



<b>Works Approval Number</b>	W5443/2013/1
<b>Works Approval Holder</b>	WA Kaolin Holdings Pty Ltd
<b>ACN</b>	083 187 017
<b>File Number:</b>	2013/002439-1
<b>Premises</b>	Kaolin Mine and Process Plant M 70/1143, General purpose licence 70/251 and M 70/156 WICKEPIN WA 6370 as depicted in Schedule 1
<b>Date of Amendment</b>	15 February 2019

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Works Approval in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), 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.

Manager, Process Industries  
Regulatory Services

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

15 February 2019

Att: Amendment Notice 1

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Works Approval 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.

### Amendment description

Works Approval W5443/2013/1 was issued to WA Kaolin Holdings Pty Ltd (Applicant) on 20/02/2014 in relation to Category 5 - Processing or beneficiation of metallic or non-metallic ore.

The Applicant plans to construct and mine approximately 1,260,000 tonnes of Kaolin per annum, which will be de-gritted and slurried on mine site (M70/1143), pumped via pipeline on (General purpose licence M70/251) to the processing plant at the Wedin Railway Siding Plant on Miscellaneous licence 70/156.

Condition IR1 in the Works Approval allows the Applicant to commission the works for a period of up to 3 months. Ongoing operations will need to be authorised by a licence which the Applicant may apply for on completion of the works authorised under this Works Approval

The Applicant submitted an amendment application on 17/01/2019 to extend Works Approval (W5443/2013/1) expiry date for a period of four years as they require more time to seek funding for the Project.

### Amendment history

Table 2 provides the amendment history for W5443/2013/1.

**Table 1: Works approval amendments**

Instrument	Issued	Amendment
W5443/2013/1	15/02/2018	Amendment Notice 1 – extend expiry date

## Decision

Section 63 of the EP Act prescribes that a works approval shall continue in force for such period as is specified in the works approval. Works Approval W5443/2013/1 is due to expire on 23 February 2019. In determining to amend the duration of the works approval, the following matters were considered by the Delegated Officer:

1. The Applicant will be processing about 1.25 million tonnes per annum (Mtpa) of ore to yield about 360,000 tonnes per annum (tpa) of product. The Delegated Officer therefore changes the approved premises production or design capacity for Category 5 from 360,000 tpa product produced (output) to 1,25Mtpa ore processed (input).
2. The Delegated Officer includes improvement reference IR6 to Table 4.1.1 instructing the Applicant to provide a certification report ensuring that all infrastructure has been constructed with no material defects and to designed specifications.
3. The Delegated Officer has determined that condition 1.2.3, Table 4.1.1, conditions 5.1.1, 5.1.3 and 5.2.1 will be amended to reflect the change in Departmental contacts.
4. The Delegated Officer has determined that works for W5443/2013/1 have not yet commenced.

Other DWER initiated amendments include changes to definitions to reflect updated terminology and to reflect the change in Departmental contacts.

The changes are detailed below in Amendment Section below.

## Works Approval Holder's comments

The Works Approval Holder was provided with the draft Amendment Notice on 6/02/2019. Comments received from the Works Approval Holder have been considered by the Delegated Officer as shown in Appendix 2.

## Amendment

1. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
5	<i>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; (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.</i>	50,000 tonnes or more per year	<del>360,000</del> <u>1.25 million tonnes of ore processed per annum</u>

2. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

### **Interpretation**

CEO means Chief Executive Officer.

CEO for the purposes of notification means:

Director General

Department Administering the Environmental Protection Act 1986

Locked Bag 33 Cloisters Square

PERTH WA 6850

info@dwer.wa.gov.au

~~'Director' means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under section 20 of the Environmental Protection Act 1986;~~

~~'Director' for the purpose of correspondence means;~~

~~Regional Leader, Industry Regulation, Wheatbelt Region~~

~~Department of Environment Regulation~~

~~75 York Road~~

~~NORTHAM WA 6312~~

~~Telephone: (08) 9621 3400~~

~~Facsimile: (08) 9621 3410~~

~~Email: [WheatbeltIR@der.wa.gov.au](mailto:WheatbeltIR@der.wa.gov.au);~~

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 means Department of Water and Environmental Regulation

3. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

**General Conditions**

- 1.2.3 *The Works Approval Holder shall submit a commissioning plan to the ~~Director~~ CEO for approval three months before commissioning commences.*

4. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

**4 Improvements**

- 4.1.1 *The Works Approval Holder shall complete the improvements in Table 4.1.1 by the date of completion in table 4.1.1.*

<b>Table 4.1.1: Improvement program</b>		
<b>Improvement reference</b>	<b>Improvement</b>	<b>Date of completion</b>
IR1	<p>The Works Approval Holder shall, prior to commencing commissioning of the Kaolin Mine and Process Plant, submit a commissioning plan for approval by the <del>Director</del> <u>CEO</u>. The commissioning plan shall include details relating to:</p> <ul style="list-style-type: none"> <li>(a) the commissioning stages and expected timescales for commissioning;</li> <li>(b) expected emissions and discharges during commissioning and the environmental implications of the emissions;</li> <li>(c) how emissions and discharges will be managed during commissioning;</li> <li>(d) the monitoring that will be undertaken during the commissioning period;</li> <li>(e) how accidents or malfunctions will be managed;</li> <li>(f) start up and shut down procedures; and</li> <li>(g) reporting proposals including accidents, malfunctions and reporting against the commissioning plan.</li> </ul> <p>Commissioning shall be carried out in accordance with the commissioning plan as approved.</p>	Three months before commencing commissioning
IR2	<p>The Works Approval Holder shall undertake a noise assessment of the Premises during commissioning. A report on the noise assessment shall be prepared in accordance with Part 3 of the Environmental Protection (Noise) Regulations 1997 (Noise Regulations). The report shall be submitted to the <del>Director</del> <u>CEO</u> for approval and shall include:</p> <ul style="list-style-type: none"> <li>(a) methods used for monitoring and modelling of noise;</li> <li>(b) an assessment of whether noise emissions from the Premises comply with the assigned noise level in the Noise Regulations; and</li> <li>(c) where they are not met, proposed measures to reduce noise emissions to assigned levels together with timescales for implementing the proposed measures.</li> </ul>	Before operation
IR3	<p>The Works Approval Holder shall establish and undertake ambient water quality monitoring at the minesite and Wedin Railway Siding to determine pH, TDS TSS and depth to groundwater in accordance with the relevant part of the Australian Standard AS 5667.</p>	Before operation

IR4	The Works Approval Holder shall submit to the Director <u>CEO</u> a Site drainage plan of the mine and process plant.	Before commissioning
IR5	The Works Approval Holder shall install a sampling port in the exhaust chimney in accordance with the Australian Standard AS 4323.1 and verify the air emissions, including NO <sub>x</sub> , SO <sub>x</sub> , CO <sub>2</sub> , CO & PM <sub>10</sub> , in accordance with the relevant parts of the Australian Standards AS 3580. These results shall be compared to relevant air quality standards in a report submitted to the Director <u>CEO</u> .	30 days after commissioning
IR6	<p><u>1 The Works Approval Holder shall submit to the CEO upon completion of the works a report/engineering/building certification from a suitably qualified professional confirming each item of infrastructure or component of infrastructure below has been constructed with no material defects and to design specifications.</u></p> <p><u>De-gritting plant consisting of:</u></p> <ul style="list-style-type: none"> <li>• <u>A feed hopper</u></li> <li>• <u>Wet drum scrubber</u></li> <li>• <u>Vibrating Screens</u></li> <li>• <u>Hydro-cyclones</u></li> <li>• <u>Vacuum belt filter, and</u></li> <li>• <u>A de-gritting centrifuge</u></li> <li>• <u>Diesel storage tank enclosed within bunding designed to achieve a permeability of less than 10<sup>-9</sup> m/s or equivalent.</u></li> </ul> <p><u>High Density Polyethylene (HDPE) slurry pipeline</u></p> <ul style="list-style-type: none"> <li>• <u>Fitted with flow monitoring equipment for leak detection</u></li> </ul> <p><u>Processing plant consisting of:</u></p> <ul style="list-style-type: none"> <li>• <u>Diesel and chemical stores enclosed within bunding designed to achieve a permeability of less than 10<sup>-9</sup> m/s or equivalent.</u></li> <li>• <u>Classification centrifuges</u></li> <li>• <u>Cake press</u></li> <li>• <u>Rotary mixer and fluid bed dryer with 18m stack</u></li> <li>• <u>Off-line pulse bag-house collector</u></li> <li>• <u>Reverse osmosis plant</u></li> </ul> <p><u>Lined saline water evaporation ponds and section of pit for salt encapsulation</u></p> <ul style="list-style-type: none"> <li>• <u>Lined with (HDPE and/or compacted clay) designed to achieve a permeability of less than 10<sup>-9</sup> m/s or equivalent.</u></li> </ul> <p><u>2 The Works Approval Holder shall where departure from the required design and/or construction occurs, provide to the CEO a description of, and explanation for, the departure along with the certification.</u></p> <p><u>3 Departure from the required design and/or construction must not increase risks to public health, public amenity or the environment;</u></p>	30 days after completion of the works and prior to operation

5. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

5.1.1 *The Works Approval Holder shall submit a compliance document to the ~~Director~~ CEO, following the construction of the works and prior to commissioning of the same.*

5.1.3 *The Works Approval Holder shall submit a commissioning report for the Kaolin Mine and Process Plant, to the ~~Director~~ CEO for approval within two months of the completion of commissioning.*

6. The Works Approval is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

5.2.1 *The Works Approval Holder shall ensure that the parameters listed in Table 5.2.1 are notified to the ~~Director~~ CEO in accordance with the notification requirements of the table.*

<b>Table 5.2.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement</b>	<b>Format or form</b>
1.2.4	Commencement of commissioning	7 days prior to start	None specified
	Completion of commissioning	7 days after completion	

7. Works Approval W5443/2013/1 has been amended by extending the expiry date from 23 February 2019 to 22 February 2023.

## Appendix 1: Key documents

	<b>Document title</b>	<b>In text ref</b>	<b>Availability</b>
1	Works Approval W5443/2013/1 WA Kaolin Holdings Pty Ltd	W5443/2013/1	DWER records (A729008)
2	Works Approval amendment application	Amendment application	DWER records (A1756450)
3	DER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Environment Regulation, Perth.	N/A	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
4	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		
5	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.		

## Appendix 2: Summary of Licence Holder comments

The Works Approval Holder was provided with the draft Amendment Notice on 6/02/2019 for review and comment. The Works Approval Holder responded on 12/02/2019 agreeing with the amended works approval and waiving the commenting period.

<b>Condition</b>	<b>Summary of Licence Holder comment</b>	<b>DWER response</b>
N/A	Email received on 12/02/2019 requesting the commenting period be waived.	DWER waived the commenting period