



Licence Number	L8463/2010/2
Licence Holder	Holcim (Australia) Pty Ltd
ACN	099 732 297
Registered business address	799 Pacific Highway CHATSWOOD NSW 2067
File Number	DER2016/001356-1
Duration	20/09/2015 to 19/09/2021
Date of amendment	30/10/2019
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

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 12: Screening etc. of material	250,000 tonnes per year

This licence is granted to the licence holder, subject to the following conditions, on 30 October 2019, by:

Manager, Process Industries

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

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Introduction

This Introduction is not part of the Licence conditions.

DWER's industry licensing role

The Department of Water and Environmental Regulation (DWER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DWER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DWER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DWER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DWER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licence Holder the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the Department of Justice Parliamentary Council's Office website using the following link: <https://www.legislation.wa.gov.au/>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence Holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The Esperance Hard Rock Quarry (the quarry) is located 10.5 kilometres (km) north of Esperance. The quarry is located in an area of gneissic granite and provides hard rock products to the Esperance region. The maximum design capacity of the crushing plant is 400,000 tonnes per year and the approved throughput is not more than 250,000 tonnes per year. 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 purchase and distribution. Blasting, crushing and screening only occurs for a few months in each annual period on a campaign basis.

The processing plant is approximately 1km from the nearest sensitive receptor and approximately 200m north of Coramup Creek. There is no site discharge to the Creek. The primary environmental risks from the site are from dust, noise and vibration associated with blasting and crushing activities.

Licence Holder initiated amendment to increase nominated throughput

This Licence is an amendment to Licence L8463/2010/2 and has been updated to reflect an increase in nominal throughput and administrative changes, where relevant. During this assessment DWER has assessed the risk of the increased throughput of the Premises and the obligations of the Licence Holder has changed in making this amendment.

In amending the Licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant 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 Licence condition numbers and realigned condition numbers for numerical consistency;
- corrected clerical mistakes and unintentional errors; and
- extended the duration of the Licence by 12 months from 26 February 2020 to 26 February 2021.

Table 1: Instrument log

Instrument log		
Instrument	Issued	Description
L8463/2010/1	17/09/2010	New application.
L8463/2010/1	09/08/2013	Licence amendment to REFIRE format.

L8463/2010/2	03/09/2015	Licence reissue and update to current format.
L8463/2010/2	30/10/2019	Licence holder initiated amendment to increase throughput and CEO initiated administrative amendments and extension of licence duration until 2021

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION

Licence Conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

“**AACR**” means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO from time to time and published on the Department’s website: <https://www.dwer.wa.gov.au>;

‘**Act**’ means the *Environmental Protection Act 1986*;

‘**annual period**’ means a 12 month period commencing from 1 October until 30 September;

‘**AS 3580.1.1**’ means the Australian Standard AS 3580.1.1 *Methods for sampling and analysis of ambient air – Guide to siting air monitoring equipment*;

‘**AS 3580.9.10**’ means the Australian Standard AS 3580.10.1 *Methods for sampling and analysis of ambient air – Determination of particulate matter – deposited matter – gravimetric method*;

‘**CEO**’ means Chief Executive Officer of the Department of Water and Environmental Regulation;

‘**CEO**’ for the purpose of correspondence means:

Chief Executive Officer

Department Administering the *Environmental Protection Act 1986*

Locked Bag 10

JOONDALUP DC WA 6027

Telephone: (08) 6367 7000

Facsimile: (08) 6367 7001

Email: info@dwer.wa.gov.au

‘**DWER**’ means Department of Water and Environmental Regulation;

‘**Licence**’ means this Licence numbered L8463/2010/2 and issued under the Act;

‘**Licence Holder**’ means the person or organisation named as Licence Holder on page 1 of the Licence;

‘**NATA**’ means the National Association of Testing Authorities, Australia;

‘**NATA accredited**’ means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis; and

‘**Premises**’ means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence.

- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.
- 1.1.5 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 General conditions

- 1.2.1 The Licence Holder shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.2 The Licence Holder shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.3 The Licence Holder 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

Note 1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

- 1.2.4 The Licence Holder shall maintain permanent markers along the boundary of the Premises so it can be identified on the ground.

2 Emissions

2.1 General

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

2.2 Fugitive emissions

- 2.2.1 The Licence Holder must ensure fugitive emissions are managed in accordance with the documents, or parts of documents, specified in Table 2.

Table 2: Management plans

Table 2.1.1: Management plans		
Management plan reference	Parts	Date of document

Attachment 4.0A – Environmental Standards for Aggregate Operations	<ul style="list-style-type: none"> • SHE Standard Element 4.9 – Air Emissions (All) • SHE Standard Element 4.19 – Quarry Development (commitment 4.19.4) • SHE Standard Element 4.22 – Crushing, Screening, Stockpiling & Ancillary Processes (commitments 4.22.1 and 4.22.2) • SHE Standard Element 4.25 – Material Transfer (All) • SHE Standard Element 4.29 – Load-out & Dispatch (All) 	May 2014
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3 Infrastructure and equipment

- 3.1 The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 3 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 3.

Table 3: Infrastructure and equipment controls table

Column 1	Column 2
Site infrastructure and equipment	Operational requirement
Mobile crushing plant consisting of Finlay J-1175 Jaw Crusher or equivalent C-1550 Cone Crusher or equivalent C-1540 Cone Crusher or equivalent	All fixed equipment water sprays or sprinklers must be operational. Operate a network of water sprays at the crusher feed and conveyor transfer points. Shall only operate between 7:00am and 6:00pm Monday to Friday and 7:00am to 1:00pm Saturdays. Shall not operate on Sundays nor public holidays.
Finlay 693+ Supertrak Screens or equivalent	Shall only operate between 7:00am and 6:00pm Monday to Friday and 7:00am to 1:00pm Saturdays Shall not operate on Sundays nor public holidays.
Water cart or truck	Water cart or truck to be used to wet down unsealed surfaces such as haul and access roads.
Water sprays or Sprinklers	Water sprays or sprinklers to be maintained and used on stock piles. Water sprays or sprinklers to be used at the crusher feed and at conveyor transfer points.
Aggregate wash plant	Wastewater must be discharged into a concrete pond.
2 x Concrete ponds	Receive all the wash water from the wash plant. Receive stormwater from around the quarry and processing yard.
Clay lined earthen holding dam	Receive all the wash water from the wash plant.

	Receive stormwater from around the quarry and processing yard.
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4 Information

4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licence Holder 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.

4.1.3 The Licence Holder shall complete an Annual Audit Compliance Report indicating the extent to which the Licence Holder has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.4 The Licence Holder shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Notification

4.2.1 The Licence Holder shall ensure that the parameters listed in Table 4 are notified to the Director at the Contact Address and in accordance with the notification requirements of the table.

Table 4: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form
2.2.1 (Table 2)	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

		Part B: as soon as practicable	
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Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

4.3 Reporting

- 4.3.1 The Licence Holder shall submit to the CEO at the Contact Address an Annual Environmental Report within 31 calendar days after the end the annual period. The report shall contain the information listed in Table 5 in the format or form specified in that table.
- 4.3.2 The Licence Holder shall ensure that the Annual Environmental Report also contains an assessment of the information contained within the report against previous monitoring results and Licence limits.

Table 5: Annual Environmental Report

Condition or table (if relevant)	Parameter	Format or form
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified
4.1.3	Compliance	AACR ¹
4.1.4	Complaints summary (where appropriate cross reference with prevailing wind directions)	None specified
-	Monthly quantity of raw material processed mined (in tonnes)	
-	Measures taken to suppress dust	
-	Measures taken to minimise noise	

Note 1: Form on DWER website

Schedule 1: Maps

Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary.

