



<b>Licence Number</b>	L9124/2018/1
<b>Licence Holder</b>	Golden Mile Milling Pty Ltd
<b>ACN</b>	602 161 008
<b>File Number:</b>	DER2018/000472-1
<b>Premises</b>	Lakewood Gold Processing Facility Mining leases M26/242 and M26/367 Mount Monger Road LAKEWOOD WA 6431
<b>Date of Report</b>	16/04/2020
<b>Decision / Proposed Decision</b>	<b>Intent to grant Licence</b>

# 1. Definitions and interpretation

## 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
AER	Annual Environment Report
Amendment Report	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
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 6027  Telephone: (08) 6367 7000 Facsimile: (08) 6367 7001 Email: <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
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
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Golden Mile Milling Pty Ltd
m <sup>3</sup>	cubic metres

Term	Definition
Minister	the Minister responsible for the EP Act and associated regulations
Occupier	has the same meaning given to that term under the EP Act.
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.
Revised Licence	the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this Amendment Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

## 2. Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended licence L9124/2018/1 in accordance with section 59 of the Environmental Protection Act 1986 (EP Act), as set out in this amendment report. The licence document (L9124/2018/1) has been updated accordingly to reflect this amendment.

This amendment has been informed by the department's Regulatory Framework which is available at <https://dwer.wa.gov.au/regulatory-documents>.

## 3. Amendment description

This amendment has been initiated by DWER and intended to address matters that are subject to an appeal made by the licence holder on 10 April 2019 in response to some of the amendments made to the licence as part of amendment notice 1 (AN1), issued on 22 March 2019.

The licence holder submitted one ground of appeal relating to the requirement to improve the water recovery rate to 60 per cent (%) for the tailings storage facility (TSF1), as specified in improvement reference 1 (IR1) in Table 4.1 of condition 4.1.

To address the ground of the appeal, it is proposed that IR1 is removed from the licence. Section 6 below outlines the reasoning for the decision to remove the improvement requirement.

DWER proposes changes condition 2.4.2 relating to the discharge of recovered water onto the TSF. The reasoning for this change is outlined in section 6 below.

### 3.1. Updating of Licence

In addition to addressing the appeal, DWER has updated the licence as follows

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

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

## 4. Amendment history

Table 2 provides the amendment history for L9124/2018/1.

**Table 2: Licence amendments**

Instrument	Issued	Amendment
L8298/2008/1	06/11/2008	New licence
L8298/2008/2	03/11/2011	Licence reissue
L8298/2008/3	30/10/2014	Licence reissue in new format with addition of category 61

Instrument	Issued	Amendment
L8298/2008/3	22/10/2015	Transfer of licence to Golden Mile Milling Pty Ltd
L8298/2008/3	2018	Licence ceased to have effect on non-payment
L9129/2018/1	21/05/2018	Replacement licence issued for ceased licence L8298/2008/3.
L9129/2018/1	22/03/2019	Amendment Notice 1 (AN1) Licence amendment to install a carbon stripping circuit; Commissioning and improvement conditions IR1, IR2 and IR3 relating to changes to water management at the tailings storage facility.
L9129/2018/1	16/04/2020	Removal of improvement requirement (IR1 of condition 4.1, Table 4.1) to achieve a water recovery rate of 60% for TSF1. This requirement is removed from the licence. IR 3 is also removed as it duplicates requirements of DMIRS.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the Department's Guidance Statement: Risk Assessments (February 2017)

## 5. Consultation

Table 3: Summary of consultation

Method	Comments received	DWER response
Applicant referred draft documents (27/02/2020)	Licence Holder advised they had no comments on the draft documents	-

## 6. Decision

DWER acknowledges that the safety and stability of the tailings facility is regulated by the Department of Mines, Industry Regulation and Safety (DMIRS). Water management, however, is regulated by DWER for the purposes of minimising seepage, being an emission to the environment.

In AN1, DWER noted that data from groundwater monitoring bores around the perimeter of the tailings facility showed that groundwater was very near to the surface (as shallow as 50 to 15 centimetres below the ground surface). Water quality data from the bores indicated levels of metals/metalloids above the ANZECC / ARMCANZ Water Quality Guidelines trigger values for marine water and traces of cyanide (which is used as a marker for tailings facility seepage for gold operations).

The shallow groundwater levels, together with the groundwater quality data raised concerns about the amount of seepage from the tailings facility and, hence, overall water management at the facility.

Based on the available information, the extent to which seepage or hydrostatic pressure from the tailings facility is contributing to the raised groundwater levels is unclear. However, the very shallow groundwater raised concerns that groundwater may be in contact with foundations of the tailings facility embankments which may cause the water to "wick" upwards and threaten the structural integrity of the embankments.

DWER therefore concluded that the existing water recovery rate of 40-50% per cent was insufficient to maintain groundwater levels at one meter below ground level (minimal historical

level) and therefore imposed an improvement condition requiring that the water recovery rate be increased to 60% per cent within 12 months.

In determining this condition, DWER acknowledges that the primary basis of risk related to the stability of the tailings facility which is regulated by DMIRS. DWER does, however, have responsibility to consider seepage and avoid potential for regulatory duplication.

Over the course of the preparation of this amendment report, it has come to the attention of the DWER that a Prohibition Notice has been served on the licence holder by DMIRS. The Prohibition Notice has since been lifted and in its place DMIRS has issued an Improvement Notice.

As a result, DMIRS has required the cessation of the use of the tailings facility, pending investigations into the stability of the tailings facility.

This being the case, improvement condition IR1 has been removed to avoid any regulatory duplication with DMIRS. IR3 has also been removed as it duplicates DMIRS' requirements.

In addition, condition 2.4.2 has been amended to align with DMIRS requirements. Condition 2.4.2 specified that recovered water from a groundwater recovery bore system shall be discharged to the TSF. This requirement has been deleted as it conflicts with DMIRS' requirements.

## 7. Summary of amendments

Table 4 provides a summary of the 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 4: Licence amendments**

Condition No.	Amendments
4.1	The improvement requirement (IR 1) for the water recovery rate to be increased to 60% per cent within 12 months has been deleted from Table 4.1. (Condition 4.1). IR3 has also been removed as it duplicated DMIRS' requirements
2.4.2	Condition amended to remove the requirement that recovered water is discharged to the tailings storage facility.
All conditions	Reference to the term 'Licensee' has been removed and replaced with the term 'licence holder'. This is consistent with DWER's new licence template.
Schedule 3	Schedule 3 has been added as per the new licence template.

**Tim Gentle**  
**Manager – Resource Industries**  
**Regulatory Services**

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