



<b>Works Approval Number</b>	W5405/2013/1
<b>Works Approval Holder</b>	Kimberley Granite Quarries Pty Ltd
<b>ACN</b>	153 969 610
<b>File Number:</b>	2013/001226-1~1
<b>Premises</b>	Fitzroy South Quarry Mining Lease M04/450  Legal description – FITZROY CROSSING WA 6765 as depicted in Schedule 1.
<b>Date of Amendment</b>	<b>06/05/2019</b>

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Works Approval in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

**Alana Kidd**

**MANAGER – RESOURCE INDUSTRIES**

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

# Definitions and interpretation

## Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
ACN	Australian Company Number
Amendment Notice	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 6919 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
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</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
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
Works Approval Holder	Kimberley Granite Quarries Pty Ltd
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 Decision Report applies, as specified at the front of this Decision Report.

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Works Approval issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This notice is limited only to extend the expiry date. No changes to the aspects of the original works approval relating to Category 12 have been requested by the Works Approval Holder.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Decision Making* (February 2017)

## Amendment description

An application for an amendment to Works Approval W5405/2013/1 was received by the Department on 28 March 2019. In the application, the Works Approval Holder requested an extension of the expiration date on W5405/2013/1 to 19 May 2022.

The development of a quarry on site was to provide aggregate to the following projects:

- Recreational fisherman harbor facility in Broom;
- Supply road base and sealing material for the Fitzroy River – Great Northern Highway road realignment
- Infrastructure requirements in the Derby port area

The above projects are yet to commence development, Kimberley Granite Quarries Pty Ltd believe that there will be action within the next three years and therefore wish to extend the expiry date of this works approval.

There has not been any further assessment of the approval.

## Amendment history

Table 2 provides the amendment history for W5405/2013/1.

**Table 2: Works approval amendments**

Instrument	Issued	Amendment
W5405/2013/1	10/03/2016	Amendment Notice Extend the expiry date from 16 May 2016 to 19 May 2019
W5405/2013/1	06/05/2019	Amendment Notice 1 Extend the expiry date from 19 May 2019 to 19 May 2022

## Decision

The Works Approval have been updated to refer to the new expiry date of Works Approval W5405/2013/1. No other aspects of the condition have been changed.

## Works Approval Holder's comments

The Works Approval Holder was provided with the draft Amendment Notice on 18 April 2019. The Works Approval Holder responded on 2 May 2019 waiving the remaining comment period. No comments were submitted on the draft Amendment Notice.

## Amendment

1. The works approval duration has been extended from *19 May 2019* to *19 May 2022*.

## Appendix 1: Key documents

	Document title	In text ref	Availability
1	Works Approval W5405/2013/1 – Kimberley Granite Quarries	W6132/2018/1	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	Works Approval W5405/2013/1 – Kimberley Granite Quarries – Amendment 1		accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
3	Kimberley Granite Quarries – Works Approval Amendment application 28/03/2019		DWER records (A1776616)
4	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
5	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	