



Licence Number L8355/2009/2

Licence Holder P.M.R. Quarries Pty Ltd T/A WA Limestone Co

ACN 008 866 448

File Number: DEC 11206

Premises
Baldivis Pit
Millar Road
BALDIVIS WA 6171

Legal description –
Part Lot 2170 on Plan 211650

Date of Amendment 6 December 2017

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 8 December 2017

Tim Gentle

Manager Licensing – Resource Industries

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Category	As used in Schedule 1 of the EP Regulations
Delegated Officer	An officer to whom all of the powers and duties under - (a) sections 54, 57, 59, 59B, 60, 62 and 64 of the EP Act; and (b) regulations 5B and 5O of the EP Regulations have been delegated by the CEO of DWER pursuant to section 20 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986</i>
EP Regulations	<i>Environmental Protection Regulations 1987</i>
Existing Licence	The licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of this Review
Licence Holder	P.M.R. Quarries Pty Ltd T/A WA Limestone Co
the Premises	Baldivis Pit: Part Lot 2170 on Plan 211650 Millar Road, BALDIVIS WA 6171
Prescribed Premises	Premises of the types listed in Schedule 1 of the EP Regulations.

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This notice is limited only to an amendment to change the boundary of the prescribed premises and to incorporate relevant administrative changes.

The following DWER guidance statements have informed the decision made on this amendment

- *Guidance Statement: Decision Making* (November 2016)
- *Guidance Statement: Risk Assessment* (November 2016)

Amendment description

This Amendment Notice is the result of an applicant initiated amendment and relates to the re-definition of the premises boundary to reflect the operational area for the Category 12: Crushing and screening activities. No changes are proposed in the operations at the premises and no changes are expected in discharges and emissions from the premises.

Through this Amendment Notice, amendments have also been made to the licence to reflect administrative changes as outlined in DWER's *Operational Procedure IR-OP-02 Redundant Conditions*.

Amendment history

Table 2 provides the amendment history for L8355/2009/2

Table 2: Licence amendments

Instrument	Issued	Amendment
L8355/2009/1	6/7/2009	New Licence issued
L8355/2009/1	31/5/2012	REFIRE Licence amendment
L8355/2009/2	26/6/2014	Licence re-issued with global changes
L8355/2009/2	6/12/21017	Licence amended to change premises boundary

Decision

The Delegated Officer has decided that the changes applied for in this Amendment Notice will not have any significant impacts to emissions originating from activities undertaken on the premises.

The Delegated Officer has also made changes to the Licence in accordance with administrative changes implemented within DWER as published on DWER's webpage as described below.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 13 November 2017. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. Premises Address of the Licence is amended by the deletion of the text shown in strikethrough below:

Premises address: ~~Baldivis Pit
Lots 800 and 801 on Plan 72839, Lot 1284 on Plan 163094
Kerosene Lane and Part Lot 2170 on Plan 211650 Millar Road
BALDIVIS WA 6171~~

As depicted in Schedule 1

2. Definitions of the Licence are amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

'Annual Audit Compliance Report' means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website'

'CEO' means Chief Executive Officer of the Department of Water and Environmental Regulation;

'CEO' for the purpose of correspondence means:
~~Manager Licensing (Greater Swan)~~
~~Department of Water and Environmental Regulation~~
~~Locked Bag 33~~
~~CLOISTERS SQUARE WA 6850~~
~~Telephone: (08) 9333 7510~~
~~Faximile: (08) 9333 7550~~
~~Email: grswanbooragoon@der.wa.gov.au~~

'CEO' for the purposes of notification means:
Director General
Department Administering the *Environmental Protection Act 1986*
Locked Bag 33 Cloisters Square
PERTH WA 6850
Info-der@dwer.wa.gov.au

'code of practice for the storage and handling of dangerous goods' means document titled "Storage and handling of dangerous goods: Code of Practice"

published by the Department of Mines and Petroleum, as amended from time to time;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'Department' means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Division 3 Part V of the EP Act'

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated.

3. Condition 1.2.1 to 1.2.6 of the Licence have been deleted in their entirety as shown in strikethrough below:

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.1

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.2.6 The Licensee shall maintain permanent markers along the boundary of the Premises so it can be identified on the ground.

4. Condition 1.3 of the Licence has been deleted in its entirety as shown in strikethrough below:

1.3 Premises operation

~~There are no specified conditions relating to Premises operation in this section.~~

5. Condition 2.1.1 of the Licence has been deleted in its entirety as shown in strikethrough below:

~~2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.~~

6. Condition 2.2 to 2.4 of the Licence have been deleted in their entirety as shown in strikethrough below:

~~2.2-2.4 Point source emissions to air, surface water and groundwater~~

~~There are no specified conditions relating to point source emissions to air, surface water or groundwater in these sections.~~

7. Condition 2.5 of the Licence is has been deleted in its entirety as shown in strikethrough below:

2.5 Emissions to land

~~There are no specified conditions relating to emissions to land in this section.~~

8. Condition 2.6.1 to 2.6.2 of the Licence have been deleted in their entirety as shown in strikethrough below:

~~2.6.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.~~

~~2.6.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.~~

9. Condition 2.7 of the Licence has been deleted in its entirety as shown in strikethrough below:

2.7 Odour

~~There are no specified conditions relating to odour in this section.~~

10. Condition 2.8 of the Licence has been deleted in its entirety as shown in strikethrough below:

2.8 Noise

~~There are no specified conditions relating to noise in this section.~~

11. Condition 3 of the Licence has been deleted in its entirety as shown in strikethrough below:

3 Monitoring

~~There are no specified conditions relating to monitoring in this section.~~

12. Condition 4.1.1 to 4.1.2 and Table 4.1.1 of the Licence have been deleted in their entirety as shown in strikethrough below:

~~4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date of completion in Table 4.1.1.~~

~~4.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 4.1.1.~~

Table 4.1.1: Improvement program		
Improvement reference	Improvement	Date of completion
IR4	The Licensee shall undertake a noise assessment of the Premises during normal operating conditions. A report on the noise assessment shall be prepared in accordance with the <i>Environmental Protection (Noise) Regulations 1997 (Noise Regulations)</i>. The report shall be submitted to the CEO and shall include: (a) methods used for monitoring and modelling of noise; (b) an assessment of whether noise emissions from the Premises comply with the assigned noise level in the Noise Regulations; and (c) where they are not met, proposed measures to reduce noise emissions to assigned levels together with timescales for implementing the proposed measures.	01/02/2015

13. Condition 5.1.2 of the Licence has been deleted in its entirety as shown in strikethrough below:

~~5.1.2 The Licensee shall ensure that:~~

~~(a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and~~
~~(b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.~~

14. Table 5.2.1 of the Licence has amended by the insertion of the red text shown in underline below:

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified
-	Measures taken to suppress dust	
-	Measures taken to minimise noise	
-	<u>Total tonnes of product crushed and/or screened during the annual period</u>	

15. Condition 5.3.1 and Table 5.3.1 of the Licence have been deleted in their entirety as shown in strikethrough below:

~~5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.~~

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement⁴	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable, but no later than 5pm of the next usual working day.	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part B: As soon as practicable	

16. The Licence is amended by removing the map in *Schedule 1: Maps – Premises Map* and insertion of the map below:



17. The Licence is amended by removing *Schedule 2: Reporting & notification forms* which contained a template copy of *Annual Audit Compliance Report* and Form N1.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8355/2009/2– Baldivis Pit	L8355/2009/2	accessed at www.dwer.wa.gov.au
2	Amendment Application	N/A	DWER records (zA111602)
3	DWER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Water and Environmental Regulation, Perth.	DER 2016b	accessed at www.dwer.wa.gov.au
4	DWER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Water and Environmental Regulation, Perth.	DER 2016c	

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 13/11/2017 for review and comment. The Licence Holder responded on 13/11/2017. The following comments were received on the draft Amendment Notice.

Condition	Summary of Licence Holder comment	DWER response
N/A	The Licensee noted that the “Instrument Log” in the current licence indicated that the Licence number showed L8356 for all subsequent amendments.	DWER note that this is an administrative error in this Table. The correct Licence number (L8355) is shown throughout the Licence, including the cover sheet.