



Application for Works Approval

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

Works Approval Number	W6826/2023/1
Applicant	Holcim (Australia) Pty Ltd
ACN	099 732 297
File number	DER2023/000446
Premises	Comet Vale Sand Quarry Tenements M29/95 and L29/69 As depicted in Works Approval W6826/2023/1 Schedule 1
Date of report	7/09/2023
Decision	Works approval granted

**A/MANAGER, RESOURCES INDUSTRIES
REGULATORY SERVICES**

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

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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 W6826/2023/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 3 July 2023, Holcim (Australia) Pty Ltd (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The works approval is for a premises located approximately 25km south of the town of Menzies within mining tenure M29/95 with L29/69 used to access the premises from Goldfields Highway.

The applicant has previously operated a sand screening operation at the site; however the premises has previously not been registered or licenced as a prescribed premises as operational output was below the *Environmental Protection Regulation 1987* (EP Regulations) prescribed premises category 70 production capacity of over 5,000 tonnes.

The application is to undertake construction works relating to a sand screening operation at the premises to increase the screened sand production from under 5,000 tonnes per annum to 50,000 tonnes per annum; involving mobilising a screening plant to site and conducting time-limited-operations for 180 days or until a licence is granted (whichever comes first).

Sand will be extracted using a front-end loader. The sand will be temporarily stockpiled before screening in a mobile screening plant. The product is then stockpiled before transportation offsite by truck. The remaining life of mine for the site is approximately 20 years. It is assumed that the screening plant will be operated within the same time period.

The premises relates to the category and assessed production capacity under Schedule 1 of the EP Regulations which are defined in works approval W6826/2023/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in works approval W6826/2023/1.

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 construction and operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the 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			
Dust	Mobilisation of the screening plant onto the prescribed premises (vehicle movements)	Air / windborne	No controls proposed
Operation (including time-limited-operations)			
Dust	Screening, unloading, loading and storage of material	Air / windborne	<ul style="list-style-type: none"> Screening to not occur in adverse weather conditions; Operation of the screen will be operated to reduce unnecessary dust generation (material loaded same direction as the belt and minimal material drop distance); and Skirt systems installed at transfer points.
	Vehicle movements		
Sediment laden water runoff	Stormwater runoff from large rainfall events.	Overland runoff	No controls proposed. It expected that all stormwater will drain due to sandy soils at the site.
Hydrocarbons	Spills / leaks from plant and/or spills while refueling.	Direct discharge to land	<ul style="list-style-type: none"> All wastes are segregated and removed from site for recycling, reuse or disposal by appropriate licensed subcontractors; Operators will remain with their vehicle at all times during refueling to permit immediate response in the event of any spill or leakage; Refueling to be completed by a self bunded fuel trailer; Maintain all refueling equipment in good working order in accordance with the site maintenance schedule; No fuel stored or kept onsite overnight; Spill response equipment is available and readily accessible, and employees have spill response training; Servicing and maintenance of

Emission	Sources	Potential pathways	Proposed controls
			equipment is conducted offsite; and <ul style="list-style-type: none"> Regular maintenance of mobile equipment and vehicles.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors 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 below provides a summary of potential sensitive receptors that may be impacted because of activities upon or emissions from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020)).

Table 2: Human and Environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Adelong pastoral station (<i>screened out</i>)	The Adelong pastoral boundary is located approximately 4.1km west of the proposed prescribed premises. The receptor is discounted for this risk assessment due to the distance from the premises and the pastoral station boundary.
Jeedamyia pastoral station (<i>screened out</i>)	The Jeedamyia pastoral boundary is located approximately 4.5km northeast of the proposed prescribed premises. The receptor is discounted for this risk assessment due to the distance from the premises and the pastoral station boundary.
Environmental receptors	Distance from prescribed activity
Threatened and Priority Flora	Priority flora has been identified within and nearby the proposed prescribed premises: <ul style="list-style-type: none"> Priority 2 flora is identified within the portion of the "Rehabilitation Area" in Attachment 2 of the Holcim application form and is assumed to be destroyed. The siting of the flora was recorded in 2007. Priority 1 flora is identified approximately 70m south of the proposed prescribed premises. The siting was recorded in 1996. Aerial imagery available through Geocortex were reviewed and the vegetation in the immediate area appears undisturbed. Priority 3 flora is identified approximately 2,000m south and east of the prescribed premises.
Native Vegetation	Native vegetation is present within and immediately adjacent surrounding the premises.
Surface water bodies and lines (<i>screened out</i>)	Lake Goongarrie is located approximately 1km southeast of the proposed prescribed premises. No drainage water lines are observed within or nearby (within 1km) of the premises.

Threatened Ecological Communities (TECs) (<i>screened out</i>)	No TECs were identified within 2kms from the proposed prescribed premises.
Indigenous receptors	Distance from activity / prescribed premises
Heritage sites (<i>screened out</i>)	Nyalpa Pirniku was accepted for registration for Native Title however no current Native Title currently exists and no Indigenous Heritage areas are identified within 2km of the proposed prescribed premises.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 W6826/2023/1 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 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., category 12 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.

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

Risk events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Construction/Installation								
Mobilisation of the screening plant onto the prescribed premises (vehicle movements)	Dust	<p>Potential Pathway:</p> <ul style="list-style-type: none"> Dust generated by activity being transported offsite with aid by wind to the receptor. <p>Potential Impacts:</p> <ul style="list-style-type: none"> Deposition on vegetation impacting the photosynthesis process resulting in impacts to vegetation health. 	Native vegetation and Threatened and Priority Flora	Refer to Section 3.1	C = Slight L = Rare Low Risk	Y	N/A	N/A
Operation (including time-limited-operations operations)								
Screening, unloading, loading and storage of material and Vehicle movements	Dust	<p>Potential Pathway:</p> <ul style="list-style-type: none"> Dust generated by activity being transported offsite with aid by wind to the receptor. <p>Potential Impacts:</p> <ul style="list-style-type: none"> Deposition on vegetation impacting the photosynthesis process resulting in impacts to vegetation health. 	Native vegetation and Threatened and Priority Flora	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1 Condition 6	N/A
	Sediment laden water runoff	<p>Potential Pathway:</p> <ul style="list-style-type: none"> Overland runoff after rainfall events. <p>Potential Impacts:</p> <ul style="list-style-type: none"> Degradation of adjacent and nearby native vegetation via smothering. 	Adjacent native vegetation and Threatened and Priority Flora		C = Slight L = Unlikely Low Risk	Y	N/A	N/A
	Hydrocarbons	<p>Potential Pathway:</p> <ul style="list-style-type: none"> Direct discharge to land <p>Potential impacts:</p> <ul style="list-style-type: none"> Contamination of soil and/or damage to native vegetation 	Adjacent native vegetation		C = Minor L = Rare Low Risk	Y	Condition 6 Condition 7	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

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 on 28 July 2023.	None received.	N/A.
Local Government Authority (Shire of Menzies) advised of proposal on 28 July 2023.	None received.	N/A.
Applicant was provided with draft documents on 23 August 2023	Applicant requested for mining tenements M29/95 and L29/69 be added to the "Equipment / Infrastructure" column for Condition 1 Table 1.	Added M29/95 and L29/69 to Table 1 and 2.

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.

References

1. AECOM 2023, *Comet Vale Works Approval Application*, Doc No. 60704270_0
2. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
3. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
4. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
5. Holcim 2017a, *SHE Element & Guideline 6.08: Air Emissions*
6. Holcim 2017b, *SHE Element & Guideline 6.09: Noise*
7. Holcim 2017c, *SHE Element & Guideline 6.11: Storage of Liquid Fuels & Chemicals*

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY					
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		3/7/2023			
Applicant and Premises details					
Applicant name/s (full legal name/s)		Holcim (Australia) Pty Ltd			
Premises name		Comet Vale Sand Quarry			
Premises location		Located within M29/95 and L29/69			
Local Government Authority		Shire of Menzies			
Application documents					
HPCM file reference number:		DER2023/000446			
Key application documents (additional to application form):		Comet Vale Works Approval Application – Supporting Documents SHE Element & Guideline 6.08 Air Emissions (2017a).			

	SHE Element & Guideline 6.09 Noise (2017b). SHE Element & Guideline 6.11 Storage of Liquid Fuels and Chemicals (2017c).	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<p>Works approval</p> <p>Holcim Australia Pty Ltd (Holcim) intends to increase the throughput of their current sand operation of Comet Vale to 50,000 tonnes per annum. Holcim has previously operated the site with a production of under 5,000 tonnes per annum and therefore was not a prescribed premises or a registered premises.</p> <p>Installation of a mobile screening plant which is intended to be towed onto the premises, the life of the mine is estimated to be approximately 20 years.</p>	
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 12: Screening etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50,000 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 checked="" 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 checked="" type="checkbox"/> Expiry: • L 29/69 exp 12 February 2024 • M 29/95 exp 5 April 2031

		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: N/A Expiry date: N/A Project is located on mining tenure and no planning approval is required.
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, screening plant will be located within the existing cleared open pit.
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 type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A 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 type="checkbox"/> Regional office: N/A
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"/> P1 and P2 PDWS located approximately 22kms north of the premises.

<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i>, <i>Environmental Protection (Controlled Waste) Regulations 2004</i>, <i>State Agreement Act xxxx</i>)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<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>N/A</p>