Government of **Western Australia**
Department of **Environment Regulation**

Your ref L7184/1997/11
Our ref DEC10847
Enquiries Clint Joseph
Phone (08) 9921 5955
Fax (08) 9921 5713
Email clint.joseph@der.wa.gov.au

Ms Eefje Broenland
Environmental Manager
Shark Bay Salt Resources Pty Ltd
GPO Box 2593
PERTH WA 6001

Dear Ms Broenland

***ENVIRONMENTAL PROTECTION ACT 1986*: LICENCE GRANTED**

Premises: Shark Bay Resources
M260SA, G9/1 and G9/2 USELESS LOOP WA 6537
Licence Number: L7184/1997/11

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper. The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to $125,000 and a daily penalty of up to $25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Clint Joseph on (08) 9921 5955.

Yours sincerely

Mark Whiteley
Officer delegated under section 20
of the *Environmental Protection Act 1986*

29 August 2013

Government of **Western Australia**
Department of **Environment Regulation**

WESTERN AUSTRALIA

DEPARTMENT of ENVIRONMENT REGULATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L7184/1997/11 **FILE NUMBER: DEC10847**

NAME AND ADDRESS OF OCCUPIER:
Shark Bay Resources Pty Ltd
GPO Box 2593
PERTH WA 6001
ACN: 079 088 636

NAME AND LOCATION OF PREMISES:
Shark Bay Resources Pty Ltd
M260SA, G9/1 and G9/2
USELESS LOOP WA 6537
(As depicted in Attachment 1)

Environmental Protection Regulations 1987
CLASSIFICATION(S) OF PREMISES:

Category 14 – Solar Salt Manufacturing
Category 58A – Bulk material loading or unloading (salt)
Category 89 – Putrescibles landfill site

COMMENCEMENT DATE OF LICENCE: Monday, 2 September 2013

EXPIRY DATE OF LICENCE: Thursday, 1 September 2016

CONDITIONS OF LICENCE:
As described and attached:

Subject to the 20 conditions of licence set out in the attached pages.

.....
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday, 29 August 2013

WESTERN AUSTRALIA

DEPARTMENT of ENVIRONMENT REGULATION

Environmental Protection Act 1986

LICENCE NUMBER: L7184/1997/11 **FILE NUMBER: DEC 10847**

PREAMBLE

Applicability
This licence is issued to Shark Bay Resources Pty Ltd located on M260SA, which is a prescribed premises within Schedule 1 of the Environmental Protection Regulations, and includes but is not necessarily limited to, the following operations:

- solar salt works - Useless Loop;
- Useless Loop townsite;
- Useless Loop shiploading facility;
- electric power generation; and
- putrescible landfill.

This facility is prescribed within Schedule 1 of the Environmental Protection Regulations 1987 as outlined in Table 1;

Table 1: Categories under which Shark Bay Salt is prescribed.

Category number	Category name	Description
14	Solar Salt Manufacturing	Premises on which salt is produced by solar evaporation.
58A	Bulk material loading or unloading (salt)	Premises on which salt is loaded onto or unloaded from vessels by an open material loading system.
89	Putrescibles landfill site	Premises on which waste (as determined by reference to the waste type set out in the document entitled 'Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)') is accepted for burial.

Nominal Rated Throughput
The nominal rated throughput of the premises covered by this licence is in accordance with the following:

- Quantity of salt stockpiled: 1.4 million tonnes per year;
- Quantity of salt loaded: 1.4 million tonnes per year.

Any increase (greater than 10% per cent) above the nominal rated throughput listed shall not occur unless the licensee has been granted prior approval in writing from the Director under the provisions of the *Environmental Protection Act 1986.*

Ministerial Conditions
It should be noted that this premises is also subject to conditions set by the Minister for the Environment under Part IV of the *Environmental Protection Act 1986.* The licensee is required

to comply with the requirements of the Minister's Statement (Statements 513 and 425) as well as those in this licence.

Emergency, Accident or Malfunction
The licensee should inform the Director within 2 normal working days of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this licence and has caused or is likely to cause pollution.

Alteration to Premises
Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises the licensee must submit a proposal to the Director accompanied by supporting information and plans which allow the environmental impact of that change to be assessed.

General Requirements
The following statements reflect important sections of the *Environmental Protection Act 1986* and are included for the information of the licensee:

- The licensee should take all reasonable and practicable measures to prevent pollution of the environment.
- Noise emissions from operations on site are required to comply with the Environmental Protection (Noise) Regulations 1997.
- The licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.
- The licensee should inform the Director at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.

CONDITIONS OF LICENCE

DEFINITIONS
In these conditions of licence, unless inconsistent with the text or subject matter:

"AS/NZS 5667 or Australian Standard 5667.1" means the most recent version and the relevant parts of the Australian and New Zealand series of guidance standards on Water Quality Sampling;

"advise" means advise in writing from time to time;

"approved" means approved in writing from time to time;

"approval" means approval in writing from time to time;

"bitterns" means a waste product of solar salt operations rich in magnesium sulphate;

"Director" means Director, of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

"Director" or "Department of Environment Regulation" for the purpose of correspondence means-

Regional Leader Industry Regulation
Department of Environment Regulation
PO Box 72
Geraldton WA 6531

Telephone (08) 9921 5955
Facsimile (08) 9964 9048

"DER" means Department of Environment Regulation;

"FESA" means Fire & Emergency Services Authority;

"tipping area" means the area of a landfill site where waste currently being brought to the site is being deposited.

"mg/l or milligrams per litre" means the concentration of an aqueous solution and is the ratio of the mass of specific solute to the volume of solution (not solvent); and

"NATA" means the Australian National Association of Testing Authorities.

GENERAL CONDITIONS

NOTIFICATION OF DIFFERENT MATERIALS HANDLED

1 The licensee shall inform the Director prior to any bulk granular material other than salt, loaded or stockpiled at Useless Loop Port.

ANNUAL ENVIRONMENTAL REPORT

2 The licensee shall prepare and provide to the Director, an Annual Environmental Report by **30 March each year**, containing the monitoring data and other collected data required by any condition of this licence. The Annual Environmental Report shall provide a brief background to approval of the project and an overview of the project and its processes, a current plan of the premises and a table showing quantities of raw materials used and the quality and quantity of waste produced. The report shall include the characteristics, volume and effects of its discharges to the environment and the effect of these discharges on the receiving environment within the vicinity of the premises (e.g. air quality, water quality, health of vegetation). The report shall contain an assessment of the information against previous monitoring results, licence limits or other appropriate measures (e.g. standards or guidelines). The report shall contain a summary table of the incidents that have been reported. This table should provide a summary of the incident reports and discussion of any significant responses taken to minimise the likelihood of recurrence. This report shall cover the previous 12 month period from **1 January** to **31 December**.

3 The licensee shall by **30 March in each year**, provide to the Director an Annual Audit Compliance Report in the form in Attachment 3 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence

issued under Part V of the Act for the Premises, during the period beginning **1 January** the previous year and ending on **31 December** in that year.

AIR POLLUTION CONTROL CONDITIONS

DUST - GENERAL REQUIREMENT

4 The licensee shall take all reasonable and practicable measures to prevent or minimise the generation of dust from all materials handling operations, stockpiles and working areas on the premises, so that no visible dust crosses the boundary of the premises. This may include, but is not limited to, providing water sprays for stockpile areas and water trucks for working areas.

TRAFFICKED AREAS - DUST GENERATION CONTROL

5 The licensee shall maintain treatment on all trafficked areas within the premises in a manner which prevents the generation of visible airborne dust beyond the boundary of the premises.

WATER POLLUTION CONTROL CONDITIONS

WATER MONITORING PROGRAMME AND REPORTING

6(a) The licensee shall, at the frequencies stated, take and have analysed, representative water samples from the following (Table 2) monitoring sites:

Table 2

Monitoring sites	Sampling Frequency	Parameters to be measured	Units
Foreshore Monitoring Points (as depicted in Attachment 2)	Quarterly	Calcium; Magnesium; and Density*	mg/l *kg/l

6(b) The licensee shall ensure that all water samples required by condition 6(a) of this licence are collected, handled and preserved in accordance with AS/NZS 5667.1.

6(c) The licensee shall submit all water samples to a laboratory with current NATA accreditation for the parameters to be measured in Table 2.

6(d) The licensee shall provide a copy of the results collected in condition 6(a) with the Annual Environmental Report required under condition 2.

GROUNDWATER MONITORING PROGRAMME AND REPORTING

7(a) The licensee shall take representative water samples from the following monitoring sites at the frequencies stated and have the samples analysed for the parameters listed below:

Table 3

Monitoring sites	Sampling Frequency	Parameters to be measured	Units
GW1; GW2; GW3; GW4; GW5; GW6; GW7; GW8 and GW9 (as depicted in Attachment 2)	Quarterly	Magnesium; Calcium; Density*; Conductivity**; and pH***	mg/l *kg/l **µS/cm ***units for pH not applicable
GW1; GW2; GW3; GW4; GW5; GW6; GW7; GW8 and GW9 (as depicted in Attachment 2)	Annually	Total petroleum hydrocarbons; Chloride; Manganese; Barium; Sulphate; Total Dissolved Solids; Sodium; and Potassium.	mg/l

7(b) The licensee shall submit all water samples to a laboratory with current NATA accreditation for the parameters to be measured in Table 3.

7(d) The licensee shall provide a copy of the results collected in condition 7(a) with the Annual Environmental Report required under condition 2.

LIQUID CHEMICAL STORAGE

8(a) The licensee shall store environmentally hazardous chemicals including fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10^{-9} metres per second or less) compound(s) designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of substances stored in the compound.

8(b) The compound(s) described in part (a) to this condition shall:

i) be graded or include a sump to allow recovery of liquid;

ii) be chemically resistant to the substances stored;

iii) include valves, pumps and meters associated with transfer operations wherever practical. Otherwise the equipment shall be adequately protected

(eg.bollards) and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;

iv) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area;

v) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and

vi) be controlled such that the capacity of the bund is maintained at all times (eg. regular inspection and pumping of trapped uncontaminated rain water).

8(c) The licensee shall immediately recover, or remove and dispose of, any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).

MANAGEMENT OF SALT AND CONCENTRATED BRINES

9 The licensee shall ensure that all salt and concentrated brines are managed so that they are prevented from escaping into the environment where flora and fauna may be sensitive to impacts from high levels of salinity.

BITTERNS DISPOSAL

10(a) Subject to condition 10(b), the licensee shall ensure that bitterns are disposed within the pond system.

10(b) The Licensee shall advise the Director prior to any bitterns discharged to the ocean.

FLUME MANAGEMENT

11(a) The licensee shall ensure that the Flume, which transverses areas where flora and fauna may be sensitive to impacts from high levels of salinity, shall be monitored for leaks and/or breaches on a daily basis when in use.

11(b) The licensee shall maintain a log of any leaks and/or breaches of the flume. The log shall include the date, approximate time, volume and areal extent of land affected by leakage.

FREEBOARD

12 The licensee shall maintain a 300mm freeboard on all ponds to accommodate 1 in 100 year, 72 hour rainfall events.

MARINE POLLUTION CONTROL CONDITIONS

CARGO SPILLAGE

13(a) The licensee shall request the ship's master to clean up any significant spillage of cargo on the deck of the vessel being loaded/unloaded in a manner that will minimise its access into the water. Where the bulk handler is being used to load cargo and, in the opinion of the plant operator, spillage into the harbour is occurring as a result of

spillage onto the ship, loading will cease until the master has taken action to prevent spillage into the harbour.

13(b) The licensee shall prevent significant spillage of salt product from the loading facilities.

SOLID WASTE CONDITIONS

DISPOSAL OF WASTE

14(a) Where no local waste disposal site is available, the licensee shall dispose of waste to an active waste dump on the premises.

14(b) The licensee shall ensure the active waste dump receives only inert wastes (class I landfill), putrescible wastes (class II landfill), and type 1 special waste as defined in the document titled, 'Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)'.

14(c) The licensee shall keep a written record of the number of tonnes of waste disposed and the location(s) of the active waste dump(s).

14(d) The licensee shall provide a copy of the records collected in 'condition 14(c)' with the Annual Environmental Report required under 'condition 2'.

FILL METHOD

15 The licensee shall ensure that:

(i) Waste is placed in a defined trench; and

(ii) The tipping area is restricted to a maximum linear length of 30 metres.

COVERING OF WASTE

16(a) The licensee shall ensure that all putrescible waste in the tipping area is covered with cover material at least weekly.

16(b) The licensee shall ensure that waste is totally covered with dense, inert and incombustible material so that no waste is left exposed.

16(c) The licensee shall ensure that there is enough cover material at any time stored and readily available on the site for the tipping area of the site to be covered in accordance with the terms of this licence.

WINDBLOWN WASTE

17(a) The licensee shall contain windblown waste within the boundaries of the premises by maintaining fences, and/or installing litter screens or bunds.

17(b) The licensee shall ensure windblown waste is removed from fences and outside the premises, at least fortnightly, or more frequently to prevent accumulation of litter beyond the boundary of the premises.

BURNING OF WASTE

18 The licensee shall not ignite any fires at the premises, except for fire training purposes in accordance with condition 19.

EMERGENCY RESPONSE TEAM –FIRE TRAINING

19(a) The licensee shall ensure that the ignition of fires at the premises occurs four times per year only.

19(b) The licensee shall ensure that the ignition of fires occurs at the premises for training purposes only.

19(c) The licensee shall burn annually only the following materials in the quantities stipulated:

(i) Two light vehicles;

(ii) 800 litres of diesel;

(iii) 50 litres of unleaded fuels; and

(iv) Non-treated pallets.

19(d) The licensee shall:

(i) advise the Director and the Bush Fire Control officer at the Shire of Shark Bay (and FESA during prohibited and restricted burning times) by facsimile at least 24 hours prior to commencement of burning.

(ii) ensure that fires are ignited in designated burning areas only;

(iii) provide an adequate water supply and distribution system to prevent fires from escaping beyond the boundary of the burning area;

(iv) extinguish all fires completely before sunset, to ensure that fires only occur during daylight hours; and

(v) attend the fire until it is extinguished.

DISPOSAL OF CHEMICAL OR HAZARDOUS WASTE

20 The licensee shall dispose of chemical or hazardous waste to an approved site, or site approved, in writing, by the Director.

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Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday, 29 August 2013

WESTERN AUSTRALIA

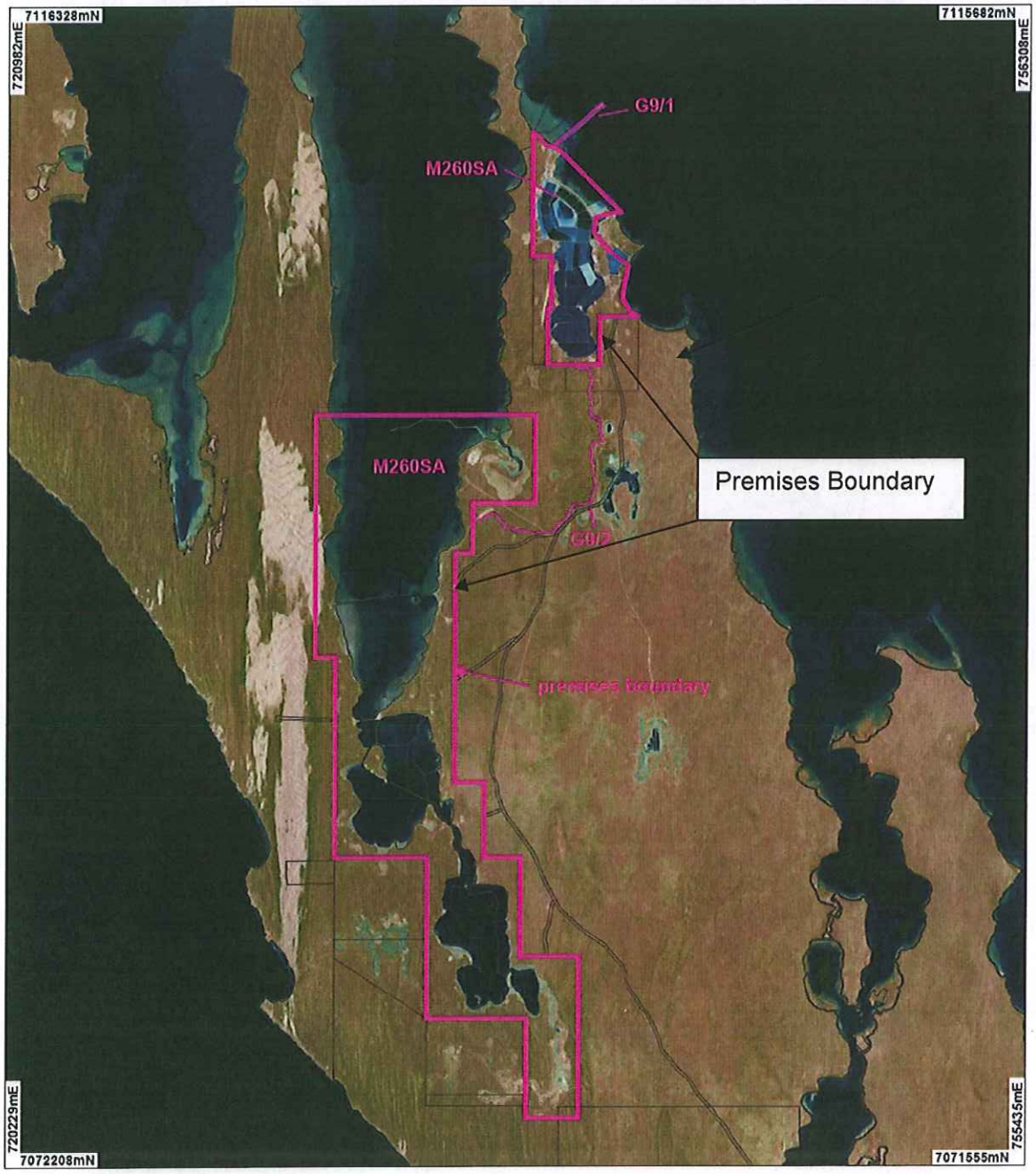
DEPARTMENT of ENVIRONMENT REGULATION

Environmental Protection Act 1986

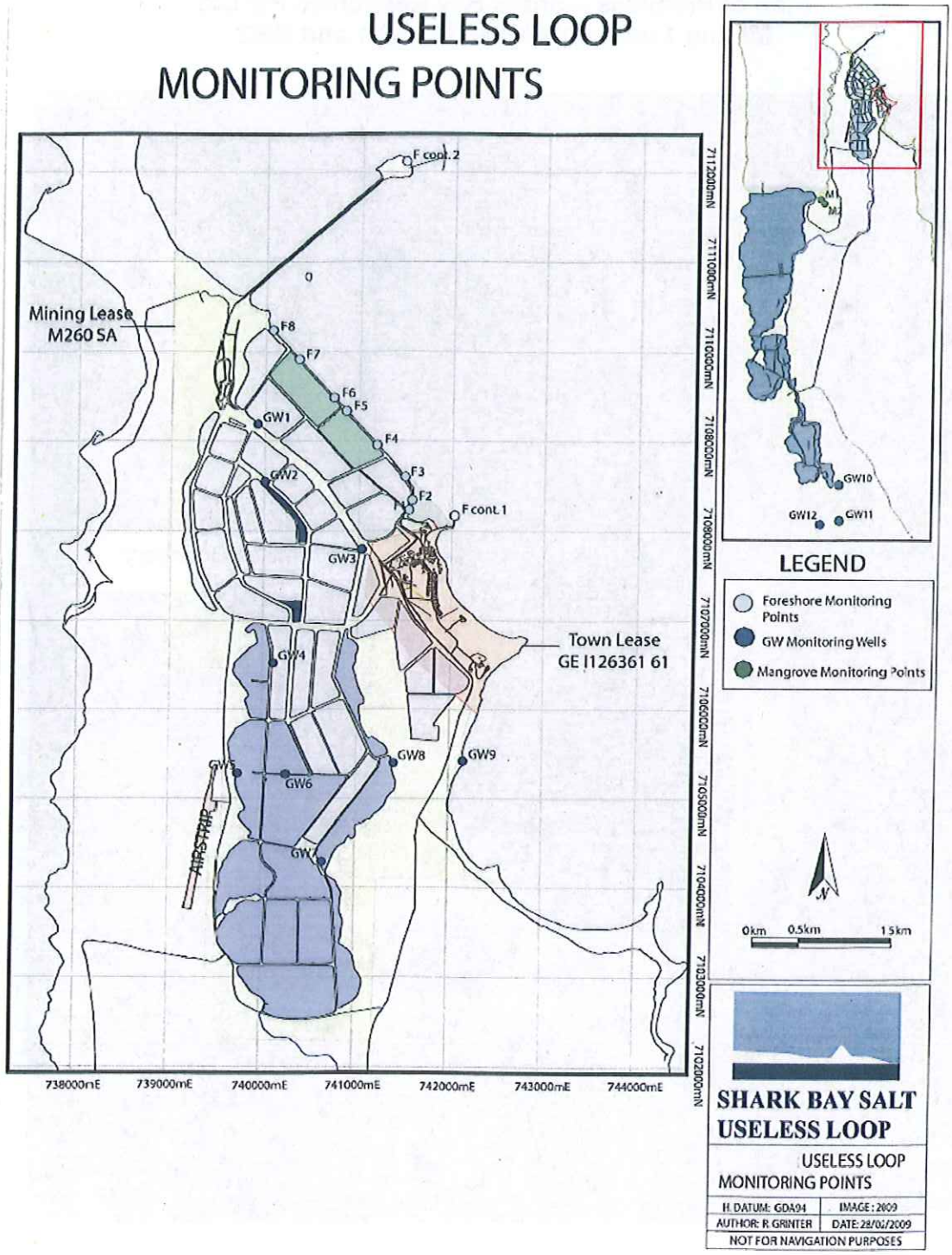
LICENCE NUMBER: 7184/1997/11 **FILE NUMBER: DEC 10847**

ATTACHMENT 1

Plan of Premises – Shark Bay Resources Pty Ltd Mining Tenements M260SA, G9/1 and G9/2



ATTACHMENT 2



WESTERN AUSTRALIA

DEPARTMENT of ENVIRONMENT REGULATION

Environmental Protection Act 1986

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ATTACHMENT 3 – ANNUAL AUDIT COMPLIANCE REPORT

SECTION A

LICENCE DETAILS

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

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL:_____

WESTERN AUSTRALIA

DEPARTMENT of ENVIRONMENT REGULATION

Environmental Protection Act 1986

LICENCE NUMBER: 7184/1997/11 **FILE NUMBER: DEC 10847**

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?	
☐ Yes ☐ Reported to DER verbally Date _____ ☐ Reported to DER in writing Date _____	☐ No
d) Has DER taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL:_____

SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report 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 Annual Audit Compliance Report 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	☐	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	☐	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.
Corporation	☐	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; 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)	☐	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	☐	by the chief executive officer of the licensee; or
	☐	by affixing the seal of the local government.

WESTERN AUSTRALIA

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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)