



Application for Licence

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

Licence Number	L7037/1997/7
Applicant	Boral Resources (WA) Ltd
ACN	008 686 904
File Number	DER2014/000377
Premises	Mt Regal Quarry Tenement M47/492, North West Coastal Hwy, KARRATHA WA 6714 As defined in Schedule 1 of the Licence
Date of Report	31 March 2021
Proposed Decision	Licence granted

Steve Checker
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES

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

Table of Contents

1. Purpose and scope of assessment	3
1.1 Regulatory framework	3
1.2 Application summary	3
2. Overview of Premises	3
3. Consultation	4
4. Conclusion	5
4.1 Summary of changes.....	6
References	8

1. Purpose and scope of assessment

1.1 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://www.der.wa.gov.au>.

1.2 Application summary

On 8 January 2021 Boral Resources (WA) Ltd submitted an application to renew the Licence for the Mt Regal Quarry (the site), Tenement M47/492 North West Coastal Hwy, Karratha which was due to expire on 6 April 2021.

The prescribed premise relates to categories 12, 35 and 61A, and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L7037/1997/6.

This site has been licenced to operate a Terex Roadbuilding TEREX E 100P Mobile Asphalt Plant (MAP). The current application involves its replacement with a Ciber iNOVA, which will be mobilised from Boral's Welshpool site.

MAP commissioning is not required at Mt Regal site as the Ciber iNOVA was commissioned in August / September 2018 under the Licence L6265/1983/8.

The original application also requested to include site activities under Categories 13 and 77 for crushing of building material and concrete batching. Given the pending expiry date, the department requested that these activities be applied for as a separate licence amendment at a later date.

Based on the information provided, it is noted that the assessed production/design capacities under Categories 12, 35 and 61A remain unchanged. The lease for mining tenement (M47/492) expires on 27 February 2022, therefore the licence has been updated to align with this date.

Due to the administrative nature of this application, no additional risk assessment has been conducted for this premises.

As part of this licence amendment, the department has updated the licence by incorporating the following changes:

- updated the format and appearance of the licence;
- revised licence condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The obligations of the licence holder have not changed in updating the licence. The department has not undertaken any additional risk assessment of the Premises as a part of this process.

2. Overview of Premises

Boral Resources (WA) Ltd operates Mt Regal Quarry Tenement M47/492 North West Coastal Hwy, Karratha. This licence is the successor to licence L7037/1997/6 and Table 1 provides the history for this licence.

Table 1: History of Licence

Date	Reference number	Summary of changes
14/07/1997	L7037/1997/1	New application
27/07/1998	L7037/1997/2	Licence re-issue
07/04/2003	L7037/1997/3	Licence re-issue
05/04/2004	L7037/1997/4	Licence re-issue
07/04/2005	L7037/1997/5	Licence re-issue
06/03/2009	L7037/1997/6	Licence re-issue
22/03/2013	L7037/1997/6	Licence amendment – conversion to new format
8/01/2015	W5737/2014/1	Works approval for Category 35 and increase Category 12 screening production capacity.
15/09/2015	L7037/1997/6	Licence amendment – to include Categories 35, and 61A, and to increase category 12 screening production capacity.
31/03/2021	L7037/1997/7	Renewal and update to current licence format

3. Consultation

Table 2 provides a summary of the consultation undertaken by the department.

Table 2: Consultation

Consultation method	Comments received	Department response
Applicant was provided with draft documents on 15/03/2021	<p>Boral requested the following changes:</p> <ol style="list-style-type: none"> Figure 2 to be replaced with the attached Figure 2. This removes the mobile concrete plant from the figure. This updated figure (V2) was originally sent to DWER on 03/02/2021 after the categories for mobile concrete were removed. Please adjust the expiry date as appropriate. The tenure extension has been granted for M47/492, the new tenement expiry is 27/02/2043. The approval is attached for you reference. As per Attachment 3b, 2.4 of the application submitted for the license the Ciber iNova stack height is 6.1 meters, which is less than the 7m carried over from the previous license based on the TEREX plant. Please replace Condition 9, Table 2 Emission point height – 7m, to “a minimum of 5 meters above ground” which is the same as Condition 1 Table 1 for license L7975 (dated 19 November 2020) which also licenses Boral’s Ciber iNova mobile plant. 	<p>Agreed. Figure 2 replaced with attachment</p> <p>Agreed. Licence expiry date revised</p> <p>Agreed. Table 2 updated to replace “7 m” with a “minimum 5 metres above ground”</p>

4. Conclusion

The Delegated Officer has determined that the replacement of the licence with no material changes made to the premises; and/or activities undertaken at the premises is an administrative function which does not alter the risk profile of the premises. Operations shall be undertaken in accordance with the conditions of licence, and there is to be no change in the potential emissions associated with the operation of the facility.

4.1 Summary of changes

Table 3 provides a summary of the proposed changes to the revised licence and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised Licence.

Table 3: Licence conversion map for new licence format

Existing condition	Condition summary	Revised licence condition	Conversion notes
1.1.1	Interpretation and definitions	NA	Redundant conditions. Revised to current licensing format.
1.1.2	Interpretation and definitions	NA	
1.1.3	Australian or other standard	NA	
1.1.4	Guideline or code of practice	NA	
1.1.5	Interpretation and definitions	NA	
1.2.1	General condition	Condition 1	Revised to current licensing format.
1.2.2	General condition	Condition 2	Revised to current licensing format.
1.2.3	General condition	Condition 3	Revised to current licensing format.
1.3.1	Premises operation	Condition 4	Revised to current licensing format.
1.3.2	Premises operation	Condition 5	Revised to current licensing format.
1.3.3	Premises operation	Condition 6	Revised to current licensing format.
1.3.4 Table 1.3.1	Premises operation	Condition 7 Table 1	Revised to current licensing format.
2.1.1	Emission	Condition 8	Revised to current licensing format.
2.2.1 Table 2.2.1	Emission	Condition 9 Table 2	Revised to current licensing format.
2.2.2 Table 2.2.2	Emission	Condition 10 Table 3	Revised to current licensing format.
3.1.1	Monitoring	Condition 11	Revised to current licensing format.
3.1.2	Monitoring	Condition 12	Revised to current licensing format.
3.1.3	Monitoring	Condition 13	Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
3.2.1 Table 3.2.1	Monitoring of point source emissions to air	Condition 14 Table 4	Revised to current licensing format.
3.2.2	Monitoring of point source emissions to air	Condition 15	Redundant condition. Revised to current licensing format.
3.2.3	Monitoring of point source emissions to air	Condition 16	Redundant condition. Revised to current licensing format.
3.3.1	Monitoring of point source emissions to air	Condition 17	Revised to current licensing format.
4.1.1	Information records and reporting	Condition 18	Revised to current licensing format.
4.1.2	Information records and reporting	Condition 19	Revised to current licensing format.
4.1.3	Annual Audit Compliance Report	Condition 20	Revised to current licensing format.
4.1.4	Records and reporting	Condition 21	Revised to current licensing format.
4.2.1 Table 4.2.1	Annual Environmental Report	Condition 22 Table 5	Revised to current licensing format.
4.2.2	Records and reporting	Condition 23 Table 6	Revised to current licensing format.
4.3.1 Table 4.3.1	Notification	Condition 24 Table 7	Revised to current licensing format.
Schedule 1	Premises map	Schedule 1	Updated images Figure 1 and 2.
Schedule 2	Notification Forms	Schedule 2	Revised to current licensing format.

References

1. DER July 2015. Guidance Statement: Regulatory principles. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
2. DER, October 2015. Guidance Statement: Setting conditions. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
3. DER, August 2016. Guidance Statement: Licence duration. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
4. DER, February 2017. Guidance Statement: Risk Assessments. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
5. DWER, June 2019. Guideline: Decision Making. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au