



Application for Licence Amendment

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

Licence Number	L8404/2009/2
Licence Holder	Bradken Resources Pty Ltd
ACN	098 300 988
File Number	DEC232/1
Premises	Bradken Resources Pty Ltd 52 Hawke Avenue WUNDOWIE WA 6560 Legal description – Part of Lot 5 on Plan 72039, Lot 9004 on Plan 76394, Lot 28418 on Plan 213728, and Lot 28416 on Plan 213728 As defined by the premises map attached to the Revised Licence
Date of Report	5 May 2023
Decision	Revised licence granted

**AMINE FISHER
A/MANAGER, PROCESS INDUSTRIES
REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

Licence L8404/2009/2 is held by Bradken Resources Pty Ltd (licence holder) for the Wundowie foundry, located on Hawke Avenue and Werribee Road, Wundowie (the premises).

This report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act). The amendments are administrative in nature therefore they do not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

The amended licence has been granted in the current DWER format with existing conditions being transferred, but not reassessed.

2. Scope of assessment

2.1 Regulatory framework

In amending 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>.

2.2 Application summary

On 17 October 2022, the licence holder submitted an application to the department to amend licence L8404/2009/2 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment sought by the licence holder is limited only to updating the premises boundary to reflect the licence holder's current lease agreement.

The premises relates to the category 45: Metal Melting or Casting under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations) and has an assessed production capacity of 10,000 tonnes per year.

3. Consultation

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

Table 1: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal on 6 February 2023.	The Shire of Northam replied on 8 February noting no objections to the proposal, and advised that Main Roads EastLink project may affect Werribee Rd street frontage.	Noted.
Applicant provided with draft decision for comment on 24 March 2023.	<p>Comments received on 1 May 2023.</p> <ul style="list-style-type: none">• Provided infrastructure map and details of baghouse maintenance requirements as requested by the department.• Noted that no incinerator on site, suggested removing conditions referencing incinerator.• Queried removal of condition	<p>The delegated officer agrees to remove operational requirements related to an approved incinerator noting that there are no incinerators at the premises. The licence does not therefore authorise emissions or discharges associated with incineration.</p> <p>The delegated officer determined to remove previous condition 3.1.2 as it is a redundant</p>

Consultation method	Comments received	Department response
	3.1.2 Person in charge aware of conditions	condition which has been identified as not being enforceable, risk-based or site-specific as required by the Guidance Statement: Setting Conditions (DER 2015).

4. Decision

The delegated officer considered the change to the premises boundary would not impact the risk profile of the premises therefore did not require detailed risk assessment, as it does not reduce the distance between the premises activities and sensitive receptors. Based on this the delegated officer determined to grant the amended licence with a revised premises boundary aligned to the licence holder's lease agreement.

Licence consolidation

As part of this amendment the delegated officer has updated and consolidated the licence to include relevant amendment notices and align the instrument with the current licence format. In amending the licence, the delegated officer has:

- updated the format and appearance of the licence;
- revised condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- updated reporting and record keeping conditions consistent with the current DWER licensing format, and the 2022 *Notice of amendment and schedule of licences with amended reporting conditions*.

The obligations of the licence holder have not changed in updating and consolidating the licence therefore no additional risk assessment relating to previously assessed activities has been undertaken. The full details of the amendments to the licence are included in section 5.1.

5. Conclusion

Based on the assessment in this amendment report, the delegated officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 1 provides a summary of the proposed amendment and will act as a record of implemented changes. All proposed changes have been incorporated into the amended licence as part of the amendment process.

Table 3 provides a summary of the update and consolidation of licence conditions in this amendment.

Table 2: Summary of licence amendments

Condition no.	Proposed amendments
Cover: Premises details Schedule 1: Maps	Updated premises details on the cover page and the boundary map in Schedule 1 to reflect the revised premises boundary, which aligns with the licence holder's lease agreement.

Table 3: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Prescribed premises category table	N/A	Revised to current licence format
Licence history	Instrument log	N/A	Added licence history, consistent with current licence format.
1.1.1	Interpretation	Interpretation section	Revised to current licence format.
1.1.2	Definitions	Definitions Table 3	Revised to current licence format & updated definitions. Definitions added: 'ACN', 'AACR', 'books', 'CEO', 'licence holder', 'Department', 'discharge', 'emission', mAGL, 'prescribed premises' Definitions removed: 'Code of Practice for the Storage and handling of dangerous goods', 'dangerous goods', 'Director', 'environmentally hazardous material', 'Licensee', 'Schedule 1', 'placard quantity'.
1.1.3 & 1.1.4	Australian standards and Guidelines or Code of Practice	Interpretation section	Revised to current licence format.
1.2.1	Interpretation		
1.2.2	Pollution control and monitoring equipment	N/A	Removed as redundant condition. No monitoring equipment in the licence and pollution control equipment adequately covered by existing conditions.
1.2.3	Dangerous goods	N/A	Removed as redundant condition. Adequately regulated by the <i>Dangerous Goods Safety Act 2004</i> .
1.2.4 and 1.2.5	Recovery and removal of spills and Stormwater	N/A	Removed as redundant conditions. The licence doesn't authorise discharge of stormwater. Controls are adequately regulated by the Environmental Protection (Unauthorised Discharges) Regulations 2004.
1.3.1 & 1.3.2	Approved incinerator	N/A	Removed as licence holder advised that there are no incinerators on the premises.
1.3.3	Flame cutting	Condition 1, Table 1	Revised to current licence format as an operational requirement in new

Existing condition	Condition summary	Revised licence condition	Conversion notes
			infrastructure table.
1.3.4	Flame cutting fires	Condition 1, Table 1	Removed reference to dark smoke in the condition as it introduced ambiguity. Revised to current licence format as operational requirement in new infrastructure table
1.3.5	Carbon dioxide extinguisher or water hose	Condition 1, Table 1	Revised to current licence format as operational requirement in new infrastructure table.
1.3.6	Fires unattended		
1.3.7	Clean scrap		
1.3.8	Furnaces		
1.3.9	Solid waste disposal		
2.1.1	Record and investigate exceedances of limits or targets	N/A	Removed as licence does not contain targets or limits, and non compliance reporting is covered by condition 6.
2.2.1 & 2.2.2	Point source emissions to air	Condition 2, Table 2	New number and revised to current licence format.
2.2.3, 2.2.4 & 2.2.5	Baghouse requirements	Condition 1, Table 1	Included in infrastructure table, new numbering, and update to wording format.
2.3.1	Minimise dust	N/A	Removed as redundant condition, adequately covered by condition 3.
2.3.2	Visible dust	Condition 3	New number and revised to current licence format.
3.1.1	Record keeping	Condition 7	New number and revised to current licence format.
3.1.2	Person in charge aware of conditions	N/A	Removed as redundant condition.
3.1.3 & 3.2	Annual Audit Compliance Report	Condition 5	New number and revised to current licence format.
3.1.4	Complaints register	Condition 4	
3.2	Annual Environmental Report	N/A	Removed by amendment notice 2022.
3.3 and Schedule 2	Notification	Condition 6	New number and revised to current licence format. Form is not required as adequately covered by new condition.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Bradken Resources Pty Ltd 2022, *L8404/2009/2 - Bradken Resources Pty Ltd - Wundowie Foundry site - Licence Amendment Application and supporting documents (Reference DWERDT672813, DWERDT672815, DWERDT672816)*, Bassendeen, Western Australia