



Application for Works Approval Amendment

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

Works Approval Number	W6558/2021/1
Works Approval Holder	Doral Mineral Sands Pty Ltd
ACN	096 342 451
File Number	DER2021/000318
Premises	Yalyalup Mineral Sands Mine South of Princefield Road; West of Ludlow-Hithergeen Road; North of Yalyalup road; and East of Wonnerup South Road YALYALUP WA Legal description - Tenement M70/1400 excluding lot 758 and 843 Yalyalup Road
Date of Report	8 December 2022
Decision	Revised works approval granted

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REGULATORY SERVICES

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

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1. Decision summary

Works Approval W6558/2021/1 is held by Doral Mineral Sands Pty Ltd (the applicant) for the Yalyalup Mineral Sands (the Premises), located approximately 11 km south-east of Busselton.

This Amendment Report documents the improvements to process implemented during time limited operation in managing potential risks to receptors during operation of the Premises. As a result of this assessment, Revised Works Approval W6558/2021/1 has been granted.

The Revised Works Approval issued as a result of this amendment supersedes the existing Works Approval previously granted in relation to the Premises.

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 Application summary

On 8 November 2022, the Works Approval Holder submitted an application to the department to amend Works Approval W6558/2021 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Extension of time limited operations only.

The application for amendment to W6558/2021 also provides the opportunity to document improvements to existing processes which improve amenity to nearby residential stakeholders. The premises boundary has also been reduced to exclude freehold lots 758 and 843 Yalyalup road within mining tenement M70/1400, as requested by the landowner.

The extension to time limited operations is to enable time for DWER to adequately assess the pending new licence application for Yalyalup Mineral Sands Mine. The licence will be a new instrument and the assessment of that application will determine whether additional controls are required.

2.3 Improvement initiatives since issue of W6558/2021/1

Emissions and controls identified in W6558/2021/1 remain relevant. Table 1 documents the additional controls the Works Approval Holder has identified during time limited operations to reduce the amenity impact of the premises on nearby residential receptors. Photographic evidence of implementation is provided as Appendix 2.

Table 1: Works Approval Holder controls

Emission	Sources	Potential pathways	Proposed controls
Noise/ vibration	Mobile plant Scalping screen	Air/windborne Ground	<ul style="list-style-type: none">• Reduced dozer activity before 9am on weekends, or with northerly winds• Limited truck movement on Sundays.

Emission	Sources	Potential pathways	Proposed controls
			<ul style="list-style-type: none"> • Sound suppression matting over scalping screen • Single loader operational at night time • In hopper vibrators now manual use and only to operate 2 minutes at a time.
Light	Light towers Workshop		<ul style="list-style-type: none"> • Lyle Road light concern rectified by providing neighbour with seedlings to create visual barrier • Ludlow Hithergreen Rd rectified by turning unnecessary lights off on workshop at night and lowering light angles. • Yalyalup Rd rectified by lowering light towers in pit at night and turning off loader flashing light as the loader is the only operational machine at night so the light is not required for safety purposes.

3. Risk assessment

The department has reviewed the risk assessment for works approval W6558/2021/1 and considers that is still valid. Several complaints around noise, vibration and light have been received from neighbours to the south of the premises and additional controls have been implemented to minimise impacts to these receptors, so the assessed risk remains the same.

Additional noise and vibration controls are added in condition 26.

Additional light controls outlined in section 2.3 of this report have been considered, and the Delegated Officer considers that no additional controls are required for this risk. There is opportunity to reassess this in the assessment of the licence application.

4. Consultation

Table 2 provides a summary of the consultation undertaken by the department.

Table 2: Consultation

Consultation method	Comments received	Department response
Nearby residential stakeholder 1 advised of the proposal on 28 November 2022.	Noise levels received at nearby residential property have recently improved and stakeholder hopes that this continues.	Improvements to processes conditioned which have been identified by the applicant during time limited operation have been conditioned in the Works Approval Amendment.
Nearby residential stakeholder 2 advised of the proposal on 28 November 2022.	No comments received	No response
Works Approval Holder was provided with draft amendment 7/12/2022	Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

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

5.1 Summary of amendments

Table 3 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

Table 3: Summary of works approval amendments

Condition no.	Proposed amendments
Works approval history	Added section to summarise changes to works approval through applicant initiated amendment.
5a	Extended time limited operations by 90 days to a maximum 270 calendar days
7 (table 3); 8 (table 4) and 14 (Table 6)	Emergency discharge point 4 removed, as it is not entirely within the updated premises boundary
26 Table 11	<p>Added additional controls which have been implemented by applicant during time limited operations:</p> <ul style="list-style-type: none"> • Maintain sound suppression matting over scalping screen; • No dozer activity before 9am on weekends • When wind is from a northerly direction, dozer operation is to be minimised. If a noise complaint is received from receptors to the south during this time, dozer operation is to cease until the wind is no longer from a northerly direction. • Night operations restricted to single loader; • In hopper vibrators to be manual and operate for a maximum of 2 minutes at a time.
Schedule 1: Figures 1 and 3	Premise boundary changed to exclude lots 758 and 843 Yalyalup Road, and emergency discharge point 4.

Appendix 1: Summary of Works Approval Holder's comments on draft amendment

Condition	Summary of Works Approval Holder's comment	Department's response
<ul style="list-style-type: none"> Condition 26, Table 11 – <p>Minimise dozer activity, not to occur before 9am on weekends, or when winds are from a northerly direction.</p>	<p>Not using dozers all weekend and/or with northerly winds is quite restrictive if the northerly is all day. A review of condition during assessment of licence application is requested.</p>	<p>Wording of condition has been reviewed. Works approval holder agreed that this is more workable, and Delegated Officer is satisfied that this condition is enforceable and encourages best practice.</p> <ul style="list-style-type: none"> No dozer activity before 9am on weekends When wind is from a northerly direction, dozer operation is to be minimised. If a noise complaint is received from receptors to the south during this time, dozer operation is to cease until the wind is no longer from a northerly direction. <p>The Department will consider the requirement for this condition during licence assessment.</p>
<p>Schedule 1 Maps</p>	<p>Updated map provided to remove lots 758 and 843 from premises boundary.</p>	<p>Premises maps updated.</p>

Appendix 2: Photograph Evidence of Works Approval Improvements



Plate 1: Sound suppression matting installed over the scalping screen.



Plate 2: Cat 982 Loader with exhaust attached