



Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L9183/2018/1
Applicant	Meteor Stone Pty Ltd
ACN	623 253 770
File Number	DER2018/001042-11
Premises	Meteor Stone Wesco Road Part of Lot 6 on Diagram 34734 NOWERGUP WA 6032 Certificate of Title: Volume 1500 Folio 124 As depicted in Schedule 1 of the licence.
Date of Report	10/05/2019
Status of Report	FINAL

1. Definitions of terms and acronyms

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

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Applicant	Meteor Stone Pty Ltd
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Risk Event	As described in <i>Guidance Statement: Risk Assessment</i>

2. Overview of premises

Classification of premises

Classification of Premises	Description	Approved Premises production or design capacity or throughput
Category 12	Screening, etc. of material: premises (other than premises within category 10) on which the commercial production of oil or gas occurs (including the reforming of hydrocarbon gas).	60,000 tpa
Category 77	Concrete batching or cement products manufacturing: premises on which cement products or concrete are manufactured for use at places or premises other than those premises.	60,000 tpa

Description of proposed activity

Meteor Stone Pty Ltd (the Applicant) currently operates a reconstituted limestone block manufacturing facility using limestone mined from a quarry within the Premises. The Applicant also uses limestone from an adjacent quarry, however this adjacent quarry is not part of the Premises and is not risk assessed in this report.

All prescribed premises activities occur on the floor of a former quarry, as depicted in Figure 1. The Applicant operates a mobile crushing and screening plant to prepare material for batching (see area 1 in Figure 1)

A concrete batching plant is used in the production of reconstituted blocks where it is mixed with cement brought onsite and water provided by a water cart.

A block layer is used in the manufacture of reconstituted limestone blocks on a concrete hardstand which acts as a drying area for the blocks. Dry blocks are palletised and transported offsite via trucks which enter and exist through the designated area.

The land is owned by a third party and the Applicant has authority from the land owner to apply for this licence and a valid lease until 31 December 2023.

The limestone extraction activity onsite is regulated by the City of Wanneroo through an Extractive Industries Licence (EIL) which is valid until 21 November 2019. The Applicant also has planning approval for the current activities which is also valid until 21 November 2019. In line with DWER's *Guidance Statement: Licence Duration (August 2016)* the Licence expiry date will be set to match the expiry date of these approvals.

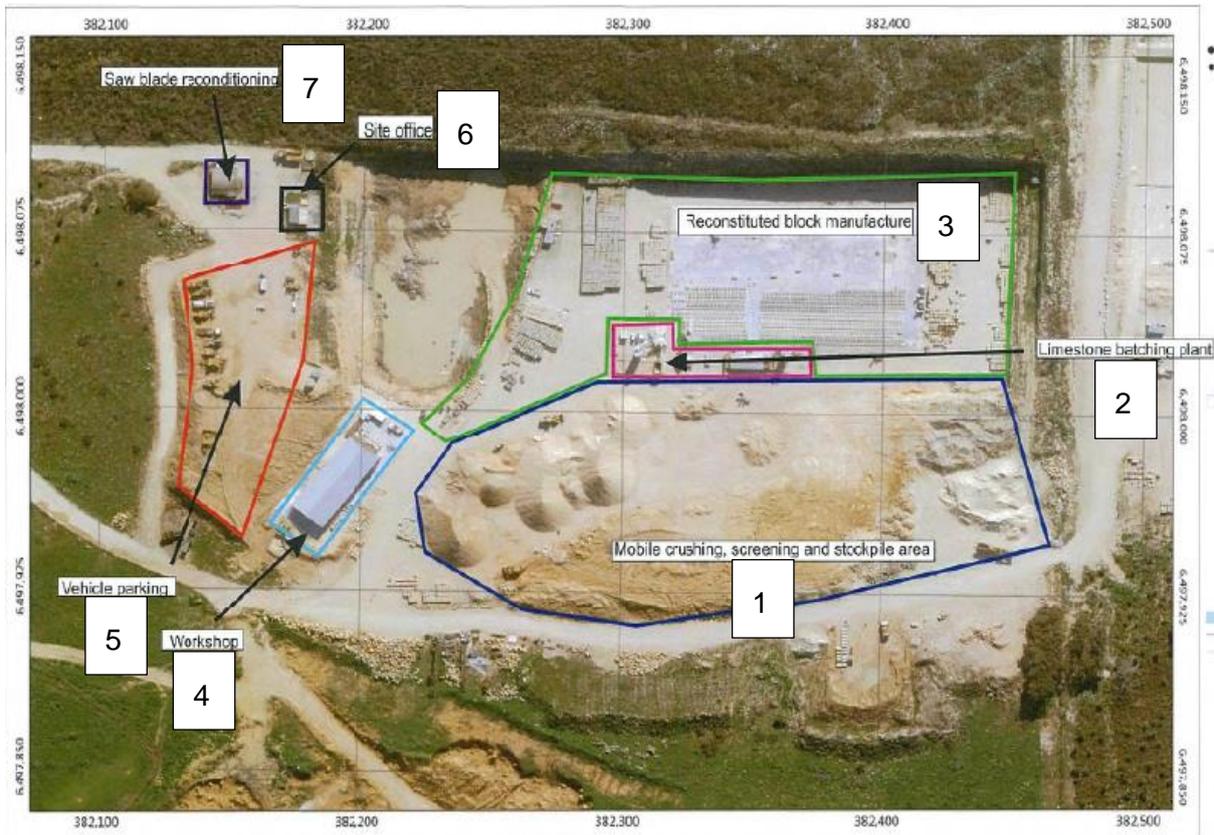


Figure 1: Site Layout Plan

Equipment List

	Equipment	Site Layout Plan Reference (Figure 1)
1	Loader - JCB 426HT (2003)	1 and 3
2	Loader - Volvo L110E (2006)	1 and 3
3	Loader - Komatsu WA500 (2005)	1 and 3
4	Bobcat - Toyota Model 30-5SDK8 x 2 (2017)	1 and 3
5	Forklift - Nissan Model Y1F2A25U x 2 (2010)	1 and 3
7	Dump Truck - Hitachi AH400-D 6x6 (2003)	1
8	Water Truck - International Water Truck (1991)	Mobilised around the Premises where required
9	Crusher – Rotary Kleeman	1
10	Crusher – Mobirex 110Z	1
11	Screen - 3-way split power screen,	1
12	Screen - Tesab TS 2600	1
13	Screen - x1 20-meter single stacker	1
14	Screen - x1 Single stacker, Edge TS80	1
15	Bulldozer - Caterpillar D10	1

3. Legislative context and other approvals

Legislation	Number	Approval
<i>Planning and Development Act 2005</i>	DA2014/1733 Expires 21 November 2019	Planning approval granted by the City of Wanneroo on 21/11/2014
<i>Local Government Act 1995</i>	In accordance with DA2014/1733 Expires 21 November 2019.	Extractive Industry Licence (No. 2014/1733) granted 21/11/2014 for five year terms.

4. Emissions, pathways and receptors

4.1 Emissions

The potential for emissions to impact on sensitive receptors has been assessed in accordance with the Department's Regulatory and Risk Frameworks. The key emissions considered in this report are **dust and noise** from activities including vehicle movements, extraction, processing and storage of materials, and the reconstitution of extracted materials into limestone blocks.

4.2 Pathways

As dust and noise are considered potential emissions, the prevailing wind direction has been considered. Using annual data from the Bureau of Meteorology's Gingin Aero station (station number 009178) the prevailing wind is from the east at 9.00 am and the south west at 3.00 pm.

4.3 Receptors

Risk is assessed as a combination of emission sources, the proximity and sensitivity of receptors to those emission sources, and any pathways that can allow the emission to reach and potentially impact on the receptor. The risk assessment in Section 6 considers these receptors in the context of emissions and potential pathways.

Residential and sensitive premises	Distance from Prescribed Premises
Northsands Resources (Industrial Premises – Licence L7782/2002/6 granted for prescribed premises categories 12, 13, 62, 63 and 67A)	Immediately adjacent, west of boundary. This receptor shares Lot 6 with the Applicant.
Residential premises	Approximately 700m south of boundary
Environmental receptors	Approximate distance from Prescribed Premises
Bushforever area - Site 136	1.3km north-east of prescribed premises boundary
Priority Ecological Community	400m south-west of prescribed premises boundary
Public Drinking Water Source Area	1.9km south-west of prescribed premises boundary
Resource Enhancement Wetland	1.3km south-west of prescribed premises boundary
Groundwater	Depth to groundwater encountered at approximately 56.5 m (Perth Groundwater Map).

5. Risk Criteria

During the assessment the risk criteria in the tables below will be applied to determine a risk rating.

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost Certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

Likelihood		Consequence		
The following criteria has been used to determine the likelihood of the risk / opportunity occurring.		The following criteria has been used to determine the consequences of a risk occurring:		
		Environment	Public Health* and Amenity (such as air and water quality, noise, and odour)	
Almost Certain	The risk event is expected to occur in most circumstances	Severe	<ul style="list-style-type: none"> on-site impacts: catastrophic off-site impacts local scale: high level or above off-site impacts wider scale: mid-level or above Mid to long term or permanent impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are significantly exceeded 	<ul style="list-style-type: none"> Loss of life Adverse health effects: high level or ongoing medical treatment Specific Consequence Criteria (for public health) are significantly exceeded Local scale impacts: permanent loss of amenity
Likely	The risk event will probably occur in most circumstances	Major	<ul style="list-style-type: none"> on-site impacts: high level off-site impacts local scale: mid-level off-site impacts wider scale: low level Short term impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are exceeded 	<ul style="list-style-type: none"> Adverse health effects: mid-level or frequent medical treatment Specific Consequence Criteria (for public health) are exceeded Local scale impacts: high level impact to amenity
Possible	The risk event could occur at some time	Moderate	<ul style="list-style-type: none"> on-site impacts: mid-level off-site impacts local scale: low level off-site impacts wider scale: minimal Specific Consequence Criteria (for environment) are at risk of not being met 	<ul style="list-style-type: none"> Adverse health effects: low level or occasional medical treatment Specific Consequence Criteria (for public health) are at risk of not being met Local scale impacts: mid-level impact to amenity
Unlikely	The risk event will probably not occur in most circumstances	Minor	<ul style="list-style-type: none"> on-site impacts: low level off-site impacts local scale: minimal off-site impacts wider scale: not detectable Specific Consequence Criteria (for environment) likely to be met 	<ul style="list-style-type: none"> Specific Consequence Criteria (for public health) are likely to be met Local scale impacts: low level impact to amenity
Rare	The risk event may only occur in exceptional circumstances	Slight	<ul style="list-style-type: none"> on-site impact: minimal Specific Consequence Criteria (for environment) met 	<ul style="list-style-type: none"> Local scale: minimal to amenity Specific Consequence Criteria (for public health) met

[^] Determination of areas of high conservation value or special significance should be informed by the *Guidance Statement: Environmental Siting*.

* In applying public health criteria, DWER may have regard to the Department of Health's, *Health Risk Assessment (Scoping) Guidelines* "on-site" means within the prescribed premises boundary.

6. Risk assessment

Risk ratings have been assessed for each key emission source and take into account potential source-pathway-receptor linkages. The mitigation measures / controls proposed by the Applicant have been considered in determining the risk rating.

Risk assessment – operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source or Activities	Potential emissions	Potential receptors	Potential pathway & receptor (impact)	Applicant controls					
Vehicle movements; Extraction, storage and processing (crushing/ screening) of material; Construction of limestone products	Noise	Resident located approximately 700m south.	Migration of emission through air/wind causing impacts to health and amenity	Maintain equipment in good condition, and shutting down equipment when not in use.	Moderate	Possible	Medium	Noise emissions may cause mid-level impact to amenity. Given the proximity to receptors and location within the prevailing wind direction, mid-level impacts could occur at some time.	All equipment will be required to be maintained in good working order. Crusher to be loaded from the lowest possible height Vehicles limited to 15km/hour All screening to occur at the lowest point of the quarry. The Delegated Officer has determined that noise emissions are otherwise appropriately regulated by the general provisions of the <i>Environmental Protection Act 1986</i> (EP Act), and through the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations).
		Northsands Resources immediately adjacent.		Vehicles limited to 15km/hour All screening to occur at the lowest point of the quarry.	Moderate	Possible			

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source or Activities	Potential emissions	Potential receptors	Potential pathway & receptor (impact)	Applicant controls					
Vehicle movements; Extraction, storage and processing (crushing/ screening) of material; Construction of limestone products	Dust	Resident located approximately 700m south.	Migration of emission through air/wind causing impacts to health and amenity	A dedicated water truck is to be retained on site for the wetting down of roads and other dust suppression activities.	Moderate	Possible	Medium	Dust emissions may cause mid-level impacts to amenity. Given the proximity to receptors and location within the prevailing wind direction, mid-level impacts could occur at some time.	All vehicles on the Premises should operate at speeds of less than 15km/h throughout the Premises. Materials must be loaded from the lowest possible height and use a series of sprays at dust emission points to prevent fugitive dust from crushing of materials. Water cart used to maintain stockpiles in damp state to prevent dust lift off. Must be capable of complete coverage of stockpiles. Screening to be located within area protected by natural walls of the quarry.
		Northsands Resources - immediately adjacent.		The access road is sealed and maintained.	Moderate	Possible			
		Bushforever area site 136	Migration of emission through air/wind causing impacts to vegetation by potentially suppressing photosynthetic functions.	Locating mobile plant and stockpiles in sheltered area at lowest point to provide natural barrier.	Slight	Rare	Low		
		Priority Ecological Community		Monitoring weather conditions and being prepared to increase the use of water sprays.	Slight	Rare		Although these receptors are at times in the location of the prevailing wind direction, the separation distances and Applicant's controls will generally be sufficient at mitigating emissions.	

7. Consultation

Method	Comments received	DWER response
<p>Application advertised on DWER website (21/02/2019)</p>	<p>A comment from the Landowner was received 13 March 2019 in regard to the lease expiry details completed on Meteor Stone’s application form. The application stated that the lease had no set expiry date. The Landowner confirmed that the lease ceases on 31/12/2023.</p>	<p>During assessment DWER requested a copy of the lease from the Applicant through a formal request for information process. The lease provided by the Applicant shows that the correct lease expiry date is 31/12/2023.</p> <p>This licence expiry end date will be aligned with the Extractive Industries Licence (EIL) expiry date of 21/11/2019, which is before the lease agreement expires.</p> <p>If the Applicant intends to operate beyond 21/11/2019, they will be required to apply for a licence amendment providing evidence of an EIL granted beyond this date.</p>
	<p>Comments were provided by Northsands Resources (Northsands) on 15/03/2019. The following comments were made:</p> <ol style="list-style-type: none"> 1. Concerned that they were not contacted as a direct interest party. Northsands believe due to being immediately adjacent to the premises that they should have been contacted directly for comment. 2. Expiry of the lease date being in 2023. 3. Variability of the boundary – appears to be different in the various attachments. Northsands would like this to be addressed to confirm an exact boundary and if possible delineated with measurements. <p>Northsands did not endorse any change to existing crushing/screening activities near their boundary – as it may affect their bricklayers sand pit area. They want to ensure that Meteor Stone operations continue as they have in the past and do not expand, ensuring that the hill between the two sites remains as a natural barrier.</p>	<p>DWER’s responses are outlined below:</p> <ol style="list-style-type: none"> 1. Northsands were not contacted directly as an interested party as the activities were already occurring on site, and under the risk assessment for noise and dust emissions Northsands were not seen to be impacted by the operations. Noting this, Northsands were contacted by phone on the 21/2/2019 and the 14/3/2019 and directed to the advertised application and deadline for submissions. Northsands have been recorded as an interested party and will receive notification when the Licence is granted. The Licence application was advertised online via the Department’s website and Northsands provided comments on the application during the advertised period. 2. Noted. 3. The boundary is reflective of the area specified in the lease document. 4. There is no change to the existing operations of Meteor Stone. <p>The Extractive Industry Licence specifies excavation cannot occur within 20 metres of the boundary or land affected by a registered grant of easement, and 40 metres from any thoroughfare. The requirements of the Applicant to comply with the conditions of the EIL have been considered in the risk assessment.</p>

Applicant notified of draft 3/	See Appendix 2	See Appendix 2
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8. Applicant’s comments

The Applicant was provided with the draft Decision Report and draft issued Licence on 5 May 2019. The Applicant provided comments which are summarised, along with DWER’s response, in Appendix 2, and waived the remaining draft period on the 7 May 2019.

9. Conclusion

This assessment of the risks of activities on the premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this decision report (summarised in Appendix 1).

Based on this assessment, it has been determined that the Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the approval under the EP Act.

Lauren Fox
A/MANAGER, WASTE INDUSTRIES
REGULATORY SERVICES

Delegated Officer under section 20 of the *Environmental Protection Act 1986*

Appendix 1: Key documents

Document title	Availability
Application for a Licence – Meteor Stone Pty Ltd	DWER records (DWERDT106841)
DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	
DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	
DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	

Appendix 2: Summary of Applicant's comments on risk assessment and draft conditions

Section of Licence	Summary of Applicant's comment	DWER response
Premises Boundary	The draft report referred to Table 4 for premises boundary coordinates, however Table 2 contained the boundary coordinates.	Table numbers within the licence have been checked to ensure that they match the relevant text in the licence.