



Application to renew a licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L5324/1988/9
Licence Holder	GS & M Engineering Pty Ltd
ACN	104 461 378
File Number	2013/002353-1
Premises	Law Castings 12 Williams Road KELMSCOTT WA 6111 Being Lot 108 on Plan Diagram 56240 Williams Road and Part Lot 122 on Diagram 59774 Brant Road, as depicted in Schedule 1
Date of Report	30 October 2023
Decision	To grant a licence

Senior Environmental Officer, Industry Regulation

An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L5324 without conducting any additional risk assessment.

The licence can be issued for 20 years (expiry of lease date is mentioned 30/08/2029, but may easily be extended), which is consistent with the *Guidance Statement on Licence Duration 2016*. In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant conditions;
- revised licence conditions;
- corrected clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L5324/1988/9, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 31 August 2023 GS and M Engineering Pty Ltd (licence holder) applied to renew licence L5324, as the licence is due to expire on 30 October 2023. The licence was granted to the licence holder for the premises located at Lot 108 on Plan Diagram 56240 Williams Road and part Lot 122 on Diagram 59774 Brant Road, Kelmscott (Premises).

The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 45: Metal melting or casting: premises on which metal or scrap metal is melted in furnaces or cast.	Not more than 500 tonnes per annual period

The main activities occurring on the Premises include melting and pouring of molten ferrous metals into sand cast moulds. An electric induction furnace is used to melt the metals. Castings are grinded and welded. The product range includes castings and impellers, specialising in the manufacture of impellers in a range of stainless alloys.

3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2021.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There have been two complaints made during the year 2021 due to windy weather into the neighbors property. However, the plant is compliant with licence conditions. There have been no enforcement actions taken against the occupier in the last 5 years regarding the licence.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.3 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder currently holds a licence and which was previously assessed.

4.4 Planning approval

The licence holder is a corporation and hold a licence under Part V of the EP Act. No construction of new infrastructure is proposed and the renewal would be as per existing licence.

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Error! Reference source not found. summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 2: Summary of licence amendments

Existing condition	Condition summary	Revised licence condition	Amendment notes
N/A	Terminology	N/A	'Licensee' updated to 'Licence Holder' throughout document.
N/A	Front Page	N/A	'Not more than' added to production or design capacity.
N/A	Interpretation	N/A	Section added in line with current formatting.
N/A	Contents and Introduction	N/A	Redundant text removed. Revised to current licensing format.
N/A	Instrument log	Licence history	Section added in line with current formatting.
1.1.1 1.1.2	Interpretation and definitions	N/A Definitions Table 2	Definitions are redundant conditions, revised to current licensing format and moved to Table 2.

Existing condition	Condition summary	Revised licence condition	Amendment notes
1.1.3 to 1.1.5	Australian or other standard	N/A	Redundant condition removed from Licence - condition intent incorporated into other conditions or covered under subsidiary legislation to the EP Act.
1.2.1	Maintaining equipment	N/A	Redundant condition removed from Licence
1.2.2	Recovery of spills	N/A	Redundant condition removed from Licence
1.3.1 Table 1.3.1	Processing of materials	1 Table 1	Reference and format updated.
2.1.1	Information records	2	Reference and format updated
2.1.2	Person left in charge	N/A	Redundant condition deleted.
2.1.3	AACR	3	Condition wording updated in line with current formatting.
2.1.4	Complaints	4	Reference and format updated.
2.2.1 Table 2.2.1		N/A	Reference to condition Annual Environmental Report submission deleted from Licence.
N/A Schedule 1	Maps	N/A Schedule 1	Updated maps in line with current formatting.
N/A Schedule 2	Reporting and notification forms		Redundant AACR, Section A, Section B and Section C forms removed from Licence.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table .

Table 3: Consultation

Consultation method	Comments received	Delegated Officer's response
Applicant was provided with draft documents on 3 October 2023	"I have reviewed the draft licence L5324/1988/9 and accept the condition as stated. As there is no outstanding information required, I request the licence be issued as soon as possible."	The Delegated Officer noted the comments.