



Application for Licence Amendment

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

Licence Number	L8357/2009/2
Licence Holder	Wespine Industries Pty Ltd
ACN	052 954 337
File Number	DER2014/000894
Premises	Wespine Dardanup Pine Log Sawmill 241 Moore Road DARDANUP WA 6236 Legal description - Lot 510 on Plan 411397 and part of Lot 512 on Plan 420390 As defined by the Premises maps attached to the Revised Licence
Date of Report	12 February 2024
Decision	Revised licence granted

MANAGER, PROCESS INDUSTRIES

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary	1
2.3 Summary of operations	1
2.4 Part IV of the EP Act	2
2.5 Dardanup Pine Log Sawmill Agreement Act 1992	3
2.6 Rights in Water and Irrigation Act 1914	3
2.7 Regulation 17 Noise	4
2.8 Consolidation of Licence	4
3. Risk assessment	5
3.1 Source-pathways and receptors	5
3.1.1 Emissions and controls	5
3.1.2 Receptors	7
3.2 Risk ratings	8
4. Consultation	10
5. Conclusion	10
5.1 Summary of amendments	10
References	12

Table 1: Statement 312 conditions and commitments relevant to emissions and discharges	2
Table 2: Quarterly water quality monitoring required by GWL97553	3
Table 3: Licences consolidated in this amendment	4
Table 4: Licence Holder controls	5
Table 5: Sensitive human and environmental receptors and distance from prescribed activity	7
Table 6. Risk assessment of potential emissions and discharges from the Premises operation	9
Table 7: Consultation	10
Table 8: Summary of licence amendments	10
Table 9: Consolidation of licence conditions in this amendment	11

1. Decision summary

Licence L8357/2009/2 is held by Wespine Industries Pty Ltd (Licence Holder) for the Wespine Dardanup Pine Log Sawmill, located at Lot 510 on Deposited Plan 411397 and part of Lot 512 on Plan 420390 in Dardanup WA.

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 L8357/2009/2 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 (where relevant), 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 19 October 2023, the Licence Holder, who is also the proponent for Ministerial Statement 312 (MS 312), submitted a request to the CEO of the Department of Water and Environmental Regulation (the department) under s.47A of the *Environmental Protection Act 1986* (EP Act) for the withdrawal of MS 312. On the same day the Licence Holder submitted an application to the department to amend Licence L8357/2009/2 under section 59 and 59B of the (EP Act), as part of a coordinated application under both Part V and Part IV of the EP Act. These applications followed enquiry and consultation between the Licence Holder and the department on the necessary pathway to withdraw MS 312, and to transfer relevant ongoing regulatory matters to L8357/2009/2.

The following amendments are being sought:

- Transfer of relevant regulatory matters under MS 312 to L8357/2009/2, including surface and groundwater monitoring requirements.
- Transfer of other relevant matters identified through the combined assessment of the withdrawal of MS 312.

The assessment of the request to withdraw MS 312 is separate from this licence amendment application and is being conducted by the department's Environmental Protection Authority (EPA) Services branch.

This Licence amendment is limited only to changes to Category 29 activities from the Existing Licence, and only where necessary to capture relevant ongoing matters currently regulated by MS 312. It is the intention of this process that matters relevant for ongoing regulation under L8357/2009/2 are captured through this amendment process, and other matters (where relevant) are captured through other regulatory mechanisms such that MS 312 can be withdrawn. No throughput changes or changes to Premises operation are requested/required by this amendment.

2.3 Summary of operations

The Wespine Dardanup Pine Log Sawmill is a timber sawmill located on the outskirts of

Bunbury. It was established in 1984 on the present site due to proximity to the Laminex particleboard manufacturing plant located directly northwest of the Premises. Residential properties have since encroached the area, with the closest a semi-rural subdivision approximately 600 m south of the site.

Raw logs are debarked, sawn and milled into a range of sizes, and some are preserved with an insecticide (Bifenthrin). The Premises was first licensed in 2009 following the commencement of on-site timber preserving.

The mill is a modern milling complex, consisting of:

- a log yard which receives, measures and de-barks the logs;
- a green mill where logs are cut into sawn boards of various dimensions;
- high temperature drying kilns where the timber is dried (seasoned); and
- a dry mill where the seasoned timber is converted into building products and some of the product is preserved with an insecticide (Bifenthrin), primarily to protect against the European house borer *Hylotrupes bajulus* and termites.

2.4 Part IV of the EP Act

The Premises was assessed under Part IV of the EP Act (EPA Report No: Bulletin 669) and approved in April 1993 (MS 312). As indicated in section 2.2, the Licence Holder has applied under section 47A of the EP Act to withdraw MS 312.

The Delegated Officer notes that MS 312 includes a number of conditions and commitments relating to matters (i.e. emissions and discharges) that can be regulated under Part V of the EP Act. The Delegated Officer's consideration of these matters is outlined in Table 1 below:

Table 1: Statement 312 conditions and commitments relevant to emissions and discharges

Condition/ Commitment	Issue	Delegated Officer determination
Condition 4	Decommissioning of proposal	<p>Conditions relating to decommissioning are not typically applied to licences granted under Part V of the EP Act. Rather, risks associated with any ongoing emissions and discharges from premises activities post closure are considered via the licence surrender process (s.59A of the EP Act).</p> <p>If these risks are identified as part of the assessment of a surrender application, a Closure Notice under s.68A of the Act can be issued to require the occupier to undertake monitoring or management actions to control those risks associated with closure or decommissioning. Aspects relating to rehabilitation are not typically considered as part of this assessment and therefore it is not considered appropriate that premises rehabilitation be deferred for inclusion in the premises Part V licence.</p> <p>Ongoing contamination risks are also managed under the <i>Contaminated Sites Act 2003</i>.</p>
Commitment 5	Dust management	Risks associated with dust and light have been considered in section 3 and regulatory controls applied as required.
Commitment 6	Light	

Condition/ Commitment	Issue	Delegated Officer determination
	management	
Commitment 9	Chemical contamination	As per Condition 4 above, matters relating to ongoing chemical contamination at the premises (post closure) can be considered under the Part V licence surrender process and s.68A Closure Notice considerations. Risks associated with chemical contamination during operations have been considered section in 3 and regulatory controls applied as required. Ongoing contamination risks are also managed under the <i>Contaminated Sites Act 2003</i> .
Commitment 11	Water management	Risks associated with wastewater discharges have been considered in section 3 and regulatory controls applied as required.

Key findings: The Delegated Officer considers that emissions and discharges can be effectively regulated under Part V of the EP Act.

2.5 Dardanup Pine Log Sawmill Agreement Act 1992

The Premises operates pursuant to a State Agreement in place between the Western Australian government and the Licence Holder for the supply of sawlogs produced by state-owned and private pine plantations until 2033.

2.6 Rights in Water and Irrigation Act 1914

The Licence Holder holds a groundwater licence (GLW97553) for the Premises which authorises the taking of 190,000 KL of water. As part of the conditions of the licence, the Licence Holder is required to undertake annual water quality sampling and analysis of production bores, for the parameters in Table 2, which are reported to the department annually. There are currently no limits set for water quality parameters as part of GLW97553.

Table 2: Quarterly water quality monitoring required by GWL97553

Parameters		
pH	Sodium (Na)	Ammonia (NH ₃)
Electrical conductivity (µS/cm)	Potassium (K)	Phosphate (PO ₄)
Total Dissolved Solids (TDS)	Carbonate (CO ₃)	Silica (SiO ₂)
Total Hardness (as CaCO ₃)	Bicarbonate (HCO ₃)	Aluminum (Al)
Total Alkalinity (as CaCO ₃)	Chloride (Cl)	Iron (Fe)
Calcium (Ca)	Sulphate (SO ₄)	Manganese (Mn)
Magnesium (Mg)	Nitrate (NO ₃)	

2.7 Regulation 17 Noise

Until 17 May 2023, the Licence Holder held an approval under regulation 17 for the Dardanup Sawmill - *Environmental Protection (Dardanup Pine Log Sawmill Noise Emissions) Approval 2013*. The approved noise levels were designed to align with the noise limits outlined in MS 312, by allowing the noise emissions from the Premises to be 5 dB higher than the assigned levels in the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

The Licence Holder has applied under Regulation 17 of the Noise Regulations for approval to allow noise emissions from the Premises to exceed or vary from the prescribed standard. The application requests the retention of the 5 dB variation to the assigned noise levels as contained in the previous approval.

Assessment of the application is nearing final stages with the draft Assessment Report having been released for consultation.

Key findings: Noting that an application for approval under Regulation 17 is in progress, the Delegated Officer considers that noise emissions from the Premises will be appropriately regulated under Regulation 17 of the *Environmental Protection (Noise) Regulations 1997*.

The draft assessment reports recommends that, in addition to specifying the allowable noise levels, the approval under Regulation 17 also specifies that the Licence Holder develop and implement a noise management plan that includes noise control measures to be implemented to minimise noise, a noise monitoring program and procedures for managing noise complaints.

2.8 Consolidation of Licence

As part of this amendment package the department has consolidated the Licence by incorporating changes made under the notices as summarised in Table 3.

Table 3: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L8357/2009/2	31/07/2014	Licence amended to extend expiry date
L8357/2009/2	26/04/2016	Notice of Amendment of Licence Expiry Dates
L8357/2009/2	11/08/2016	Amendment Notice 1 – AER submission date
L8357/2009/2	16/05/2022	Notice of Amendment of reporting requirements

In consolidating the Licence, the CEO has also:

- updated the format and appearance of the Licence;
- deleted the redundant Annual Audit Compliance Report (AACR) form set out in Schedule 1 of the previous licence and advised the Licence Holder to obtain the form from the department's website;
- revised the Licence condition numbers and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in section 5.1. Previously issued Amendment Notices will remain on the department's website for future reference and will act as a record of the department's decision making.

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 2020).

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 pathways during premises operation which have been considered in this Amendment Report are detailed in Table 4 below. Table 4 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 4: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Storage and handling of pine logs	Air/windborne pathway	<ul style="list-style-type: none"> Maintenance of a 20-30m vegetated buffer zone to the west and south of operational areas. Separation distance to receptors is greater than the recommended separation distance of 300 – 500 m for timber preserving treatment. The Licence Holder has acquired the majority of land surrounding the premises to provide a 500m buffer to residential areas. Wood dust generated during the loading of trucks from undercover residue hopper bins is minimised by using specially designed chutes and bins. Trucks have enclosed trailers. Bark is removed from logs in the Log Yard prior to storage to reduce dust associated with handling logs. Water sprinklers are available to water bark stockpiles if required. The majority of process, storage and trafficable areas are sealed with bitumen. Vehicles are subject to internal speed limits.
Noise	Operation of equipment and mobile machinery		<ul style="list-style-type: none"> Maintenance of a 20-30m vegetated buffer zone to the west and south of operational areas. Separation distance to receptors is greater than the recommended separation distance of 300 – 500 m for timber preserving treatment. The Licence Holder has acquired the majority of land surrounding the premises to provide a 500m buffer to residential areas.
Air emissions / Odour	Timber spraying/preservation Heat plant associated with batch kilns (Heat Plant #2 10MW gas)		<ul style="list-style-type: none"> Extraction fans are fitted over the bifenthrin spray treatment system to condense any overspray and mist. Collected liquid is reused on the system. Expected emissions of Bifenthrin are <0.001 mg/m³ (Note the 8-hour time weighted average exposure standard for pyrethrins is 5 mg/m³ (SWA 2019)).

Emission	Sources	Potential pathways	Proposed controls
	burner) Continuous Drying Kiln (CDK) (2 x 4.4MW burners)		<ul style="list-style-type: none"> Heat Plants 1 and 3 have been decommissioned.
Light	Operation of equipment and mobile machinery		<ul style="list-style-type: none"> Maintenance of a 20-30m vegetated buffer zone to the west and south of operational areas. Separation distance to receptors is greater than the recommended separation distance of 300 – 500 m for timber preserving treatment. The Licence Holder has acquired the majority of land surrounding the premises to provide a 500m buffer to residential areas. Greenmill operations occur inside an enclosed shed.
Hydrocarbon and chemical wastes	Spills and leaks of hydrocarbons/chemicals used and stored on the Premises	Seepage through the underlying soil profile	<ul style="list-style-type: none"> All chemical and fuel used on the Premises, including timber preservation solution, is stored within a bunded compound. Spills of treatment solution are contained within a concrete bund and cleaned using sawdust prior to being transferred to the adjacent Laminex premises as feed for wood board manufacturing.
Contaminated stormwater	Stormwater contaminated with particles and biological material (saw dust)	Overland flow into surface water receptors	<ul style="list-style-type: none"> Build of solution sludge is collected annually and removed from site by a controlled waste contractor. Saw dust is used to clean up other spills onsite with material stored in a sealed skip bin prior to testing to determine appropriate method of offsite disposal. Spills kits are located in the manufacturing area, workshops and bunded storage areas. Uncontaminated stormwater is diverted away from areas that have the potential to become contaminated. Stormwater is collected via a drainage system that transfers water to a biological filter prior to discharge. Stormwater is sampled on a quarterly basis. Groundwater quality monitoring occurs at three locations on a quarterly basis.
Wastewater	Kiln condensate: ~3.6kL/day from the batch kilns ~18kL/day from the CDK		<ul style="list-style-type: none"> Condensate from the CDK and batch kilns is collected in sealed concrete wells and then pumped to settlement basins prior to infiltration. Settlement basins are lined with 400 mm of limestone to raise pH from approximately 3.5 to neutral. Due to low volume, no water is discharged from the batch kiln settlement basin to the main drains. Volume of condensate from the CDK is estimated to be higher and therefore the CDK settlement basin may discharge to the main spoon drain. Basins equipped with 400 mm of freeboard via limestone bunding. Visual inspections undertaken on an annual basis. Surface water monitoring at the stormwater discharge point. Groundwater monitoring in place to measure impacts to groundwater.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), 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.

Table 5 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 2020)).

Table 5: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Dardanup Townsite	3 km south-east of the Premises
Rural residential premises	Nearest residents: <ul style="list-style-type: none"> • 650 m east of the Premises boundary (900 m east of the stockyard) • 550 m south of the Premises boundary
Industrial (prescribed) premises (Hexion Australia Pty Ltd)	150 m northwest of the Premises boundary
Industrial (prescribed) premises (Laminex Group Pty Limited)	300 m northwest of the Premises boundary
Environmental receptors	Distance from prescribed activity
Waterways	Preston River tributary 350 m southwest of the boundary at its nearest point. Preston River 1.7 km west of the Premises boundary. Ferguson River 1.3 km northeast. There appears to be a drainage line directly from the eastern boundary of the Premises to the Ferguson River. Situated adjacent to the Leschenault Inlet Management Area.
Aboriginal Heritage Place	Preston River (Place ID 19795)
Bunbury Groundwater Area	Premises located within Bunbury Groundwater Area. Depth to groundwater at the premise typically 0.5 – 2 mbgl. Results of groundwater monitoring since 2021 indicates that groundwater is marginally fresh with a Total Dissolved Solids range of <100 mg/L – 1,000 mg/L and pH ranging between 6 – 7.6.
Collie Irrigation District	Located ~1.4 km to the east of the Premises
Leschenault Inlet Management Area (<i>Waterways Conservation Act 1976</i>)	Boundary of the Management Area located adjacent 200 m west of the Premises.
Threatened Ecological Community	Banksia Dominated Woodlands of the Swan Coastal Plain – Listed as endangered. Located on and surrounding the Premises.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 incomplete 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 6.

The Revised Licence L8357/2009/2 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Category 29 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 6. Risk assessment of potential emissions and discharges from the Premises operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Storage, handling, milling, treatment and drying of pine logs	Dust	Air/windborne pathway causing impacts to health and amenity	Nearest rural residence 550 m to the south	Refer to section 5.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
	Air emissions/ Odour (Bifenthrin)			Refer to section 5.1	C = Slight L = Unlikely Low Risk	Y	Condition 5	N/A
	Light			Refer to section 5.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
	Chemical spills, leakage or breach of containment	Overland runoff of stormwater via roadside culverts, potentially causing ecosystem disturbance or impacting surface water quality. Chemical infiltration of soils resulting in groundwater impacts	Collie River Irrigation District located 1.4 km east of Premises TECs located on boundary of Premises Depth to groundwater 0.5 to 2 mBGL	Refer to section 5.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 1 - 9	N/A
	Stormwater containing chemicals and biological matter			Refer to section 5.1	C = Moderate L = Unlikely Medium Risk	Y		N/A
	Wastewater			Refer to section 5.1	C = Moderate L = Unlikely Medium Risk	Y		N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 7 provides a summary of the consultation undertaken by the department.

Table 7: Consultation

Consultation method	Comments received	Department response
Licence Holder was provided with draft amendment on (16 January 2024)	The Licence Holder provided minor comments relating to wording of text within sections 1, 2.7 and 3.1 of this report. No changes to the conditions of the Licence were proposed.	Wording of the relevant sections has been updated noting that these changes are minor and do not impact on the outcome of the risk assessment.

5. Conclusion

The Delegated Officer has considered the risks currently regulated under MS 312 and determined that these can be appropriately regulated under Part V of the EP Act (where relevant).

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 8 provides a summary of the proposed amendments and Table 9 provides a list of the consolidation of licence conditions, both tables will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 8: Summary of licence amendments

Condition no.	Proposed amendments
1	Inclusion of infrastructure controls relating: <ul style="list-style-type: none"> to the containment of hazardous materials used in timber treatment and prevention of spills; and containment of wastewater generated by drying kilns.
5	Inclusion of condition specifying authorised discharge points for emissions from the Premises.
6	For quality control purposes, condition added to ensure that sample analysis is undertaken by laboratories with current accreditation from the National Association of Testing Authorities (NATA).
7	Condition added requiring the Licence Holder to record the results of monitoring undertaken in accordance with the conditions of the Licence.
8	Existing program for monitoring stormwater discharges specified.
9	Existing program for monitoring groundwater specified.
Definitions	Inclusion of definitions for Australian Standards AS/NZS 5667.1 and AS/NZS 5667.10.

Table 9: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.1.3	Australian or other standard	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.2.1	Emissions	N/A	Redundant condition. Deleted from Licence.
1.2.2	Pollution control and monitoring equipment	N/A	Redundant condition. Deleted from Licence.
1.2.3 – 1.2.5	Storage of environmentally hazardous materials, recovery of spills and prevention of stormwater contamination	Conditions 2, 3 and 4	Revised to current licensing format.
5.1.1	Records	Conditions 12 and 13	New numbering and update to wording format.
5.1.2	Access to licence	N/A	Redundant condition. Deleted from Licence.
5.1.3	AACR	Condition 11	
5.1.4	Complaints	Condition 10	
5.2.1	Annual Environmental Report	Condition 14	
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention, no change to map.
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	N/A	Redundant attachment. Deleted from Licence. Forms accessed at www.dwer.wa.gov.au

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Safe Work Australia (SWA) 2019, *Workplace exposure standards for airborne contaminants*. Available at: <https://www.safeworkaustralia.gov.au/>