



## Application for Licence Amendment

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

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<b>Licence Number</b>	L9209/2019/1
<b>Licence Holder</b>	AB No 2 Pty Ltd as Trustee for Culford Unit Trust
<b>ACN</b>	159 232 881
<b>File Number</b>	DER2019/000341~4
<b>Premises</b>	Culford Quarry  6364 Albany Highway BANNISTER WA 6390
<b>Date of Report</b>	12 November 2020
<b>Decision</b>	Granted

**Lauren Fox**  
**A/MANAGER – RESOURCE INDUSTRIES**  
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

## Table of Contents

<b>1. Decision summary .....</b>	<b>1</b>
<b>2. Scope of assessment .....</b>	<b>1</b>
2.1 Regulatory framework .....	1
2.2 Application summary .....	1
<b>3. Risk assessment.....</b>	<b>1</b>
3.1 Source-pathways and receptors .....	2
3.1.1 Emissions and controls .....	2
3.1.2 Receptors.....	2
3.2 Risk ratings.....	4
<b>4. Consultation .....</b>	<b>7</b>
<b>5. Conclusion .....</b>	<b>7</b>
5.1 Summary of amendments.....	7
<b>References.....</b>	<b>8</b>
<b>Appendix 1: Application validation summary.....</b>	<b>9</b>

Table 1: Proposed throughput capacity changes.....	1
Table 2: Licence Holder controls.....	2
Table 3: Sensitive human and environmental receptors and distance from prescribed activity.	3
Table 4. Risk assessment of potential emissions and discharges from the Premises operation .....	5
Table 5: Consultation .....	7
Table 6: Summary of licence amendments .....	7
Figure 1 Distance to sensitive human receptors.....	1
Figure 2 Distance to sensitive environmental receptors .....	2
Figure 3: Prescribed premises extractive area .....	3

## 1. Decision summary

Licence L9209/2019/1 is held by AB No 2 Pty Ltd, as a Trustee for Culford Unit Trust (AB No 2 - Licence Holder), for Culford Quarry (the Premises), located at 6364 Albany Highway, Bannister.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L9209/2019/1 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

## 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 which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

On 18 September 2020, the Licence Holder submitted an application to the department to amend Licence L9209/2019/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The Licence Holder is seeking an increase of throughput for category 12 activities (screening of material) from 50,000 to 150,000 tonnes per annual period (tpa).

Licence L9209/2019/1 was originally granted on 20 August 2019 and included requirements for noise monitoring associated with use of crushing equipment. The Licence Holder has notified the department that crushing equipment has not been used on site however, nor will crushing activities be included in operations going forward with an increase of throughput (DWER reference A1938089).

Table 1 below outlines the proposed changes to the existing Licence.

**Table 1: Proposed throughput capacity changes**

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
12	50,000 tonnes per annum	150,000 tonnes per annum	An increase of throughput to 150,000 tonnes per annum (screening only – no crushing)

## 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 *Guidance Statement: Risk Assessments* (DER 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 Amendment Report are detailed in Table 2 below.

Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 2: Licence Holder controls**

Emission	Sources	Potential pathways	Proposed controls
Dust	Screening, unloading, loading and storage of material, lift-off from stockpiles and vehicle movements associated with additional throughput	Air/windborne pathway	Existing licence conditions 1 and 2: Requiring that use of a water cart be operated proactively to wet down roadways, stockpiles and operational areas to prevent visible dust leaving the premises boundary.  Restrictions on screening plant and pug mill equipment placement within the premises boundary.  No additional controls proposed.
Sediment laden stormwater		Overland run-off	Existing licence condition 2: Requiring use, management of a stormwater sump, including all stormwater drains and channels to be directed into the stormwater sump.  No additional controls proposed.
Noise		Air/windborne pathway	The licence holder has advised they will not be using a crusher.  No other noise controls proposed.

### 3.1.2 Receptors

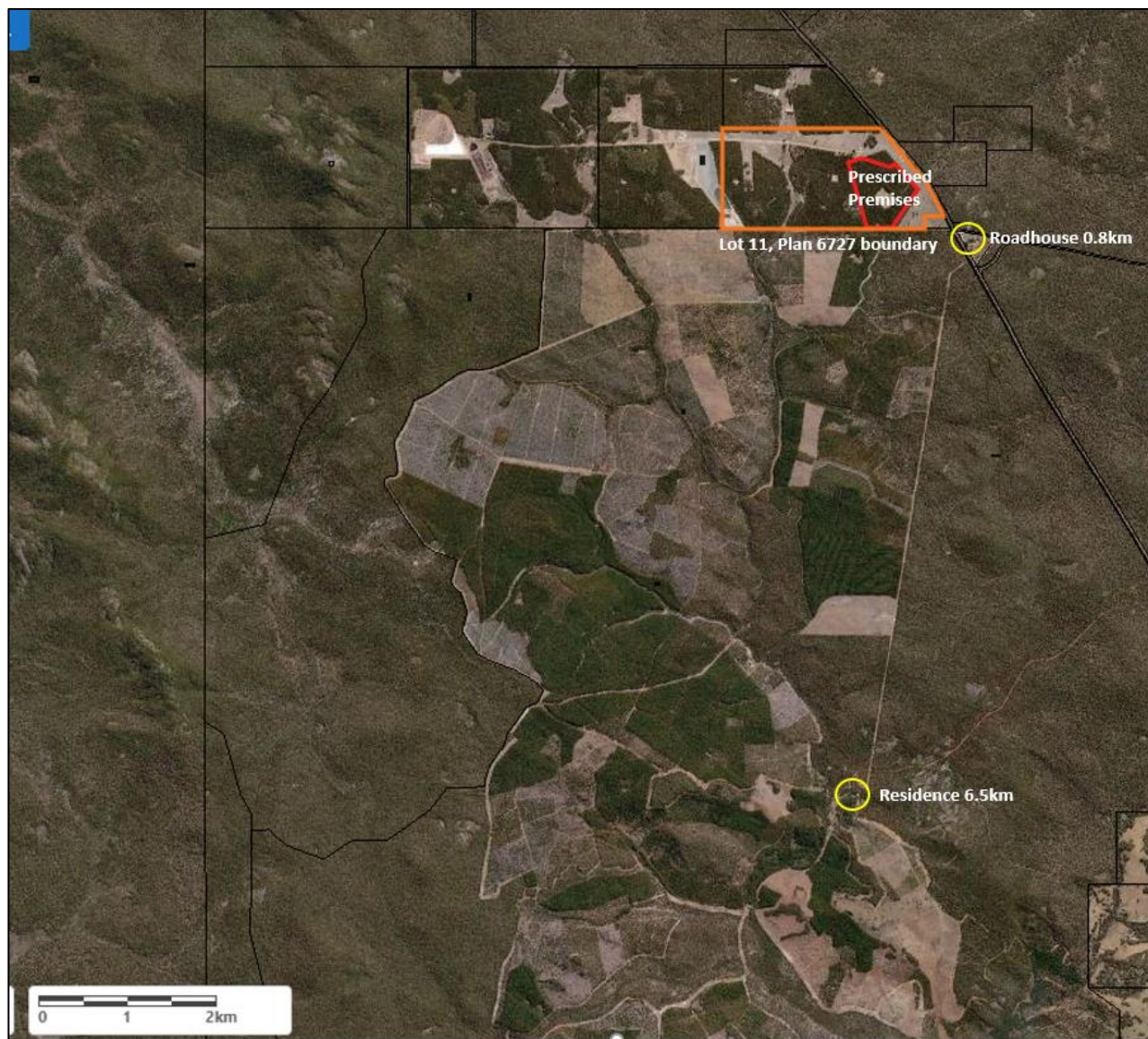
In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

A blue gum plantation surrounds the extractive area within the prescribed premises. As bluegums are not an endemic species, the plantation has not been considered a receptor. However, the presence of threatened fauna within the area and adjacent state forest have been considered.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities associated with emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

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

Human receptors	Distance from prescribed activity
Farm caretakers residence (owned by the Applicant)	Approximately 420 m north
Three Ways Roadhouse (service station with no accommodation)	Approximately 800 m south east
Residential dwelling	6.5km south
Environmental receptors	Distance from prescribed activity
Youraling State Forest (Bush Forever Area)	180m north-east
Dwellingup State Forest (Bush Forever Area)	1.8km north-west
Seasonal minor surface water creek system	80 m south-east of Premises boundary
Seasonal minor surface water creek system	920 m west of Premises boundary
Priority 2 Public Drinking Water Source Area (PDWSA) – Serpentine Dam Catchment Area	1.8 km north-west of Premises boundary
Threatened fauna (various species sighted)	<ul style="list-style-type: none"> <li>• Numbat – approximately 240 m east of boundary;</li> <li>• Baudin's Cockatoo – approximately 270 m north of boundary;</li> <li>• Carnaby's Cockatoo – approximately 960 m south-east of boundary;</li> <li>• Chuditch/western quoll – approximately 1.3 km south-east of boundary;</li> <li>• Forest red-tailed black Cockatoo – approximately 1.3 km south-east of boundary;</li> <li>• Quenda/southern brown Bandicoot – approximately 1.3 km south-east of boundary;</li> <li>• Peregrine falcon – approximately 1.5 km west, south-west of boundary;</li> </ul> <p>White-tailed black Cockatoo – approximately 1.5 km west, south-west of boundary.</p>

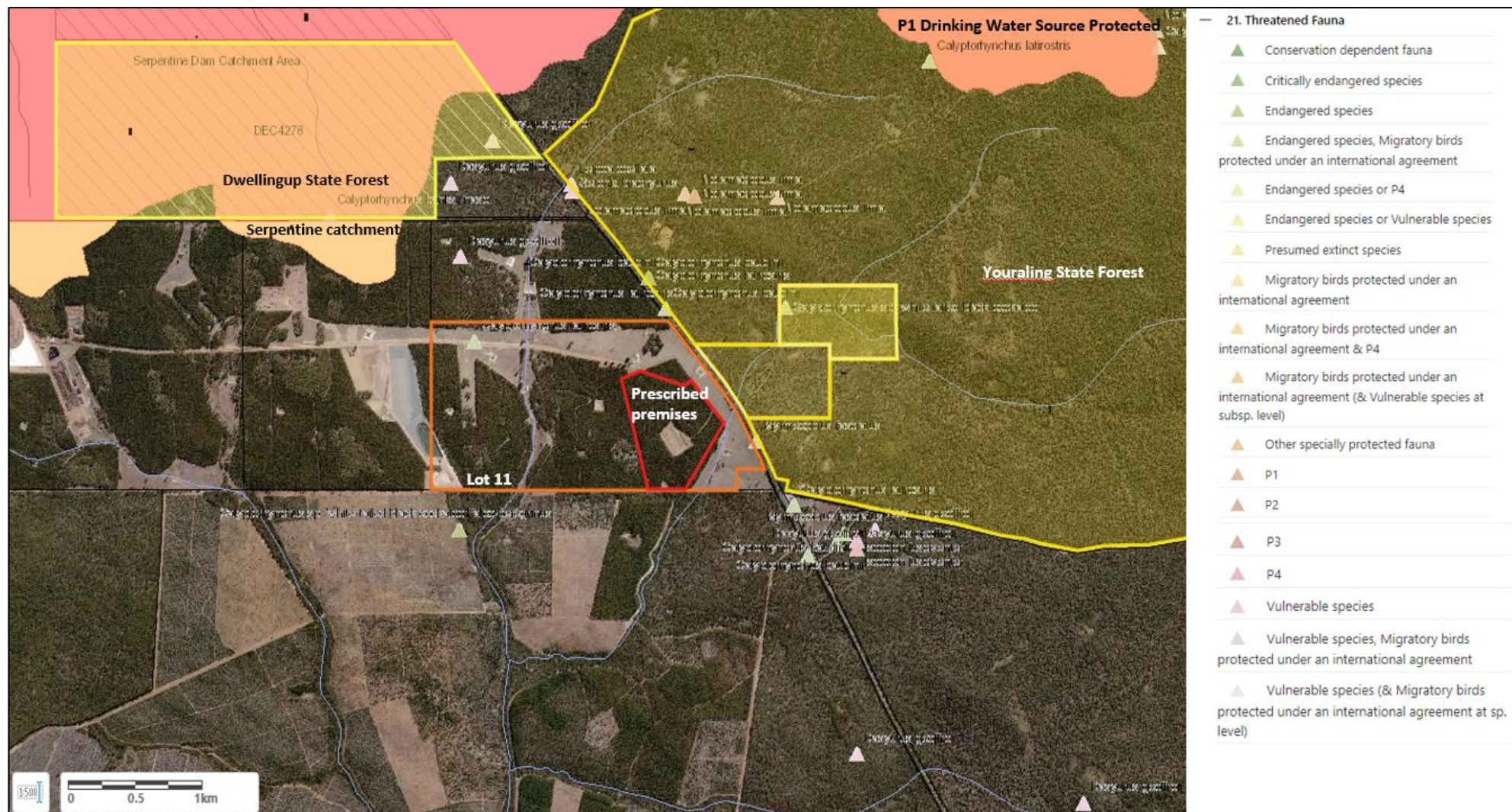


**Figure 1 Distance to sensitive human receptors**

L9209/2019/1

IR-T15 Amendment Report Template v2.0 (July 2020)





**Figure 2 Distance to sensitive environmental receptors**





**Figure 3: Prescribed premises extractive area**



## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change 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 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 L9209/2019/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. category 12 activities.

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 operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls			
<u>Activities associated with additional throughput:</u>  Screening;  Unloading, loading and storage of material,  Lift-off from stockpiles; and  Vehicle movements	Dust	<u>Air/windborne pathway causing impacts to:</u>  Health and amenity of closest human receptors (roadhouse) approximately 800m south-east from the premises;  Surface water quality and seasonal minor surface water creek system (located 80m east from premises boundary); and  Transient threatened fauna (closest fauna species sighted 240m east from premises boundary within the state forest).	Roadhouse (800m south-east)	Refer to Section 3.1	C = Minor L = Possible <b>Medium</b>	<u>Existing conditions</u>  Condition 2: (infrastructure and equipment controls)  <u>Modifications to existing conditions</u>  Condition 5 (modified to include complaint reporting)  <b>New conditions</b>  Condition 3 (dust management)  Condition 7 (complaints recording)	Additional controls have been placed on the licence to mitigate risk of dust emissions to sensitive receptors associated with significant additional through.
			Surface water creek system (80m east)		C = Moderate L = Unlikely <b>Medium</b>		
			Threatened fauna (closest 240m east)		C = Moderate L = Unlikely <b>Medium</b>		
	Sediment laden stormwater	Overland runoff potentially causing impacts to offsite State Forest, surface water and threatened fauna from the increase of suspended solids in the environment.	Seasonal minor creek (80m east)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium</b>	Existing controls and licence conditions are considered to be sufficient at mitigating risk.	N/A
			Threatened fauna (closest 240m south-east)				
			State forest (180m east)				
	Noise	<u>Air/windborne pathway causing impacts to:</u>  Health and amenity of closest human receptors (roadhouse) approximately 800m south-east from the premises.	Roadhouse (800m south-east)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium</b>	<u>Modification to existing conditions:</u>  Condition 2 (infrastructure)  Condition 5 (modified to include complaint reporting)  <b>New conditions</b>  Condition 7 (complaints recording)	The licence holder has indicated they will not be using a crusher on site. The crusher has been removed from the infrastructure in condition 2.  The licence holder is required to comply with the <i>Environmental</i>

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls			
							<i>Protection (Noise) Regulations 1997</i> at all times.  Conditions have been added that require the licence holder to record and report any complaints received.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

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 method	Comments received	Department response
Local Government Authority – Shire of Boddington advised of proposal (6/10/2020)	None received	N/A
Licence Holder was provided with draft amendment on 10/11/2020	None received – requested to waive consultation period.	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 record of 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.	Proposed amendments
-	The Revised Licence has been granted in a new format.
3 (former)	Removal of former condition 3 associated with noise monitoring requirements.
3	New condition for management of additional dust
5	Modified to include a requirement for reporting complaints.
7	New condition to include a requirement for recording complaints.
Definitions	Definitions have been updated

## References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
4. Culford Agri Industry 2020, *Supporting Documentation*, DWER trim reference: DWERDT339107, A1938089, DWERDT356914.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY					
<b>Application type</b>					
Works approval	<input type="checkbox"/>				
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>
		Has the works approval been complied with?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Date Report received:			
Renewal	<input type="checkbox"/>	Current licence number:			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:			
<b>Amendment to licence</b>	<input checked="" type="checkbox"/>	Current licence number:	L9209/2019/1		
		Relevant works approval number:		N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>
Date application received		17/9/2020			
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)		AB No 2 Pty Ltd as trustee for Culford Unit Trust			
Premises name		Culford Quarry			
Premises location		6364 Albany Highway BANNISTER WA 6390 Being Part Lot 11 on Plan 2767 as defined by the coordinates in Schedule 1			
Local Government Authority		Shire of Boddington			
<b>Application documents</b>					
HPCM file reference number:		DER2019/000341~4			
Key application documents (additional to application form):		No other documents provided			
<b>Scope of application/assessment</b>					
Summary of proposed activities or changes to existing operations.		Licence amendment Increase of throughput from 50,000 tpa to 150,000 tpa			



**Category number/s (activities that cause the premises to become prescribed premises)**

**Table 1: Prescribed premises categories**

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity
Category 12: Screening etc. of material	50,000 tonnes per annum	150,000 tonnes per annum

**Legislative context and other approvals**

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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 type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Certificate of title</b> <input checked="" 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: Shire of Boddington Approval 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 type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No:
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 <b>No clearing is proposed.</b>
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: <b>Licence / permit not required.</b>
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"/>	Name: Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:

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: P1 / P2 / P3 / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <b>PDWSA (Serpentine dam) is 1.8km north west</b>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>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: N/A Date of classification: N/A