



Application for Works Approval

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

Works Approval Number	W6477/2020/1
Applicant	Focus Minerals (Laverton) Pty Limited
ACN	087 360 996
File Number	DER2020/000562
Premises	Lancefield Quarry Part of Mining Tenement M38/37 LAVERTON WA 6440 As defined by the Premises Maps in Schedule 1 and coordinates in Schedule 2 of the Works Approval
Date of Report	4 June 2021
Decision	Works approval granted

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SENIOR ENVIRONMENTAL OFFICER
INDUSTRY REGULATION

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary and overview of Premises	1
2.3 Part IV of the EP Act	1
3. Risk assessment	1
3.1 Source-pathways and receptors	1
3.1.1 Emissions and controls	1
3.1.2 Receptors	3
3.2 Risk ratings	5
4. Consultation	9
5. Conclusion	9
References	10
Appendix 1: Application validation summary	11
Table 1: Proposed applicant controls	2
Table 2: Sensitive human and environmental receptors and distance from prescribed activity	3
Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation	6
Table 4: Consultation	9
Figure 1: Prescribed premises boundary location (pink) to sensitive human and environmental receptors	4

1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Works Approval W6477/2020/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision 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 and overview of Premises

On 6 November 2020, Focus Minerals (Laverton) Pty Limited (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The applicant proposes to establish a mobile crushing and screening operation at the Lancefield Quarry located on part of Mining Tenement M38/37 (the Premises). It is estimated that 25,000 tonnes of waste rock material will be processed over a period of six months for use in local construction projects. The Premises is located within a gazetted public drinking water source area (Laverton P1 area) which is the sole supply of drinking water to the town of Laverton. The town of Laverton is located approximately 7 km south-east of the Premises (Figure 1).

The Premises relates to the category and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6477/2020/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Works Approval W6477/2020/1.

2.3 Part IV of the EP Act

The applicant submitted an updated Section 38 self-referral to the Environmental Protection Authority (EPA) on 17 December 2020 (CMS17918), given that the proposed activity falls within a gazetted public drinking water source area. The EPA determined the proposal is not so significant as to require assessment and issued a Notice of Decision Not to Assess on 8 April 2021.

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 *Guidance Statement: Risk Assessments* (DER 2017).

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 installation and operation which have been considered in this Decision Report are detailed in Table 1 below.

Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction/Installation			
Dust	Placement of mobile plant and associated equipment	Air/windborne pathway	<ul style="list-style-type: none"> Water cart retained onsite with 30,000L capacity, wetting down of roads and stockpiles when required.
Noise	Vehicle movements Lift-off from stockpiles and/or stored product Construction of sediment sumps	Air/windborne pathway	<ul style="list-style-type: none"> Separation distance between premises and sensitive receptors.
Operation			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne pathway	<ul style="list-style-type: none"> Water cart retained onsite with 30,000L capacity, wetting down of roads and stockpiles when required. Misting systems/sprinklers on crushing and screening plant.
Noise	Crushing and screening of material	Air/windborne pathway	<ul style="list-style-type: none"> Separation distance between premises and sensitive receptors.
Sediment laden wash water and stormwater	Operation of wash plant, runoff from disturbed area and stockpiles.	Overland runoff/flow	<ul style="list-style-type: none"> Sediment laden wash water will be diverted into lined sediment sumps and disposed of into the existing waste rock landform as required. Material testing results indicate no significant contaminant risk.
Hydrocarbon spills and/or contaminated stormwater	Refueling and maintenance activities	Seepage to soil and groundwater	<ul style="list-style-type: none"> Lubricants and waste oil will be contained within portable bunding. All refueling and vehicle maintenance will occur within a bunded area sufficiently large enough to prevent uncontrolled releases into drainage lines. Spill kits will be placed at the refueling area and in-service vehicles and staff will be trained in the proper use of the kits. Fuel storage tank to be self-bunded. All spills immediately cleaned and contained.

3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant'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 2 and

Figure 1 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 (*Guidance Statement: Environmental Siting* (DER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Laverton townsite (residential area)	≈ 7 km south-east of the premises boundary
Environmental receptors	Distance from prescribed activity
Laverton Water Reserve and Catchment Area - P1 Public Drinking Water Source Protection Area ¹ (PDWSA)	Subject site is located within this P1 catchment area
Underlying groundwater	Ranges from 40 – 50m below ground level
Minor non-perennial watercourse	≈ 270 m north-west of the premises boundary

Note 1: A Public Drinking Water Source Area includes all underground water pollution control areas, catchment areas and water reserves constituted under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* or the *Country Areas Water Supply Act 1947*.

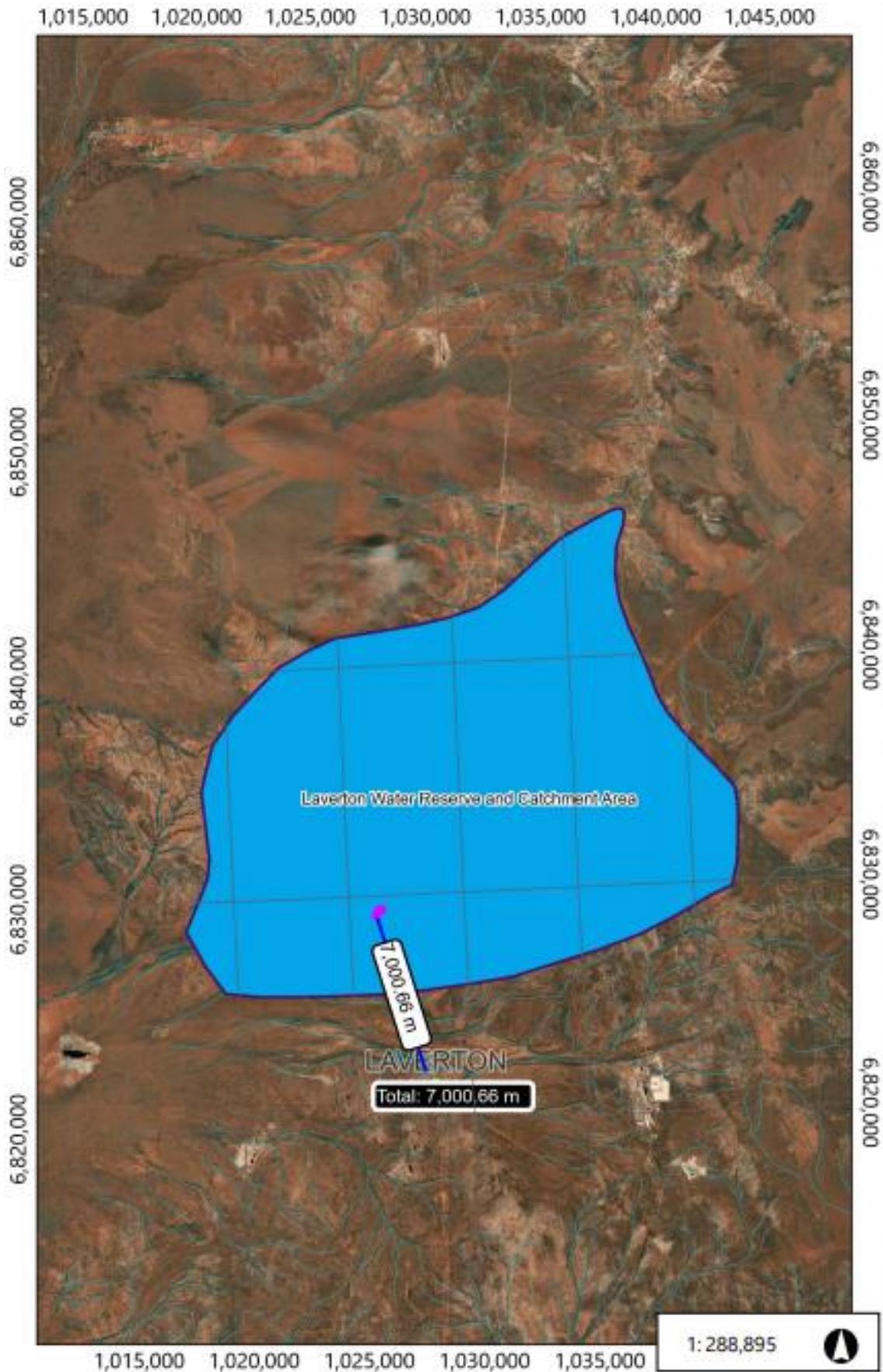


Figure 1: Prescribed premises boundary location (pink) to sensitive human and environmental receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant 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 applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works Approval W6477/2020/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence (or registration, depending on throughput) is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the Premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application (if required).

Table 3: Risk assessment of potential emissions and discharges from the Premises during construction and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval/	Justification for additional regulatory controls	
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls					
Construction/Installation									
Placement of mobile plant and associated equipment	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 7 km south-east of the prescribed premises boundary	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Condition 7, Table 2	No additional regulatory control required given the proximity to the nearest sensitive human receptor.	
Vehicle movements	Noise				C = Minor L = Rare Low Risk	Y	N/A	The <i>Environmental Protection (Noise) Regulations 1997</i> apply	No additional regulatory control required given the proximity to the nearest sensitive human receptor.
Lift-off from stockpiles and/or stored product									
Construction of sediment sumps									
Operation including time-limited-operations operations									
Screening, crushing, unloading, loading and storage of material	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 7 km south-east of the prescribed premises boundary	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Condition 7, Table 2	No additional regulatory control required given the proximity to the nearest sensitive human receptor.	
Lift-off from stockpiles and/or stored product	Noise				C = Minor L = Rare Medium Risk	Y	N/A	The <i>Environmental Protection (Noise) Regulations 1997</i> apply	No additional regulatory control required given the proximity to the nearest sensitive human receptor.
Vehicle movements									

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval/	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Washing of crushed rock material	Sediment laden wash water and stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality			C = Moderate L = Possible Medium Risk	N	Condition 1, Table 1 Condition 7, Table 2	As the prescribed premises is situated in a P1 PDWSA, the Delegated Officer considers the overall risk rating to be Medium . To ensure sediment laden wash water is adequately contained within the sediment cells, a 0.5m freeboard condition has been added to the Works Approval to prevent potential overflow and seepage into the surrounding unsealed ground.
Storage of hydrocarbons and chemicals Refueling and maintenance of plant and vehicles	Hydrocarbon/chemical spills and/or contaminated stormwater	Direct discharge/overland flow of hydrocarbons and/or contaminated storm water impacting on localised soils, nearby surface waters and groundwater.	Premises is situated in a P1 public drinking water source protection area Minor non-perennial watercourse located ~270 north-west	Refer to Section 3.1	C = Major L = Possible High Risk	N	Condition 1, Table 1 Condition 2 Condition 7, Table 2	The prescribed premises is situated within a P1 PDWSA catchment, Due to the highly sensitive nature of this environmental receptor and the overall risk rating determined as High , the Delegated Officer considers additional regulatory controls necessary to mitigate the risk of PDWSA contamination. The following additional conditions have been implemented in the Works Approval: 1. The applicant's proposal for a 20,000L fuel storage tank is too large in accordance with <i>WQPN 56: Tanks for fuel and chemical storage near sensitive water resources</i> . A maximum fuel storage capacity of ≤ 5000L is considered appropriate in accordance with this WQPN and the overall High risk rating. 2. WQPN 56 also requires the implementation of a contingency plan for emergency situations such as accidents, fires, spills, leaks, and vandalism that could impact the PDWSA. The implementation and submission of an Emergency Response Plan to the department in accordance with <i>WQPN 10: Contaminant spills – emergency response plan</i> , is considered necessary due to the overall High risk rating.

Works Approval: W6477/2020/1

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval/	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								<p>3. As the fuel tank is positioned in a PDWSA and in addition to the applicant's proposed self-bunded fuel tank, WQPN 56 also requires the tank and pipework to have secondary containment, sensors capable of alerting of a spill and devices to enable immediate shutdown of fuel pumping. The Delegated Officer considers these additional design and installation requirements necessary to prevent any potential contaminant spill.</p> <p>4. The applicant has indicated that refueling and vehicle maintenance will occur within a bunded area sufficiently large enough to prevent uncontrolled releases into drainage lines. The Delegated Officer considers this bunded area must be hardstand to ensure seepage of any spilled contaminants into the ground is prevented.</p>

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

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

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (22/12/2020).	None received.	N/A
Local Government Authority advised of proposal on 23/12/2020. (HPCM A1967289)	None received.	N/A
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal on 23/12/2020.	DMIRS indicated that they were processing Native Vegetation Clearing Permit CPS 9164/1 relating to a 1.45 hectare proposal associated with the Lancefield Quarry Works Approval Application. DMIRS advised they would not make a final determination until such a time that the EPA has completed its assessment (DWERDT417657) No comments have been received in direct response to the Works Approval Application.	DWER notes that CPS 9164/1 was granted on 22 April 2021.
Applicant was provided with draft documents on 28/04/2021.	The applicant advised on 04/06/2021 that no comments are to be provided (DWERDT461003).	Noted.

5. Conclusion

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

The applicant advised that there may be some delays in commencing construction and therefore the Delegated Officer has determined the works approval will be valid for a period of 5 years.

References

1. DER, July 2015. *Guidance Statement: Regulatory principles*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
2. DER, October 2015. *Guidance Statement: Setting conditions*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
3. DoW, April 2016. *Water quality protection note no. 25 – Land use compatibility tables for public drinking water source areas*. Department of Water, Perth. Accessed at https://www.water.wa.gov.au/data/assets/pdf_file/0014/1733/12441.pdf
3. DER, August 2016. *Guidance Statement: Licence duration*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
4. DER, November 2016. *Guidance Statement: Environmental Siting*, Perth, Western. Accessed at www.dwer.wa.gov.au
5. DER, February 2017. *Guidance Statement: Risk Assessments*. Department of Environment Regulation, Perth. Accessed at www.dwer.wa.gov.au
6. DWER, December 2018. *Water quality protection note no. 56 – Tanks for fuel and chemical storage near sensitive water resources*. Department of Water and Environmental Regulation, Perth. Accessed at https://www.water.wa.gov.au/data/assets/pdf_file/0010/5131/82577.pdf
7. DWER, June 2019. *Guideline: Decision Making*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
8. DWER, June 2019. *Guideline: Industry Regulation Guide to Licensing*. Department of Water and Environmental Regulation, Perth. Accessed at www.dwer.wa.gov.au
9. DWER, May 2020. *Water quality protection note no. 10 – Contaminant spills – emergency response plan*. Department of Water and Environmental Regulation, Perth. Accessed at https://www.water.wa.gov.au/data/assets/pdf_file/0014/4019/82323.pdf

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)				
Application type				
Works approval	<input checked="" 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 type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received	06 November 2020			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Focus Minerals (Laverton) Pty Ltd			
Premises name	Lancefield Quarry			
Premises location	Part of Mining Tenement M38/37 – 6 Beria Road, Laverton, WA			
Local Government Authority	Shire of Laverton			
Application documents				
HPCM file reference number:	DER2020/000562			
Key application documents (additional to application form):	Mining Tenement Summary Report Premises Boundary Location Plan Site Layout Plan Regional Premises Boundary Location Plan Proposed Clearing Flora and Flora Report Focus Minerals Ltd Works Approval Application – Lancefield Quarry DWER Application Form – Works Approval – Lancefield Quarry (DWERDT393020)			

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Works approval application Placement and operation of mobile crushing, screening and other associated equipment.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	
Category 70: Screening etc. of material: premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50,000 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 checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/> Applicant has submitted a referral to the EPA on 10 November 2020 (DWERDT363811 and A1952925). EPA issued a determination not to assess the proposal on 08/04/2021 (DWERDT436922).
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: M38/37 Expiry: 03/12/2026 Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why? Not required.
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The applicant has been directed by DWER's Native Vegetation Regulation on 15/12/2020 to submit a clearing permit application to DMIRS. (DWERDT406064). CPS9164/1 was granted on 22/4/2021

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
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: GWL 172290 for 707,616kL/annum for mining activities GWL165591 for 90,000kL/annum for mining activities
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: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> No <input type="checkbox"/>	Laverton Water Reserve and Catchment Area Priority: <u>P1</u> / P2 / P3 / N/A Are the proposed activities/landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Compatible with conditions 9,13
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"/>	Noise Regulations
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

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