



Licensed Premises

Division 3, Part V *Environmental Protection Act 1986*

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|-----------------------|--|
| Licence number | L6593/1995/8 |
| Licence holder | Kemerton Silica Sand Pty Ltd |
| ACN | 067 603 552 |
| File Number: | DER2014/000467 |
| Premises | Kemerton Silica Sand Mine Rhodes Road WOKALUP WA 6221 Legal description – Lot 250 on Plan 405458 |
| Date of Report | 23 January 2020 |
| Decision | Amendment granted |

Definitions

In this amendment report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

| Term | Definition |
|---------------------|---|
| AACR | Annual Audit Compliance Report |
| ACN | Australian Company Number |
| amended licence | the licence issued under Part V, Division 3 of the EP Act following this amendment |
| amendment report | refers to this document |
| 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 10 JOONDALUP DC WA 6919 info@dwer.wa.gov.au |
| 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 |
| EP Act | <i>Environmental Protection Act 1986 (WA)</i> |
| existing licence | the licence issued under Part V, Division 3 of the EP Act and in force prior to this amendment |
| licence holder | Kemerton Silica Sand Pty Ltd |
| prescribed premises | has the same meaning given to that term under the EP Act. |
| Premises | refers to the premises to which this amendment report applies, as specified at the front of this amendment report. |

Amendment

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

This amendment is limited to extending the duration of the existing licence. No other changes to the existing licence have been made.

The following guidance statement has informed the decision made on this amendment:

- *Guidance Statement: Licence Duration* (DER, 2016).

Amendment description

The licence holder has applied to extend the duration of the licence, which will enable sufficient time for both the licence holder and the Department to conduct an ordered and structured review of the Premises in accordance with the Department's current regulatory framework.

No further changes to the aspects of the existing licence have been requested.

Amendment history

Table 2: Licence amendments

| Instrument | Issued | Amendment |
|--------------|------------|---|
| L6593/1995/8 | 16/02/2017 | Amendment notice 1 – extend expiry date by 12 months. |
| L6593/1995/8 | 09/02/2018 | Amendment notice 2 – extend expiry date by 12 months. |
| L6593/1995/8 | 03/07/2018 | Amendment notice 3 – amend Premises boundary following land transfer required by MS916. |
| L6593/1995/8 | 25/02/2019 | Amendment notice 4 – extend expiry date by 12 months. |
| L6593/1995/8 | 22/01/2020 | Licence amendment to extend licence duration by 5 years (this amendment). |

Decision

The delegated officer has determined that extending the duration of the licence is administrative in nature which does not change the material risk profile of the Premises. Mining operations will continue in accordance with the existing licence, and there will be no change to the associated emissions and discharges.

The licence duration has been extended from 20 March 2020 to 20 March 2025.

As part of this amendment package DWER has consolidated the licence by incorporating changes made under the 4 amendment notices listed in Table 2. No additional assessment has been conducted as part of this consolidation. Decisions relating to the consolidated licence are published in the previous decision document and amendment notices, and in accordance with section 59(1) of the EP Act, incorporating these changes into a single amended licence is not appealable.

In consolidating the licence, the CEO has:

- updated the format and appearance of the licence;
- deleted the redundant AACR form set out in schedule 1 of the previous licence and advise the licence holder to obtain the form from the Department's website;
- revised licence condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

Previously issued amendment notices will remain on the DWER website for future reference and will act a record of DWER's decision making.

Consultation

The licence holder was provided with the amended drafts on 22 January 2020 and made no additional comments.

Conclusion

Based on the assessment in this amendment report, the delegated officer has determined that a licence amendment will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Tim Gentle
MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES

An officer delegated by the CEO under section 20 of the EP Act