



Application for Licence Amendment

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

Licence Number	L9020/2016/1
Licence Holder	Kimberley Quarry Pty Ltd
ACN	093 519 638
File Number	DER2016/002337
Premises	Hardrock Quarry Lot 20 East Chapman Road NARRA TARRA 6532 Being Part Lot 20 on Plan 6975 as depicted in Schedule 1
Date of Report	13/06/2023
Decision	Revised licence granted

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

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1. Decision summary

Licence L9020/2016/1 is held by Kimberley Quarry Pty Ltd (Licence Holder) for the Hardrock Quarry (the Premises), located at Lot 20 East Chapman Road, Narra Tarra 6532.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Amended Licence L9020/2016/1 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 Amendment summary

On 9 February 2023, the Licence Holder submitted an application to the department to amend Licence L9020/2016/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Category 12: Increase of throughput.

This amendment is limited only to changes to Category 12 from the Existing Licence.

No changes to the aspects of the existing Licence relating to Category 35 and 61A have been requested by the Licence Holder.

Table 1 outlines the proposed changes to the existing Licence.

Table 1: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
12	200,000 tonnes per year	500,000 tonnes per year	The licence holder wants to rectify the throughput from the premises going from the 200,000 tonnes per year to 500,000 tonnes per year.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 2.

Table 2: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L9020/2016/1	20/10/2017	Licence granted
L9020/2016/1	7/11/2018	Amendment Notice 1: category 35 and 61A added

The obligations of the Licence Holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 5.1. Previously issued Amendment Notices will remain on the department's website for future reference and will act as a record of the department's decision making.

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 operation which have been considered in this Amendment Report are detailed in Table 3 below. Table 3 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 3: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne pathway	None
Noise	Crushing and screening of material	Air/windborne pathway	None
Sediment laden stormwater	Operating a mobile crushing and screening plant (i.e., crushing, screening, unloading/loading, and stockpiling of material), Vehicle movements, particularly road trucks Maintenance of mobile plant, vehicles, and associated machinery Refuelling, accidental spillage, leaks, and equipment malfunction (e.g., lines bursting)	Overland runoff causing contamination of surface water and/or groundwater	On original licence decision report is mentioned that "precipitation will be directed to runoff settlement dams (unlined detention basins) to allow for the settlement of solids (reduced total suspended solids). Dams are to be sized to contain stormwater from a 1 in 10 year ARI, 2-hour duration rainfall event".

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 4 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 4: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Closest residential receptors	1350m from western edge of the premises boundary (Figure 1) 1500m from north-western edge of the premises boundary (Figure 1)
Environmental receptors	Distance from prescribed activity
Watercourses	Located on the boundary of Stockpile Area 1 and another crosses the haul road near the entrance to Stockpile area 2 (Figure 2)

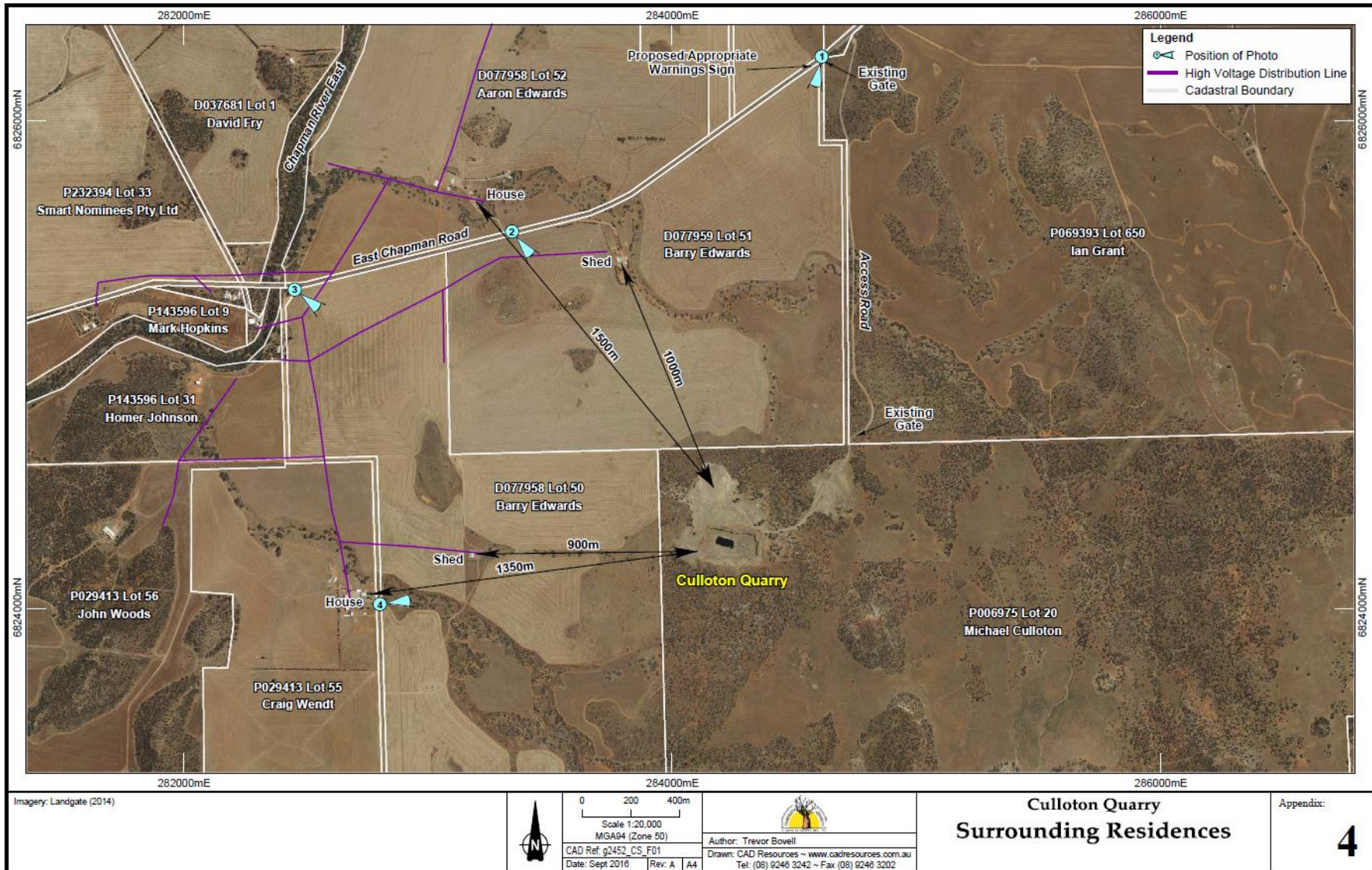


Figure 1: Distance to sensitive receptors

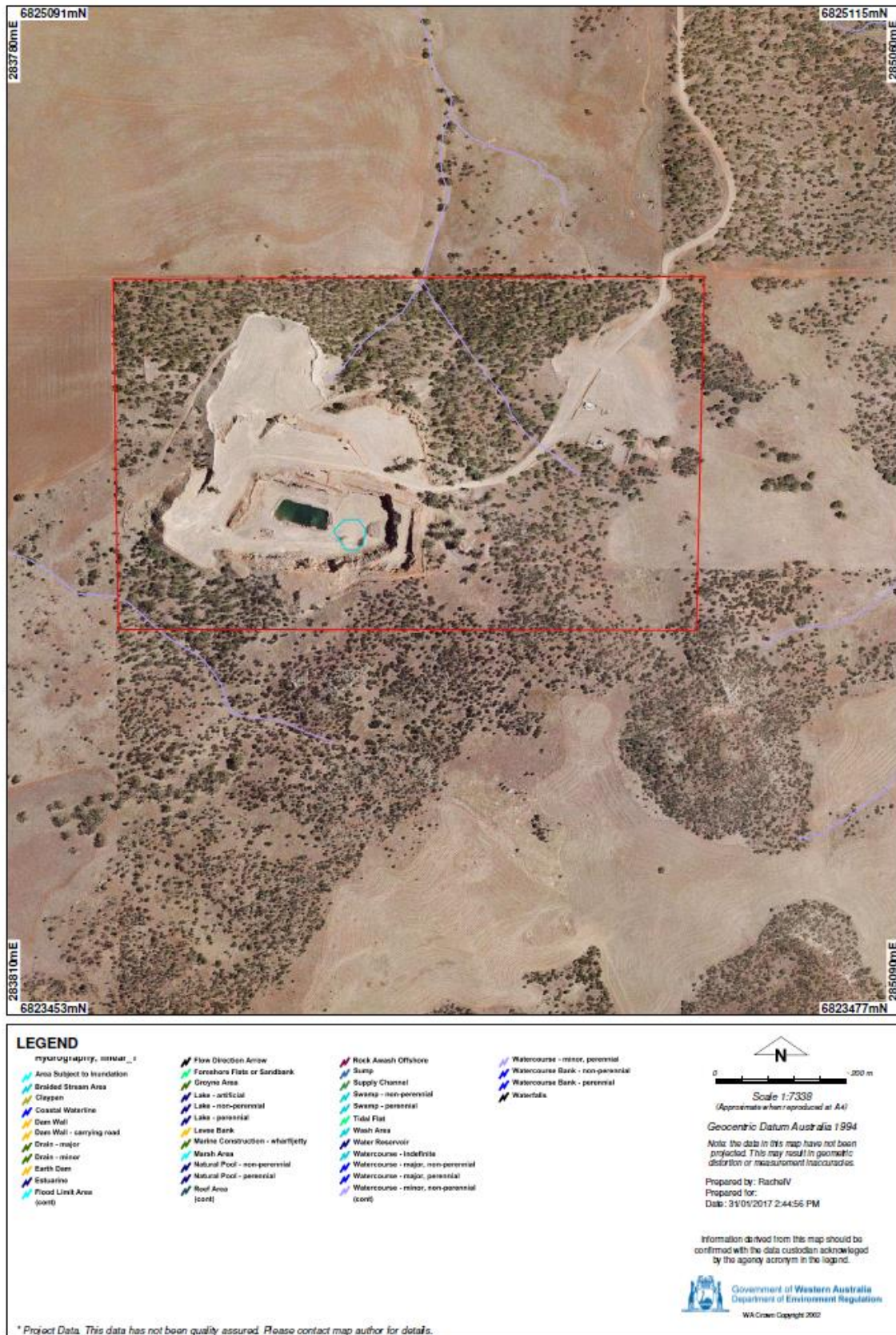


Figure 2: Water courses

Licence: L9020/2016/1

IR-T15 Amendment report template v3.0 (May 2021)

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 5.

The Revised Licence L9020/2016/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Category 12 activities.

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

Table 5. Risk assessment of potential emissions and discharges from the Premises 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				
Operation								
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Watercourse getting pollute with dust Air/windborne pathway causing impacts to health and amenity	Two watercourses within premises boundary Two residential receptors, closest within 1350m	None proposed for amendment	C = Slight L = Possible Low Risk	Y	N/A	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity	Two residential receptors, closest within 1350m	None proposed for amendment	C = Slight L = Possible Low Risk	Y	N/A	N/A
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Two watercourses within premises boundary	None proposed for amendment	C = Slight L = Possible Low Risk	Y	Conditions on the existing licence relating to contaminated runoff 1.2.1	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 6 provides a summary of the consultation undertaken by the department.

Table 6: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal (5 April 2023 and 19 April 2023)	The City of Greater Geraldton had no comments to provide.	N/A
Licence Holder provided with 21 days package (9 May 2023)	No comments were received.	N/A

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 7 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 7: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	Duration corrected to '24/10/2037', to align with DWER internal records.
Cover page	Category 12 throughput increase from 200,000 to 500,000 tonnes per annual period.
1	Process limit increase for Category 12 from 200,000 to 500,000 tonnes per annual period.

Table 8: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Prescribed Premises Category table	N/A	Category 35 and 61A added to cover page.
N/A	Contents	N/A	Redundant condition. Revised to current licensing format.
N/A	Contents	Licence History	Revised to current licensing format.
N/A	Licensee	Licence Holder	Revised to current licensing terminology.
N/A	Licence History table	Reference number, date, and summary of changes added as column titles	Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	shall	must	Revised to current licensing format.
1.1.2	Interpretation	Table 8 Definitions separated into a new Definition section, after licence conditions.	Revised to current licensing format.
1.1.2	CEO interpretation	Updated CEO correspondence details	Revised to current licensing format. Moved to definitions section
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section and Definitions (Table 8)	Redundant condition. Revised to current licensing format.
1.1.3	Australian or other standard	N/A Interpretation section and Definitions (Table 8)	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A Interpretation section and Definitions (Table 8)	Redundant condition. Revised to current licensing format.
1.2.1	Authorised Activities	Condition 1 Table 1	Revised to current licensing format.
1.2.2 Table 1.2.2	Stormwater infrastructure	Condition 2 Table 2	Revised to current licensing format.
1.2.3 Table 1.2.3	Waste type acceptance specification	Condition 3 Table 3	Amendment Notice 1 addition.
1.2.4	Removal of asphalt manufacturing equipment	Condition 4	Amendment Notice 1 addition.
1.3	Works heading	N/A	Amendment Notice 1 addition. Revised to current licensing format.
1.3.1-1.3.4	Works conditions	Conditions 5 to 8	Amendment Notice 1 addition. Revised to current licensing format.
Table 1.3.1	Works	Table 4	Amendment Notice 1 addition. Revised to current licensing format.
1.4	Monitoring Heading	N/A	Amendment Notice 1 addition. Revised to current licensing format.
1.4.1	Monitoring conditions	Condition 9	Amendment Notice 1 addition. Revised to current licensing format.
Table 1.5.1	Stack emission monitoring	Table 5	Amendment Notice 1 addition. Revised to current licensing format.
1.4.2	NATA accreditation	Condition 10	Amendment Notice 1 addition. Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
2	Information heading	N/A	Revised to current licensing format.
2.1	Records	N/A	Revised to current licensing format.
2.1.1	AACR	11	Revised to current licensing format.
2.1.2	Complaints management	12	Revised to current licensing format.
2.1.3	Auditable books condition	13	Amendment Notice 1 addition. Revised to current licensing format.
2.1.4	Annual Environmental Report	14	Amendment Notice 1 addition. Revised to current licensing format.
Table 2.1.1	Annual Environmental Report	Table 6	Amendment Notice 1 addition. Revised to current licensing format.
2.2	Notification heading	N/A	Revised to current licensing format.
2.2.1	Notification requirements	15	Revised to current licensing format.
Table 2.2.1	Notification requirements	Table 7	Revised to current licensing format.
2.3.1	Table 2.2.1		Revised to current licensing format.
Schedule 1	Site layout	Figure 2	Amendment Notice 1 addition replacing the Site layout map and Stormwater infrastructure map.

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. DWER 2018, *Licence L9020/2016/1 Amendment Notice 1*, Perth, Western Australia.

Appendix 1: Summary of Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comment	Department's response
No comments were received.		

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:	L9020/2016/1	
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input checked="" type="checkbox"/>
Date application received		9 February 2023		
Applicant and Premises details				
Applicant name/s (full legal name/s)		Kimberley Quarry Pty Ltd		
Premises name		Hardrock Quarry		
Premises location		Lot 20 East Chapman Road		
Local Government Authority		The City of Greater Geraldton		
Application documents				
HPCM file reference number:		DER2016/002337-1~5		
Key application documents (additional to application form):		- Lease Agreement - Authorised Representative letter		
Scope of application/assessment				

Summary of proposed activities or changes to existing operations.	Licence amendment Increase of annual throughput	
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 12: Screening etc. of material	Assessed throughput: 200,000 tonnes per year	Throughput 500,000 tonnes per year
Category 35: Asphalt manufacturing	50,000 tonnes per year	
Category 61A: Solid waste facility	12,500 tonnes per year	
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: N/A 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: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A
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 type="checkbox"/> Expiry: Other evidence <input checked="" type="checkbox"/> Expiry: 30/9/2026
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: DMIRS and Shire Expiry date: N/A 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: 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: 203118 Licence / permit not required.
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: Mid-West Gascoyne
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"/>	The Environmental Protection (Concrete batching and cement product manufacturing) Regulations 1998
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

Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A
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