



Application for Works Approval Amendment

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

Works Approval Number	W6260/2019/1
Works Approval Holder	Kimberley Quarry Pty Ltd
ACN	093 519 638
File Number	DER2019/000212
Premises	Maitland Quarry Legal description – Part of tenement M47/1496 As defined by the coordinates in Schedule 1 of the amended Works Approval
Date of Report	25/11/2022
Decision	Revised works approval granted

A/MANAGER, RESOURCE INDUSTRIES

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

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1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6260/2019/1. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the Existing works approval will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the works approval, 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

Works Approval W6260/2019/1 is held by Kimberley Quarry Pty Ltd (Works Approval Holder) for the Maitland Quarry (the Premises), located within M47/1496.

The Premises relates to the category and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W6260/2019/1.

On 07 October 2022, the Works Approval Holder submitted an application to the department to amend Works Approval W6260/2019/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The following amendment is being sought:

- Change to the date of expiry from 01/12/2022 to 01/12/2025.

During this amendment, the department has also updated W6260/2019/1 to the current licensing format.

3. Consultation

Table 1 provides a summary of the consultation undertaken by the department.

Table 1: Consultation

Consultation method	Comments received	Department response
Works Approval Holder was provided with draft amendment on 22/11/2022	The Works Approval Holder responded on 23/11/2022 stating ' <i>no comments on the draft documentation and requests that the consultation period be waived.</i> '	N/A

4. Conclusion

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

4.1 Summary of amendments

Table 2 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

Table 2: Summary of works approval amendments

Condition no.	Proposed amendments
Duration	Change to date of expiry from 01/12/2022 to 01/12/2025
Explanatory notes	Deleted in line with current licensing format
Definitions	Moved to Table 2 in line with current licensing format and updated as applicable
Condition 1, Table 1	Administrative changes and updated in line with current licensing format
Conditions 3 and 4	Administrative changes only
Condition 5	Administrative changes and updated in line with current licensing format
Previous condition 8	Deleted in line with current licensing format
Conditions 8 and 9	Administrative changes and updated in line with current licensing format
Previous condition 10	Deleted in line with current licensing 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.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY			
Application type			
Amendment to works approval	<input checked="" type="checkbox"/>	Current works approval number:	W6260/2019/1
Date application received	07/10/2022		
Applicant and Premises details			
Applicant name/s (full legal name/s)	Kimberley Quarry Pty Ltd		
Premises name	Maitland Quarry		
Premises location	M47/1496		
Local Government Authority	City of Karratha		
Application documents			
HPCM file reference number:	DER2019/000212~1		
Key application documents (additional to application form):	Application form only		
Scope of application/assessment			
Summary of proposed activities or changes to existing operations.	Change to date of expiry only		
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	1,000,000 tonnes per annual period	No change	
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"/>	Mining lease / tenement <input checked="" type="checkbox"/> M47/1496 Expiry: 30/11/2037	

Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
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 type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: 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"/>
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: 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 type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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