

Good Afternoon

The following summarised points are provided in relation to the DER's 'Licence Documentation' Consultation Paper, in particular the proposed 'Application Form'.

- **Part 1. Applicant Details** – a company like Boral has numerous Directors, most not based in WA. For the purpose of submitting an application in WA it is requested that the applicant be *'the Principal Executive Officer of the Licensee'* (ie. Director/WA General Manager) who currently signs our AACR's.
- **Part 5. Fit and competent Operator** – the scope of the requirements in this section need to be clearly defined. With hundreds of operations across Australia and many overseas, and a number of Directors across numerous parts of the business, the amount of information that could be required for a company like Boral could be extremely large, irrelevant and unreasonable to be expected. The intent of this section is appreciated, however the level of detail required should be relevant to the specific type and location of the activity being applied for. For example, a Works Approval application for a concrete plant in WA should not be needing to seek detail of offences against an asphalt operation in Queensland. The Directors of Boral Resources WA are also Directors of Boral companies in other states so the level of detail required for this section could take weeks to gather and not be relevant to actual application at hand. (A key feature of this application form is to reduce red tape?)

Detail of all breaches of all Licences, Works Approvals or subsidiary legislation of the EP Act, ever, could also potentially be a mammoth task for a large business. Again the scope this requirement needs to be more tightly defined.

It is requested that this section be confined to the specific type of activity being applied for, eg. asphalt, concrete or quarry activities (in Boral's case), relative to Western Australian operations only, and the applicant be limited to *'the Principal Executive Officer of the Licensee'* who currently signs our AACR's (not all company Directors). It is suggested that time limits (eg. 5 years) for detail such as breaches of all Licences, Works Approvals or subsidiary legislation of the EP Act would also appropriate.

- **Part 6. Public health risks** – should the assessment of risks to public health not be managed and administered by the Health Department.
- **6.4. Risk of Other Incidents** – this is very broad and ambiguous request. Every activity that is required to have a Works Approval or be licensed under the EP Act will have a 'risk of other incidents'. It is suggested that this be removed, or more clearly specified.
- **Part 8. Assessment Framework** - it is not reasonable to accept this requirement until the Assessment Framework is made publicly available.
- **Licence Renewals** – it is understandable that the extensive level of detail in the Application Form may be relevant for a Works Approval or a Licence Application, however this should not be required for ongoing Licence Renewals. Perhaps a requirement for any new or updated detail, since the previous renewal, would be more appropriate. Again this detail should be confined to the specific type of licensed activity being renewed, eg. asphalt, concrete or quarry activities (in Boral's case), relative to Western Australian operations only, and the applicant be limited to *'the Principal Executive Officer of the Licensee'* who currently signs our AACR's (not all company Directors). It is suggested that time limits (eg. 5 years) for

detail such as breaches of all Licences, Works Approvals or subsidiary legislation of the EP Act would also appropriate.

These comments are provided on the basis of DER's intent to reduce 'red tape' and so that applications to the DER are focussed on the management of actual risks associated with the activity being applied for. In particular, the detail outlined in Part 5 of the Application Form would be an extensive, time consuming and a very difficult exercise for a large company like Boral. We appeal for a considerably refined scope of information required here.

I am happy to discuss or provide further detail if required.

Regards

PETER MALE
Environment Manager CM&C (WA)

Telephone: (08) [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]



Boral Shared Services
63-69 Abernethy Road, Belmont WA 6104
www.boral.com.au

--

This email and any files transmitted with it are confidential to the intended recipient and may be privileged or contain copyright material. If you have received this email inadvertently or you are not the intended recipient, you must not disclose the information contained in this email or distribute, copy or in any way use or rely on it. Further, you should notify the sender immediately and delete the email from your computer.