



Government of **Western Australia**
Department of **Environment Regulation**

Your ref: L7358/1991/1
Our ref: 2013/002355
Enquiries: Lindy Twycross
Phone: 08 9333 7485
Fax: 08 9333 7550
Email: lindy.twycross@der.wa.gov.au

The Manager
Ransberg Pty Ltd
PO Box 1457
BIBRA LAKE WA 6163

Dear Sir/Madam

ENVIRONMENTAL PROTECTION ACT 1986 - AMENDMENT TO LICENCE

Licence: L7358/1991/9
Premises name: WA Blue Metal - Whitby

Further to my letter dated 19 September 2013 please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on 9333 7485 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

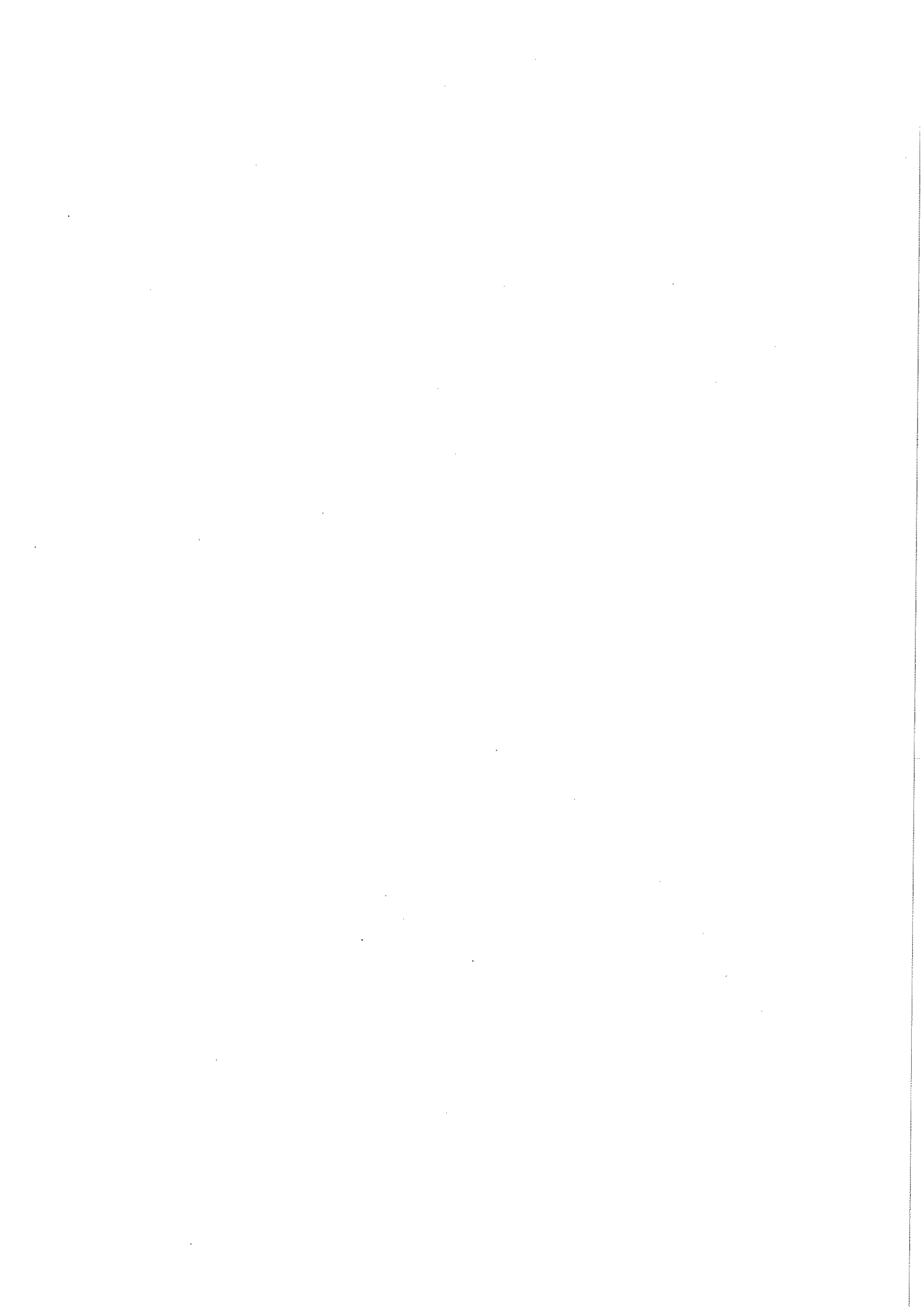
Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

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

3 October 2013

enc: amended L7358/1991/9
copy to: Shire of Serpentine-Jarrahdale





Licence

Environmental Protection Act 1986, Part V

Licensee: Ransberg Pty Ltd T/A WA Bluemetal

Licence: L7358/1991/9

Registered office: 41 Spearwood Ave
BIBRA LAKE WA 6163

ACN: 009 468 464

Premises address: WA Bluemetal – Whitby
Part of Lot 901 on Plan 61651 South Western Highway
WHITBY WA 6065
as depicted in Schedule 1

Issue date: Thursday, 19 May 2011

Commencement date: Wednesday, 15 June 2011

Expiry date: Tuesday, 14 June 2016

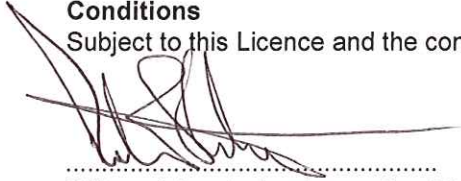
Prescribed premises category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
12	Screening etc. of material: 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.	50,000 tonnes or more per year	850,000 tonnes per annual period

Conditions

Subject to this Licence and the conditions set out in the attached pages.


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



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a Government Department for the State of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained with 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/Licensee 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 *Environmental Protection Act 1986* and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:
<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

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. Operating without a licence is an offence under the Act.

Ministerial conditions

If your Premises has been assessed under Part IV of the *Environmental Protection Act 1986* you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The site has been in operation since 1998 and consists of a quarry and a crushing plant. Products from the quarry are crushed by a primary jaw crusher set then second and third stage crushing reduces the size of the product and stockpiles are formed. Intersecting the site is Manjedal Brook which was the subject of historical issues with uncontrolled runoff and sediment discharge from operations into the brook. Improvements by Ransberg Pty Ltd T/A WA Bluemetal, including revegetation work, slope stabilisation and installation of sediment control devices have resulted in mitigation of these issues in 2005/2006. The site has a Stormwater Management Plan for the ongoing management of stormwater and sediment control devices.

The site has also been the subject of historical dust complaints from the crushing and screening operations including transport and stockpiling of material however, a complaint has not been lodged with DEC against site in at least four years. The nearest noise and dust sensitive premises are the residences at the Whitby Falls Hostel complex and the Manjedal Scout Camp 1.3 km away from the quarry and separated by vegetated ridges of granite. Other residences surrounding the quarry are nearly or more than 2 km from the centre of the quarry site and are further shielded by other vegetation ridges.

This Licence is the result of an amendment sought by the Licensee to increase the assessed production capacity of the premises.

The licences and works approvals issued for the Premises since 06/06/2000 are:

Instrument log		
Instrument	Issued	Description
L7358/1991/2	06/06/2000	Licence re-issue
L7358/1991/3	12/06/2001	Licence re-issue
L7358/1991/4	13/06/2002	Licence re-issue
L7358/1991/5	16/06/2003	Licence re-issue
L7358/1991/6	14/06/2004	Licence re-issue
L7358/1991/7	08/06/2005	Licence re-issue
L7358/1991/8	05/06/2008	Licence re-issue
L7358/1991/9	19/05/2011	Licence re-issue



L7358/1991/9	31/05/2012	Licence amendment to REFIRE format
L7358/1991/9	03/10/2013	Licence amendment to approved premises production or design capacity

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 Act apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

“**AS/NZS 5667.10**” means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

“**the Act**” means the *Environmental Protection Act 1986*;

“**annual period**” means the inclusive period from 1 July until 30 June in the following year;

“**Code of Practice for the Storage and handling of dangerous goods**” means the Storage and handling of dangerous goods, Code of Practice, Dept of Mines and Petroleum, Government of Western Australia;

“**controlled waste**” has the definition in Regulation 2 of the Environmental Protection (Controlled Waste) Regulations 2004;

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

“**Director**” means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

“**Director**” for the purpose of correspondence means;

Regional Leader, Industry Regulation, Swan Region
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550

“**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;

“**Licence**” means this licence numbered **L7358/1991/9** and issued under the *Environmental Protection Act 1986*;



“**Licensee**” means the person or organisation named as Licensee on page 1 of the Licence;

“**Premises**” means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

“**spot sample**” means a discrete sample representative at the time and place at which the sample is taken; and

“**Schedule 1**” means Schedule 1 of this Licence unless otherwise stated.

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 current version of the Guideline or Code of Practice.

1.2 General conditions

1.2.1 Nothing in this Licence shall be taken to authorise any emission that is not mentioned in this 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 only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if

- (a) they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods ; or
- (b) they are stored within compounds or vessels that:
 - (i) were constructed prior to 15/06/2011;
 - (ii) have not previously met the requirements of conditions 1.2.3(a); and
 - (iii) are the subject of improvement requirements IR1 and IR2 in section 4.

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

1.3 Premises operation

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



2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any limit and/or target in this section.

2.2 Point source emissions to air

There are no specified conditions relating to point source emissions to air in this section.

2.3 Point source emissions to surface waters

2.3.1 The Licensee shall ensure that where waste is emitted to surface water from the emission points in Table 2.3.2 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this licence.

Emission point reference and location on Map of emission points	Description	Source including abatement
W1	Discharge point to Manjedal Brook	Stormwater

2.3.2 The Licensee shall not cause or allow emissions to surface waters greater than the limits listed in Table 2.3.3.

Emission point reference	Parameter	Limit (including units)	Reference period
W1	Total suspended solids	80 mg/L	Spot sample
	Oil and grease (hexane soluble)	5 mg/L	

2.4 Emissions to land

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

2.5 Point source emissions to groundwater

There are no specified conditions relating to point source emissions to groundwater.

2.6 Fugitive emissions

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.



2.7 Odour

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

2.8 Noise

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

3 Monitoring

3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all surface water sampling is conducted in accordance with AS/NZS 5667.4, AS/NZS 5667.6 or AS/NZS 5667.9 as relevant; and
- (c) all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

3.1.2 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.

3.1.3 The Licensee shall have all monitoring equipment referred to in any condition of the Licence calibrated in accordance with the manufacturer's specifications, the requirements of the Licence and any relevant Australian standard.

3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the Director accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

There are no specified conditions relating to monitoring of emissions to air in this section.

3.3 Monitoring of point source emissions to surface water

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Monitoring of point source emissions to surface water				
Emission point reference	Parameter	Units	Reference period	Frequency¹
W1	Volumetric flow rate	L/s	Spot sample	Commencement of discharge and monthly thereafter whilst discharging
	Total suspended solids	mg/L		
	Oil and grease (hexane soluble)			

Note 1: Monthly monitoring shall be undertaken at least 15 days apart.

3.3.2 All sampling of wastewaters in Table 3.3.1 shall be conducted in accordance with AS/NZS 5667.10.



3.4 Monitoring of emissions to land

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

3.5 Monitoring of point source emissions to groundwater

There are no specified conditions relating to monitoring of emissions to groundwater in this section.

3.6-3.9 Monitoring of inputs and outputs, Process monitoring, Environmental quality monitoring, Meteorological monitoring

There are no specified conditions relating to monitoring of inputs, process monitoring, environmental quality monitoring, or meteorological monitoring in this section.

4 Improvements

4.1 Improvement program

4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date specified.

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

Improvement reference	Improvement	Date of completion
IR1	The Licensee shall submit a report on all existing tanks holding dangerous goods or environmentally hazardous materials identifying whether they are compliant with the standards in Condition 1.2.3 for new tanks. The report will include a list of actions for each non-compliant tank required to meet these requirements.	30/09/12
IR2	The Licensee shall submit a report detailing a program of improvements to bring up to standard, those non-compliant tanks identified in the response to IR1. These improvements should ensure those tanks are brought up to the standards in Condition 1.2.3 based on the environmental risk from each tank.	31/12/12



5 Information

5.1 Records

5.1.1 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 5.1.1(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 condition of the land or waters.

5.1.2 The Licensee shall ensure that:

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

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee 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.

5.1.4 The Licensee 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.

5.2 Reporting

5.2.1 The Licensee shall submit to the Director an annual environmental report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
3.3.1	Volumetric flow rate, Total Suspended Solids, total oil and grease (hexane soluble)	SW1
5.1.4	Complaints summary	None specified
-	Measures taken to suppress dust	

Note 1: Forms are in Schedule 2



5.3 Notification

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

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
1.2.4	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
2.1.1	Breach of limit	Part B: As soon as practicable	

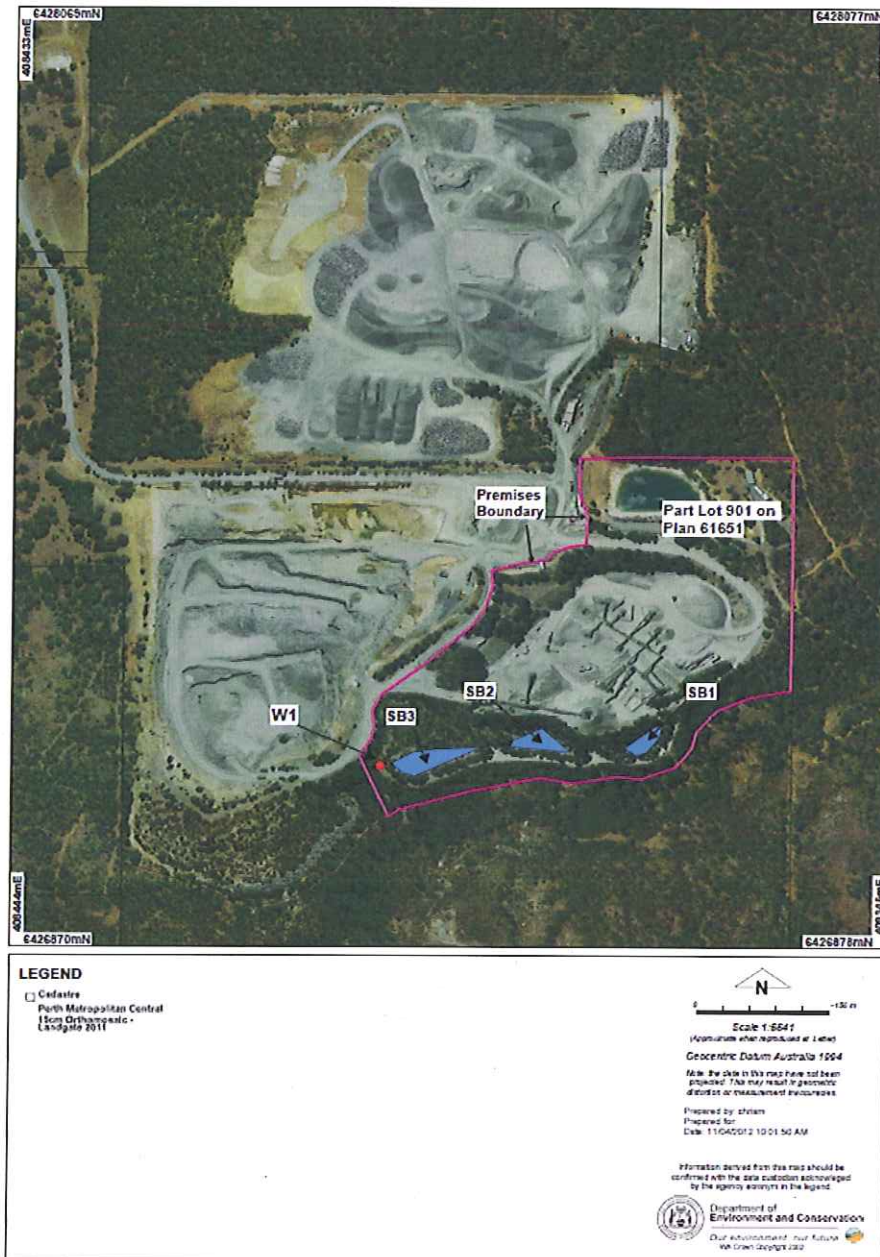
Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act
Note 2: Forms are in Schedule 2.



Schedule 1: Maps

Premises map and monitoring location

The Premises is shown in the map below. The pink line depicts the Premises boundary. W1 depicts the emission point and monitoring point defined in Tables 2.3.2, 2.3.3 and 3.3.1.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by this licence. They can be requested in an electronic format.

Copies of the original monitoring reports must also be submitted.

Licence: **L7358/1991/9** Licensee: **Ransberg Pty Ltd**
 Form: **AACR** Period :
 Name: **Annual audit compliance report**

Annual audit compliance report

Section A: Statement of compliance with licence conditions

Were all conditions of licence complied with within the annual period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report (AACR).

Initial:



Section B: Details of non-compliance with licence condition

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DER?	
<input type="checkbox"/> Yes, and <input type="checkbox"/> Reported to DER verbally Date <input type="checkbox"/> Reported to DER in writing Date	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Please use a separate page for each licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



Section C: Signature and certification

This AACR must only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The AACR must be signed and certified:
an individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer (CEO) of DER to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or by two directors of the Licensee; or by a director and a company secretary of the Licensee, or if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the Licensee; or by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the Licensee; or by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DER.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the CEO of the Licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this AACR is correct and not false or misleading in a material particular.

Signature:

Name: (printed)

Position:

Date:

Seal (if signing under seal)

Signature:

Name: (printed)

Position:

Date:



Licence: L7358/1991/9
Form: N1

Licensee: Ransberg Pty Ltd
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	L7358/1991/9
Name of operator	Ransberg Pty Ltd
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Ransberg Pty Ltd	
Date	

..... Date:

Amendment date: Thursday, 03 October 2013

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IRLB_TI0680 v2.2
