



Licence

Environmental Protection Act 1986, Part V

Licensee: Boral Resources (W.A.) Ltd

Licence: L9121/2018/1

Registered office: Level 3
40 Mount Street
NORTH SYDNEY NSW 2060

ACN: 008 686 904

Premises address: Boral Orange Grove Quarry
15 Stephen Street
ORANGE GROVE WA 6109
Being Lots 453, 457, 465, 466 and 467 on Plan 3327; Lot 50 on Plan 42517; Lot 101 on Diagram 90993; Lot 113 on Plan 248353; and Lot 181 on Plan 250164 as depicted in Schedule 1.

Issue date: 04 July 2018

Commencement date: 04 July 2018

Expiry date: 03 July 2025

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	50 000 tonnes or more per year	2,000,000 tonnes per annual period
13	Crushing of building material	1,000 tonnes or more per year	36,000 tonnes per annual period
61A	Solid waste facility	1,000 tonnes or more per year	30,000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 4 July 2018

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Lauren Trott
A/Manager Licensing (Process Industries)
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 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 owner or occupier of the premises the intention is not to replicate them in the licence.. 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 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 may 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 and the conditions attached to it. Non-compliance with it is an offence and financial penalties may apply.

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.

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

Boral Resources (W.A.) Ltd (Boral) operates a hard rock quarry on the outskirts of Perth. The western perimeter of the premises boundary is located approximately 850 metres from a residential development. Rock is extracted using blasting and excavation methods and is then processed on site.

The potential impact of noise on neighboring properties is managed by reducing the noise generated from the quarrying and processing operations and by appropriate screening procedures on site. Noise associated with blasting is managed by an on site monitoring system.

Water is used for dust management through a regular watering of all access and haul roads as required during the drier months. A water truck is retained on site for this purpose. Automatic water cannons are also used to reduce dust generation from stockpiles and vehicle movements.

This is a replacement licence for L6822/1967/13 due to late payment of annual fee. Licence conditions relating to the new licence L9121/2018/1 have not been updated as there are no changes to emissions or regulatory controls in the licence other than to remove conditions relating to asphalt manufacturing. Minor administrative changes include ;

- updating the licence to be in line with the most recent licence template including reference to Department of Water and Environmental Regulation (DWER);
- the removal of Schedule 2 – the Annual Audit Compliance Report (AACR) template where the new template can be found on DWER's website www.dwer.wa.gov.au; and
- an updated premises boundary map.

The previous licence (L6822/1967/13) for Boral Orange Quarry included category 35 – asphalt manufacturing for the operation of a mobile asphalt plant. The original planning approval granted for the mobile plant expired on 31 March 2017 however, Boral sought an extension until 31 December 2017. As planning approval expired (and the mobile plant ceased operating) on 31 December 2017 this licence does not include category 35 – asphalt manufacturing and the associated conditions relating to this activity.



The licences issued for the Premises since 01/10/2000 are:

Instrument log		
Instrument	Issued	Description
L6822/1967/5	01/10/2000	Licence re-issue
L6822/1967/6	07/11/2001	Licence re-issue
L6822/1967/7	11/10/2002	Licence re-issue
L6822/1967/8	01/10/2003	Licence re-issue
L6822/1967/9	01/10/2004	Licence re-issue
L6822/1967/10	12/12/2005	Licence re-issue
L6822/1967/11	12/12/2006	Licence re-issue
L6822/1967/12	12/12/2009	Licence re-issue
L6822/1967/13	12/12/2012	Licence re-issue
L6822/1967/13	13/09/2013	Licence amendment to REFIRE format
L6822/1967/13	12/12/2013	Licence amendment to add Category 13
L6822/1967/13	10/07/2014	Licence amendment in response to appeal against Category 13
L6822/1967/13	31/10/2014	Licence amendment to add Category 35
L6822/1967/13	03/3/2016	Licence amendment to add Category 61A and allow receipt and processing of RAP
L9121/2018/1	04/07/2018	Replacement of ceased licence. Category 35 and associated conditions removed - reference to processed RAP retained.

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 For the purposes of this Licence, unless the contrary intention appears:

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

‘annual period’ means the inclusive period from 1 January until 31 December in that year;

‘AS 3580.9.11’ means the Australian Standard AS 3580.9.11 *Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM10 beta attenuation monitors*;



'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer;

'CEO' means Chief Executive Officer.

CEO for the purposes of notification means:

Director General
Department Administering the *Environmental Protection Act 1986*
Locked Bag 33 Cloisters Square
PERTH WA 6850
info@dwer.wa.gov.au

'concrete waste' means un-used concrete that has been returned and has been cured or hardened;

'controlled waste' has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

'Department' means the department established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the EP Act.

'DWER' Department of Water and Environmental Regulation.

'Inert Waste Type 1' has the meaning defined in Landfill Definitions;

'Landfill Definitions' means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time.

'Licence' means this Licence numbered L9121/2018/1 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

'PM₁₀' means particles with an aerodynamic diameter of less or equal to 10 µm;

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

'Processed RAP' means RAP which has been crushed and/or screened to size for recycling into new asphalt;

'RAP' means Reclaimed Asphalt Pavement;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'shut-down' means the period when plant or equipment is brought from normal operating conditions to inactivity;



‘start-up’ means the period when plant or equipment is brought from inactivity to normal operating conditions;

‘usual working day’ means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia; and

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the the standard in force from time to time during the term of this Licence.

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.

1.2 Premises operation

1.2.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.2.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.2.1;
- (c) it meets any specification listed in Table 1.2.1.

Table 1.2.1: Waste acceptance		
Waste type	Quantity Limit	Specification¹
Inert Waste Type 1	36,000 tonnes per year	Limited to concrete waste and pit waste generated by Boral Resources (W.A.) Limited concrete batching operations. Concrete waste: no more than 12,000 tonnes per year shall be accepted. Pit waste: no more than 24,000 tonnes per year shall be accepted.
Processed RAP	30,000 tonnes per year	The Licensee shall ensure that Processed RAP does not contain any of the following materials: <ul style="list-style-type: none"> • granular pavement materials, clay, soil or organic matter; • bricks, concrete, glass or building materials; or • tar based products, geotextile fabrics, raised pavement markers or surface treatments such as high friction surfacings.

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.2.3 The Licensee shall ensure that bulk materials are stored in a manner which avoids the generation of airborne dust.



1.2.4 No raw materials, materials or fuels other than those listed in Table 1.2.4 and which comply with any specification stated shall be subjected to the relevant process in that table.

Table 1.2.4: Processing of materials		
Material	Process	Specification
Processed RAP	Storage	None specified
Granular Raw Materials	Transfer	The Licensee shall ensure that all conveyors are enclosed with windshields, or otherwise appropriately designed to avoid the generation of airborne dust.

1.2.5 The Licensee shall ensure that treated water from triple interceptors is only discharged into the final transfer dam as specified in Table 1.2.5 and identified in Schedule 1.

Table 1.2.5: Containment infrastructure		
Containment cell or dam number	Material	Infrastructure requirements
Transfer dam	Treated water from triple interceptors.	None specified

2 Emissions

2.1 General

2.1.1 The Licensee 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 Licensee must ensure dust emissions are managed in accordance with the documents, or parts of documents, specified in Table 2.2.1.

Table 2.2.1: Management Plans		
Management Plan Reference	Parts	Date of Document
Boral Resources (WA) Orange Grove Quarry – Environmental Management Plan (Ref QUA-OG-EMP-DUST01 Revision 1.0 26/02/2016)	Section 1.5 (Dust) Monitoring and remedial measures	26/02/2016



2.3 Noise/Vibration

2.3.1 The licensee shall manage emissions such that they do not cause an exceedance of the limits in Table 2.3.1.

Table 2.3.1: Noise/Vibration Emission limits			
Monitoring point reference and location on Premises map	Parameter	Limit (including units)	Reference period
Blast Monitoring Sites BM1 and BM2 (as depicted in Schedule 1)	Peak particle velocity	10 mm/sec	Any single blast
		5 mm/sec	No more than one blast in ten consecutive blasts (regardless of interval between blasts)

3 Monitoring

3.1 General monitoring

3.1.1 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications and the requirements of the Licence.

3.1.2 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 CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of inputs and outputs

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert Waste Type 1	tonnes (where a weighbridge is present on the site)	N/A	Each load arriving at the Premises
	Processed RAP			
Waste Outputs	Waste type as defined in the Landfill Definitions	m ³ (where no weighbridge is present)		Each load leaving or rejected from the Premises



3.3 Ambient monitoring

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 ambient air quality				
Monitoring point reference and location on Premises map	Parameter	Averaging period	Frequency	Method
AQ1 on Dust Monitor Map in Schedule 1	Particulates as PM ₁₀	24 hours	Continuous	AS 3580.9.11

Note 1: All units are referenced to STP dry

3.4 Noise/Vibration

3.4.1 The Licensee shall undertake the monitoring specified in Table 3.4.1.

Table 3.4.1 Noise/Vibration Emissions monitoring			
Monitoring point reference	Parameter	Units	Frequency
Blast Monitoring Sites BM1 and BM2 (as depicted in Schedule 1)	Airblast	dB	Each blast
	Peak particle velocity	mm/sec	

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 Licensee 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 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.



- 4.1.4 The Licensee shall:
- (a) implement a complaints management system that shall record the following information (if known or provided) about complaints received at the Premises concerning any environmental impact of the activities undertaken at the Premises:
 - (i) name and address of the complainants (if consented);
 - (ii) date and time of complaint;
 - (iii) date and time of alleged incident;
 - (iv) alleged source of the incident;
 - (v) general description of the alleged incident, including any environmental or health impacts reported by the complainant;
 - (vi) wind direction, wind speed and temperature at time of alleged incident;
 - (vii) likely source of the alleged incident; and
 - (viii) actions taken by the Licensee to address the complaint, including the outcome of any investigation(s) and action(s) to verify any impacts.
 - (b) complete an annual analysis and review of complaints recorded under 4.1.4(a) to identify any common factors and root cause of complaints and proposals to address these.

4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 1.2.5	Approximate volumes and dates of transfer dam overflows	None specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR). The AACR template can be found on the DWER's website www.dwer.wa.gov.au
4.1.4	Complaints summary	None specified
Table 3.4.1	A summary of blast monitoring results outlining trends and comparison against limits.	
-	Measures taken to suppress dust	
-	Measures taken to minimise noise	

- 4.2.2 The Licensee 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.



4.2.3 The Licensee shall submit the information in Table 4.2.3 to the CEO according to the specifications in that table.

Table 4.2.3: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form¹
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEO's request	As received by the Licensee from third parties
Table 3.4.1	Blast Monitoring Report			None specified

4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
2.5.1	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. Part B: As soon as practicable	N1
-	Any exceedance of air-blast level requirements outlined in <i>Environmental Protection (Noise) Regulations 1997</i>		

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

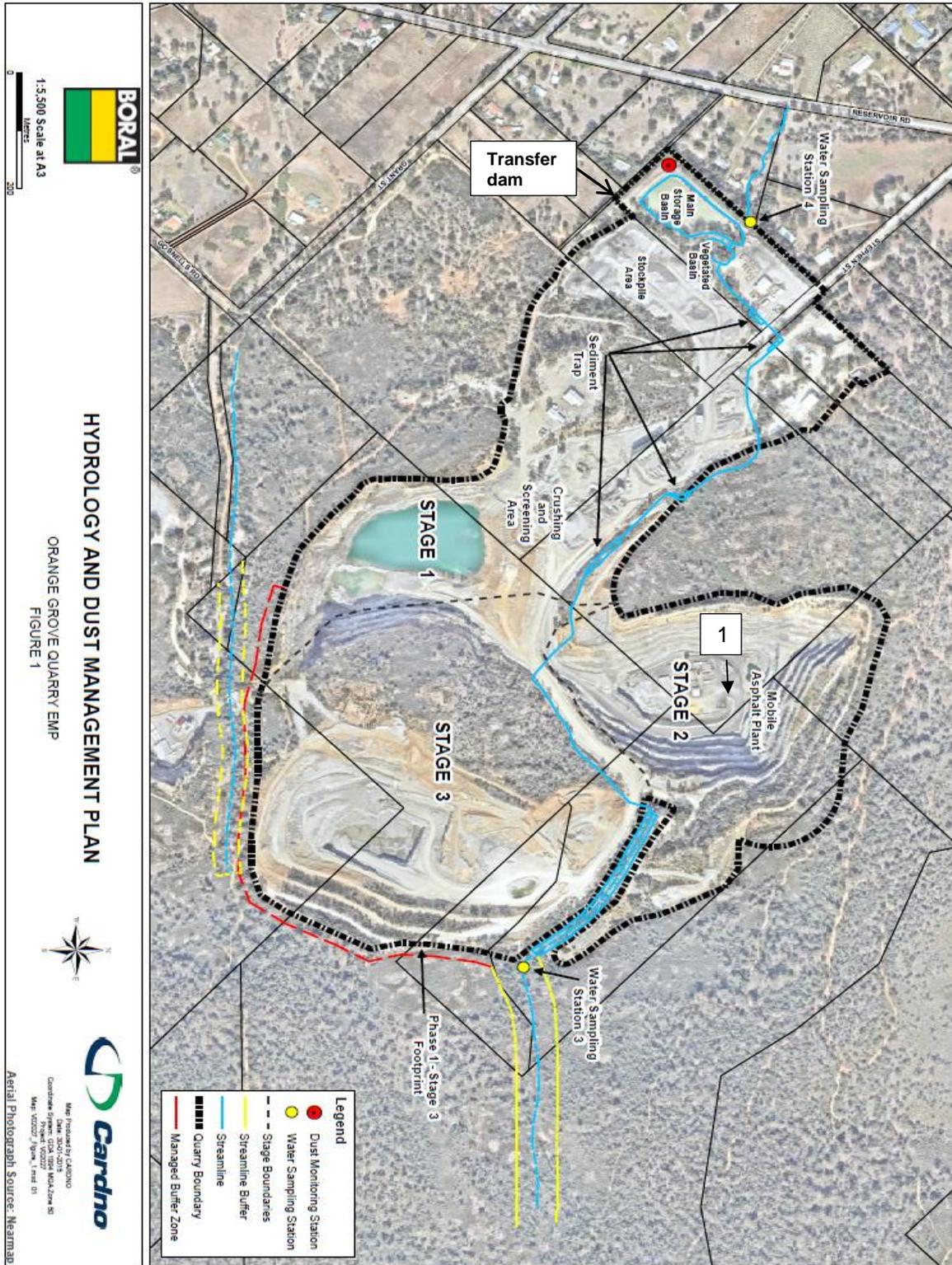
The red line depicts the Premises boundary. The locations of the monitoring points defined in Table 2.3.1, 3.3.1 and 3.4.1 are shown below.





Containment infrastructure

The location of containment infrastructure defined in Table 1.2.5 is shown below.



Note 1: reference to mobile asphalt plant is excluded



Schedule 2: Reporting & notification forms

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

Licence: L9125/2018/1 Licensee: Boral Resources (W.A.) Ltd
Form: N1 Date of breach:

Notification of detection of the breach of a limit.

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	
Name of operator	
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	



Part B

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 Boral Resources (W.A.) Ltd	
Date	