



Licence Number L8571/2011/1

Licence Holder Boral Resources (WA) Ltd

ABN 57 008 686 904

File Number: DEC2763

Premises Seven Mile Hill Quarry
Tenement M15/444
KARRAMINDIE WA 6429

Date of Amendment 10 August 2017

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 10 August 2017

Stephen Checker
MANAGER LICENCING (WASTE INDUSTRIES)

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ABN	Australian Business Number
AER	Annual Environment Report
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
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 <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review

Licence Holder	Boral Resources (WA) Ltd
m ³	cubic metres
Minister	the Minister responsible for the EP Act and associated regulations
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B (9) of the EP Act.

This notice is limited only to an amendment for the inclusion of Category 63 activity to allow for the acceptance of inert Waste. No changes to the aspects of the original Licence relating to Category 12 have been requested by the Licence Holder.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Decision Making (November 2016)*
- *Guidance Statement: Risk Assessment (November 2016)*
- *Guidance Statement: Environmental Siting (November 2016)*

Amendment description

Licence L8571/2011/1 was granted on 07/07/2011 for the screening of up to 960,000 tonnes of material per annual period.

This amendment is for the acceptance and burial of Inert Waste Type 1 material (concrete only). The Licence Holder does not propose construction of any additional infrastructure. There is an existing area for the acceptance and burial of inert waste. The inert waste will be disposed in the exhausted area of the existing active mine quarry pit referred to as the disposal pit area.

The disposal of the concrete waste will assist in achieving the licensee's objective of restoring the landform to the natural surrounding ground level in accordance with the mine closure plan.

The Licensee has requested that the licence be amended to include a Category 63 landfill activity for the disposal of solid inert concrete waste into the disposal pit at a capacity of 10,000 tonnes per annum.

The proposed amendment of the Licence L8571/2011/1 is made by the Delegated Officer pursuant to section 59(1) (a) of the EP Act.

Table 2 below outlines the proposed changes to the Licence.

Table 2: Proposed design capacity

Category	Current [design] [throughput] capacity	Proposed [design] [throughput] capacity	Description of proposed amendment
63	Nil	10,000 tonnes	Addition of category 63 onto the Licence (L8571/2011/1)

Other approvals

The Licence Holder has provided the following information relating to other approvals as outlined in Table 3.

Table 3: Relevant approvals

Legislation	Number	Approval
Mining Act 1978	Reg ID: 66191	<p>An application for a Mining Proposal Amendment has been submitted to the Department of Mines, Industry Regulation and Safety (DMIRS-formally DMP) to allow for landfilling activities to be undertaken on site. Specifically, approval to landfill existing concrete waste onsite and concrete waste derived from Boral's Concrete plant located in Kalgoorlie.</p> <p>Approval was granted on 7 August 2017, to commence development and operation of the project in accordance with tenement conditions.</p>

Amendment history

Table 4 provides the amendment history for L8571/2011/1.

Table 4: Licence amendments

Instrument	Issued	Amendment
L8571/2011/1	15/08/2013	Amendment to convert existing licence to a new format REFIRE licence
L8571/2011/1	29/4/2016	Licence amendment for the extension of the Licence duration to 6 July 2029.
L8571/2011/1	Draft	Amendment Notice 1- inclusion of category 63 onto the Licence

Location and receptors

Table 5 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 5: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from Prescribed Premises
The townsite of Kurrawang	Approximately 3.2 km from the prescribed premises boundary

Risk assessment

Table 7 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. Table 7 identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 6: Risk assessment for proposed amendments during operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
Category 63 – Class I Inert landfill	Acceptance and burial of inert waste to in the south western corner of the pit.	Dust: associated with acceptance and disposal of inert waste	Residential sensitive receptors: The closest sensitive residential receptor is the townsite of Kurrawang, which is located approximately 3.2 km from the site.	Air/ Wind: Dust generated by light and heavy vehicles at the Premises and while disposing concrete waste into the pit.	Elevated particulates (PM ₁₀ and PM _{2.5}) can impact health and amenity of sensitive receptors	Slight	Unlikely	Low	Fugitive dust emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement on site and when disposing inert waste into the pit which is 5m in depth and covers an area of approximately 1 ha. The nearest sensitive residential receptor is situated approximately 3.2 km from the site. The Delegated Officer considers that Licence conditions 2.6.1 and 2.6.2 adequately regulate fugitive dust emissions. The Delegated Officer also considers that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate dust emissions during operation; therefore the risk is considered low and does not require any further regulatory controls.
		Nosie: associated with acceptance and disposal of inert waste	Residential sensitive receptors: The closest sensitive residential receptor is the townsite of Kurrawang, which is located approximately 3.2 km from the site.	Air/ Wind: Noise generated by light vehicles at the premises	Amenity to nearby noise sensitive receptors	Slight	Unlikely	Low	Noise emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement on site when vehicles drop off inert waste. The nearest sensitive residential receptor is situated approximately 3.2 km from the site. The Delegated Officer also considers that the Licence Holder has an ongoing

									requirement to comply with the Prescribed standard for noise emissions, as set out in the <i>Environmental Protection (Noise) Regulations 1997</i> .
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Decision

The Delegated Officer has determined that an amendment be made to the Licence conditions to allow for the inclusion of Category 63 activity with a production design capacity of 10,000 tonnes per annual period. This is to allow for inert waste Type 1 material delivered to the premises for burial. The inert material will comprise of concrete waste only.

The amendment notice incorporates an amendment to the Prescribed premises category table on the licence cover page to include Category 63 activities and to include licence condition 1.3.1 Table 1.3.1 to permit the Licensee to accept 10,000 tonnes of inert waste Type 1. No other changes are required on the licence. Licence condition 1.3.2 will require the Licence Holder to provide to the CEO volumes of waste received. The schedule 1 premises map has been updated to reflect the new disposal area.

The Delegated Officer considers the amended condition as appropriate and in line with other premises as assessed across the State, and in accordance with DER's regulatory approach.

The Delegated Officer does not consider that this amendment will impact the risk profile of the premises, which is currently considered as Low.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 4 August 2017. The Licence Holder responded on 8 August 2017 waiving the remaining comment period. The Licence Holder has now also confirmed that Approval was granted by DMIRS on 7 August 2017, to commence development and operation of the project in accordance with tenement conditions.

Amendment

1. The 'Prescribed premises category' table on the cover page of the Licence has amended by the insertion of the red text shown in underline below:

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved 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	960, 000 tonnes per annual period
<u>63</u>	<u>Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the CEO and as amended from time to time) is accepted for burial.</u>	<u>500 tonnes or more per year</u>	<u>10 000 tonnes per annual period</u>

2. The Licence condition 1.3 is amended by the deletion of the text shown in strikethrough below and the insertion of condition 1.3.1 and Table 1.3.1 shown in red text and underline below

~~1.3 There are no specified conditions relating to Premises operation in this section-~~

- 1.3.1 The License Holder shall only accept waste on to the Premises if:
- (a) it is of a type listed in Table 1.3.1; and
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance

Waste type	Quantity limit	Specification
<u>Inert Waste Type 1</u>	<u>Combined total of 10 000 tonnes per annual period</u>	<u>Existing concrete waste onsite and concrete waste derived from Boral's Concrete plant located in Kalgoorlie.</u>

3. The Licence has been amended by the insertion of condition 1.3.2 shown in red text and underline below

- 1.3.2 The Licence Holder must provide to the CEO a summary of the volumes of waste input received at the Premises with the Annual Environmental Report required under condition 5.2.1.

4. Condition 5.2.1 of the licence has been amended by the insertion of the red text shown in underline below

Table 5.2.1: Annual Environmental Report

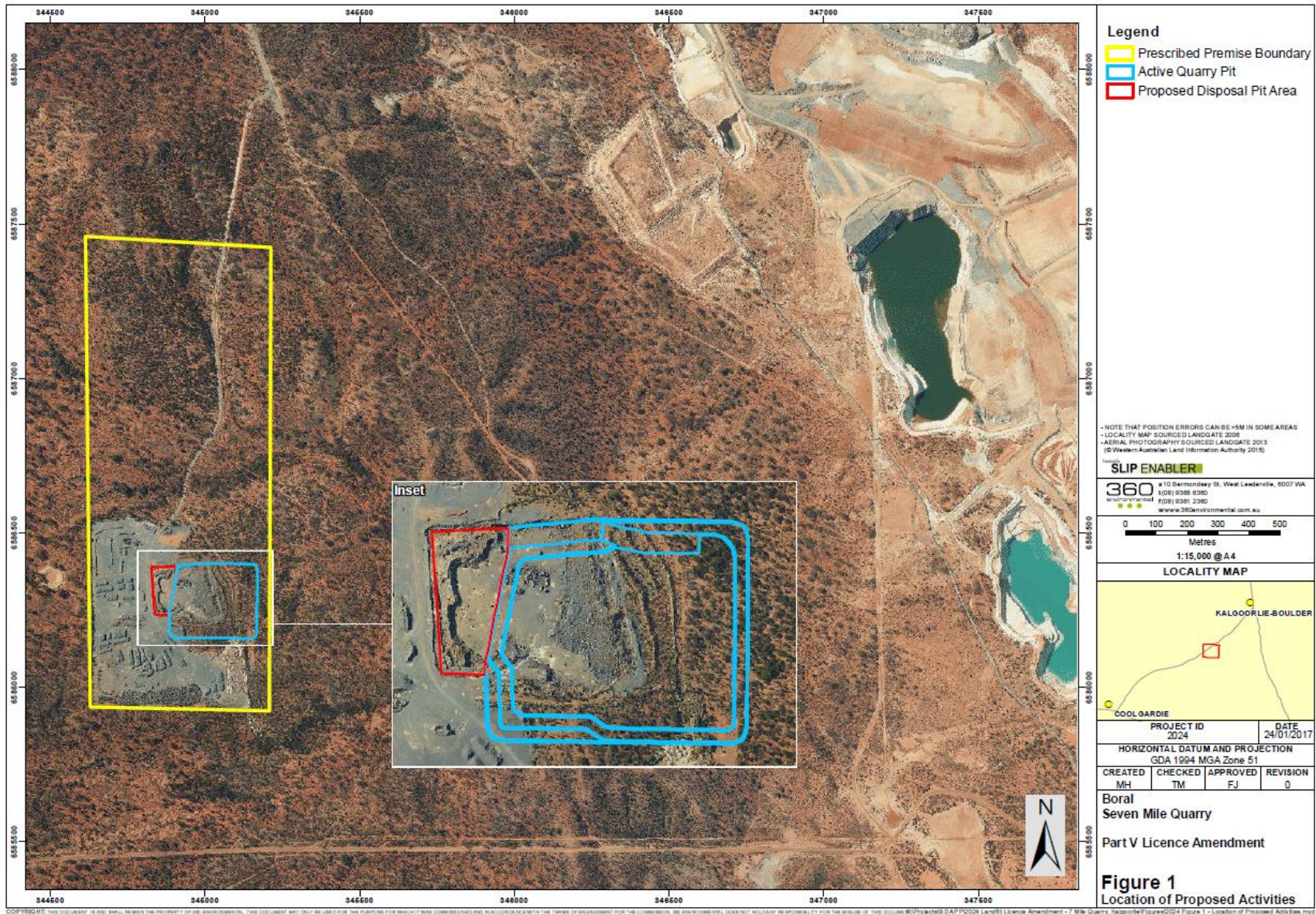
Condition or table (if relevant)	Parameter	Format or form
-	<i>Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken</i>	<i>None specified</i>
<u>1.3.2</u>	<u>Summary of volumes of waste inputs</u>	<u>None specified</u>
5.1.3	<i>Compliance</i>	<i>Annual Audit Compliance Report (AACR)</i>
5.1.4	<i>Complaints</i>	<i>None specified</i>
-	<i>Measures taken to suppress dust</i>	
-	<i>Measures taken to minimise noise</i>	

5. The Licence is amended by replacing the Premises map in Schedule 1 with the Premises map below:

Schedule 1: Maps

Premises map

The Premises is shown in the map below. The yellow line depicts the Premises boundary.



Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8571/2011/1 – Seven Mile Hill Quarry	L8571/2011/1	accessed at www.dwer.wa.gov.au
2	Licence amendment application	L8571/2011/1	DWER records (A1386020)
5	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
6	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
7	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
8	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2016b	
9	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	DER 2016c	

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 3/08/2017 for review and comment. The Licence Holder responded on 8 August 2017.

Condition	Summary of Licence Holder comment	DWER response
N/A	Applicant provided signed waiver requesting the issue of the licence. Applicant also included correspondence demonstrating that approval under <i>Mining Act 1978</i> was granted on 7 August 2017, to commence development and operation of the project in accordance with tenement conditions.	Issue Amendment Notice