



Application for Licence

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

Licence Number	L8933/2015/2
Applicant	P.M.R. Quarries Pty Ltd
ACN	008 866 448
File Number	DER2015/002580
Premises	Moylan Lussy Road Quarry HOPE VALLEY WA 6165 Legal description Part Lot 102 on plan 46051, Part Lot 650 on Plan 251250, Part Lot 651 on Plan 253746 & Part Lot 712 on Plan 250228 As defined by the maps in Schedule 1 of the Licence
Date of Report	11 March 2021
Decision	Licence granted

**A/MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES**

An officer delegated by the CEO under section 20 of the EP Act

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1. Decision summary

This Decision Report documents the renewal of expiring Licence L8933/2015/1. The Licence renewal is administrative in nature and therefore does not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged. As a result of this assessment, renewed Licence L8933/2015/2 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, 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 and overview of Premises

On 9 December 2020, the applicant submitted an application for a licence to the Department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a renewal of Existing Licence L8933/2015/1 relating to category 12 screening etc. of material at the Moylan Lussky Road Quarry (the Premises). The Premises is approximately 4.9 km north of City of Kwinana. The Premises is owned and occupied by the Licence Holder.

The Premises relates to the category 12 activities and assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L8933/2015/2.

The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Licence L8933/2015/2.

There are no changes proposed to the operations, throughputs, infrastructure or associated emissions and discharges at the Premises as a result of this Licence renewal application. As such, the Department has not undertaken a detailed risk assessment or review of the Premises and is processing an administrative renewal of the Licence only.

The decision report for the Existing Licence will remain on the department's website for future reference and will act as a record of the department's decision making.

3. Consultation

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

Table 1: Consultation

Consultation method	Comments received	Department response
<i>Application advertised on the department's website (24/2/2021)</i>	<i>No submissions received.</i>	N/A
<i>Local Government Authority advised of proposal (23/2/2021)</i>	<i>The City of Kwinana had no comments by 09/03/2021.</i>	<i>The Delegated Officer notes the current EIL expiry date, and has determined the term of the licence to be 10 years (expiry 20/03/2031).</i>

<p><i>Licence Holder was provided with draft documents (24/02/2021)</i></p>	<p><i>Comments received on 24 February included;</i></p> <ol style="list-style-type: none"> <i>1. The Works Approval number indicated in section titled Licence History is not for this site.</i> <i>2. Condition 7 modified from Licensee to licence holder.</i> <i>3. The titles of map 1 and map 2 were amended to better define the map.</i> 	<p><i>Delegated Officer accepted the change and amended licence history, condition 7 and titles of map 1 and map 2.</i></p>
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4. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that the application to renew licence L8933/2015/2 be granted, subject to existing licence conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. *Part V EP Act Licence L8933/2015/1 for P.M.R. Quarries Pty Ltd issued on 31 March 2016.*
2. *Decision Report Licence L8933/2015/1 for P.M.R. Quarries Pty Ltd dated 31 March 2016.*
3. *Notice of Amendment and schedule of licences with amended expiry date dated 29 April 2016.*
4. *Application for Licence Renewal L8933/2015/2 for P.M.R. Quarries Pty Ltd dated 9 December 2020.*
5. *Map1 P.M.R. Quarries Pty Ltd – proposed site plan Quarry RL4 received on 9 December 2020.*
6. *Map2 P.M.R. Quarries Pty Ltd – nearest sensitive receptor plan received on 9 December 2020.*
7. *Cover letter Licence renewal L8933 dated 9 December 2020.*
8. *20160229 WAPC Development approval received on 9 December 2020.*
9. *20000630 Certificate of Titles V2194 F386 received on 9 December 2020.*
10. *201505 Report titled “Offsite Impacts Management Plan by Landform Research dated May 2015.*
11. *Work Instruction Licensing – COVID 19 licensing position by Department of Water and Environmental Regulation dated 22 April 2020.*
12. *DER 2017, Guidance Statement: Risk Assessments, Perth, Western Australia.*
13. *DER 2015, Guidance Statement: Setting Conditions, Perth, Western Australia.*

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY			
Application type			
Renewal	<input checked="" type="checkbox"/>	Current licence number:	L8933/2015/1 Expires on 20/03/2021
Date application received	9 December 2020		
Applicant and Premises details			
Applicant name/s (full legal name/s)	P.M.R. Quarries Pty Ltd		
Premises name	Moylan Lussky Road quarry		
Premises location	Lot 102 on plan 46051, Lot 650 on Plan 251250, Lot 651 on Plan 253746 & Lot 712 on Plan 250228 – 25 Lussky Road Hope Valley		
Local Government Authority	City of Kwinana		
Application documents			
HPCM file reference number:	DER2015/002580		
Key application documents (additional to application form):	<ul style="list-style-type: none"> • <i>Offset impacts Management Plan, May 2015, Renewal of Limestone Quarry Lots Pt 650, Pt651, Pt 652 and Pt 712 Lussky Road Hope Valley, City of Kwinana.</i> • <i>Certificate of Title, Lot 102, 712, 650, 651 Lussky Road.</i> • <i>WAPC 26-50209-1 Development Approval dated 8 March 2016</i> • <i>WA Limestone cover letter dated 9 December 2020</i> • <i>Plan of the Premises Boundary</i> • <i>Sensitive receptor aerial image of premises.</i> 		
Scope of application/assessment			
Summary of proposed activities or changes to existing operations.	<p><u>Licence Renewal</u></p> <p>Operation of prescribed premises category 12: screening etc of material: Premises on which material extracted from the ground is screened, washed, crushed, ground, milled sized or separated.</p> <p>PMR Quarries Pty Ltd operates the existing limestone quarry operation at 380 Moylan Road Hope Valley located in the City of Kwinana. There has been no production after the Licence was reissued in 2015 some six years.</p> <p>The prescribed premises is surrounded by light industrial zoned properties and some vacant special rural zoned properties to the north. The closest dwelling is located 750m from the quarry area to the north east. Wattleup Townsite has been removed completely as part of the Latitude 32 development and should not be included in any further risk assessment.</p> <p>The main emissions are expected to be dust and noise from the crushing and screening operations. The site will be operated in accordance with the "Offset Impacts Management Plan" to minimize the generation of dust. Noise modelling has demonstrated that there will be negligible effects to surrounding sensitive receptors due to the separation distance from the sensitive receptor.</p> <p>This Licence was established under works approval W4987/2011/1 issued on 18 August 2011 that expired on 17 August 2014. The original licence for this premise was L8429/2010/3 which was succeeded on 18/02/2016.</p> <p>The renewal of this licence is within the Scope of the COVID 19 response as documented in the work instruction dated 22 April 2020. There is no change to production throughput or emissions since the licence was last renewed on 18 February 2016 and transferred to PMR Quarries.</p>		
Category number/s (activities that cause the premises to become prescribed premises)			
Table 1: Prescribed premises categories			
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production capacity	
Category 12: Screening etc. of material.	50,000 tonnes per annum.	No Change proposed.	

Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not a significant proposal
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not a significant proposal
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not a significant proposal
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input checked="" type="checkbox"/> included Multi-Lot title document V2194F386
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: 26-50209-1 Expiry date: 8/3/2016 till 8/3/2021
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Permit not required No Clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence not required No Clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Licence: GWL202555.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No discharge of waste will occur.
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not located in PDWSA.
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not applicable.
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not applicable.
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not applicable.
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Search completed on 15 December 2020 with no contamination identified.