



|                                    |  |
|------------------------------------|--|
| <b>Licence number</b>              | L9381/2023/1   |
| <b>Licence holder</b>              | Nigel Palmer Earthmoving Pty Ltd   |
| <b>ACN</b>                         | 613 223 608  |
| <b>Registered business address</b> | Unit 1, 49 Birdwood Avenue<br>COMO WA 6152   |
| <b>DWER file number</b>            | DER2023/000152   |
| <b>Duration</b>                    | 22/09/2023 to 21/09/2043   |
| <b>Date of issue</b>               | 22/09/2023   |
| <b>Date of amendment</b>           | 04/06/2025   |
| <b>Premises details</b>            | Nullaki Limestone Quarry<br>Part of Lot 9005 on Plan 52088<br>Eden Road<br>Nullaki Peninsula WA 6220<br><br>As defined by the premises map in Schedule 1 and<br>coordinates in Schedule 2. |

| <b>Prescribed premises category description<br/>(Schedule 1, <i>Environmental Protection Regulations 1987</i>)</b>  | <b>Assessed production /<br/>design capacity</b> |
|---|--|
| Category 12: Screening etc. of material: premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated. | 50,000 tonnes per annum                          |

This amended licence is granted to the licence holder, subject to the attached conditions, on 04 June 2025, by:

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

## Licence history

| Date       | Reference number | Summary of changes   |
|------------|------------------|--|
| 22/09/2023 | L9381/2023/1     | Licence granted.   |
| 04/06/2025 | L9381/2023/1     | Amendment (APP-0026254) to expand the prescribed premises boundary to include new stockpiling area and allow crushing and screening activities to occur until 31 August each year. |

## Interpretation

In this licence:

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

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

## Licence conditions

The licence holder must ensure that the following conditions are complied with:

### Infrastructure and operations

1. The licence holder must ensure that the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 1.

**Table 1: Infrastructure and equipment requirements**

| Site infrastructure and equipment  | Operational requirement  | Infrastructure location  |
|--|--|--|
| Crushing or screening plant  | <ul style="list-style-type: none"> <li>Operates on the floor of the quarry behind the quarry working face.</li> <li>Maximum manufacturer sound power level of 85 decibels at 12 meters.</li> <li>Maximum processing design capacity of 200 tonnes per hour.</li> <li>Maintain all plant and equipment as per manufacturer's specifications.</li> <li>Keep suitably stocked spill response equipment close to where spills may occur.</li> <li>Operations limited from 1 January to 31 August each year.</li> </ul> | Only to be located and operated in Area A, as depicted in Schedule 1, Figure 2.    |
| 2 articulated dump trucks<br>2 front end loaders<br>1 excavator<br>1 bulldozer | <ul style="list-style-type: none"> <li>Maximum manufacturer sound power level on machinery not to exceed 103 decibels at 12 metres.</li> <li>Maintained to manufacturers specifications.</li> <li>Warning light or broadband reversing alarms to be fitted to minimise noise (as opposed to tonal alarms or beepers).</li> <li>Operations limited from 1 January to 31 August each year.</li> </ul>  | To be located within the prescribed premises, as depicted in Schedule 1, Figure 1. |
| Water cart   | <ul style="list-style-type: none"> <li>Must be available at all times at the premises during operation phase to suppress dust.</li> </ul>  | N/A  |
| Light vehicles and road trucks   | <ul style="list-style-type: none"> <li>Warning light or broadband reversing alarms to be fitted to minimise noise (as opposed to tonal alarms or beepers).</li> </ul>  | N/A  |

2. The licence holder must ensure that operations at the premises only occur between the hours of 07:00 to 17:00 on the days Monday through to Friday, and from 08:00 to 17:00 on Saturdays and at no time on Sundays or public holidays.
3. The licence holder must ensure that no visible dust generated from the operations crosses the boundary of the premises.

4. The licence holder shall ensure clean stormwater is diverted around operational areas and potentially contaminated or contaminated stormwater (which includes sediment laden stormwater) is retained onsite using contour bunds and stormwater detention basins.
5. The licence holder shall store environmentally hazardous materials in secured, covered, impervious and bunded areas.
6. The licence holder shall immediately recover, or remove and dispose of, spills of environmentally hazardous materials including fuel, oil, or other hydrocarbons, whether inside or outside an engineered containment system.

## Emissions and discharges

7. The licence holder must ensure that dust and noise controls are implemented in accordance with the requirements specified in Table 2.

**Table 2: Dust and noise controls**

| Location                  | Requirement   |
|---------------------------|---|
| Area A – Quarry area      | <ul style="list-style-type: none"> <li>• Only crushing, screening, stockpiling of limestone and handling of limestone is authorised to occur in this location.</li> <li>• Crushing or screening plant may only be operated in the quarry area.</li> <li>• Water cart must be available at all times for dust suppression to minimise dust from crushing or screening, stockpiles and open areas.</li> <li>• Must utilise covers or water sprays or chemical stabilisers to minimise dust liftoff from stockpiles.</li> </ul>  |
| Area B – Stockpiling area | <ul style="list-style-type: none"> <li>• Only the stockpiling of limestone and the transfer of limestone is authorised to occur in this location.</li> <li>• Mobile equipment restricted to:                             <ul style="list-style-type: none"> <li>▪ One haul truck</li> <li>▪ One front end loader</li> <li>▪ One road truck (limestone export truck)</li> <li>▪ One watercart</li> <li>▪ Light vehicles</li> </ul> </li> <li>• Water cart must be available at all times for dust suppression to minimise dust from the stockpiles and open areas.</li> <li>• Must proactively utilise covers or water sprays or chemical stabilisers to minimise dust liftoff from stockpiles, as required.</li> <li>• Stockpile heights limited to 6m at all times.</li> </ul> |
| All areas                 | <ul style="list-style-type: none"> <li>• Must utilise watercart for dust suppression to minimise dust generation from roads and open areas.</li> <li>• Heavy vehicles must operate with a speed limit of 20km/hr on the premises.</li> <li>• Must conduct regular inspections to ensure dust controls are effectively being implemented.</li> <li>• Must cease an activity causing visible levels of dust where dust management measures have not prevented dust lift-off that may impact sensitive receptors.</li> </ul>   |

## Monitoring

8. By 30 June 2025, the licence holder must retain the services of a person qualified and experienced in the area of environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
  - (a) investigate the nature and extent of noise emissions from the premises;
  - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the primary activities, against the relevant assigned levels specified in those Regulations (noting that the Nullaki Campsite is defined as a *highly sensitive area* under the *Environmental Protection (Noise) Regulations 1997*); and
  - (c) compile and submit to the licence holder by 30 July 2025 a report in accordance with condition 9.
9. A report prepared pursuant to condition 8(c) is to include:
  - (a) a description of the methods used for monitoring and/or modelling of noise emissions from the premises;
  - (b) details and the results of the investigation undertaken pursuant to condition 8(a);
  - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997* undertaken pursuant to condition 8(b); and
  - (d) an assessment of noise levels against the most recent previous noise assessment.
10. The licence holder must submit to the CEO the report prepared pursuant to condition 8(c) within 14 days of receiving it.
11. Where an assessment pursuant to condition 8(b) indicates that noise emissions do not comply with the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997*, the license holder must:
  - (a) reduce or cease operations to achieve compliance with the assigned noise levels;
  - (b) within 30 days of receiving an assessment report pursuant to condition 8(c) prepare a plan to ensure the undertaking of the licensed activity will no longer lead to any contravention of the *Environmental Protection (Noise) Regulations 1997*; and
  - (c) provide to the CEO a copy of the plan prepared pursuant to condition 11(b) within 14 days of its preparation.

## Specified Actions

12. The licence holder must install stormwater management infrastructure within Area B to ensure clean stormwater is diverted around operational areas and potentially contaminated or contaminated stormwater is retained onsite by 31 August 2025.
13. The licence holder must submit a compliance report to the CEO by 30 September 2025 providing evidence of the stormwater management infrastructure that has been installed in accordance with condition 12. The report must include but not be

limited to; photographs of the infrastructure, a detailed site plan showing the location of the infrastructure and be signed by a person authorised to represent the licence holder.

## Records and reporting

- 14.** The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
  - (a) the name and contact details of the complainant, (if provided);
  - (b) the time and date of the complaint;
  - (c) the complete details of the complaint and any other concerns or other issues raised; and
  - (d) the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.
- 15.** The licence holder must:
  - (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
  - (b) prepare and submit to the CEO by no later than 30 days after the end of that annual period an Annual Audit Compliance Report in the approved form.
- 16.** The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:
  - (a) the calculation of fees payable in respect of this licence;
  - (b) any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence; and
  - (c) complaints received under condition 14 of this licence.
- 17.** The books specified under condition 16 must:
  - (a) be legible;
  - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
  - (c) be retained by the licence holder for the duration of the licence; and
  - (d) be available to be produced to an inspector or the CEO as required.

## Definitions

In this licence, the terms in Table 3 have the meanings defined.

**Table 3: Definitions**

| Term                                  | Definition  |
|---------------------------------------|---|
| ACN                                   | Australian Company Number   |
| Annual Audit Compliance Report (AACR) | means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).  |
| annual period                         | a 12 month period commencing from 1 July until 30 June of the immediately following year.   |
| Area A                                | The area of the prescribed premises depicted in Schedule 1, Figure 2 in yellow (also referred to as the quarry area).   |
| Area B                                | The area of the prescribed premises depicted in Schedule 1, Figure 2 in blue (also referred to as the stockpiling area).  |
| books                                 | has the same meaning given to that term under the EP Act.   |
| CEO                                   | means Chief Executive Officer of the Department.<br>"submit to / notify the CEO" (or similar), means either:<br>Director General<br>Department administering the <i>Environmental Protection Act 1986</i><br>Locked Bag 10<br>Joondalup DC WA 6919<br>or:<br><a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a> |
| Department                            | means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.  |
| discharge                             | has the same meaning given to that term under the EP Act.   |
| emission                              | has the same meaning given to that term under the EP Act.   |
| EP Act                                | <i>Environmental Protection Act 1986</i> (WA)   |
| EP Regulations                        | <i>Environmental Protection Regulations 1987</i> (WA)   |
| licence                               | refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.  |
| licence holder                        | refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.   |

| <b>Term</b>         | <b>Definition</b>   |
|---------------------|---|
| premises            | refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map in Schedule 1 to this licence. |
| prescribed premises | has the same meaning given to that term under the EP Act.   |
| waste               | has the same meaning given to that term under the EP Act.   |

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**END OF CONDITIONS**





**Figure 2: Map showing Area A (yellow outline) and Area B (blue outline)**

## Schedule 2: Premises boundary

The corners of the premises boundary are the coordinates listed in Table 1.

**Table 1: Premises boundary coordinates in GDA 2020**

| Point | Easting     | Northing     |
|-------|-------------|--------------|
| 1     | 117.4516573 | -35.0370183  |
| 2     | 117.4516218 | -35.05250529 |
| 3     | 117.450868  | -35.05294549 |
| 4     | 117.4493509 | -35.05474723 |
| 5     | 117.4468737 | -35.05331803 |
| 6     | 117.446863  | -35.05309846 |
| 7     | 117.4484831 | -35.05121013 |
| 8     | 117.4510473 | -35.05267688 |
| 9     | 117.451394  | -35.05243589 |
| 10    | 117.4515258 | -35.05226089 |
| 11    | 117.4515261 | -35.04222069 |
| 12    | 117.4514173 | -35.04213969 |
| 13    | 117.4495553 | -35.04230929 |
| 14    | 117.4485587 | -35.04221369 |
| 15    | 117.4481811 | -35.04093409 |
| 16    | 117.4500641 | -35.04059589 |
| 17    | 117.4514179 | -35.04038969 |
| 18    | 117.4515267 | -35.04028449 |
| 19    | 117.4515271 | -35.03925809 |
| 20    | 117.4514359 | -35.03915309 |
| 21    | 117.4511881 | -35.03911409 |
| 22    | 117.4511337 | -35.03906049 |
| 23    | 117.4511319 | -35.03889049 |
| 24    | 117.4510475 | -35.03878389 |
| 25    | 117.4508625 | -35.03872989 |
| 26    | 117.4508503 | -35.03840629 |
| 27    | 117.4511727 | -35.03828969 |
| 28    | 117.4513309 | -35.03815709 |
| 29    | 117.4513879 | -35.0370747  |
| 30    | 117.4516573 | -35.0370183  |
| 31    | 117.4514175 | -35.04200409 |

|    |             |              |
|----|-------------|--------------|
| 32 | 117.4515265 | -35.04190429 |
| 33 | 117.4515269 | -35.04082007 |
| 34 | 117.4515267 | -35.04060189 |
| 35 | 117.4514187 | -35.04052889 |
| 36 | 117.4500383 | -35.04073929 |
| 37 | 117.4493599 | -35.04105009 |
| 38 | 117.4492629 | -35.04114909 |
| 39 | 117.4493035 | -35.04152969 |
| 40 | 117.4494813 | -35.04153169 |
| 41 | 117.4497347 | -35.04173269 |
| 42 | 117.4500741 | -35.04174749 |
| 43 | 117.4507001 | -35.04202169 |
| 44 | 117.4510373 | -35.04203729 |
| 45 | 117.4514175 | -35.04200409 |