



Licence

Environmental Protection Act 1986, Part V

Licensee: Cable Sands (W.A.) Pty Ltd

Licence: L6022/1988/13

Registered office: 53 Quill Way
 HENDERSON WA 6166

ACN: 009 137 142

Premises address: North Shore Mineral Separation Plant
 962 Koombana Drive
 VITTORIA WA 6230
 Being General Purpose Lease G70/83, as depicted in Schedule 1.

Issue date: Thursday, 25 September 2014

Commencement date: Saturday, 27 September 2014

Expiry date: Monday, 26 September 2033

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
8	Mineral sands mining or processing: premises on which mineral sands ore is mined, screened, separated or otherwise processed.	5,000 tonnes or more per year	800,000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 28 July 2016

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Tim Gentle
 Manager Licensing – Industry Regulation (Resource Industries)
 Officer delegated under section 20
 of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The premises is a mineral sands separation plant located near Bunbury on the southern Swan Coastal Plain, approximately 180 km south of Perth. It is used to separate the component minerals from various concentrates transported from company mine sites. Over the past 10 years, a significant proportion of the mineral processed has been non-magnetic feedstock shipped from the company's Murray Basin (NSW) operations.

Processing involves drying the feedstock through rotary dryers, additional wet gravity separation, and dry magnetic and dry electrostatic precipitation, to produce graded ilmenite, rutile and zircon products. Sand tailings are stockpiled before being transported to the Wonnerup mine and incorporated in pit backfill. Clay fines washed out of the feedstock are passed through a thickener, with the clay slurry pumped to dams and the water recovered for re-use in processing. Dried fines are periodically transported to the Wonnerup mine and incorporated in pit backfill. Mineral products are held in storage sheds, prior to dispatch in bulk or containerised. The principle emissions and discharges of significance are particulates from the dryer stacks, fugitive dust from product storage and the potential for impacts to surface and groundwater quality from uncontrolled discharges.

This Licence is the result of an amendment sought by the Licensee following recent licence compliance inspections. DER has also reviewed and updated the licence to ensure accuracy and adequacy of licence conditions in relation to on-site activities.

The licences and works approvals issued for the Premises since 1990 are:

Instrument log		
Instrument	Issued	Description
W437	08/03/1990	Works approval for expansion of the existing high tension plant.
W771	25/02/1992	Renewal of expiring W437.
L3746	15/09/1992	Licence issued by EPA for an 800,000 tpa plant.
L4262	15/09/1993	Licence reissue.
W1070	24/03/1994	Renewal of expiring W771.
L6022	03/10/1995	Licence reissue. Issued by DEP for 3 years.
W1433	10/10/1996	Works approval for installation of a wet scrubber system on the magnetic ilmenite dryer stack.
W2688	03/02/1999	Works approval to replace high tension dryer stack cyclone with a wet scrubber system.
L6022/2	30/12/1998	Licence reissue.
L6022/3	21/09/1999	Licence reissue.
L6022/4	20/09/2000	Licence reissue. Particulate stack limit reduced to 200 mg/m ³ .
L6022/5	12/09/2001	Licence reissue.
L6022/6	30/08/2002	Licence reissue.
L6022/7	15/09/2003	Licence reissue.
L6022/8	21/09/2004	Licence reissue.
L6022/10	16/08/2005	Licence reissue.
L6022/1988/11	18/09/2008	Licence reissue.
L6022/1988/11	23/06/2011	Amendment to alter stack monitoring frequency.
L6022/1988/12	15/09/2011	Licence reissue.
L6022/1988/13	25/09/2014	Licence reissue. Converted to REFIRE format.
L6022/1988/13	28/07/2016	Amendment to include stormwater controls.



Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'AHD' means the Australian height datum;

'annual period' means the inclusive period from 1 January until 31 December in the same year;

'AS 3580.1.1' means the Australian Standard AS 3580.1.1 *Methods for sampling and analysis of ambient air – Guide to siting air monitoring equipment*;

'AS 3580.9.3' means the Australian Standard AS 3580.9.3 *Methods for sampling and analysis of ambient air - Determination of suspended particulate matter – Total suspended particulate matter (TSP) – High volume sampler gravimetric method*;

'AS 4323.1' means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions*;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.11' means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEMS' means continuous emissions monitoring system;

'CEMS Code' means the current version of the Continuous Emission Monitoring System (CEMS) Code for Stationary Source Air Emissions, Department of Environment & Conservation, Government of Western Australia;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;
Chief Executive Officer
Department administering the *Environmental Protection Act 1986*
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au;

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

'Licence' means this Licence numbered L6022/1988/13 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;



'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

'PM' means total particulate matter including both solid fragments of material and miniscule droplets of liquid;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'quarterly' means the 4 inclusive periods from 1 April to 30 June, 1 July to 30 September, 1 October to 31 December and in the following year, 1 January to 31 March;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'significant rainfall event' means a 1 in 10 year, 24 hour rainfall event (or greater);

'spot sample' means a discrete sample representative at the time and place at which the sample is taken;

'stack test' means a discrete set of samples taken over a representative period at normal operating conditions;

'STP dry' means standard temperature and pressure (0°Celsius and 101.325 kilopascals respectively), dry;

'TSP' means total suspended particles each having an equivalent aerodynamic diameter of less than 50 micrometres;

'USEPA' means United States (of America) Environmental Protection Agency;

'USEPA Method 5' means the USEPA Method 5 *Determination of Particulate Matter Emissions from Stationary Sources*;

'USEPA Method 17' means the USEPA Method 17 *Determination of Particulate Matter Emissions from Stationary Sources*;

'µg/m³' means micrograms per cubic metre; and

'µS/cm' means micro Siemens per centimetre.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.



1.2 Premises operation

1.2.1 The Licensee shall ensure that materials listed in Table 1.2.1 are only discharged into the corresponding infrastructure detailed in Table 1.2.1.

Table 1.2.1: Containment infrastructure		
Infrastructure	Material	Infrastructure requirements
Fines dams 1 – 3	Thickener underflow	<ul style="list-style-type: none"> • Overtopping does not occur; • A minimum top of embankment freeboard of 300 mm is maintained; • The integrity of the dam(s) are maintained.
Stormwater collection sump	Stormwater	<ul style="list-style-type: none"> • Weir boards on overflow point, to control flow and/or storage capacity (if required).

1.2.2 The Licensee shall maintain mechanisms to ensure that stormwater generated from the Western catchment is diverted through the emission point reference W2 (NSSW02), as depicted on the premises map in Schedule 1, to the off-site stormwater infiltration basin.

1.2.3 The Licensee shall maintain mechanisms to ensure that stormwater generated from the Northern catchment is diverted to a collection sump and pumped back to the thickener tank for reuse.

1.2.4 The Licensee may take the relevant management action in the case of an event in Table 1.2.2.

Table 1.2.2: Management actions			
Emission point reference	Event/ action reference	Event	Management action(s)
W1 (NSSW01)	EW1	Significant rainfall event requiring short term excess surface water management	<ul style="list-style-type: none"> • Controlled discharge of excess water through the sump overflow pipe, into the Bunbury Inner Harbour; • Monitoring of water quality parameters (pH, EC, TSS) at least once during each controlled discharge event.



2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2 Point source emissions to air

2.2.1 The Licensee shall ensure that where waste is emitted to air from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1, it is done so in accordance with the conditions of this Licence.

Table 2.2.1: Emission points to air			
Emission point reference	Emission Point and source	Emission point height (m)	Source, including any abatement
A1	High tension (HT) plant dryer stack	24.038	Non-mag dryer via wet scrubber
A2	Mag plant dryer stack	22.807	Ilmenite dryer via wet scrubber
A3	Secondary dry plant dryer stack	22.030	Secondary minerals dryer via wet scrubber
A4	HT plant dust stack	27.135	Non-mag dryer via electrostatic precipitator
A5	Bin B162 fan stack	Not specified	Ion blast via baghouse
A6	Rougher reheater stack		Rougher reheater via baghouse
A7	Zircon reheater stack		Zircon reheater via baghouse
A8	Rutile reheater stack		Rutile reheater via baghouse
A9	Rutile fluid bed dryer stack		Rutile FBD
A10	No.1 Zr FBD stack		Non-mag plant Zr FBD
A11	No.2 Zr FBD stack		Secondary dry plant Zr FBD
A12	Mag plant dust stack		Mag plant via baghouse
A13	Bagging dust stack		Shed No.5 bagging machine via baghouse

2.2.2 The Licensee shall not cause or allow point source emissions to air greater than the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to air			
Emission point Reference	Parameter	Limit (including units)¹	Averaging period
A1 – A3	PM	70 mg/m ³	Stack test (60 minute average)

Note 1: All units are referenced to STP dry.



3 Monitoring

3.1 General monitoring

- 3.1.1 The licensee shall ensure that:
 - (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
 - (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
 - (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured (unless indicated otherwise in the relevant table).
- 3.1.2 The Licensee shall ensure that:
 - (a) quarterly monitoring is undertaken at least 45 days apart;
 - (b) monthly monitoring is undertaken at least 15 days apart; and
 - (c) annual monitoring is undertaken at least 9 months apart.
- 3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.
- 3.1.4 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer’s specifications.
- 3.1.5 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to air

Emission point reference	Parameter	Units ¹	Averaging period	Frequency	Method
A1	PM	mg/m ³	Stack test (60 mins) ²	Quarterly	USEPA Method 5 or 17
A2				Minimum 4 times per year, at least 4 weeks apart	
A3 & A4				Annual	

Note 1: Units referenced to STP dry.

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

- 3.2.2 The Licensee shall ensure that sampling required under condition 3.2.1 of the Licence is undertaken at sampling locations in accordance with the AS 4323.1 or relevant part of the CEMS Code.
- 3.2.3 The Licensee shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.



3.3 Process monitoring

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Process monitoring					
Monitoring point reference	Process description	Parameter	Units	Frequency	Method
-	Processing of ore	Amount of ore processed	tonnes	Annual	None specified
-	Secondary process tailings dispatched	Amount of tailings dispatched from the Premises		Monthly	

3.4 Ambient environmental quality monitoring

3.4.1 The Licensee shall undertake the monitoring in Tables 3.4.1 and 3.4.3 according to the specifications in those tables and record and investigate results that do not meet any limits specified.

Table 3.4.1: Monitoring of ambient air quality						
Monitoring point reference	Parameter	Limit	Units	Averaging period	Frequency	Method
AQ1 – AQ5	TSP	260	µg/m ³	24 hours	Minimum 4 times per year, at least 4 weeks apart ²	AS 3580.9.3

Note 1: Sampling shall occur during the period 1 September to 31 May the following year.

3.4.2 The Licensee shall ensure that the siting of ambient air monitoring equipment is in accordance with AS 3580.1.1.

3.4.3 The Licensee is exempt from compliance with Condition 3.4.1 if in the case of an event in Table 3.4.2:

- (a) the corresponding management action is taken; and
- (b) there is sufficient evidence to demonstrate that the exceedance is not attributed to operations on the Premises.

Table 3.4.2: Management actions			
Monitoring point reference	Event/action reference	Event	Management action
AQ1 – AQ5	EA1	Exceedance of the limit specified in Condition 3.4.1	Undertake an investigation of the exceedance, including but not limited to: <ul style="list-style-type: none"> (a) the root cause analysis of the exceedance; and (b) any common or contributory factors for the exceedance.



Table 3.4.3: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
GQ1 – GQ7	Standing water level ¹	m(AHD)	Spot sample	Quarterly
	pH ¹	-		
	Electrical conductivity ^{1,2}	µS/cm		
	Aluminium	mg/L		
	Iron			
Manganese				
GQ5, GQ7	Total recoverable hydrocarbons	mg/L		Annual

Note 1: In-field non-NATA accredited analysis permitted.

Note 2: Referenced to 25°C.

4 Information

4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report by 31 March in each year. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 1.2.2	Summary of discharge events through W1 and monitoring taken	
Table 3.2.1	Monitoring of point source emissions to air	
Table 3.3.1	Process monitoring	
Table 3.4.1	Monitoring of ambient air quality	
Table 3.4.3	Monitoring of ambient groundwater quality	
4.1.2	Compliance	AACR
4.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2.



- 4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 3.1.3; and
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits.
- 4.2.3 The Licensee shall submit the information in Table 4.2.2 to the CEO according to the specifications in that table.

Table 4.2.2: Non-annual reporting requirements				
Condition or table	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties
Table 3.4.2	Investigation into an exceedance of the limit specified in Table 3.4.1	Quarterly	28 calendar days	Not specified

4.3 Notification

- 4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition	Parameter	Notification requirement¹	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.	N1
		Part B: As soon as practicable	
3.1.5	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act.
Note 2: Forms are in Schedule 2.



Schedule 1: Maps

Premises map and map of monitoring locations

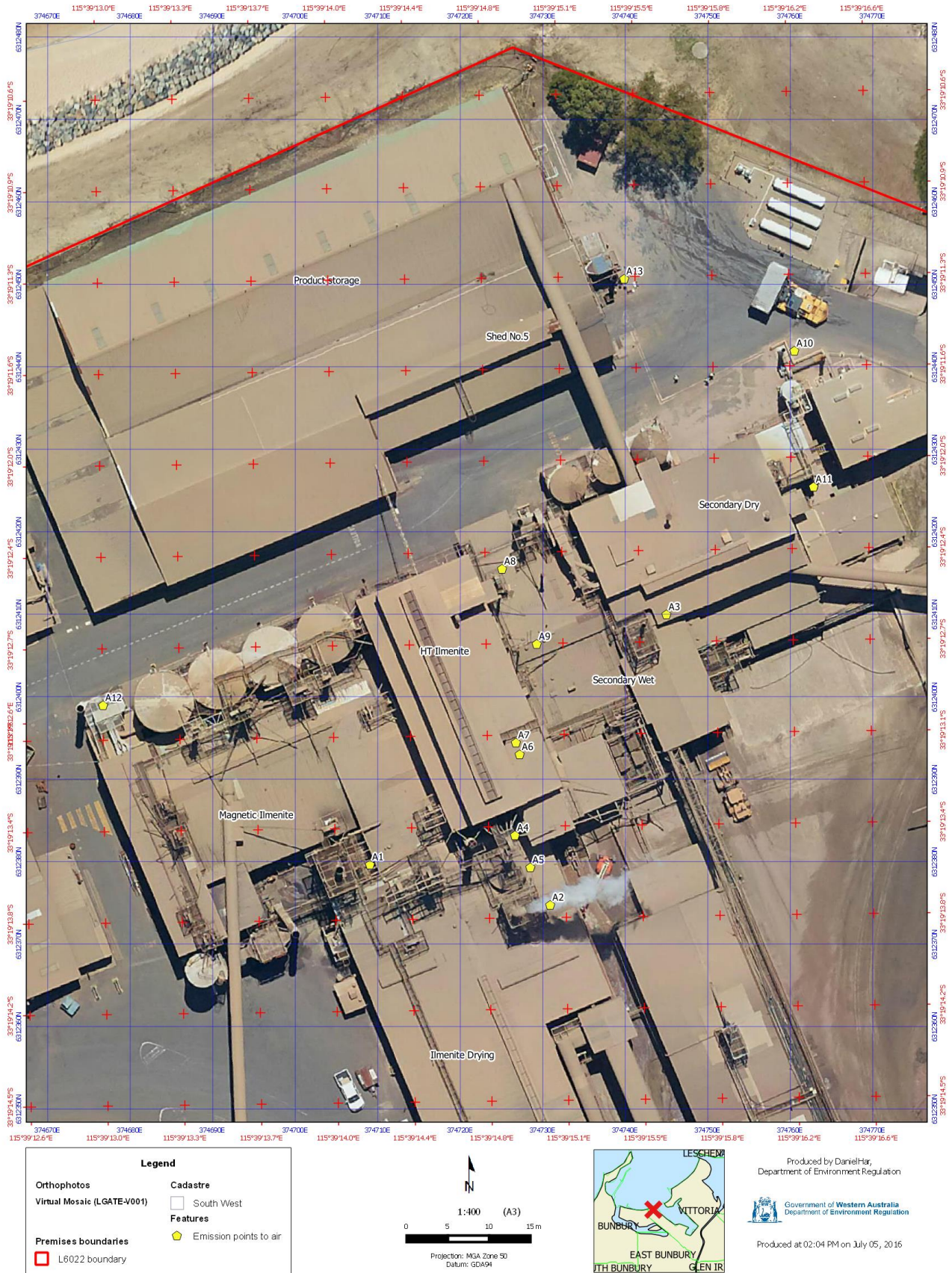
The Premises, and the locations of the monitoring points defined in Tables 3.4.1 and 3.4.3, are shown in the map below. The red line depicts the Premises boundary.





Map of emission points

The locations of the emission points defined in Table 2.2.1 are shown below.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A

LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____
	<input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L6022/1988/13
Form: N1

Licensee: Cable Sands (W.A.) Pty Ltd
Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Position	
Signature on behalf of Cable Sands (W.A.) Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Licensee: Cable Sands (W.A.) Pty Ltd

Licence: L6022/1988/13

Registered office: 53 Quill Way
HENDERSON WA 6166

ACN: 009 137 142

Premises address: North Shore Mineral Separation Plant
962 Koombana Drive
VITTORIA WA 6230
Being General Purpose Lease G70/83

Issue date: Thursday, 25 September 2014

Commencement date: Saturday, 27 September 2014

Expiry date: Monday, 26 September 2033

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and that the amended Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Daniel Hartnup
Licensing Officer

Decision Document authorised by: Tim Gentle
Delegated Officer



Contents

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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input type="checkbox"/>
	Licence amendment <input checked="" type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	8: Mineral sands mining or processing	800,000 tpa
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	N/A <input checked="" type="checkbox"/>	
	N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal a Major Resource Project?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	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"/>	
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Ministerial statement No: EPA Report No:	
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Department of Water consulted 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"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



3 Executive summary of proposal and assessment

This assessment sets out DER's decision making in relation to an amendment to Licence L6022/1988/13, issued to Cable Sands (W.A.) Pty Ltd, trading as Cristal Mining, for the North Shore Mineral Separation Plant. The amendment relates to changes following recent licence compliance inspections.

The premises is a mineral separation plant located near Bunbury on the southern Swan Coastal Plain, approximately 180 km south of Perth. It is used to separate the component minerals from various concentrates transported from company mine sites. The plant was established in 1956 and was first licensed under Part V in 1988 following promulgation of the EP Act in 1986.

Following a licence compliance inspection in January 2016, it was identified the licence required additional controls with respect to the off-site discharge of stormwater from the premises. Additional changes including the removal of conditions deemed redundant by DER, and an update to the licence expiry consistent with the administrative notice issued in April 2016, have been made.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DEC's Policy Statement - Limits and targets for prescribed premises (2006), and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Licence section	Condition number	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	Old L1.2.1 – L1.2.5	L1.2.1 from the previous licence has been removed as it is not valid, enforceable or risk based. L1.2.2 – L1.2.5 from the previous licence have been removed as they are not enforceable, sufficiently clear or certain.	
Premises operation	L1.2.1 – L1.2.4	The containment infrastructure table has been expanded to incorporate the infrastructure requirements of the previous condition L1.2.2. The stormwater collection sump adjacent to Shed 6 has been added to the containment infrastructure table. L1.2.2 has been added to require stormwater generated from the western catchment to be managed such that it discharges to the off-site infiltration basin ¹ . L1.2.3 has been added to require stormwater generated from the northern catchment to be collected and pumped to the thickener for reuse in processing ² . L1.2.4 has been added to provide the ability for controlled discharges of stormwater from the sump to the Bunbury Inner Harbour during significant rainfall events (1:10 year, 24 hr event or greater) where the volume of water in the sump exceeds the capacity of the pump. Monitoring for water quality parameters (pH, TSS, EC) for each discharge event is required, and a summary of the results provided in the AER.	
Point source emissions to air including monitoring	Old L2.2.3	The air emission targets for PM specified in the previous licence have been removed in accordance with recent administrative changes implemented within DER. Reference to oxygen correction in Table 3.2.1 has also been removed, as this is not required for particulate measurements.	

¹ The western side of the premises drains to a network of trenches, which eventually connect up and flow off site to a stormwater soak. As such, this is not considered a discharge to surface water as it is itself, a management control. Groundwater quality within the vicinity of the soak is undertaken to determine impacts from the infiltration activity.

² Stormwater collected from the northern side of the premises is designed as a zero-discharge system under normal conditions. During significant rainfall events, overflow into the Bunbury Inner Harbour is manually controlled and as such, this is also not considered to be a routine discharge to surface water.



DECISION TABLE			
Licence section	Condition number	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions	Old L2.5.1 – L2.5.3	Previous conditions relating to management of fugitive emissions (dust) have been removed as they are not risk based. The TSP limit on the premises boundary has been relocated to the ambient monitoring section.	
Process monitoring	L3.3.1	Process monitoring conditions have been added for compliance purposes and relate to the amount of ore processed and secondary tailings dispatched from the premises.	
Ambient quality monitoring	L3.4.1 – L3.4.3 (Old L3.8.1)	In accordance with recent changes implemented within DER, the target for ambient air quality monitoring has been removed and replaced with the limit from the old condition L2.5.1. A new table 3.4.2 has also been added, to provide for an exemption with complying with the specified limit, in the event of an exceedance an investigation is undertaken to demonstrate the exceedance is not attributed to activities on the premises. The monitoring of radionuclides in groundwater has been removed as this is an existing requirement under the Radiation Safety Act.	
Improvements	Old 4.1.1 – L4.1.2	Improvements listed on the previous licence have been removed as all requirements have been met and are now no longer valid.	
Information	Old L5.1.2 L4.2.1 L4.2.3	Old L5.1.2 has been removed in accordance with recent administrative changes implemented within DER as it is not valid, enforceable or risk based. A summary of discharge events through W1 and monitoring taken has been added to the AER. A non-annual reporting requirement has also been added with respect to any investigations into limit exceedances under Table 3.4.2.	
Licence Duration	N/A	The licence expiry was extended to 2033 by way of administrative notice in April 2016. The expiry has been updated on the amended licence.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
13/07/2016	Proponent sent a copy of draft amended instrument and decision document	The stormwater sump at W1 is not fully concrete lined, the ability for some infiltration of stormwater is necessary here as it is with all other unsealed areas of the North Shore site, all other internal sumps that form part of the stormwater management network act as infiltration and retention basins also.	Noted and accepted. Reference to concrete lining has been removed from the table. W1 is the reference for the discharge points, not the sump itself.
		We propose that TPH (Total Petroleum Hydrocarbons) as a water quality parameter should replace Total Recoverable Hydrocarbons, this is what we have previously measured and what the labs we use can do.	TRH is equivalent to TPH and is the chosen term in the NEPM guidelines to avoid confusion with past practices.
		It is requested to rename the monitoring points back to what it was before the 2014 revision, as this will help with our database.	Noted and accepted. Monitoring points renamed as per previous licence version.

6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High