



Application for Works Approval

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

Works Approval Number W6843/2023/1

Applicant Lynam Enterprises Pty Ltd

ACN 666 513 382

File Number DER2018/001042-9~85

Premises Glenlynn Quarry
Lot 1400 Lynam Road, Glenlyn

Legal description
Lot 1400 on Plan 119617
As defined by the Premises map attached to the issued works approval.

Date of Report 05/12/2023

Decision Works approval granted

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

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

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1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Works Approval W6843/2023/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of Premises

On 4 September 2023, Lynam Enterprises Pty Ltd (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to crushing and screening activities at Glenlynn Quarry (the Premises) located on Lot 1400 Lynam Road, Glenlyn. The Premises is approximately 3.5 km south of the Town of Bridgetown.

The Premises relates to Category 12 and assessed production capacity (81, 000 tonnes per annual period) under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6843/2023/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk assessments* (DWER 2017) are outlined in Works Approval W6843/2023/1.

Crushing and screening activities were originally assessed at the premises under Works Approval W6157/2018/1 issued to B & J Catalano Pty Ltd on 24/05/2019. W6157/2018/1 was to establish a crushing and screening circuit within Lot 1400 for stages 1-4 of the planned works. Excavation and crushing and screening was undertaken over the next four years where up to 330,000 tonnes was crushed and screened. No valid licence was issued for the operations at the premises and there were no provisions for time-limited operations within W6157/2018/1. Works approval W6157/2018/1 expired on 6 July 2023.

A second Works Approval W6351/2020/1 was issued to B & J Catalano Pty Ltd on 15/07/2020 for the crushing and screening operations for Stages 5-8 within Lot 1400. Before W6351/2020/1 was completed, the landowner terminated the contract with B & J Catalano Pty Ltd. Works approval W6351/2020/1 expired on 12/07/2023.

This application by Lynam Enterprises Pty Ltd (the Applicant) is for the establishment of a crushing and screening circuit within Lot 1400 for stages 5-8. A bulldozer will rip the laterite and blade it into the crushing/screening site until a substantial stockpile has accumulated. It is expected that that the ripping and blading will be undertaken for about one month per year. No blasting is proposed. Once the laterite has been stockpiled, a crushing/screening unit will be deployed for a period of approximately six weeks every year.

Crushing and screening operating hours will be limited to 7am – 5.30pm Monday to Saturday. Plant equipment required for operations include the following:

- Cat D9/D10 bulldozer;
- Cat 980 front-end loader;
- Striker 1320 (jaw) crusher;
- Finlay screen 693;

- Striker 25 metre stacker;
- Water cart;
- Staff amenities including site office, crib room and self-contained transportable toilet; and
- Mobile refuelling vehicle.

The site plan for the proposed operations is shown below in figure 1.

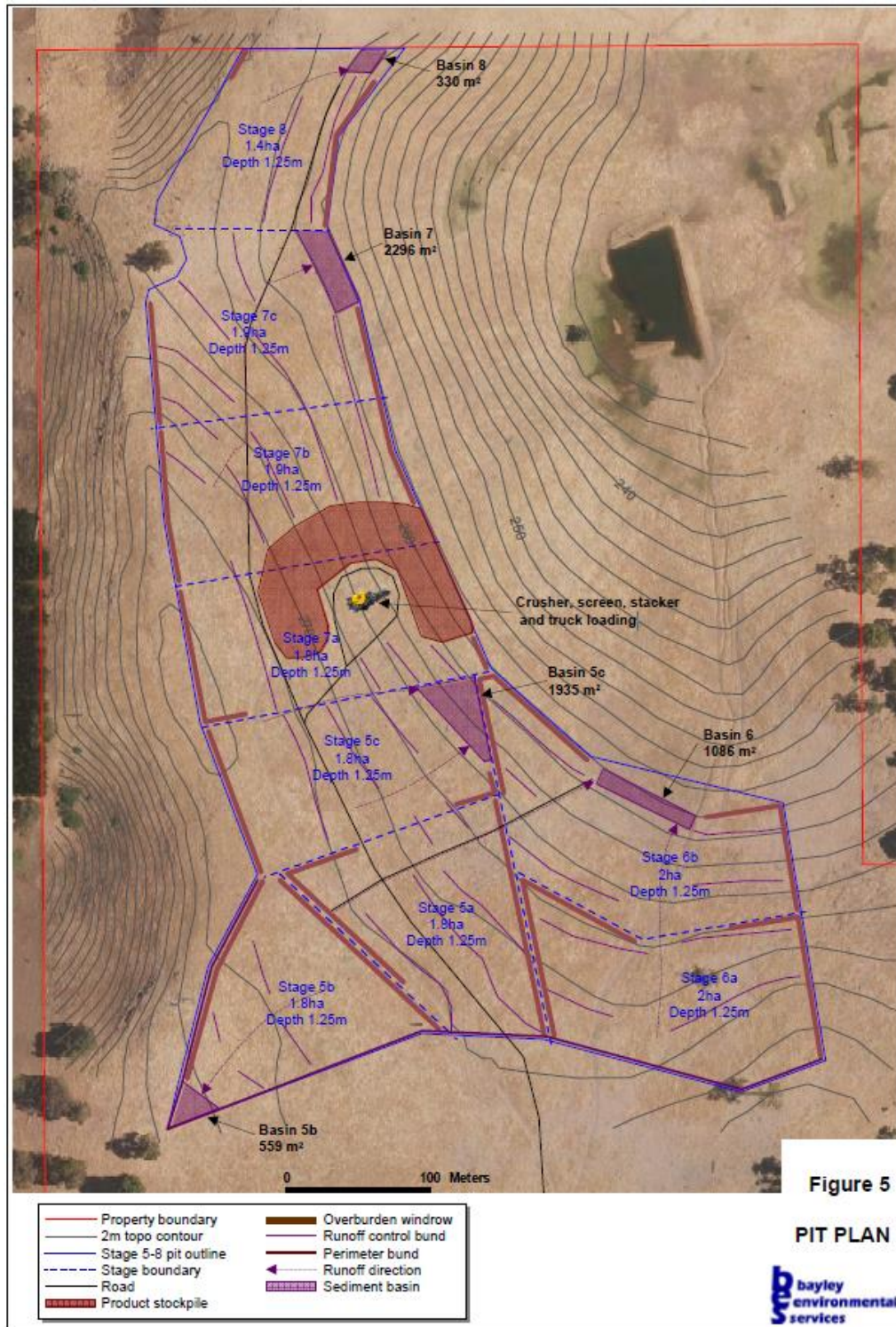


Figure 1: Proposed site layout for Lot 1400

Development Approval (Shire of Bridgetown-Greenbushes)

Development approval (DA) (P121/2018) issued by the Shire of Bridgetown-Greenbushes has now been transferred to the new occupiers Lynam Enterprises Pty Ltd (the applicant). The DA contains conditions regulating:

- The hours of operation - The operation is limited to Monday to Saturday, 7.30am to 5.30pm only, with no activity or haulage on Sundays and Public Holidays.
- Noise management – noise bunds required around crushing plant location to ensure compliance with the *Environmental Protection (Noise) Regulations 1997* (WA)
- Dust management – The operator is required to manage dust using the measures proposed in the Environmental Management Plan predominantly including, use of water carts, operational changes based on wind conditions, use of polymer based soil stabilizers, gravel surfaced internal roads, covering truck loads, educating employees and contractors.

Noise Emissions

Modelling for predicted noise emissions at the premises was undertaken by Lloyd George Acoustics and showed that with the inclusion of several noise bunds, activities at the premises will comply with the *Environmental Protection (Noise) Regulations 1997* between the hours of 7.00 am and 7.00 pm Monday to Saturday, not including Public Holidays.

A technical review of the Lloyd George Acoustics report was undertaken by DWER's Environmental Noise Branch (ENB). ENB's findings was that the activities proposed in the application would achieve compliance with the *Environmental Protection (Noise) Regulations 1997* (EP Noise Regs) by more than 5 dB at any of the identified sensitive receptors. The ENB identified a number of minor components within the technical review that may compromise the robustness of the report's conclusions. However, as the predicted noise modelling showed noise emissions are well within the levels set in the EP Noise Regs. Therefore the risk of excess noise emissions are considered to be low.

The noise mitigation measures recommended in the Lloyd George Acoustics report will be included in the Works Approval and associated licence and the applicant will be required to undertake noise measurements once crushing and screening operations commence under time limited operations (TLO) under the works approval.

The proposed locations and height of the noise bunds within Lot 1400 are shown below in Figure 2.

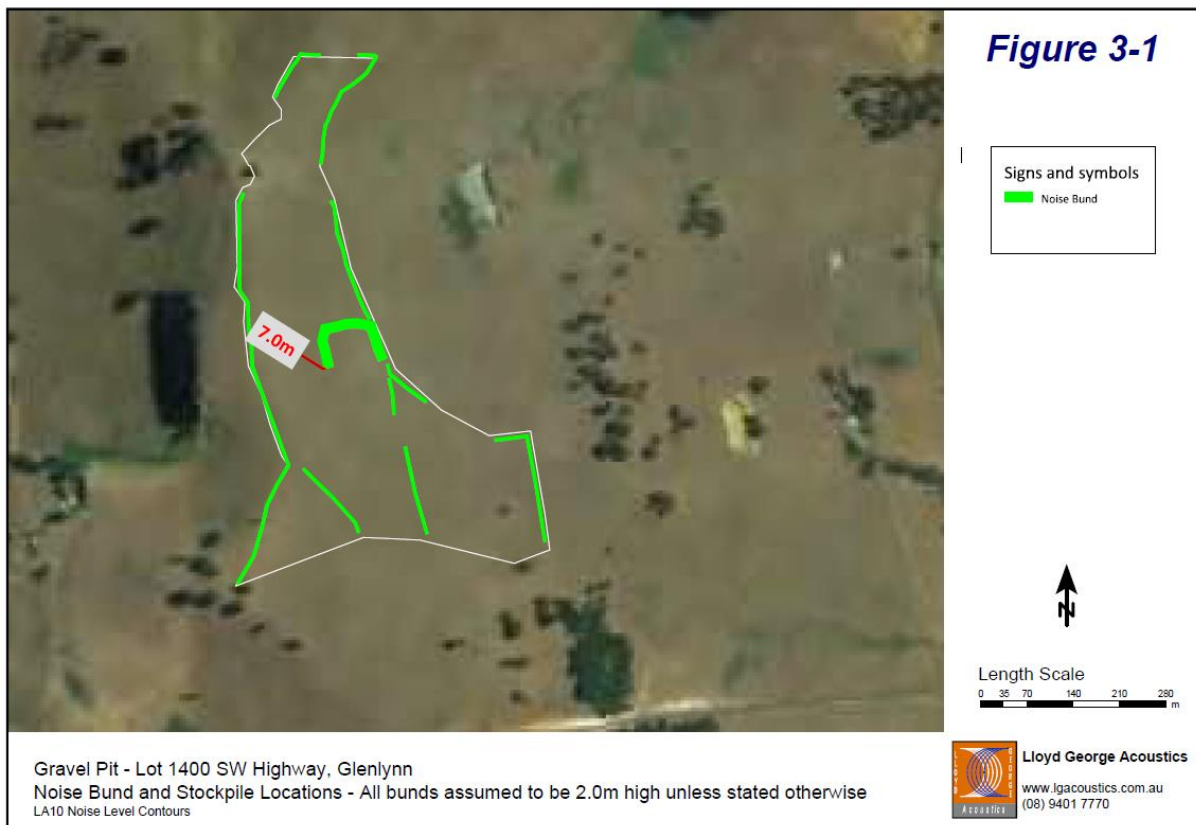


Figure 2: Lot 1400 bund locations

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Decision Report are detailed in Table 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or	Air/windborne pathway	Water tanker (15 kL) to be deployed for dust suppression on roads when required. Speed limit will be maintained on site to

Emission	Sources	Potential pathways	Proposed controls
	stored product, earthworks etc.		<p>reduce the level of dust generated from vehicle movement.</p> <p>Employees trained in dust minimisation.</p> <p>A polymer-based spray-on soil stabiliser will be applied to topsoil and overburden stockpiles and noise bunds if they do not stabilise by crusting and grass regrowth.</p> <p>A complaints system will be established and managed by the Quarry Manager.</p> <p>Internal roads will be surfaced with gravel to minimise dust lift-off.</p>
Noise	Crushing and screening of material	Air/windborne pathway	Earthen bunds to be established throughout Lot 1400 (shown in Figure 2).
Operation (including time limited operations)			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne pathway	<p>Water tanker (15 kL) to be deployed for dust suppression on roads when required.</p> <p>During crushing a spray-bar will be employed at all times</p> <p>Sprinklers to be used on stockpiles when required.</p> <p>Speed limit will be maintained on site to reduce the level of dust generated from vehicle movement.</p> <p>Employees trained in dust minimisation.</p> <p>A polymer-based spray-on soil stabiliser will be applied to topsoil and overburden stockpiles and noise bunds if they do not stabilise by crusting and grass regrowth.</p> <p>A complaints system will be established and managed by the Quarry Manager.</p> <p>Internal roads will be surfaced with gravel to minimise dust lift-off.</p>
Noise	Crushing and screening of material	Air/windborne pathway	<p>Earthen bunds to be established throughout Lot 1400 (shown in Figure 2).</p> <p>Operating hours will be limited to 7.30 am to 5.30 pm Monday to Saturday.</p>
Contaminated stormwater	Sedimentation from exposed soils, stormwater runoff, uncontained spillage of hydrocarbons.	Surface water runoff	<p>Surface water will be managed in accordance with the DWER's Water Quality Protection Note 15: <i>Basic Raw Materials Extraction</i> (DWER, 2019) which considers runoff both from within the extraction area and from external catchments.</p> <p>5 sediment basins will be established to capture surface water runoff leaving the site. The bunds will be engineered to contain the</p>

Emission	Sources	Potential pathways	Proposed controls
			<p>total runoff from a 10% AEP (10-year ARI), 2-hour storm and from critical storms (those that produce the highest peak runoff) up to 100-year ARI.</p> <p>Boundary noise bunds will act as diversion bunds to direct running surface water into the sedimentation bunds.</p> <p>No explosives or other hazardous materials will be stored on site.</p> <p>Machinery will be serviced off-site and refueled via a mobile refueling vehicle.</p>

3.1.2 Receptors

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

Table 2 and Figure 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2016)).

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

Human receptors	Distance from prescribed activity
Town of Bridgetown	Approximately 3 km North of the premises.
Closest residential receptor	<p>Resident approximately 285 metres south-west of the western property boundary.</p> <p>Resident approximately 320 metres north-west of the northern property boundary.</p> <p>Resident approximately 420 metres east of the south-eastern property boundary (caretaker resident).</p> <p>Resident approximately 700 metres north-east of the northern property boundary.</p> <p>Resident approximately 800 metres east of the eastern property boundary.</p>
Environmental receptors	Distance from prescribed activity
Groundwater	Elevated profile of the site means localised groundwater is greater than 10 meters from the surface.
Surface water	Approximately 375 m west of the premises is a minor tributary to the Blackwood River, which is located about 2.5 km to the north.

Parks and Wildlife Managed Lands and Waters	<p>The Yornup State Forest is located approximately 600 metres west of the premises.</p> <p>Timber Reserve 164 is located approximately 740 metres east of the premises.</p>
Threatened Ecological Communities, Priority Ecological Communities, conservation significant flora or fauna	<p>No native vegetation is present within the proposed premises boundary. No clearing is proposed as a part of this proposed activities. The proposed project area is located within existing cleared agricultural land.</p> <p>Based on the DWER's Geographical Information system, no conservation significant flora or fauna is recorded within the proposed premises boundary.</p>



Figure 3: Sensitive residential receptors in relation to the premises.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk assessments* (DWER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works Approval W6843 /2023/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the operation of the Premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Placement of screen and associated equipment including vehicle movements (reversing beepers). Construction of stormwater sumps.	Dust	Air/windborne pathway causing impacts to health and amenity	Surrounding residents (refer to Table 2)	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
	Noise			Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
Operation (including time-limited-operations operations)								
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Surrounding residents (refer to Table 2)	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1 – construction requirements Condition 6 – operating requirements	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity	Surrounding residents (refer to Table 2)	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 6 – operating requirements <u>Conditions 7, 9-15</u>	The nearest sensitive receptor is 285 metres from the premises boundary and a number of sensitive receptors are located within 1km in various directions from the premises. To reduce the risk of amenity impacts from operating the plant during operating hours, the Delegated Officer has determined it necessary to ensure that noise emissions resulting from normal operations at the premises are compliant with the

Works Approval: W6843/2023/1

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								<i>Environmental Protection (Noise) Regulations 1997 (noise regulations).</i> Therefore, a requirement to undertake noise monitoring to verify the conclusions of the noise model has been included in the works approval.
	Contaminated stormwater Hydrocarbon spills and leaks	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Unnamed creek 375 m west of the premises.	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Conditions 9 – operating requirements	The general provisions of the EP Act and the <i>Environmental Protection (Unauthorised discharge) Regulations 2004</i> also apply.

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

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

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (16/10/2023)	None received	N/A
Local Government Authority advised of proposal (17/10/2023)	None received	N/A
Surrounding residents Lot 1, Lot 101, Lot 102, Lot 810 and Lot 963 (17/10/2023)	None received	N/A
Applicant was provided with draft documents on 28/11/2023	The applicant replied on 30/11/2023 waiving the 21 day period.	Noted.

5. Conclusion

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

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2016, *Guideline: Environmental siting*, Joondalup, Western Australia.
3. DWER 2017, *Guideline: Risk assessments*, Joondalup, Western Australia.
4. Lloyd George Acoustics, 2023, *Environmental Noise Assessment – Gravel Extraction Pit, Lot 1400 South West Hwy, Glenlynn*, Hillarys, WA.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY		
Application type		
Works approval	<input checked="" type="checkbox"/>	
Date application received	4/09/2023	
Applicant and Premises details		
Applicant name/s (full legal name/s)	Lynam Enterprises Pty Ltd	
Premises name	Lynam Rd Quarry	
Premises location	Lot 1400 on Plan 119617	
Local Government Authority	Shire of Bridgetown-Greenbushes	
Application documents		
HPCM file reference number:	DER2018/1042-9~85	
Key application documents (additional to application form):	Works Approval Application form (includes supporting information)	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Works approval Construction of Category 12 crushing and screening operation.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	
Category 12: Screening etc. of material	81,000 tonnes per annual period	
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"/>	Certificate of title <input checked="" type="checkbox"/>

Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	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"/>	No clearing is proposed.
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"/>	No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence / permit not required.
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"/>	No discharge proposed
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes include details here.
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes include details of which EPP(s) here.
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Yes, include details here, e.g. Site is subject to SO ₂ requirements of Kwinana EPP.
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"/>	If Yes include details here. Classification: Date of classification: N/A