



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L8249/2008/3
Licence Holder	Focus Operations Pty Ltd
ACN	115 821 255
File Number	2011/005901-2~3
Premises	Three Mile Hill Gold Project COOLGARDIE WA 6429 Legal description – Mining tenements M15/1114, M15/154, M15/645, M15/646, M15/660, M15/958, M15/1294 and M15/1432, M15/1788 and L15/161. As defined by the premises maps attached to the licence
Date of Report	10 August 2023
Decision	Revised licence granted

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Manager, Resource Industries

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

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1. Decision summary

Licence L8249/2008/3 is held by Focus Operations Pty Ltd (Licence Holder) for the Three Mile Hill Gold Project (the Premises), located in Coolgardie Western Australia.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during operation of the Premises. As a result of this assessment, Revised Licence L8249/2008/3 has been granted.

The Revised Licence issued as a result of this amendment supersedes the existing Licence previously granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

On 30 May 2023, the Licence Holder submitted an application to the department to amend Licence L8249/2008/3 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Increase the putrescible waste acceptance within the premises; and
- Construction of the new Tindal's Landfill Site (to be located on M15/646).

This amendment is limited only to changes to Category 89 activities in the Existing Licence.

The existing Greenfield landfill will remain in use until the Tindal's landfill is constructed, after that the Greenfield landfill will be closed due to the proximity to the active mine.

Table 1: below outlines the proposed changes to the existing Licence.

Table 1: Proposed design capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
89	22 tonnes per annual period	200 tonnes per annual period	The proponent requested to increase the landfill capacity at the premises to accommodate waste from a new accommodation camp.

2.3 Mining Act 1978

Focus has submitted a mining proposal for the Tindal's landfill facility, which is not yet approved by the Department of Mines, Industry Regulation and Safety (DMIRS). If required, Approval will need to be acquired prior to construction.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Construction Landfill			
Dust	Earthworks for construction of new landfill	Air/windborne pathway	Where required, water will be applied to roads and trafficked surfaces to minimise dust generation Minimising the areas requiring vegetation removal Clearing will not occur during prevailing windy conditions New trenches to only be constructed once initial trench is nearing capacity
Noise		Air/windborne pathway	Regular monitoring, maintenance and inspections of machinery and vehicles
Contaminated stormwater from construction areas contaminated with sediment	Vehicles and machinery	Overland runoff Seepage to soil and groundwater	Facility will be constructed to a maximum depth of 3m from the surface Landfill facility to be constructed away from surface water bodies and preferential flow paths The landfill facility will be bunded to prevent surface water inflow into the facility The landfill facility will be inspected daily/weekly and after significant rainfall events
Operation Landfill			
Dust	Landfill Vehicles and machinery	Air/windborne pathway	Where required, water will be applied to roads and trafficked surfaces to minimise dust generation

Emission	Sources	Potential pathways	Proposed controls
Noise	Vehicles and machinery	Air/windborne pathway	Regular monitoring, maintenance and inspections of machinery and vehicles
Odour	Landfill	Air/windborne pathway	The distance from the landfill to the first sensitive receptor is 2km, so it is anticipated that impacts will be negligible Monthly coverage of waste with minimum 300mm cover material Maintain a small working face (only one trench open at a time)
Windblown wastes	Landfill	Air/windborne pathway	The facility will be bunded with a minimum height of 1m or will be fenced and inspected daily/weekly Monthly coverage of waste with minimum 300mm cover material
Firewater	Landfill	Discharge to land causing contamination	Fire will be minimised through correct burial procedures for putrescible waste streams
Seepage of landfill leachate	Landfill	Infiltration through soil to groundwater	The groundwater depth relative to the landfill is 44-58 meters below ground level (mbgl), minimising the risk of groundwater contamination The proposed facility is more than 4km away from water bodies The landfill facility will be bunded to prevent surface water inflow into the facility Licence Holder will continue to conduct quarterly groundwater monitoring of standing water level (SWL) and quality in compliance with L8249/2008/2 and Groundwater Licence 160936(5)

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	2km west from proposed landfill location Given this distance, DWER has determined that a pathway does not exist between the landfill and this receptor for fugitive emissions (noise / dust) and therefore this receptor has been screened out.
Environmental receptors	Distance from prescribed activity
<p><u>Endangered Flora:</u> <i>Acacia websteri</i> (WA Status: P1) <i>Austrostipa blackii</i> (WA Status: P2) <i>Eremophila veronica</i> (WA Status: P3)</p>	Theses priority species are within premises boundary, but they are not near the proposed landfill and there is no clearing proposed. (Reference: Figure 1)
<p><u>Vegetational communities:</u></p>	<p><i>Eucalyptus campaspe</i> (Silver Gimlet) – 90m West and East from proposed landfill <i>Eucalyptus clelandiorum</i> (Cleland's Blackbutt) - 500m West from proposed landfill (Refence: Figure 2)</p>
<p><u>Endangered Fauna:</u> <i>Jalmenus aridus</i> (Butterfly) (WA Status: P1) <i>Leipoa ocellata</i> (Malleefowl) (EPBC Act: VU)</p>	<p>The Butterfly <i>Jalmenus aridus</i> was found in within the premises boundary, on the west from the proposed new landfill. Malleefowl species was not found during the fauna survey, but there are several records including recent ones showing the presence of this species. The habitat suitability map in Figure 3 shows areas around the proposed landfill that have suitable habitat for Malleefowl.</p>
<p><u>Aboriginal Sites and Heritage Places:</u> Place ID: 39399, NCA-02, Skeletal Material / Burial Place ID: 3008, TJUNTI-NYA, Ceremonial, Mythological, Rockshelter, Other: PA 75 Place ID: 32042, Tjilkumarta (Porcupine) Hill, Ceremonial, Mythological, Rockshelter, Skeletal Material / Burial, Meeting Place, Named Place, Natural Feature, Plant Resource, Shell Place ID: 39400, MG2206-NCA-01, Water Tree Registered Native Title Claim: Marlinyu Ghoorlie within premises boundary</p>	<p>NCA-02 is 0.432km North from proposed landfill TJUNTI-NYA is 1.13km West from proposed landfill MG2206-NCA-01, 0.81km North-west from proposed landfill Tjilkumarta (Porcupine) Hill, 1.5km North-west Reference: Figure 4</p>
<p><u>Groundwater</u></p>	<p>“Regional groundwater has been intercepted between 44 and 58 mbgl through Focus Monitoring bores (21ALRC001 and 21DNRC001)” (Focus Minerals Limited, 2021). The proposed landfill will reach maximum depth of 3m.</p>

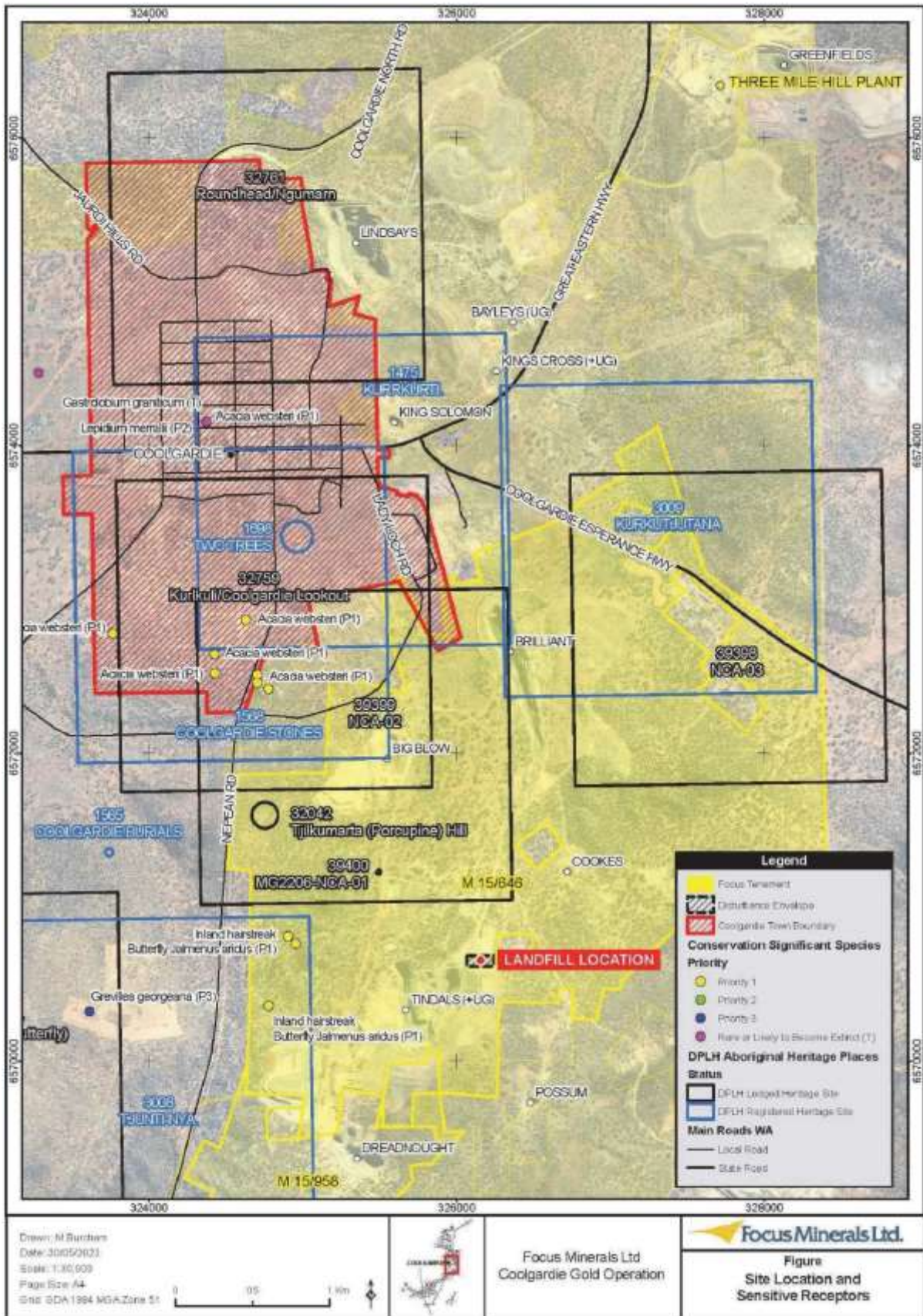


Figure 1: Distance to sensitive receptors (Terratree, 2021)



Figure 2: Vegetation Communities (Terratree, 2021)



Figure 6: Potential Malleefowl Habitat



Figure 3: Malleefowl suitable habitat (Figure 6, Focus Minerals Limited, 2021)

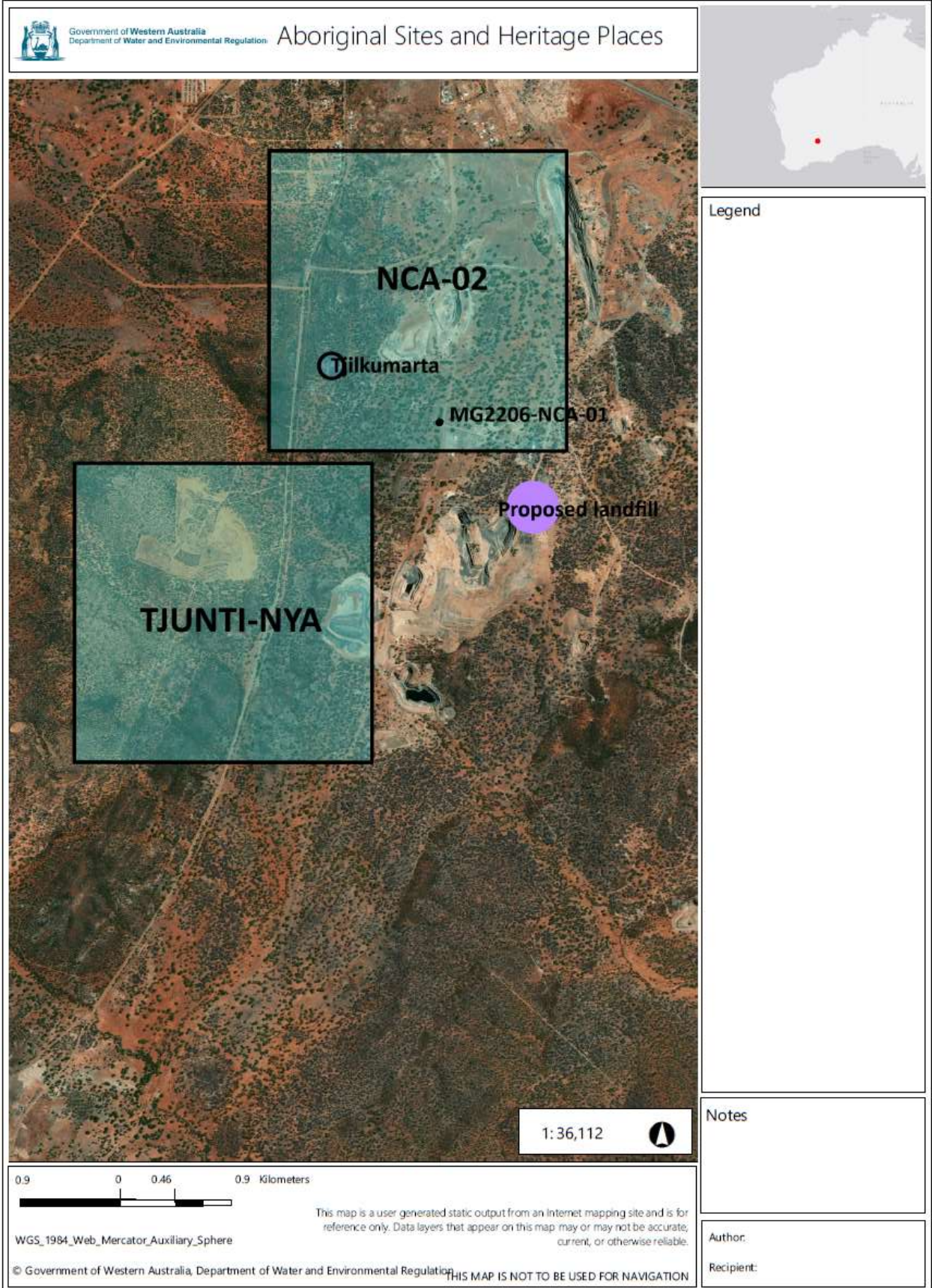


Figure 4: Aboriginal Sites and Heritage Places

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L8249/2008/3 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. category 89 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4: Risk assessment of potential emissions and discharges from the Premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Construction								
Earthworks for construction of new landfill	Dust	Air/windborne pathway causing poor vegetation health/death for adjacent native vegetation	Adjacent native vegetation	Refer to Section 3.1.1	C = Minor L = Rare Low	Y	Existing fugitive dust conditions 5 and 6	N/A
Vehicles and machinery	Contaminated stormwater from construction areas contaminated with sediment	Overland runoff Seepage to soil and groundwater	Soil	Refer to Section 3.1.1	C = Minor L = Possible Medium	Y	Existing condition 4 for preventing contamination of stormwater	N/A
Operation								
Operation of landfill	Dust	Air/windborne pathway causing poor vegetation health/death for adjacent native vegetation	Native vegetation Fauna	Refer to Section 3.1.1	C = Slight L = Possible Low	Y	Existing condition 5 and 6 for preventing fugitive dust	N/A
	Windblown waste		Native vegetation Fauna Aboriginal site heritage	Refer to Section 3.1.1	C = Minor L = Possible Medium	Y	Existing conditions 13, 14 and 15 waste management	N/A
	Seepage of landfill leachate	Infiltration through soil to groundwater Uptake via roots of native vegetation	Native vegetation Groundwater	Refer to Section 3.1.1	C = Minor L = Unlikely Medium	Y	N/A	N/A
	Contaminated firewater	Discharge to land causing contamination	Native vegetation Soil	Refer to Section 3.1.1	C = Moderate L = Unlikely Medium	Y	Condition 14 cover requirements	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Applicant was provided with draft documents on 4 August 2023	To amend the refence to old licence condition, in condition 2	Amended

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 6: Summary of licence amendments

Condition no.	Proposed amendments
Page 1	Increase of throughput for category 89 from 22 to 200 tonnes per annual period
Content and Introduction	Removed as per new licence format
Instrument history	Updated with new licence amendment
Interpretation	Added with new licence format update
1, 1.1, 1.1.2, 1.1.3 and 1.1.4	Removed as per new licence format
2.3.1 and 2.3.2	Removed because of redundance
Definitions	Moved to Table 15 in page 16 as per new licence format
Table 3	Addition of Figure 14 to the Process Limit column
Construction section	Heading modified to Infrastructure and equipment
Table 5	Construction requirement for landfill
Emissions section	Heading modified to Emissions and discharges
Information heading	Heading changed to Records and reporting
Schedule 1: Maps	Addition of Figure 14 Tindal's landfill
Schedule 2: Design Drawings	Number change, Figure 14 changed to Figure 15 and Figure 15 changed to Figure 16.
Numbering of conditions, tables and headings	Updated to new format

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Terratree 2021, *Targeted Flora and Vegetation Survey - Coolgardie Gold Project*, Midland WA 6056 (REF: A2179686)
5. Western Ecological 2021, *Basic Terrestrial Fauna Survey* (REF: A2179686)
6. Focus Mineral 2023, Prescribed Premises Application L8249/2008/3 – Amendment, East Perth WA 6004 (REF: A2179686)

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L8249/2008/3	
		Relevant works approval number:		N/A <input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None <input type="checkbox"/>
Date application received		30/05/2023		
Applicant and Premises details				
Applicant name/s (full legal name/s)		Focus Operations Pty Ltd		
Premises name		Three Mile Hill Gold Project		
Premises location		Mining tenements M15/1114, M15/154, M15/645, M15/646, M15/660, M15/958, M15/1294 and M15/1432, M15/1788 and L15/161.		
Local Government Authority		Coolgardie Shire		
Application documents				
HPCM file reference number:		2011/005901-2~3		
Key application documents (additional to application form):		-Premises Boundary Sitting and Project Location -Tenements report -Application supporting report (Proposed activities, environment, native vegetation survey, fauna survey,		

	existing facility, environmental impact and management, risk assessment and management, fee calculator, soil assessment)	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Licence amendment -Construction, commissioning and operation of the Tindal's Landfill Site (located on M15/646). Waste streams to be disposed of within the landfill will be inert and putrescible materials only. -Increase the Prescribed Premises Landfill capacity from 22t to 200t per annual period.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 89: Putrescible landfill site	22 tonnes per annual period	200 tonnes per annual period
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Expiry: 25 March 2035 Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Approval: Application to DMIRS sent, not approved yet Expiry date: If N/A explain why?

Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Application reference No: Licence/permit No: GWL160936(6)
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: Swan Avon / Mid-West Gascoyne / Kwinana Peel / North West / South West / Goldfields / South Coast
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Environmental Protection (Controlled Waste) Regulations 2004
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	NA
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	NA

<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>CSS SITE ID 1848 and 1304 are possibly contaminated - investigation required</p> <p>CSS SITE ID 1915 has been classified as Contaminated Remediation Required</p>
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