



## Application to replace expiring licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence number</b>	L5343/1989/7
<b>Licence holder</b>	Kitchener Mining No Liability
<b>ACN</b>	008 721 168
<b>File number</b>	DER2014/001422-1
<b>Premises</b>	Bamboo Creek Gold Mine
<b>Date of report</b>	M45/480 and M45/481 Marble Bar WA 6760
<b>Status of report</b>	Final

Peter Knol

Senior Environmental Officer, Industry Regulation

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

## 1. Decision summary

This decision report documents the Delegated Officer's decision to grant licence L5343/1989/7 to Kitchener Mining No Liability (licence holder) Bamboo Creek Gold Mine on Mining Lease M45/480 and M45/481, Marble Bar WA 6760 (the premises).

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L5343/1989/7 without conducting any additional risk assessment.

The licence is issued for 20 years, which is consistent with the *Guidance Statement on Licence Duration 2016*. In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment requirements*;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L5343/1989/7, subject to conditions set out in the attached licence.

## 2. Scope of assessment

### 2.1 Application summary and overview of the Premises

The licence holder has applied to replace its expiring licence L5343/1989/6, issued under Part V Division 3 of the *Environmental Protection Act 1986* due to expire on 22 May 2023.

The plant currently consists of a pilot scale crushing, screening, gravity concentration, cyanide treatment of the concentrate in tanks and electro-winning on a batch basis. Upon completion of pilot studies permission will be sought from the Department of Water and Environmental Regulation (department) to resume processing at a rate of 200 tonnes per day to recover gold and platinum group metals.

The licence relates to prescribed premises categories as described in Table 1.

**Table 1: Premises category description and production design capacity**

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i> )	Assessed / design capacity
Category 5: Processing or beneficiation of metallic or non-metallic ore	110 000 tonnes per annum
Category 12: Screening, etc. of material	110 000 tonnes per annum
Category 89: Putrescible landfill site	Not more than 5 000 tonnes per annum

## 3. Regulatory framework

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

## 4. Considerations for issuing a new licence

### 4.1 Compliance and enforcement actions

There have been no enforcement actions taken, or incidents and complaints identified at the Premises by the department in the last five years.

### 4.2 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence is consistent with the categories for which the licence holder currently holds a licence and which was previously assessed.

### 4.3 Planning approval

Planning approval is not necessary for the activities on the premises. Mining tenements are still valid until 27-May-2033.

## 5. Consultation

The licence renewal application was sent to the Department of Mines, Industry Regulation and Safety (DMIRS) on 13 April 2023 for comment. DMIRS replied on 20 April 2023 confirming that the Bamboo Creek Gold plant was consistent with the approved Mining Proposal and that they have no further comments.

The draft replacement licence and this decision report were provided to the licence holder on 04/05/2023 for comment. The licence holder sent an email on 12/05/2023 citing no comments.

## 6. Summary of changes

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions (October 2015)* to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

The below table provides a summary of changes to the previous licence and will act as a record of implemented changes. All changes have been incorporated into the replacement licence.

**Table 2: Licence conditions changes, description and rationale**

Current condition / table	New condition / table (if relevant)	Description and rationale
Preamble	N/A	Removed as no longer relevant
Definitions	Table 3: Definitions	Updated the definitions table to be consistent with the new licence template
	Table 1 – infrastructure and equipment table	Included infrastructure (supplied by licence holder) and operational requirements

Current condition / table	New condition / table (if relevant)	Description and rationale
1(a), 1(b) and 2	13 - 19	Updated to be consistent with current DWER records and reporting template. <ul style="list-style-type: none"> <li>- changed submission of AER to be consistent with 'Notice of amendment and schedule of licences with amended reporting conditions (2022)'</li> <li>- changed submission date of AACR to 30 August</li> </ul>
3	3	Direct replacement
4 and 5	2	Standard condition for stormwater management
6(a), 6(b), 8(a), 8(b) 8(c) and 11	-	Removed as this is captured under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>
7	4	Direct replacement
12(a), 12(b) and 13	6 and 7	Direct replacement
9(a), 9(b), 9(c) and 9(d)	Monitoring: 8 – 12	Updated to be consistent with current licence template
9(e)	18 (c)	Captured under records and reporting in new licence
10(a)	NA	Removed water quality limits for groundwater monitoring
10(b)	17	Captured under records and reporting in new licence
-	Figures 1 - 3	Included new maps
AACR	Included new AACR form availability in Table 3	Removed old AACR form