



## Application for Licence

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

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**Licence Number** L8463/2010/3

**Applicant** Holcim (Australia) Pty Ltd

**ACN** 099 732 297

**File Number** DER2016/001356-1~2

**Premises** Esperance Hard Rock Quarry  
612 Myrup Road  
MYRUP WA 6450  
Legal description -  
Part of Lot 835 on Plan 230232  
As defined by the map with coordinates in Schedule 1

**Date of Report** 16 September 2021

**Proposed Decision** Licence granted

**Neville Welsh**  
**SENIOR INDUSTRY REGULATION OFFICER**

*Officer delegated under Section 20 of the Environmental Protection Act 1986.*

## 1. Application summary

On 10 June 2021, Holcim (Australia) Pty Ltd (Licence Holder) applied to renew licence L8463/2010/2 as it is due to expire on 19 September 2021. The Premises is located at 612 Myrup Road (part of lot 835 on plan 230232) Myrup approximately 10.5 kilometres north of Esperance in the Shire of Esperance. The premises name is the Esperance Hard Rock quarry.

The licence relates to prescribed premises categories as described below in Table 1.

**Table 1: Premises category description and production design capacity**

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i> )	Production / design capacity
Category 12 - Premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated at the rate of 50,000 tonnes or more per annum.	250,000 tonnes per annum.

The Licence Holder operates a mobile crushing and screening plant located within the Hard Rock quarry. The maximum design capacity of the crushing plant is 400,000 tonnes per annum and the approved throughput is not more than 250,000 tonnes per annum.

The quarry is in an area of gneissic granite and provides hard rock aggregate products to the Esperance region used in residential and commercial construction. The quarry uses drilling and blasting techniques to extract rock material. The material is then crushed and screened using the mobile crushing plant and stockpiled for cartage to customers. Blasting, crushing and screening only occurs for a few months in each annual period on a campaign basis.

The processing plant is approximately 1 kilometre from the nearest sensitive receptor and approximately 155 m northeast of Coramup Creek. There is no washing water discharge from the premises to the nearby creek. Woody Lake Nature reserve is located 1.2 kilometres south whilst priority 3 threatened flora is located 300 m to the southeast. An Aboriginal heritage site (Coramup ID 1639) is located 250 m west of the premises. No clearing is proposed for continued operations at the hard rock quarry. The site currently has a

Statutory approvals issued by the Shire of Esperance (Planning consent and Extractive Industry Licence (EIL)) to extract hard rock material from the Premises are due to expire concurrently on 17 February 2040. The land is leased from a third party under a legally binding royalty agreement which will be next reviewed on 30 June 2023. Given this, licence L8463/2010/3 will be renewed for 20 years which is in accordance with the Department's *Guidance Statement: Licence Duration August 2016*.

The crushing and screening plant and associated infrastructure which relate to the prescribed activity include:

- Mobile primary, secondary and tertiary crushers;
- Mobile screening plant;
- Mobile material stockpile conveyors,
- Aggregate washing plant,
- Water cart or truck;
- Reticulation equipment for dust suppression;
- 2 x concrete ponds; and,
- Clay lined earthen holding dam.

The primary environmental risks from the premises emissions are dust, washing water associated with washing of aggregate, equipment, vehicle and blast noise, plus vibration

associated with blasting and crushing activities. These emissions have previously been assessed to mitigate and control these emissions. The *Environmental Protection Regulations 1987* (Regulations) do not govern activities relating to extraction of hard rock, backfilling and rehabilitation of land therefore they have not been considered by DWER.

## 2. Regulatory framework

The department has determined to undertake an administrative renewal of the licence and has not conducted a full review and risk assessment of emissions and discharges from the premises in line with the Department's *Work Instruction: Regulatory Services, COVID-19 licensing position*, June 2021.

In replacing the licence, 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>.

## 3. Complaints and Incident History

There has been no complaint or environmental incidents identified at the Premises since 27 March 2013.

## 4. Decision summary

Under the regulatory framework the Delegated Officer has determined to grant the licence L8463/2010/3 without conducting any additional assessment or risk assessment.

The replacement licence will be issued for 20 years with an expiry date of 19 September 2041. This is consistent with the *Guidance Statement: Licence Duration 2016* as statutory approvals (planning consent and EIL) are required for the continued operation of the Esperance hard rock quarry from the Shire of Esperance.

In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence conditions and consolidate existing pollution control conditions;
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment requirements*;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the renewed licence.

As a result of this decision, a renewed Licence L8463/2010/3 has been granted subject to conditions set out in the attached licence and summarised below.

### 4.1 Summary of administrative changes

Section 62 of the EP Act provides general power to impose conditions on a licence. All licenses are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) for the purposes of the EP Act to prevent, control, abate or mitigate pollution or environmental harm.

**Table** summarizes the transfer of all appropriate conditions from the expiring licence into the revised licence including changes made to licence conditions where required and the rationale for changes made.

**Table 2: Summary of changes from Expiring Licence to Revised Licence**

<b>Expiring licence conditions (L8463/2010/2)</b>	<b>Condition summary</b>	<b>Revised licence conditions (L8463/2010/3)</b>	<b>Conversion notes</b>
N/A – Cover page	Licence version updated. Issue and expiry dates updated.	Expiry date: 19/09/2041	Revised to current licensing format.
Introduction	Introduction explains nation within	Removed from Licence	Introduction is redundant and is covered by the legislation.
Table 1: Instrument Log	Log of licence history	Licence History	New format included in the new format licence.
1.1.1 & 1.1.2	Interpretation and definitions	N/A	Redundant conditions. Revised to current licensing format.
Definitions	Reformatted within Licence.	Table 5: Definitions	Reformatted into a table.
1.1.3 & 1.1.4	Australian of other standard and code of practices.	Interpretation point (d)	Redundant condition. Revised to current licensing format.
1.1.5	Authorised emissions	Interpretation point (e) and (f)	Explained in new Interpretation.
1.2.1	General condition	N/A	Redundant condition - deleted from licence.
1.2.2	Recovery and removal of spills	N/A	Redundant condition - deleted from licence. Adequately covered by EP (Unauthorised Discharges) Regulations 2004.
1.2.3	Stormwater control	Condition 2	Revised to current licensing format.
1.2.4	Permanent Premises boundary markers	Condition 3	Remains unchanged.
2.1.1	Record and investigate exceedance of limit/target	Condition 4	Remains unchanged.
2.2.1	Fugitive emissions	Condition 5	Remains unchanged.
3.1	Infrastructure and equipment	Condition 1	Remains unchanged.
4.1.1	Records	Condition 6	Remains unchanged.
4.1.2	Personnel aware of conditions	N/A	Redundant condition - deleted from licence.
4.1.3	AACR	Condition 7	Remains unchanged. Forms accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
4.1.4	Complaints	Condition 8	Remains unchanged.
4.2.1	Notification of breach of limit	Condition 9	Remains unchanged.
4.3.1	Reporting Annual Environmental Repot (AER)	Condition 10	Remains unchanged.
4.3.2	AER assessment of information in report	Condition 11	Remains unchanged.

<b>Expiring licence conditions (L8463/2010/2)</b>	<b>Condition summary</b>	<b>Revised licence conditions (L8463/2010/3)</b>	<b>Conversion notes</b>
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention. Maps updated to include coordinate points in Schedule 2.

## 5. Consultation

The draft replacement licence and this decision report were provided to the licence holder on 6 September 2021 for comment. The licence holder provided comments that were administrative changes namely condition numbering and reference numbering. The comments were reviewed and the administrative changes to the licence renewal were made.

## 6. Decision

The Delegated Officer has determined the risks to human health and the environment from the activities on the Premises, and as previously assessed by the Department have not materially changed. The Delegated Officer has determined to grant the renewed licence L8463/2010/3 without conducting any additional risk assessment.