



The Manager
Kimberley Quarry Pty Ltd
PO Box 4370
MYAREE WA 6960

Dear Sir

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

Nillibubbica Quarry
M04/22, M04/69, M04/75
Licence Number: L8647/2012/1

A licence under the *Environmental Protection act 1986* (the Act) has been granted for the above premises. The Department of Environment and Conservation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under Section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Sarah Greenwood on 9168 4200.

Yours sincerely

Carissa Aitken
Sector Manager, Resource Industries

Thursday, 26 July 2012

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 6467 5000 Fax: (08) 6467 5562

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009
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www.dec.wa.gov.au
wa.gov.au



Licence

Environmental Protection Act 1986, Part V

Licensee: Kimberley Quarry Pty Ltd

Licence: L8647/2012/1

Registered office: 13 Barnard Street
Alfred Cove
WA 6154

ACN: 093 519 638

Premises address: M04/22, M04/69 and M04/75
Broome
WA 6725

Licence period: 5 years

Expiry date: Saturday, 29 July 2017

Issue date: Thursday, 26 July 2012

Prescribed Premises Category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
12	Screening etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50 000 tonnes or more per year	500 000 tonnes per year

Conditions of Licence

Subject to the conditions of licence set out in the attached pages.

Carissa Aitken

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

Thursday, 26 July 2012



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Introduction

This Introduction is not part of the Licence conditions.

Who we are

The Department of Environment and Conservation (DEC) is a Government Department in the portfolio of the Minister for the Environment. Our purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

Our industry licensing role

DEC has responsibilities under Part V of the *Environmental Protection Act 1986* for the licensing of prescribed premises. We also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the *Environmental Protection Act 1986*. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the *Environmental Protection Act 1986* and any other statutory instrument. These can be accessed through the State Law Publisher website using the following link:
<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- Environmental Protection (Unauthorised Discharges) Regulations 2004 – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- Environmental Protection (Controlled Waste) Regulations 2004 - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- Environmental Protection (Noise) Regulations 1997 – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.



You should comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply. Additional guidance on pollution prevention can be found in the Department of Water's Water Quality Protection Notices accessed through: <http://www.water.wa.gov.au/Managing+water/Water+quality/Water+quality+protection+guidelines/default.aspx>

Ministerial conditions

If your Premises has been assessed under Part IV of the *Environmental Protection Act 1986* you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Kimberley Quarry Pty Ltd was formed in 2000 and commenced crushing of blue rock quarry products at Nillibubbica Quarry soon after on mining tenements M04/22, M04/69 and M04/75, 94 km east of Broome. They now run a number of crushing facilities state wide.

Nillibubbica Quarry is located on mining tenements M04/22, M04/69 and M04/75, held in the name of Supajet Pty Ltd and Mr Brian County. Supajet and Mr County have provided written authorisation for Kimberley Quarry to operate on this site and to apply for a licence under the *Environmental Protection Act 1986*.

The facility previously held licence L8322/2008/1 for Mobile Plant 1 and Mobile Plant 2. DEC notified Kimberley Quarry Pty Ltd on 17 November 2010 that a licence was no longer required for the mobile plants and that the occupier of the premises must now hold a site based licence.

The licences and works approvals issued for the Premises since 26 July 2012:

Instrument log		
Instrument	Issued	Description
L8647/2012/1	26 July 2012	New Licence

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the Act apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

“**AACR**” means Annual Audit Compliance Report as depicted in Schedule 2;

“**the Act**” means the *Environmental Protection Act 1986*;

“**annual**” means the inclusive period from 1 October to 30 September in the following year;

“**Code of Practice for the Storage and handling of dangerous goods**” means the Storage and handling of dangerous goods, Code of Practice, Dept of Mines and Petroleum, Government of Western Australia;

“**Contact Address**” for the purpose of correspondence and advice means:

Team Leader, Kimberley Region
Department of Environment and Conservation
PO Box 942
KUNUNURRA WA 6743
Telephone: (08) 9168 4200
Facsimile: (08) 9168 2179;

“**controlled waste**” has the definition in Environmental Protection (Controlled Waste) Regulations 2004;

“**dangerous goods**” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“**Director**” means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

“**environmentally hazardous material**” means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm;

“**fugitive emissions**” means all emissions not arising from point sources identified in Sections 2.2, 2.3, 2.4 and 2.5;

“**Licence**” means this Licence numbered L8647/2012/1 and issued under the *Environmental Protection Act 1986*;

“**Licensee**” means the person or organisation named as Licensee on page i of the Licence;



“**placard quantity**” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“**Premises**” is as defined by Condition 1.2.3 of the Licence; and

“**waste**” has the meaning defined in the *Environmental Protection Act 1986*;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall provide to the Director prior written notice of any works it intends to undertake on the Premises that may:

- (a) cause any emission;
- (b) alter the volume, nature, location or source of any emission;
- (c) alter the method of detecting, monitoring or measuring any emission; or
- (d) involve the installation, alteration or replacement of any emission causing process equipment or industrial plant.

1.2.3 The Premises is the area defined in Table 1.2.1 and depicted visually in the Premises Map in Schedule 1.

Table 1.2.1: Premises location & description

Location	Premises definition	All or part	Record of cadastral definition
Great Northern Highway, Broome	Mining tenement M04/22	All	
Great Northern Highway, Broome	Mining tenement M04/69	All	
Great Northern Highway, Broome	Mining tenement M04/75	All	

1.2.4 The Licensee shall maintain all pollution control and monitoring equipment to the manufacturer’s specification and any internal management system.

Hazardous Material

1.2.5 The Licensee, except where storage is prescribed in section 1.3, shall only store more than 250 kg or 250 litres of any substance that is classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if:

- (a) they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods; and
- (b) if secondary containment is required by 1.2.5(a), it is constructed and maintained to:
 - (i) contain not less than 110% of the volume of the largest storage vessel or inter-connected system; and
 - (ii) contain at least 25% of the total volume of vessels stored in the compound; and
 - (iii) have a low permeability (10^{-9} m/s or less).



- 1.2.6 The Licensee shall immediately recover, or remove and dispose of spills or leaks of environmentally hazardous materials outside its storage vessel.

Stormwater control

- 1.2.7 The Licensee shall ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater. Where stormwater has come into contact with a possible source of contamination, it should be treated as contaminated.

1.3 Premises operation

There are no specified conditions relating to Premises operation in this section.



2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any limit, and/or target in this section.

2.2-2.4 Point source emissions to air, surface water and groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in these sections.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

2.6.1 The Licensee shall use all reasonable and practical measures to ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

2.6.2 The Licensee shall ensure that dust emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

2.7 Odour

There are no specified conditions relating to odour in this section.

3 Monitoring

3.1 General monitoring

There are no specified conditions relating to monitoring in this section.



4 Improvements

4.1 Improvement programme

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or groundwater.

5.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous year.

5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

5.2 Reporting

5.2.1 The Licensee shall submit to the Director at the Contact Address an annual environmental report within 30 calendar days of the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Condition or table (if relevant)	Parameter	Format or form ¹
5.1.3	Compliance	AACR
5.1.4	Complaints summary	None specified
2.6	Measures taken to minimise dust	

Note 1: Forms are in Schedule 2



5.3 Notification

5.3.1 Parameters listed in Table 5.3.1 shall be notified to the Director at the Contact Address and in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
1.2.4	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5PM of the next usual working day.	N1
2.1.1	Breach of limit	Part B: As soon as practicable	

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

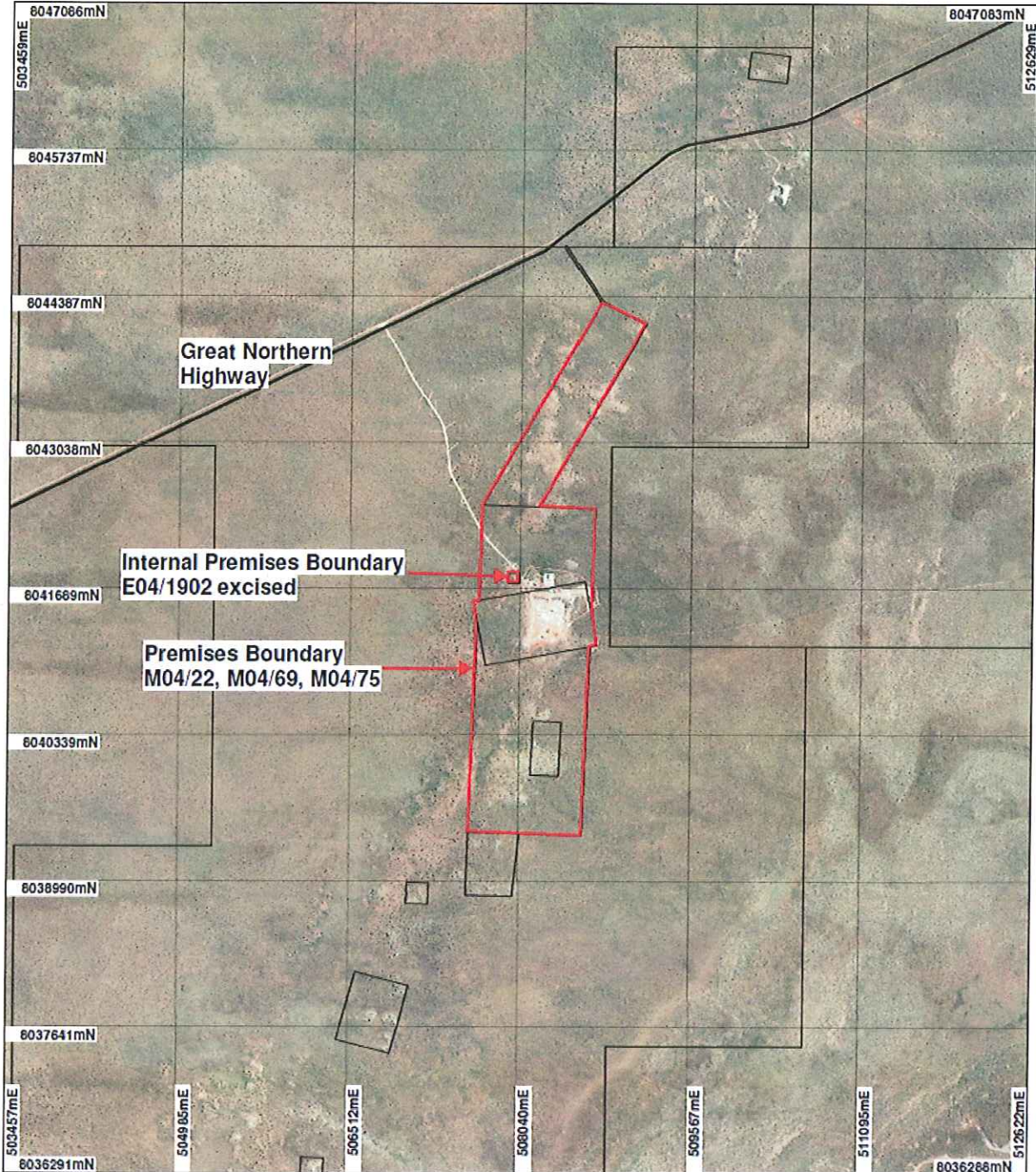
Note 2: Forms are in Schedule 2.



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary but it is defined in Table 1.2.1 which should prevail if any discrepancy exists.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

Copies of the original monitoring reports must also be submitted.

Licence: L8647/2012/1
Form: AACR
Name: Annual Audit Compliance Report

Licensee: Kimberley Quarry Pty Ltd
Period:

Annual Audit Compliance Report

Section A: Statement of compliance with Licence conditions

Were all conditions of licence complied with within the reporting period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this AACR.

Initial:



Section B: Details of non-compliance with Licence condition

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DEC?	
<input type="checkbox"/> Yes, and <input type="checkbox"/> Reported to DEC verbally Date <input type="checkbox"/> Reported to DEC in writing Date	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Please use a separate page for each Licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



Section C: Signature and certification

This AACR may only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the Licence holder is	The AACR must be signed and certified:
an individual	<input type="checkbox"/> by the individual Licence holder, or <input type="checkbox"/> by a person approved in writing by the Chief Executive Officer (CEO) of DEC to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/> by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or <input type="checkbox"/> by two directors of the Licensee; or <input type="checkbox"/> by a director and a company secretary of the Licensee, or <input type="checkbox"/> if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
A public authority (other than a local government)	<input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
a local government	<input type="checkbox"/> by the CEO of the Licensee; or <input type="checkbox"/> by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this AACR is correct and not false or misleading in a material particular.

Signature:

Name: (printed)

Position:

Date:

Seal (if signing under seal)

Signature:

Name: (printed)

Position:

Date:



Licence: L8647/2012/1
Form: N1

Licensee: Kimberley Quarry Pty Ltd
Date of breach: dd/mm/yyyy

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	L8647/2012/1
Name of operator	Kimberley Quarry Pty Ltd
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
To be notified as soon as practicable and no later than 5PM of the next working day	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
To be notified as soon as practicable and no later than 5PM of the next working day	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the installation in the preceding 24 months.	

Name	
Post	
Signature on behalf of Kimberley Quarry Pty Ltd	
Date	



LICENCE NUMBER: L8647/2012/1
FILE NUMBER: 2012/002629
APPLICATION DATE: 04/04/2012
EXPIRY DATE: 26/07/2017

PREMISES DETAILS

LICENSEE

Kimberley Quarry Pty Ltd
13 Barnard Street
ALFRED COVE WA 6154
093 519 638

PREMISES

Nillibubbica Quarry
M04/22, M04/69, M04/75
Great Northern Highway
BROOME WA 6725

PRESCRIBED PREMISES CATEGORY

Table 1: Prescribed Premises summary

Category number*	Category Description*	Category Production or Design Capacity*	Premises Production or Design Capacity#	Premises Fee Component**
12	Screening, etc. of material	50 000 tonnes or more per year	500 000 tonnes per year	More than 100 000 tonnes but not more than 500 000 tonnes per year

* From Schedule 1 of the Environmental Protection Regulations 1987

From application

** From Schedule 4 of the Environmental Protection Regulations 1987

This Environmental Assessment Report (EAR) has been drafted for the purposes of detailing information on the management and mitigation of emissions and discharges from the prescribed premises. The objective of the EAR is to provide a risk assessment of emissions and discharges, and information on the management of other activities occurring onsite which are not related to the control of emissions and discharges from the prescribed premises activity. This does not restrict DEC to assessing only those emissions and discharges generated from the activities that cause the premises to become prescribed premises.

Basis of Assessment

The Nillibubbica Quarry has been assessed as "prescribed premises" category number 12, under Schedule 1 of the Environmental Protection Regulations 1987:

"Screening, etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated."

Kimberley Quarry Pty Ltd operates an existing screening facility on mining tenements M04/22, M04/69 and M04/75, 94 km east of Broome. The facility has been in operation since 2000 and previously held licence L8322/2008/1 for Mobile Plant 1 and Mobile Plant 2. DEC notified Kimberley Quarry Pty Ltd on 17 November 2010 that a licence was no longer required for the



mobile plants and that the occupier of the premises must now hold a licence. This licence application is in accordance with DEC instruction.

In line with DEC Policy "*Licence applications in absence of a works approval, where a works approval was required, and works are complete*" DEC Kimberley Region considers it appropriate to issue a Licence for Kimberley Quarry Pty Ltd, due to appropriate premises location and the low environmental risk posed by the operation of the existing quarry.

1.0 BACKGROUND

1.1 GENERAL COMPANY DESCRIPTION

Kimberley Quarry Pty Ltd was formed in 2000 and commenced crushing of quarry products at Nillibubbica Quarry soon after. They now run a number of crushing facilities state wide.

Nillibubbica Quarry is located on mining tenements M04/22, M04/69 and M04/75, held in the name of Supajet Pty Ltd and Mr Brian County. Supajet and Mr County have provided written authorisation for Kimberley Quarry to operate on this site and to apply for a licence under the *Environmental Protection Act 1986*.

1.2 LOCATION OF PREMISES

Nillibubbica Quarry is located on mining tenements M04/22, M04/69 and M04/75 (Attachment 1).

The closest residence is Bedunburra aboriginal community 10.5km east of the quarry.

Point Coloumb Nature Reserve, a Red Book classified reserve, is located 8km west of the quarry and on the northern side of Great Northern Highway. The quarry being located on the opposite side of the highway combined with this distance is sufficient to prevent any impacts from quarry activities upon the values of the reserve.

There are no public drinking water source areas within a 15km radius of the premises.

1.3 PROCESS DESCRIPTION

Kimberley Quarry operates the hard rock quarry producing aggregates and road base predominately for use in concrete, sealing and pavement construction. All crushing and screening equipment on site is of a mobile nature; there is no fixed plant.

Roadbase

Drilling and blasting operations on site provide fresh blue rock which is then loaded and transported to the Run of Mine (ROM). ROM material is then fed using an excavator into a three stage crushing plant with about 15% gravel. The gravel content is adjusted to achieve conforming Plasticity Index (PI) and Linear Shrinkage (LS).

The crushing plant operates in a closed circuit until the product is reduced to 20mm size. Water sprays control dust and aid in the conditioning of the product. When at the desired size, all final products are stockpiled neatly on the premises.

Aggregates for concrete and sealing

The process is the same as for Roadbase except that the ~20mm material is introduced into a three deck screen to separate it into Australian Standard products of 20mm, 10mm and quarry sand.



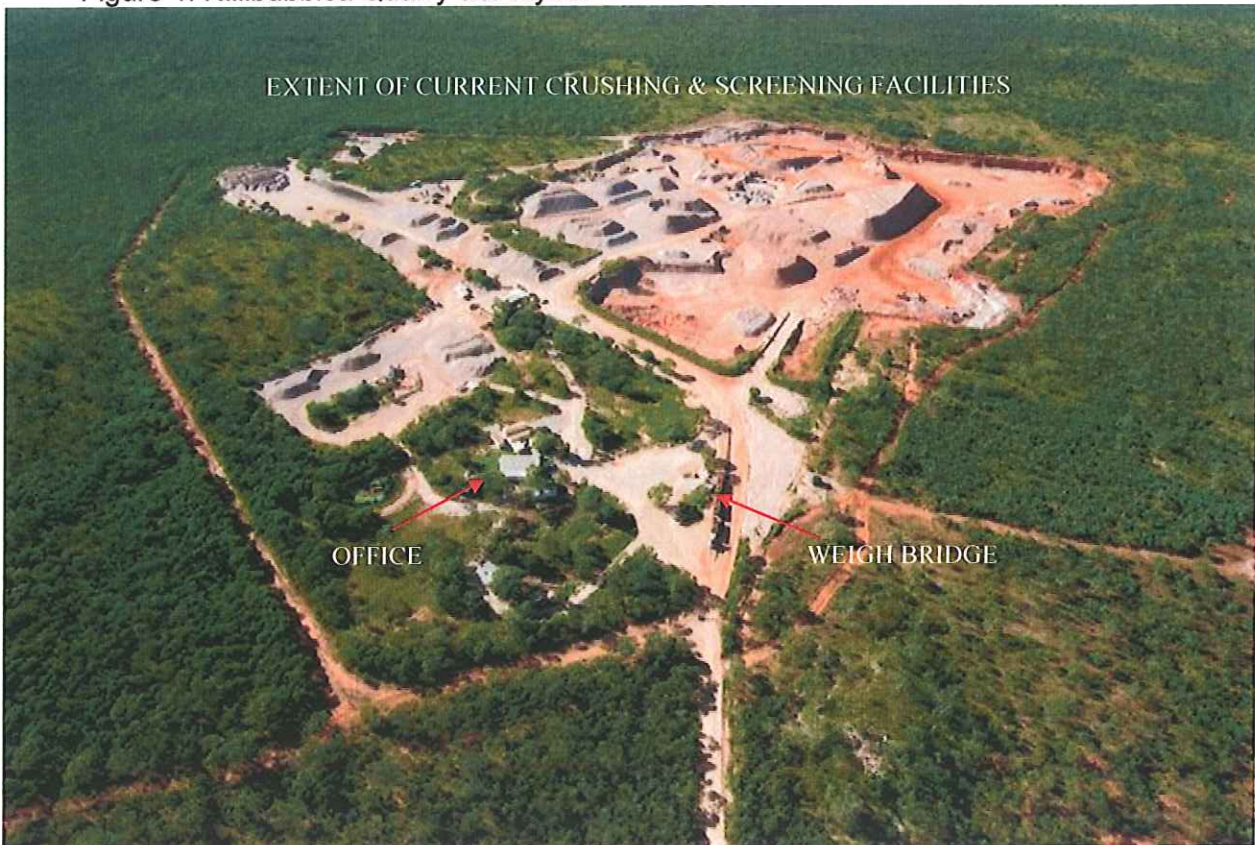
The plant has a nominal rating of 150 tonnes per hour during the wet season and 200 tonnes per hour during the dry season.

The operating times for the quarry are 6am to 6pm, however in busy periods a maintenance shift may be introduced at night.

The licensee has committed to comply with the Environmental Protection (Noise) Regulations 1997.

Figure 1 provides an overview of the premises.

Figure 1: Nillibubbica Quarry site layout





1.4 REGULATORY CONTEXT

1.4.1 Part IV *Environmental Protection Act 1986*, Environmental Impact Assessment
Nillibubbica Quarry was not assessed by the Environmental Protection Authority.

1.4.2 Part V *Environmental Protection Act 1986*, Environmental Management

The premises will be subject to the following DEC administered legislation:

- Environmental Protection Regulations 1987;
- Environmental Protection (Unauthorised Discharges) Regulations 2004;
- Environmental Protection (Noise) Regulations 1997; and
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

1.4.3 Other Decision Making Authority Legislation which applies.

The premises is subject to the following legislation administered by the Department of Mines and Petroleum and the Department of Commerce:

- *Mining Act 1978*;
- Mining Regulations 1981;
- *Mines Safety and Inspection Act 1994*;
- Mines Safety and Inspection Regulations 1995;
- *Dangerous Goods Safety Act 2004*;
- Dangerous Goods Safety (Explosives) Regulations 2007;
- *Occupational Safety and Health Act 1984*;
- Occupational Safety and Health Regulations 1996;
- *Contaminated Sites Act 2003*;
- Contaminated Sites Regulations 2006.

1.4.4 *Rights in Water and Irrigation Act 1914*

Kimberley Quarry Pty Ltd holds Groundwater Licence GWL162247(2) for the purposes of dust suppression for earthworks and construction purposes, general campsite purposes and water use for industrial processing purposes.

1.4.5 Local Government Authority

The Local Government Authority is the Shire of Derby-West Kimberley.

2.0 STAKEHOLDER AND COMMUNITY CONSULTATION

SUBMISSIONS RECEIVED DURING 21 DAY PUBLIC COMMENT PERIOD

The Application for Licence details for this facility was advertised in the West Australian newspaper on 4 June 2012 as a means of advising stakeholders and to seek public comments. No submissions were received.

3.0 EMISSIONS AND DISCHARGES RISK ASSESSMENT

DEC considers that conditions should focus on regulating emissions and discharges of significance. Where appropriate, emissions and discharges which are not significant should be managed and regulated by other legislative tools or management mechanisms.

The following section assesses the environmental risk of potential emissions from the site. In order to determine the site's appropriate environmental regulation, an emissions and discharges risk assessment was conducted of the screening facilities using the environmental risk matrix outlined in Appendix B. The results of this are summarised in Table 2 and discussed in Appendix A.



ENVIRONMENTAL ASSESSMENT REPORT

Table 2: Risk assessment and regulatory response summary table.

Risk factor	Significance of Emissions	Socio-Political Context of each Emission	Risk Assessment	DEC Regulation (EP Act - Part V)	EAR Reference	Other management (legislation, tools, agencies)
Air emissions (point source)	Not Applicable (N/A) There are no point source air emissions.	N/A	N/A	Licence – N/A		General provisions of the <i>Environmental Protection Act 1986</i> .
Dust emissions	<p>Operation Significance of 3 Operational activities are likely to produce dust emissions from drilling and blasting, crushing plant, ROM, haul roads and localised wind activity.</p> <p>Crushing plant has atomised mist sprays to manage dust. There is a dedicated water cart on site that has fan and cannon spray and when not in operation has a full tank. All exposed areas associated with operations are serviced by the water cart. There is a 20 000litre water tank on site. Operations are contained within a small area so any dust issues can be addressed very quickly.</p> <p>The operation of the premises complies with the specifications required by Environmental Protection Authority Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses.</p>	No – the closest sensitive receptor is the Bedunburra Aboriginal Community 10.5km east.	D – licence condition	Licence – conditions requiring dust control	Appendix A	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p>Environmental Protection (Unauthorised Discharges) Regulations 2004.</p> <p>Mines Safety and Inspection Regulations 1995.</p> <p>Occupational Safety and Health Regulations 1996.</p>
Odour emissions	<p>Operation N/A There are no odour emissions likely during operation of the quarry.</p>	N/A	N/A	Licence – N/A	N/A	General provisions of the <i>Environmental Protection Act 1986</i> .



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Noise emissions	<p>Operation Significance of 1 Noise emissions are likely during operation however such issues will be managed by compliance with Environmental Protection (Noise) Regulations 1997.</p> <p>The operation of the premises complies with the specifications required by Environmental Protection Authority Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses.</p>	No – the closest sensitive receptor is the Bedunburra Aboriginal Community 10.5km east.	E – other management mechanisms.	Licence – No licence conditions. Proponent has a statutory obligation to comply with the Environmental Protection (Noise) Regulations 1997.	General provisions of the <i>Environmental Protection Act 1986</i> . Environmental Protection (Noise) Regulations 1997. Mines Safety and Inspection Regulations 1995.
Light emissions	N/A There will be no operation activities occurring at night.	N/A	N/A	Licence – N/A	General provisions of the <i>Environmental Protection Act 1986</i> .
Discharges to water	N/A There will be no discharges to water from operation activities.	N/A	N/A	Licence – N/A	General provisions of the <i>Environmental Protection Act 1986</i> .
Discharges to land	<p>Operation Significance of 3 Unacceptable discharges to land from operation of the Nillibubica Quarry may occur from stormwater that has become contaminated with sediment or hydrocarbons.</p> <p>There are no natural watercourses in the vicinity of the premises. Drainage channels installed within the premises boundary divert stormwater to a dis-used area of the pit for storage. No stormwater runoff exits the premises.</p>	No – the closest sensitive receptor is the Bedunburra Aboriginal Community 10.5km east.	D – Licence conditions	Licence condition requiring contaminated stormwater controls	Environmental Protection (Unauthorised Discharges) Regulations 2004. Mines Safety and Inspection Regulations 1995. General provisions of the <i>Environmental Protection Act 1986</i> .



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Solid / liquid wastes	N/A There will be no solid/liquid waste generated from operation activities.	N/A	N/A	N/A	N/A	General provisions of the <i>Environmental Protection Act 1986</i> .
Hydrocarbon/chemical storage	Operation Significance of 3 Hydrocarbons stored on site include 50,000L of diesel and 10 x 200L drums of oil stored in a bunded area, and 2,000L of oil stored in a bulk tank. Compliance is in accordance with AS.1940:2004. 7,500kg of ANFO explosives are stored in a fenced compound and a current Dangerous Goods Site Licence is held.	No – the closest sensitive receptor is the Bedunburra Aboriginal Community 10.5km east.	D – licence condition	Licence – conditions regarding storage and recovery or removal of hazardous materials	Appendix A	Dangerous Goods Safety (Explosives) Regulations 2007. General provisions of the <i>Environmental Protection Act 1986</i> . Environmental Protection (Unauthorised Discharges) Regulations 2004. Mines Safety and Inspection Regulations 1995.
Native vegetation clearing	N/A There will be no further clearing required for operation activities.	N/A	N/A	Licence – N/A	N/A	Environmental Protection (Clearing of Native Vegetation) Regulations 2004. General provisions of the <i>Environmental Protection Act 1986</i> .
Contaminated site identification	N/A The site is not contaminated.	N/A	N/A	Licence – N/A	N/A	Contaminated Sites Act 2003. General provisions of the <i>Environmental Protection Act 1986</i> .



4.0 GENERAL SUMMARY AND COMMENTS

This Environmental Assessment Report assesses the potential impacts of emissions and discharges associated with the construction and operation of Nillibubbica Quarry.

The main discharges associated with operation of Nillibubbica Quarry have been identified as dust emissions, noise emissions, discharges to land and hydrocarbon / chemical storage. These discharges have been assessed as having a significant risk of impacting the environment if not managed and/or monitored appropriately.

It is recommended that Kimberley Quarry Pty Ltd operate under licence conditions to manage these risks. General conditions regarding on-site dust management and management of other significant emissions and discharges from the quarry will be included on the licence. Kimberley Quarry will be required to report the results of any monitoring programs to DEC as part of annual reporting requirements. Further discussion of discharges associated with the operation of Nillibubbica Quarry can be found in Appendix A.

An operating licence for Nillibubbica Quarry will be issued to Kimberley Quarry Pty Ltd for a period of five years. The premises will be subject to inspections by DEC officers to assess compliance with licence conditions.

OFFICER PREPARING REPORT

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26 June 2012

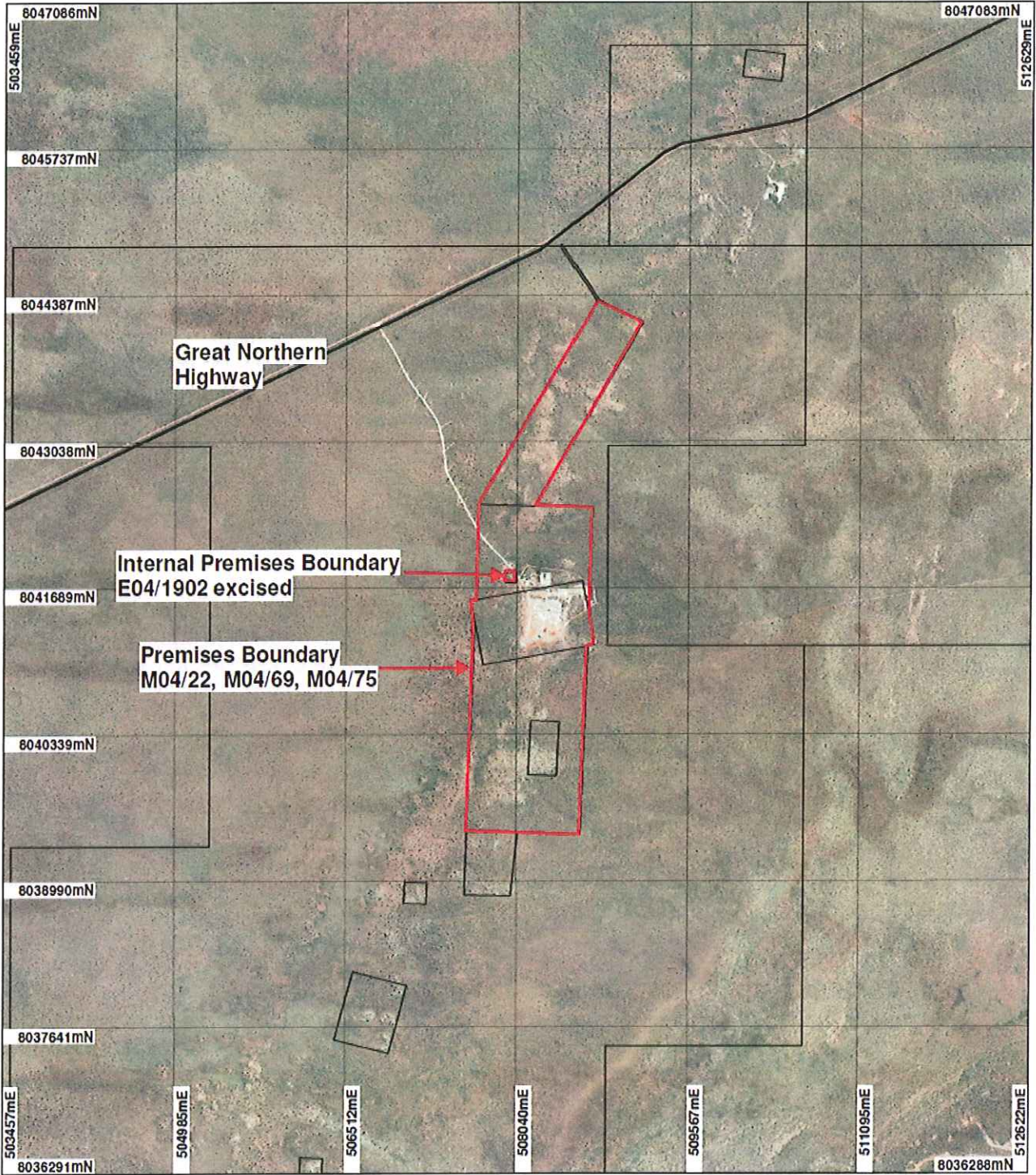
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ATTACHMENT 1: Location of Premises.





APPENDIX A – DISCUSSION OF RISK ASSESSMENT AND REGULATORY RESPONSE

1.1 DUST EMISSIONS

Potential sources of dust emissions during operation of Nillibubbica Quarry include drilling and blasting, the crushing plant, ROM, haul roads and from localised wind activity. Variability of dust emissions will be continuous from the crushing plant and random from blasting, haul roads and wind activity.

Management to mitigate dust emissions include:

- Crushing plant – atomised mist sprays, ensure plant water tanks are full, pre-damp all haulage roads, ROM, the active dig areas, and by minimising transfer distances.
- ROM haul roads – frequent use of water cart, ensure water cart tank is full, minimise amount of through traffic, slow traffic speed where possible, clean vehicles of dust regularly, regular grading of roads for smoother transport.
- Various – near new mine spec water cart with high availability, minimum 20,000 litre fresh water tanks to ensure plant doesn't run out, regular visual checks by operators and site supervisor, water cart stored with full water tank, ensure water cart sprays vertically for ROM pre-wet, regular plant checks to ensure sprays are misting correctly, minimise drop distance of product onto stockpile.

There are no neighbouring industrial activities within a 15 km radius of the premises, therefore cumulative impacts of multiple dust sources are not of concern.

DUST EMISSIONS RISK ASSESSMENT

For emissions that are difficult to compare to applicable standards / guidelines DEC classes the significance of the emission from a rating of insignificant '1' through to significant which is given a rating of '5' (Table 3). The potentially significant nature of dust being generated from the quarry is therefore rated as '3'.

The socio-political context (Table 4) has been rated as 'no' as there were no submissions received in response to advertising the proposal and the premises is isolated from the nearest sensitive residence of Bedunburra Aboriginal Community located 10.5 km to the east.

The Emissions Risk Reduction Matrix (Table 5) compares the significance of emissions and the socio-political context for that emission, in this case giving a ranking of 'D' where licence conditions are suitable to manage dust emissions.

RECOMMENDED STRATEGY FOR MANAGING DUST EMISSIONS

The issue of dust emissions is suitable for standard licence conditions. It is recommended licence conditions be included on the Nillibubbica Quarry operating licence requiring Kimberley Quarry to ensure dust generated from activities on the premises do not cross the premises boundary. In addition, Kimberley Quarry will be required to provide an annual report outlining measures taken to suppress dust emissions from the premises.

1.2 DISCHARGES TO LAND

Unacceptable discharges to land from operation of the Nillibubbica Quarry may occur from stormwater that has become contaminated with sediment or hydrocarbons.

There are no natural watercourses in the vicinity of the premises. Drainage channels installed within the premises boundary divert stormwater to a dis-used area of the pit for storage. No stormwater runoff exits the premises.



DISCHARGES TO LAND RISK ASSESSMENT

For emissions that are difficult to compare to applicable standards / guidelines DEC classes the significance of the emission from a rating of insignificant '1' through to significant which is given a rating of '5' (Table 3). The potentially significant nature of dust being generated from the quarry is therefore rated as '3'.

The socio-political context (Table 4) has been rated as 'no' as there were no submissions received in response to advertising the proposal and the premises is isolated from the nearest sensitive residence of Bedunburra Aboriginal Community located 10.5 km to the east.

The Emissions Risk Reduction Matrix (Table 5) compares the significance of emissions and the socio-political context for that emission, in this case giving a ranking of 'D' where licence conditions are suitable to manage discharges to land.

RECOMMENDED STRATEGY FOR MANAGING DISCHARGES TO LAND

The issue of discharges to land is suitable for standard optional licence conditions. It is recommended licence conditions are included on the Nillibubba Quarry operating licence requiring Kimberley Quarry to ensure discharges to land are appropriately managed and/or mitigated. Conditions will be added to the operating licence requiring Kimberley Quarry to:

- ensure hydrocarbon / chemical storage facilities comply with AS/NZS 19410:2004;
- conduct regular monitoring and inspections of hydrocarbon / chemical storage facilities; and
- immediately clean up any hydrocarbon spills and contaminated materials.

1.4 HYDROCARBON/CHEMICAL STORAGE

Hydrocarbon use on the premises includes 50 000 litres of diesel and ten 200 litre drums of oil in a bunded storage area, 2 000 litres of oils in a bulk tank and 7 500 kg of ANFO explosives in a licensed, fenced compound.

HYDROCARBON/CHEMICAL STORAGE RISK ASSESSMENT

For emissions that are difficult to compare to applicable standards / guidelines DEC classes the significance of the emission from a rating of insignificant '1' through to significant which is given a rating of '5' (Table 3). The potentially significant nature of dust being generated from the quarry is therefore rated as '3'.

The socio-political context (Table 4) has been rated as 'no' as there were no submissions received in response to advertising the proposal and the premises is isolated from the nearest sensitive residence of Bedunburra Aboriginal Community located 10.5 km to the east.

The Emissions Risk Reduction Matrix (Table 5) compares the significance of emissions and the socio-political context for that emission, in this case giving a ranking of 'D' where licence conditions are suitable to manage hydrocarbon/chemical storage.

RECOMMENDED STRATEGY FOR MANAGING HYDROCARBON/CHEMICAL STORAGE

The issue of hydrocarbon/chemical storage is suitable for standard licence conditions. Conditions will be added to the operating licence to:

- ensure hydrocarbon/chemical storage facilities comply with AS/NZS 1940:2004;
- require regular monitoring / inspection of hydrocarbon storage facilities; and
- require immediate clean up of any hydrocarbon spills and contaminated material.



APPENDIX B: EMISSIONS AND DISCHARGES RISK ASSESSMENT MATRIX

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DEC using the DEC "Officer's Guide to Emissions and Discharges Risk Assessment" May 2006.

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)

C = licence condition (setting targets + EMPs - longer timeframes)

D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools

E = No regulation, other management mechanisms

Note: The above matrix is taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment May 2006.