



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

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| Licence number | L8592/2011/2 |
| Licence holder | Mobile Concreting Solutions Pty Ltd |
| ACN | 130 398 266 |
| File number | 2011/007882-1 |
| Premises | Tom Price Quarry Tenement M47/1462 Legal description – Tenement M47/1462 |
| Date of report | 18/03/2022 |
| Status of report | FINAL |

1. Decision summary

This decision report documents the Delegated Officer's decision to grant licence L8592/2011/2 to Mobile Concreting Solutions Pty Ltd (The Licence Holder) for Tom Price Quarry located within Tenement M47/1462 in the Pilbara region of Western Australia.

In determining to grant this licence, the Delegated Officer noted that no changes to the activities undertaken at the premises. Therefore, the Delegated Officer has completed a review of the current licence and confirmed the existing risk assessment of emissions and discharges from the premises remains valid. The format of the replacement licence has been updated consistent with the current licence format.

2. Scope of assessment

2.1 Overview of premises and application summary

Tom Price Quarry produces road gravel or blue metal for use in the building/mining industry and for road construction. The licence relates to prescribed premises category 12 – screening of material. The licence was amended in December 2018 to increase the category 12 production/design capacity to 1,000,000 tonnes per annum.

On 30 June 2021 DWER received an application from the Licence Holder for renewal of licence L8592/2011/1. The application proposes continuation of crushing and screening operations within tenement M47/1462. No change to the licensed production capacity is proposed.

2.2 Regulatory framework

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>.

2.3 Other approvals

The Department of Mines, Industry Regulation and Safety (DMIRS) MINEDEX database notes there is an approved Mining Proposal relevant to the premises – *Revised Mining Proposal (REG ID 30852) as part of Mining Lease Application M47/1462 and L47/423 near Tom Price, East Pilbara, on behalf of SJ Crushing Pty Ltd, for a road stone quarry*. There is also a mining proposal (REG ID 83737) for the Tom Price Quarry expansion project which is to be determined by DMIRS.

2.4 Incidents and complaints history

DWER's Incident and Complaints Management System details 6 non-compliance incidents and 2 complaints relevant to the licence holder or the premises for the period 2012 to 2019.

DWER's amendment of licence L8592/2011/1 in December 2018 considered the licence holder's compliance/complaints history and therefore further review of compliance/complaints post-December 2018 is as follows;

- One incident occurred on August 2019 where DWER received notification in regard to complaints relating to dust emissions from the premises. This matter was assessed by the Department and enforcement action issued to the licence holder.

DWER's records indicate no further complaints in relation to emissions from the premises.

3. Consultation

Table 1 provides a summary of the consultation undertaken by DWER.

Table 1: Consultation

| Consultation method | Summary of comments received | Department response |
|--|--|---|
| Application advertised on the department's website on 1 November 2021 | No submissions received | Noted. |
| Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal on 2 November 2021 | Comments received on 4 November 2021 – stating that operations at the Premises had extended beyond the boundary of the tenements at the northern end of the operation. Mobile Concreting Solutions has applied for a general-purpose lease over part of the area, there is still other parts of the operation off tenement. No other issues where raised. | The licence holder has applied to continue category 12 activity within tenement M47/1462. This assessment is based upon category 12 activity being located entirely within M47/1462. The Department understands the licence holder has submitted Mining Proposal 83737 to expand the quarry operations beyond the tenement and is awaiting DMIRS approval. The Department will consider the level of Enforcement action should DMIRS not approve MP 83737. |
| Applicant was provided with draft documents on 25 February 2022 | On 25 February 2022 the applicant requested waiving of the consultation period and issue of the licence. | Noted |

4. Decision

The Delegated Officer has granted licence L8592/2011/2 with administrative changes only and without conducting additional risk assessment.

The Delegated Officer considered additional crushing/screening infrastructure/equipment will be operated at the premises, however that there is no change to the premises boundary and approved production capacity. Therefore, the Delegated Officer determined the risks to public health and the environment have not materially changed and are deemed acceptable.

The replacement licence will be issued for a period of 11 years aligning to the tenement tenure.

In replacing the expiring licence, the Delegated Officer has determined to:

- update the format and appearance of the licence;
- incorporate amendments as detailed in Licence L8592/2011/1 Amendment Notice 1;
- revise licence conditions as necessary in accordance with current standards;
- remove redundant conditions; and,
- update or remove definitions as required.

Any proposed changes to the premises boundary and/or production capacity will require the licence holder to apply to amend the replacement licence.

Summary of changes

Table 2 provides a summary of changes to the previous licence and will act as a record of implemented changes. All changes have been incorporated into the replacement licence.

Table 2 Summary of changes to previous licence

| Previous licence section/condition | Description of changes |
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| Licence cover page | Updated licence holder registered business address |
| Licence cover page | Noted Prescribed Premises Category 12 assessed production/design capacity – as approved in Licence L8592/2011/1 Amendment Notice 1. |
| Contents list | Removed in accordance with current licence template |
| Introduction section | Removed in accordance with current licence template |
| 1.1 Interpretation Condition 1.1.1 | Condition removed and addressed in Interpretation section of the replacement licence in accordance with current licence template. |
| 1.1 Interpretation Condition 1.1.2 | Definitions listed in Condition 1.1.2 of the previous licence have been updated in accordance with current standards or removed if redundant. |
| 1.1 Interpretation Condition 1.1.3 and Condition 1.1.4 | Removed as conditions are redundant |
| 1.2 General conditions Condition 1.2.1 | Removed as condition is redundant |
| 1.2 General conditions Condition 1.2.2 | Removed as condition is redundant |
| 1.2 General conditions Condition 1.2.3 | Removed as condition is redundant |
| 1.2 General conditions Condition 1.2.4 | Removed as condition is redundant |
| 1.2 General conditions Condition 1.2.5 | Removed as condition is redundant |
| 1.3 Premises operation | Removed as condition is redundant |
| 2.1 Emissions – general. Condition 2.1.1 | Removed as condition is redundant |
| 2.2-2.4 Point source emissions to air, surface water and groundwater | Removed as condition is redundant |
| 2.5 Emissions to land | Removed as condition is redundant |
| 2.6 Fugitive emissions 2.6.1 | Removed as condition is redundant |
| 2.6 Fugitive emissions 2.6.2 | Removed as condition is redundant |
| 2.7 Odour | Removed as condition is redundant |
| 2.8 Noise | Removed as condition is redundant |
| 3. Monitoring | Removed as condition is redundant |
| 4. Improvements | Removed as condition is redundant |
| 5.1 Records Condition 5.1.1 | Replaced with conditions 3 and 4 in accordance with current standards. |

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| 5.1 Records Condition 5.1.2 | Removed as condition is redundant |
| 5.1 Records Condition 5.1.3 | Replaced with condition 2 in accordance with current standards |
| 5.1 Records Condition 5.1.4 | Replaced with condition 1 in accordance with current standards |
| 5.2 Reporting Condition 5.2.1 | Replaced with condition 5 in accordance with current standards. Removed redundant condition requesting a summary of any failure/malfunction of any pollution control equipment or incidents that have occurred and actions taken. Removed redundant condition requesting a description of measures taken to suppress dust. |
| 5.3 Notification Condition 5.3.1 | Removed as condition is redundant. |
| Schedule 1: Maps 1 and 2 | Premises Map 1 and Map 2 consolidated into a single map (Figure 1) with a revised legend. |
| Schedule 2: Reporting and notification forms | Removed as reporting and notification forms are outdated and redundant |
| Amendment Notice 1 dated 6/12/2018 – amendment 1 | Approved premises production/design capacity of 1,000,000 tonnes per annual period detailed in page 1 of the replacement licence. |

**SENIOR ENVIRONMENTAL OFFICER
INDUSTRY REGULATION**

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