



Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number L9185/2018/1

Applicant Eastern Goldfields Milling Services Pty Ltd

ACN 122 721 162

File Number: DER2018/001651 FA241343

Premises Burbanks Treatment Plant
Mining tenements: M15/1273, M15/1369, M15/1370, G15/10,
G15/11, G15/12, G15/13, G15/25 and L15/110
Nepean Road, Shire of Coolgardie

Date of Report 31 May 2019

Status of Report Final

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1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Applicant	Eastern Goldfields Milling Services Pty Ltd
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	Chief Executive Officer
Decision Report	refers to this document
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V, Division 3 of the EP Act
DWER	Department of Water and Environmental Regulation As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the Public Sector Management Act 1994 and is responsible for the administration of the Environmental Protection Act 1986 along with other legislation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report

2. Purpose and scope of assessment

Eastern Goldfields Milling Services Pty Ltd (the Applicant) operates the Burbanks Treatment Plant, located on Mining Leases M15/1273, M15/1369, M15/1370, G15/10, G15/11, G15/12, G15/13, G15/25 and L15/110, Nepean Road, Coolgardie. The Applicant held licence L8382/2009/2 until 13 September 2018 when an administrative error caused the licence to cease to have effect pursuant to regulation 5DA of the EP Regulations.

The Applicant lodged an application for a new licence with the Department of Water and Environmental Regulation (DWER) on 6 December 2018 (the Application) using a reduced scope administrative application form approved by the Chief Executive Officer (CEO) of DWER. In the circumstances, DWER has determined the most appropriate course of action is replacement of the licence with the same conditions and expiry date as per the ceased licence L8382/2009/2.

Ceased licence L8382/2009/2 was first granted on 12 September 2013 and accompanied by a Decision Document that included an assessment of emissions from the premises and determination of licence conditions. This Decision Report therefore does not include additional risk assessment or determination of controls beyond ceased licence L8382/2009/2 and is limited to documenting the Delegated Officer's determination of a new licence, primarily as an administrative matter to replace the ceased licence.

3. Background

Burbanks has been assessed as "prescribed premises" category number 5 under Schedule 1 of the *Environmental Protection Regulations 1987*. At Burbanks, ore from mining operations in the Coolgardie area is toll treated. Ore is stockpiled on the Run of Mine (RoM) pad, prior crushing, dry screening and ball milling. It is then processed through a carbon in pulp (CIP) circuit at a nominal 180,000 tonnes per annum capacity. The resulting tailings are discharged to onsite above ground tailings storage facilities (TSFs).

On 9 July, 2015, works approval (W5843/2015/1) was issued to allow staged embankment raises on TSF1 and TSF 2. The ultimate crest height of RL449 will result in the combination of both TSFs.

On 29 March, 2017, the Applicant submitted a Licence amendment application due to a change of Occupier from Ramelius Milling Services Pty Ltd to Eastern Goldfields Milling Services Pty Ltd. The licence was amended on 11 October, 2018. The ACN remained the same, therefore it was not considered a transfer of ownership between companies. Eastern Goldfields Milling Services Pty Ltd (EGMS) is a wholly-owned subsidiary of Maximus Resources Limited.

On 25 September 2018, the Applicant submitted a P5 form requesting a refund for part of their annual fee for the 2017/2018 annual period. EGMS had planned to process 180,000 tonnes of ore from a third party. However, due to a change in the Toll Agreement, the Applicant did not process the nominated throughput, as applied for in their 2017/2018 licence fee application.

During the period that the Applicant was waiting for a refund for the 2017/2018 period, the annual fee for the 2018/2019 period was not paid within the specified timeframe and the licence ceased to be valid.

The Licence application is for the category listed in Table 2 which is consistent with ceased Licence L8382/2009/2.

Table 2: Prescribed Premises Categories in the new Licence

Classification of Premises	Description	Approved Premises production or design capacity or throughput
Category 5	Processing or beneficiation of metallic or non-metallic ore: premises on which — (a) metallic or non-metallic ore is crushed, ground, milled or otherwise processed; or (b) tailings from metallic or non-metallic ore are reprocessed; or (c) tailings or residue from metallic or non-metallic ore are discharged into a containment cell or dam.	180,000 tonnes per annum

4. Consultation

The Delegated Officer identified that the Burbanks Treatment Plant is in an isolated location and there are no noise sensitive residences within close proximity.

The Application was published on the Department's website and advertised in the *West Australian* newspaper on 28 January 2019. No submissions were received during the 21 days consultation period.

5. Determination of new licence

The Applicant lodged an application for a new licence on 6 December 2018, seeking to replace ceased licence L8382/2009/2. The application is in respect of an administrative error (non-payment of annual fee) that resulted in licence L8382/2009/2 ceasing to have effect on 13 September 2018. This Licence contains the same conditions as ceased licence L8382/2009/2 and the previous expiry date of 13 September 2028 has been retained.

6. Applicant's comments

A draft Decision Report and draft licence were provided to the Applicant on 25 March 2019 for comment. The Applicant responded on 17 April 2019 with minor comments submitted (see Appendix 2).

7. Conclusion

This Decision Report has been prepared to document the replacement of ceased licence L8382/2009/2 with a new licence containing the same conditions with no additional risk assessment. The Delegated Officer determined the Application with due consideration to the circumstances of an administrative error causing Licence L8382/2009/2 to cease to have effect.

Based on this Decision Report, a Replacement Licence has been granted subject to the same conditions as ceased licence L8382/2009/2 (with minor administrative changes).

Rebecca Kelly

A/Manager, Resource Industries

Regulatory Services

Delegated Officer under section 20 of the *Environmental Protection Act 1986*

Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Application for a new (replacement) licence lodged by Eastern Goldfields Milling Services Pty Ltd	L9185/2018/1	accessed at www.dwer.wa.gov.au
2.	Licence L8382/2009/2	Ceased licence L8382/2009/2	DWER records (A674421)
3.	Works Approval W5843/2015/1 for staged TSF raises	W5843/2015/1	Accessed at www.dwer.wa.gov.au DWER records (A933349)

Appendix 2: Summary of applicant's comments on draft conditions

Condition	Summary of Applicant comment	DWER response
Administrative	Revise Registered office address from 100 Pirie Street to 246 Angas Street (Adelaide SA 5000)	Updated
Administrative	Correction of date error in the Instrument log history	Updated
Administrative	Condition 3.2.1 to be revised from licensee to Licence Holder as per the Licence definitions	Updated

Attachment 1: Licence L9185/2018/1
