposed to expand the current gravel extraction area and crushing and screening activities to the northwest of lot 202, in areas identified as 13-16 (Figure 2).

The scope of this amendment report includes:

- the assessment of risks to sensitive receptors from emissions generated during the crushing and screening activities in areas 13-16, and
- the assessment of risks to sensitive receptors from emissions generated during the construction of three additional stormwater ponds in areas 13-16.

The licence holder did not request an amendment to the existing annual throughput.

Crushing and screening activities fall under category 12 of Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). Description of this category and assessed production / design capacity are shown on the licence.

Infrastructure, equipment and associated activities outlined on the amended instrument have been assessed in accordance with *Guideline: Risk Assessments* (DWER 2020).

2.2.1 2021 licence amendment

Background

In 2021, the department granted a licence amendment to construct four stormwater ponds. These ponds were designed to contain any contaminated stormwater generated during the crushing and screening activities at the premises.

Although the construction and operation of stormwater ponds are not explicitly listed under any category in Schedule 1 of the EP Regulations, they are assessed as ancillary infrastructure under Part V of the EP Act (*related activities*). This is because they constitute essential pollution control infrastructure to manage emissions generated from crushing and screening activities (category 12).

The stormwater ponds were to be progressively constructed following extraction activities moving east to west on areas 8 – 12 (Figure 1). The licence holder committed to retain each pond until the corresponding area had undergone rehabilitation. To manage surface water, contour banks were to be constructed during each extraction campaign, effectively separating operational zones and directing runoff into the appropriate stormwater pond. Additionally, a topsoil diversion bund was to be constructed north of the extraction area to prevent uncontaminated stormwater from entering the operational area.

Compliance assessment

A construction compliance report submitted in 2023, intended to demonstrate adherence to the licence construction conditions for stormwater pond 1 and 2, indicated that while stormwater pond 2 (area 9) was compliant with the conditions of the licence, stormwater pond 1 (located in area 8, to the east of lot 202) had not been constructed. The departure from the conditions of the licence was due to the pit floor being lower than the surrounding terrain following extraction. The resulting depression naturally collected stormwater, effectively serving as an alternative stormwater management solution.

Furthermore, calculations undertaken by the licence holder showed that the combined stormwater capacity of the already constructed ponds 2 and 3 (in area 9 and 10 of Figure 1) far exceeded the predicted runoff volume from the activities across stages 8-10, estimated at approximately 6,000 cubic meters.

The construction compliance report was not intended to demonstrate compliance with the conditions of the licence for ponds 4 and 5 granted under the amendment, as expansion into area 11 and 12 had yet to occur.

Current context

During the assessment of this amendment application the department noted that aerial view of the premises from September 2024 indicated that only pond 3 in area 10 had been retained. Pond 2 was no longer at the premises and areas 8 to 10 had been mined seemingly with only one stormwater pond (3) remaining. Additionally, topsoil stockpiles intended to redirect uncontaminated stormwater away from the processing area were not located where initially proposed.

On 21 February 2025, the department requested additional information on the operations at the premises. The purpose was to determine the current context and the level of compliance with the licence conditions, to inform this assessment.

A response was provided on 9 May 2025. The response was broad in nature and appeared to contradict information previously provided as part of the 2021 amendment application and the construction compliance report. A summary of the response is provided below:

- stormwater ponds in areas 8, 9 were never constructed, contradicting information submitted in the construction compliance report for stormwater pond 2 in 2023. Windrowed stumps from felled blue gum trees were placed along the contours to redirect

contaminated stormwater to pond 3 instead.

- topsoil stockpiles were placed along the northern boundary initially but were removed to be used for rehabilitation purposes.
- the licence holder was unsure whether any mining / crushing and screening activities were going to be undertaken in area 11 and 12 as initial exploration showed that less gravel than expected was found. Construction of stormwater ponds (ponds 4 and 5) was going to be dependent on further exploration showing these areas to be a viable option.
- extraction of the existing areas on the licence will end in December 2025, crushing and screening activities specifically were predicted to take place for an additional month.

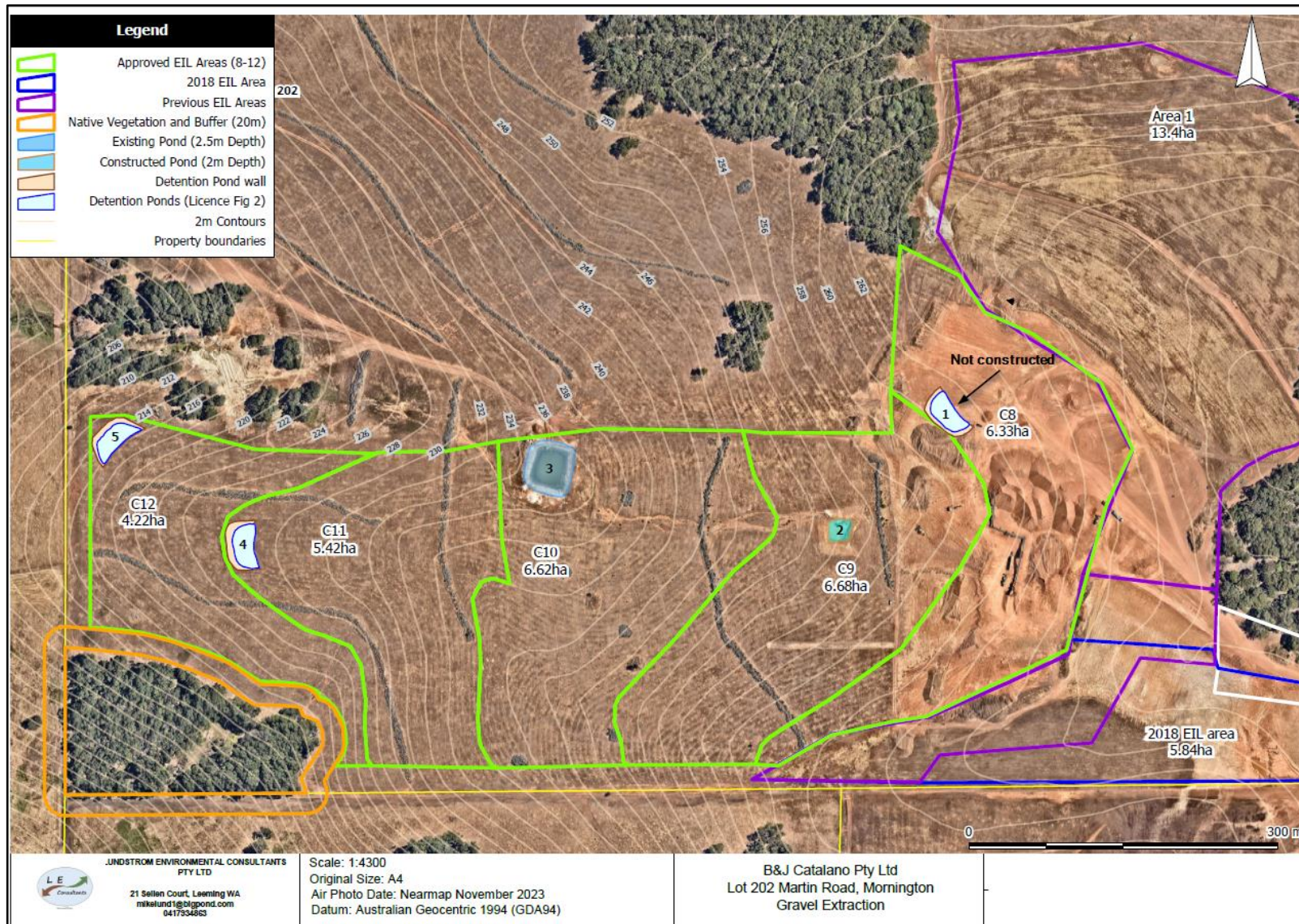


Figure 1. Lot 202 initial extraction area and respective stormwater ponds included in the licence amendment granted in 2021

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2.2.2 Proposed amendment

The proposed methodology and infrastructure for the crushing and screening activities in areas 13 – 16 within this application were consistent with the application and supporting information submitted during the 2021 licence amendment for expansion to areas 8, 9, 11, 12.

The additional extraction, crushing and screening at areas 13 – 16 will be to the north-west of lot 202 and will cover approximately 23 hectares. The area will be divided into different campaigns (area 13 to 16 in Figure 2) with operations progressing from west to east. Operations at the premises will include topsoil ripping, blading, crushing and removal. Topsoil will be stockpiled in windrows around the operational area to serve as a barrier for noise, dust and stormwater. It is expected that topsoil removal in each campaign will take approximately three weeks followed by the extraction of all the gravel. Excavation is expected to lower the ground level by approximately 1 meter with final batters constructed at a maximum slope of 1:6. The excavated pits will not intercept the water table.

The mobile crushing and screening plant will be mobilised to the pit for approximately six weeks to process the stockpiled material. No structural changes of the mobile plant will occur. A front-end loader will be used to load the crushed material onto trucks for offsite transport.

Three new ponds will be constructed in areas 13, 14, and 15 to collect any contaminated stormwater generated during activities. In the easternmost campaign (area 16), stormwater will be directed to an existing pond (3) to the south of area 15 (Figure 2). Stormwater will be directed into the ponds via contour banks spaced approximately 45 metres apart, with an average gradient of 0.2% (Figure 3). The capacity of the stormwater ponds was calculated using the rational method for peak runoff of a two-hour rainfall event with a 10% annual exceedance probability (AEP). Approximate pond capacities are shown in Table 1. Each pond will be excavated to a depth of approximately 2 metres below ground level.

Proposed activities show that a 50 metres buffer from any surface water source will not be maintained during the campaign in extraction area 14, as the area overlaps the northern part of the multiple use wetland.

The licence holder expects to extract approximately 363,782 tonnes of gravel from the proposed area. Operating hours will remain consistent with the current development approval: Monday to Friday from 7:00 am to 7:00 pm, and Saturday from 7:00 am to 12:00 pm.

Approval from the local government, for the proposed activities was granted in August 2024 (P183/24), subject to conditions. These conditions included but were not limited to restricted operational hours aligned with current operations, and the requirement to obtain an Extractive Industry Licence. The Delegated Officer notes that it is the licence holder's responsibility to ensure all necessary approvals are in place before commencing extraction in the new area.

Table 1. Individual ponds capacity

Area reference	Area Size (ha)	Stormwater pond capacity (m ³)	Stormwater pond area at 1.5m depth (m ²)
13	5.27	1576	788
14	6.26	1872	936
15	5.64	1688	844
16 (<i>existing stormwater pond 3</i>)	5.55	1660	830

Request for further information

As stated earlier in this amendment report, on 21 February 2025, the licence holder was formally contacted to obtain additional information to understand the current context and the extent of compliance with the conditions of the licence. The letter also included a request to provide more specific details pertaining to the proposed activities. Specifically:

- freeboard allowance for the stormwater ponds to manage the risk of overtopping
- how the freeboard allowance would change the proposed capacity of each of the ponds
- to provide a figure with the approximate locations of the topsoil and gravel stockpiles for the purpose of limiting emissions (the Delegated Officer notes that this was provided during the 2021 amendment application)
- to provide a figure showing the management of stormwater from area 16 into the existing pond (3).

While the response submitted on 9 May 2025 provided some updates on ongoing operations, it did not address any of the above questions. Furthermore, the licence holder indicated that as no ponds were constructed for the previously assessed areas 8-12, no freeboard was reportable to date.

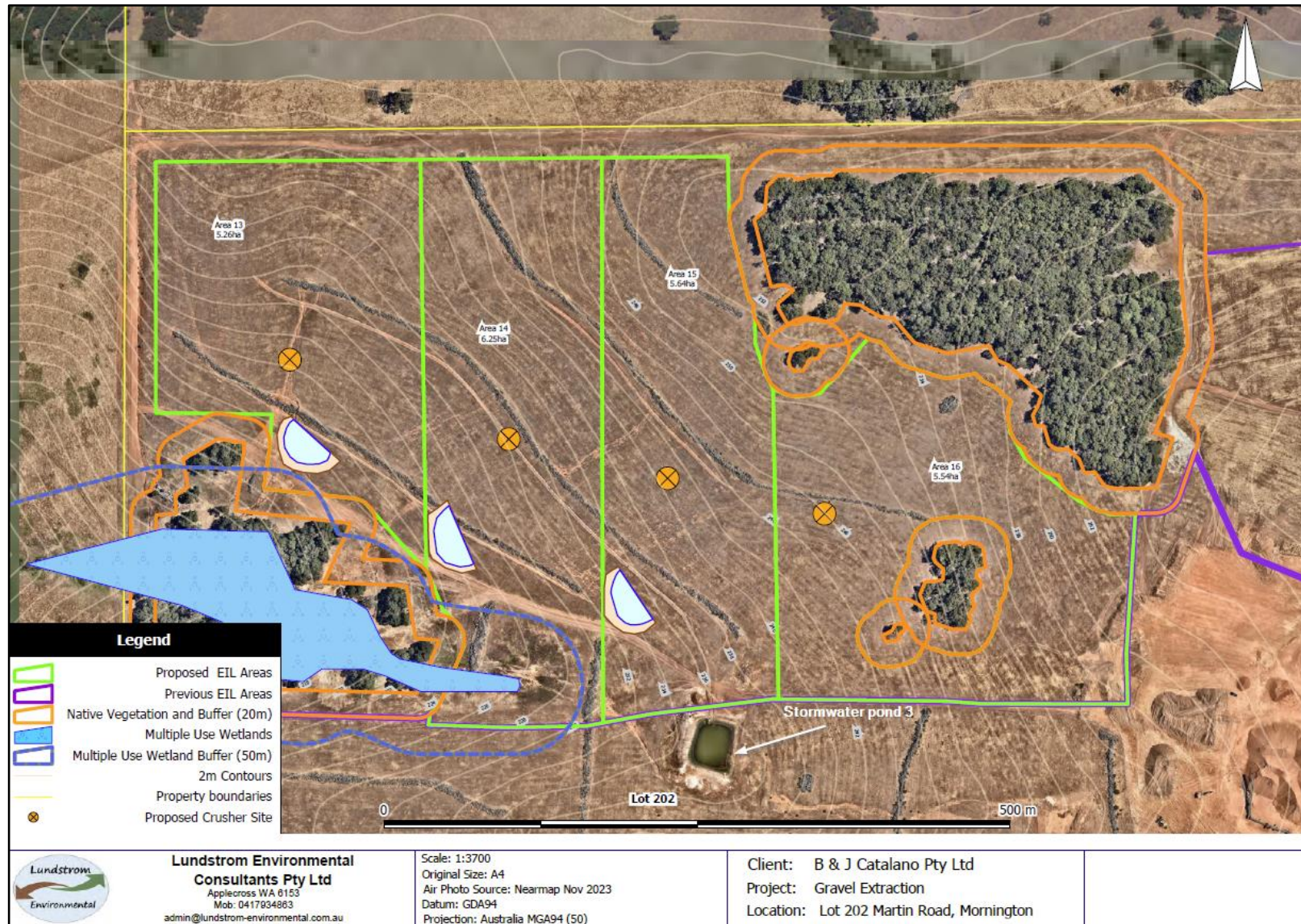


Figure 2. Proposed operations expansion area and location of stormwater management infrastructure

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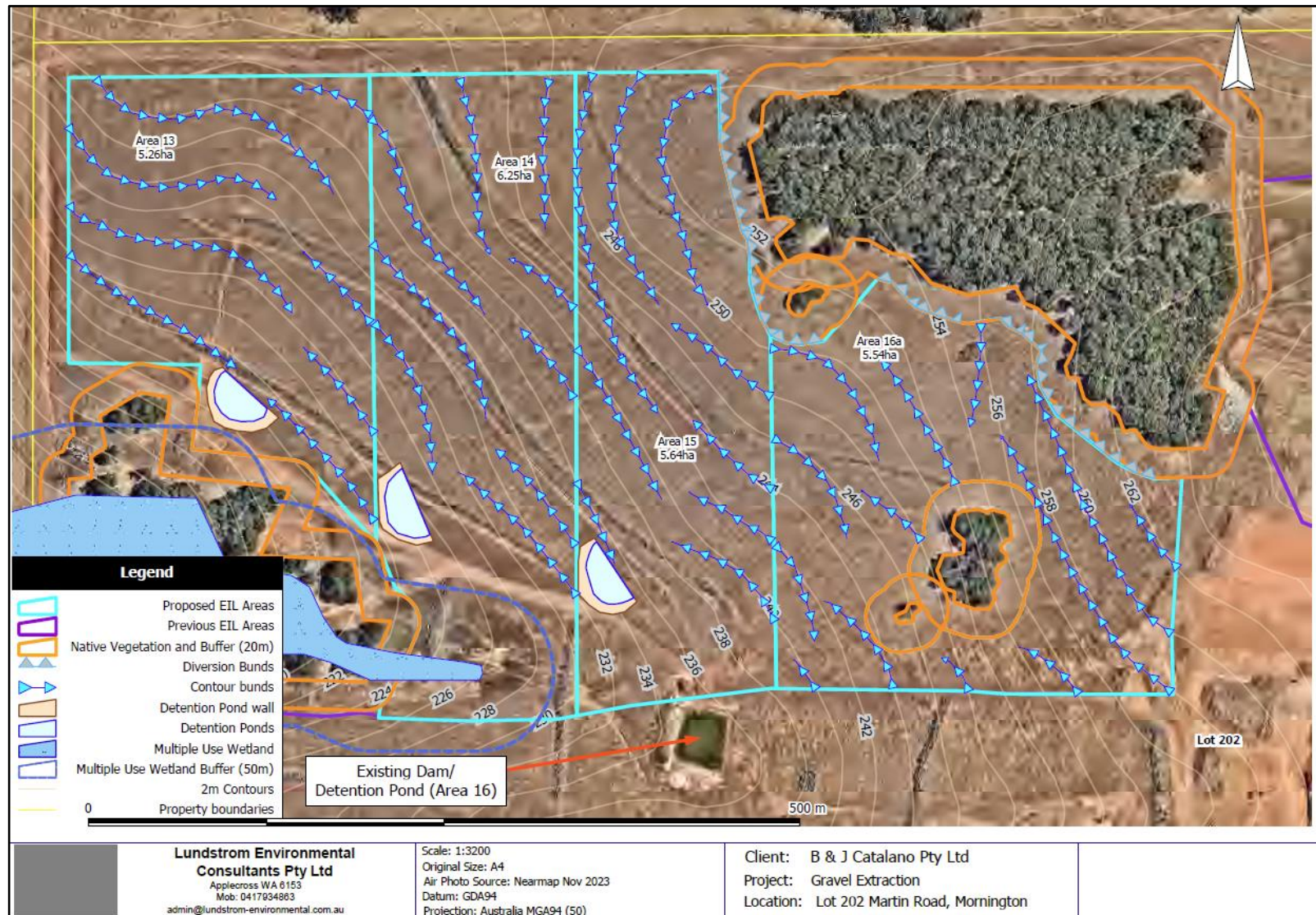


Figure 3. Proposed stormwater management

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2.3 Premises environmental surroundings and context

Martin Road Gravel Quarry is situated on the Swan Coastal Plain at the foothills of the Darling Scarp, approximately 150 kilometres (km) south of Perth. The surrounding land is primarily used for agriculture, particularly to the north and west. To the south and east, several protected areas lie within a 10 km radius.

Approximately 2.5 km east of the proposed expansion area is the Harris River State Forest, which is managed by the Conservation Commission of Western Australia under the *Conservation and Land Management Act 1984* (CALM Act). Additionally, a significant ecological linkage is located about 1 km to the southeast of the premises. This corridor supports the movement and habitat needs of arboreal and avian fauna.

Within the premises, a large portion of lot 202 was previously dedicated to pine plantation, but pockets of remnant banksia woodland remain, particularly to the north-east and south-east (Figure 4).

The premises are located within the Brunswick River and Tributaries surface water and irrigation districts, which are regulated under the *Rights in Water and Irrigation Act 1914*. Within the property boundaries, there are three geomorphic, seasonally waterlogged wetlands (Palus plains), with an additional wetland situated just beyond the northern boundary. While most of these wetlands are classified as "multiple use" under the Department of Biodiversity, Conservation and Attractions' management categories, a "conservation category" wetland is located within the western boundary of lot 202, approximately 650 metres from the crushing and screening operations. Conservation category wetlands are recognised for their high ecological value and functional significance.

The premises are characterised by gentle slopes (2 to 6 per cent), and drainage occurs in a south-west direction towards the Wokalup Creek tributary. The proposed extraction area is situated near the top of the catchment divide.

The area within the premises is prone to salinity, flood risk, acidity and wind erosion typical of the Swan Coastal Plain.

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 the construction of the additional infrastructure and operations in the northwestern corner of Lot 202 are detailed in Table 2. Table 2 also lists the licence holder proposed measures to reduce and control these emissions.

Table 2: Emission, potential or likely pathways and licence holder proposed controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Construction of stormwater ponds heavy vehicle movement and stockpiling of topsoil and overburden during construction activities.	Air / Windbourne pathway	<ul style="list-style-type: none"> Construction of stormwater ponds will be undertaken during conditions of light winds Topsoil stockpiles will be located on topographic low points and positioned in windrows to act as a barrier Traffic speed will be restricted to 30 km an hour. <p>The licence holder will continue to implement the following existing conditions to control dust emissions:</p> <ul style="list-style-type: none"> Condition 3: <ul style="list-style-type: none"> sealing of access roads, load-out and turn around areas water trucks used to reduce dust emissions water cart availability during operations Condition 5: No visible dust to cross the premises boundary Condition 6: Complaints recorded in a complaint register and reported as necessary
Noise			<ul style="list-style-type: none"> A late model equipment with a reduced noise level will be used Only broadband reversing warning

Emission	Sources	Potential pathways	Proposed controls
			<p>devices will be used</p> <ul style="list-style-type: none"> Operations will be restricted to Monday to Friday 7am to 7pm and Saturdays 7 to 12. Four-meter-high stockpiles will limit noise carrying to the surrounding area <p>The licence holder will continue to implement the following existing conditions:</p> <ul style="list-style-type: none"> Condition 3: <ul style="list-style-type: none"> All plant equipment maintained to manufacturer standards to ensure efficient operations Compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>.
Contaminated / sediment laden storm water		Overland runoff	<ul style="list-style-type: none"> A 50 m buffer will be maintained around native vegetation and some of the multi-purpose wetland areas
Operations			
Dust	Crushing and screening of material in areas 13 -16	Air/ Windbourne pathway	<ul style="list-style-type: none"> Operations will be stopped during high wind conditions and will only resume once sufficient wetting down has occurred to limit dust emissions Crushing and screening and stockpiling will only occur in area of low topography Stockpiles will be located on topographic low points and positioned in windrows to act as a barrier to any dust emissions Polymer based soil stabiliser will be sprayed on topsoil and overburden stockpiles when no crusting or grass germination occurs A dust management plan will be implemented Emergency contacts will be available at the gate for any incidents. <p>The licence holder will continue to implement the following existing conditions:</p> <ul style="list-style-type: none"> Condition 3: <ul style="list-style-type: none"> Mobile crushing and screening equipment to be fitted with dust controls Water sprays, sprinklers or

Emission	Sources	Potential pathways	Proposed controls
			<p>cannons to be used to limit dust emissions</p> <ul style="list-style-type: none"> ○ Sealing of access roads, load-out and turn around areas. ○ Water trucks to be used in high traffic areas and to be available during operations. <ul style="list-style-type: none"> • Condition 5: No visible dust must cross the premises boundary • Condition 6: Complaints will be recorded in a complaint register.
Noise			<ul style="list-style-type: none"> • A late model equipment with reduced noise level will be used • Only broadband reversing warning devices will be used. • A gravel stockpile of a minimum of four metres will be maintained to act as a buffer for noise emissions • Operations will be restricted to Monday to Friday 7am to 7pm and 7am to 12pm on Saturdays. <p>The licence holder will continue to implement the following existing conditions:</p> <ul style="list-style-type: none"> • Condition 3: <ul style="list-style-type: none"> ○ All plant equipment installed and maintained as per manufacturer's requirements. ○ <i>Environmental Protection (Noise) Regulations 1997</i> to be complied with • Condition 6: Complaints will be recorded in a complaint register
Sediment laden stormwater	Crushing and screening of material and operations of stormwater ponds in areas 12-16	Overland runoff	<ul style="list-style-type: none"> • No surface water runoff will be allowed outside the extraction boundary • Stormwater management structures will manage surface water runoff • Detention ponds will be approximately 2 m deep to allow for a 2-hour 10% Annual Exceedance Probability. • Contour bunds will be implemented to divert all surface runoff into the newly constructed stormwater ponds • Diversion bunds will be constructed along the eastern boundary to prevent

Emission	Sources	Potential pathways	Proposed controls
			<p>any non-contaminated run-off from entering the excavation area</p> <ul style="list-style-type: none"> • A Water Management Plan will be implemented • Emergency contacts available at the gate for any emergencies. <p>The licence holder will continue to implement the following existing conditions:</p> <ul style="list-style-type: none"> • Condition 3: <ul style="list-style-type: none"> ○ Daily inspection to identify any erosion of dam integrity ○ Repairs to erosion of dams to be undertaken within 24 hours of identification. • Condition 4: Contaminated and potentially contaminated stormwater must be kept separate.
Hydrocarbon spill	Heavy Machinery use	Overland runoff	<ul style="list-style-type: none"> • No fuel or lubricant will be stored at the premises • Refuelling will occur through mobile refuelling vehicles equipped with snap on/off, fast sill, and auto shut off • Mobile crushing and screening equipment to be left almost empty of fuel at the end of operation at nighttime • If major servicing is required, it will be undertaken outside of the premises • Fuel spill kits will always be available on sites • Emergency contacts for any incidents will be available at the gate.

3.1.2 Receptors

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

Table 3 summarises the potential human and environmental receptors that may be affected by activities conducted on, or emission and discharges from, the prescribed premises in accordance with *Guideline: Environmental siting* (DWER 2020). Figure 4 illustrates the broader environmental context surrounding the premises.

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Three residential premises	The closest residential premises are approximately 1.7 and 2.4 km north-west, north-east and east of the location where crushing and screening activities will take place.
Environmental receptors	Distance from prescribed activity
Flora <ul style="list-style-type: none"> Native vegetation (remnant banksia woodland) <p>The remnant banksia woodland provides habitat and supports a variety of fauna species, including specially protected ones such as <i>Phascogale tapoatafa</i> (brush-tailed phascogale) and threatened species such as the <i>Zanda latirostris</i> (Carnaby's cockatoo).</p>	Next to construction and crushing and screening operations (within and surrounding the premises).
Surface Water <ul style="list-style-type: none"> Proclaimed surface water area – RIWI Act – Brunswick River and Tributaries. Wokalup Creek – Ephemeral stream flowing in south-westerly direction Geomorphic multiple use wetlands: <ul style="list-style-type: none"> Reference 2877 Reference 2878 Reference 2878 	<p>At the premises</p> <p>Approximately 500m to the west of where construction and operations will take place.</p> <p>Just south of where the activities will take place.</p> <p>Approximately 700m to the east of the construction and operations.</p> <p>On the north-east corner of Lot 202, approximately 800m from the construction and operations.</p>

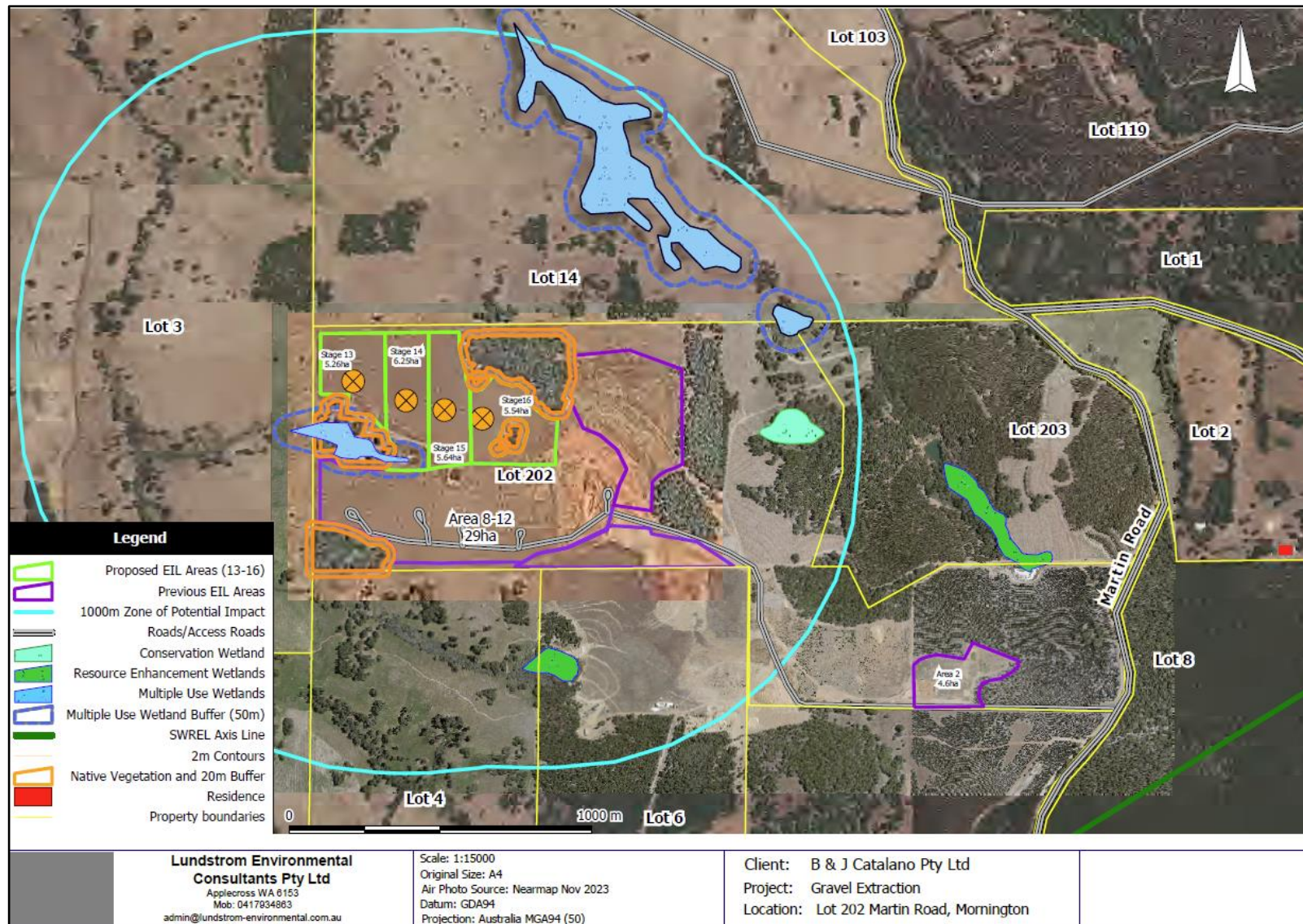


Figure 4: Individual extraction campaign areas and proximity to sensitive receptors as presented by the licence holder

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3.2 Risk ratings

Risk ratings for the emission sources have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020). The risk rating considers potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete, they have not been considered further in the risk assessment table (Table 4).

Where the licence holder 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 licence holder'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 licence holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The revised licence L8550/2011/1 that accompanies this Amendment Report authorises emissions associated with the operation of the premises.

The conditions in the revised licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for rating and any additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls				
Construction								
Construction of stormwater ponds (areas 13 – 15), heavy vehicle movement, stockpiling of topsoil and overburden during construction	Dust	Pathway: air/windborne pathway Impact: degradation of vegetation health through decreased photosynthesis	Remnant Banksia woodland next to activities.	Refer to Section 3.1	C = Slight L = Rare Low Risk	Y	Condition 7	The Delegated Officer acknowledges that the construction work will be completed within a short timeframe. Furthermore, the proposed dust controls will assist in minimising any impacts from dust emissions during construction activities. The Delegated Officer has determined that no regulatory controls are required beyond those already on the licence. The risk event rating has been deemed <i>low</i> risk, from a <i>slight</i> consequence and a <i>rare</i> likelihood.
	Contaminated / sediment laden stormwater	Pathway: overland runoff Impact: degradation of surface water quality, degradation of native habitat supporting specially protected and threatened fauna species	Surface water including adjacent multiple use wetland, native vegetation ecosystems	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1 Condition 5 Condition 6	The Delegated Officer acknowledges that the construction work will be completed within a short timeframe, nonetheless, as only a partial buffer has been proposed by the licence holder during construction activities, an outcome-based condition (condition 5) has been added to the licence to reduce the risk during the construction (and operational) activities. This additional regulatory control will reduce the likelihood of the risk event occurring. The risk rating has been deemed as <i>medium</i> from a <i>minor</i> consequence and an <i>unlikely</i> likelihood.
Operation								
Crushing and screening of material at areas 13, 14, 15 and 16.	Dust	Pathway: air/windborne pathway Impact: degradation of vegetation health through decreased photosynthesis	Remnant Banksia woodland next to activities	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 4 Condition 7	The Delegated Officer considers that the proximity of the operational activities to the remnant vegetation increases the risk of environmental degradation and potential disturbance to existing ecosystems and protected species. Applicant's proposed controls have been conditioned on the licence in accordance with DWER Guideline: Risk Assessments (DWER 2020). The Delegated Officer has not deemed it necessary to place any additional regulatory controls to those proposed by the applicant and those already existing on the licence.
	Noise	Pathway: air/windborne pathway Impact: diminished quality of life with long term exposure leading to negative health impacts	Closest residential premises are approximately 1.7 north-west of the crushing and screening activities	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 4	The Delegated Officer finds that the proposed and the existing controls on the licence are sufficient to maintain the risks of noise emissions within acceptable levels. Noting that the <i>Environmental Protection (Noise) Regulations 1997</i> also apply to the premises, no further controls have been deemed necessary on the licence.
	Contaminated / Sediment laden stormwater	Pathway: overland runoff Impact: degradation of surface water quality, degradation of native habitat supporting specially protected and threatened fauna species	Surface water including adjacent multiple use wetland, native vegetation ecosystems	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	N	Condition 1 Condition 4 Condition 5 Condition 6 Condition 12	As for the construction activities, the Delegated Officer considers that the proximity of the operational activities to the receptors increases the risk of environmental degradation and potential disturbance to existing protected species ecosystems. This risk is further heightened in Area 14 due to the absence of a buffer zone, which is intended to provide separation between any onsite activities and receptors. Furthermore, the Delegated Officer has considered: <ul style="list-style-type: none">the limited detail provided on the proposed mitigation measures including when further information was requested (section 2.2.2 for further details)the history of non-compliance with licence conditions, specifically the decision of the licence holder not to construct pond 1 and construct and then remove pond 2, contrary to the information submitted on the 2021

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for rating and any additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls				
								<p>amendment application.</p> <p>Based on these factors, the Delegated Officer has deemed the consequence rating to be <i>moderate</i>, with a <i>possible</i> likelihood, resulting in a <i>medium</i> risk rating.</p> <p>To decrease the likelihood of the risk event, additional regulatory controls have been added to the amended licence:</p> <ul style="list-style-type: none"> Condition 5 (which also applies to the construction activities) requires the licence holder to control the stormwater at the premises and ensure that no damage is done to vegetation and surface water. Condition 12 requires the licence holder to notify the department on the progress of operations at the premises following completion of crushing and screening activities within an area in areas 13 to 16. It is the Delegated Officer's view that additional regulatory control will provide better regulatory oversight into whether the licence holder complied with the relevant licence conditions, while operating within the area. The requirement is justified in that previous reporting to the department has not been clear and consistent on the activities undertaken at the premises and the maintenance of pollution control infrastructure. Given that the premises operates under a short-term, campaign-based manner, notification requirements are considered more appropriate, compared to routine reporting requirements. <p>With the above additional controls, the likelihood of the risk event has been reduced to <i>unlikely</i>, maintaining a medium risk rating.</p>
Operations of stormwater retention ponds for areas 13, 14, 15.	Contaminated / Sediment laden stormwater from overtopping	<p>Pathway: overland runoff</p> <p>Impact: degradation of surface water quality, degradation of specially protected and threatened fauna species ecosystems.</p>	Surface water including adjacent multiple use wetland, specially protected and threatened fauna species ecosystems.	Refer to Section 3.1	<p>C = Moderate</p> <p>L = Unlikely</p> <p>Medium Risk</p>	N	<p>Condition 1</p> <p>Condition 4</p> <p>Condition 5</p> <p>Condition 6</p>	<p>In their supporting documentation, the licence holder had proposed to install stormwater ponds at each crushing and screening area to collect and store contaminated / sediment laden stormwater runoff resulting from the activities.</p> <p>The overtopping of these stormwater ponds could result in the release of impacted stormwater, with the consequent degradation of surrounding native vegetation and surface water.</p> <p>The licence holder did not propose any mitigation measures to prevent overtopping of the ponds in the application, nor when additional details on the management of the ponds were requested. Consequently, the department has included the construction and operation of stormwater ponds as additional regulatory control.</p> <p>The Delegated Officer has deemed the consequence of contaminated stormwater having a detrimental effect on the surrounding receptors to be <i>moderate</i>. The likelihood of this occurring has been deemed <i>possible</i>, making the risk event rating <i>medium</i>.</p> <p>To decrease the likelihood of the risk event occurring, the following additional regulatory controls have been added to the amended licence:</p> <ul style="list-style-type: none"> Condition 1 and condition 4 have been amended to require the licence holder to construct stormwater ponds with sufficient operational capacity to contain runoff from a 10% annual exceedance probability rainfall event for 2 hours, while maintaining a minimum freeboard of 300 mm across area 13 – 16. Condition 5 has been included to ensure that any stormwater at the premises is not managed in a way that results in impacts to surrounding vegetation, noting that the proposed locations for stormwater ponds are in close proximity to native vegetation and wetlands at the premises. <p>It is the Delegated Officer view that the additional regulatory controls will decrease the likelihood of the risk event from occurring to <i>unlikely</i>, maintaining a medium risk rating.</p>

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for rating and any additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls				
Use of heavy machinery and refuelling	Hydrocarbons (from spills)	Pathway: direct discharge, and overland runoff after a rainfall event Impact: degradation of vegetation, degradation of surface water quality.	Adjacent remnant Banksia Woodland, degradation of surface water quality.	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	N/A	General provisions of the <i>Environmental Protection (Unauthorised Discharge) Regulations 2004</i> apply to the premises. No regulatory controls are required as part of this licence amendment.

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

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

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation	Comments received	Department response
The Shire of Harvey was advised of the proposal on 31 January 2025	A response was received from the local government on 06 February 2025 stating that development approval and an extractive industry licence for crushing and screening operations in areas 13-16 within lot 202 have been obtained from the local government authority.	N/A
The licence holder was provided with the draft amendment on 10 July 2025.	On 15 July 2025 the licence holder responded with no comments, other than to waive the 21-day consultation period, and issue the amended licence.	N/A

5. Conclusion

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

5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as a record of the implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 6: Summary of licence amendments

Condition no. or section before the amendment (if applicable)	Condition no. or section after the amendment (if applicable)	Proposed amendments
Throughout the licence		<ul style="list-style-type: none"> Conditions and tables have been renumbered to ensure consistency and chronological order. The footer has been amended as per the current DWER standards.
Cover page		<ul style="list-style-type: none"> <i>DWER file number</i> has been replaced by the new Environment Online reference. <i>Date of the amendment</i> has been updated to the date this amendment was issued.
Licence history		<ul style="list-style-type: none"> Amended to include the date, licence number and summary of the changes in accordance with this amendment.
Condition 1		<ul style="list-style-type: none"> Added (c) <i>within the corresponding timeframe</i> in accordance with current

Condition no. or section before the amendment (if applicable)	Condition no. or section after the amendment (if applicable)	Proposed amendments
		<p>DWER standards.</p> <ul style="list-style-type: none"> Updated Table 1 with the additional <i>timeframe</i> column consistent with (c) above. Amended Infrastructure name and location for item 1, Table 1, for clarity. Added items 2, 3, 4, and 5 in accordance with this amendment report.
N/A	Condition 3	<ul style="list-style-type: none"> New condition added for environmental compliance reporting, in accordance with current DWER standards.
Condition 3	Condition 4	<p>Table 2:</p> <ul style="list-style-type: none"> Updated the infrastructure location in accordance with the figure and clarified the labelling for areas 13-16. Added the stormwater ponds for areas 13-16 and the associated stormwater management infrastructure to the <i>additional site infrastructure and equipment, operational requirement</i> and <i>infrastructure location</i> columns Added the stormwater management controls in accordance with this amendment. Reworded stormwater ponds detention dams to stormwater ponds, to be consistent with the other naming convention on the licence. Reworded the infrastructure location for stormwater ponds 1-5, for clarity.
N/A	Condition 5	<ul style="list-style-type: none"> New condition added for stormwater management, in accordance with the risk assessment (Table 4)
Condition 4	Condition 6	<ul style="list-style-type: none"> Existing condition renumbered
Condition 5	Condition 7	<ul style="list-style-type: none"> Existing condition renumbered
Condition 6	Condition 8	<ul style="list-style-type: none"> Existing condition renumbered
Condition 7	Condition 9	<ul style="list-style-type: none"> Existing condition renumbered
Condition 8	Condition 10	<ul style="list-style-type: none"> Existing condition renumbered
Condition 9	Condition 11	<ul style="list-style-type: none"> Existing condition renumbered
N/A	Condition 12	<ul style="list-style-type: none"> New condition added for notifications, in accordance with the risk assessment (Table 4)
Definitions		<ul style="list-style-type: none"> Added 'freeboard' definition for clarity
Schedule 1: Maps		<ul style="list-style-type: none"> Replaced Figure 1 to clearly show existing prescribed premises boundary. Reworded Figure 2 description for clarity and consistency with other naming on the licence. Added Figure 3 in accordance with this amendment. Added Figure 4 in accordance with this amendment

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