



Application to renew a licence

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

Licence Number	L8310/2008/3
Licence Holder	CITIC Pacific Mining Management Pty Ltd
ACN	119 578 371
File Number	DER2014/000912-1
Premises	Fortescue River Roadhouse North West Coastal Highway MARDIE WA Legal description – Part Lot 168 on Plan 190433 and Part Lot 1501 on Plan 74341 As defined by the Premises map
Date of Report	17/06/2022
Decision	To grant a licence

**SENIOR INDUSTRY REGULATION OFFICER
INDUSTRY REGULATION**

An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to assess the application to renew licence L8310/2008/2 without conducting additional environmental risk assessment.

The licence can be issued for 20 years, which is consistent with the *Guidance Statement on Licence Duration 2016*. In renewing the licence the Delegated Officer has determined to

- update the format and appearance of the licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence conditions and consolidate existing pollution control conditions;
- correct clerical mistakes and unintentional errors;
- transfer all existing regulatory controls and conditions to the new licence; and,
- include the recently published Notice of amendment and schedule of licences with amended reporting conditions (May 2022) – Schedule 2 which requires the reporting of information and monitoring data on a biennial basis relating to the two previous annual periods.

Amendment Notice 1, dated 8 June 2017, required the installation of the new wastewater tank at the plant. These works have been completed. A compliance document confirming installation, in accordance with Amendment Notice 1 conditions, was submitted to the department on 30 May 2017 therefore the Amendment Notice 1 can be removed from the website.

As a result of the changes described above, the Delegated Officer decided to grant Licence L8310/2008/3, subject to conditions of the new licence.

2. Scope of assessment

2.1 Application summary

On 10 May 2022, CITIC Pacific Mining Management Pty (licence holder) applied to renew licence L8310/2008/2 as the licence is due to expire on 16 August 2022. The licence was granted to the licence holder for the premises located at Lot 168 and Lot 1501 North West Coastal Highway, Mardie (Premises). The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 54: Sewage facility premises – (a) on which sewage is treated (excluding septic tanks); or (b) from which treated sewage is discharged onto land or into waters.	150 cubic metres per day

The Premises is located on the North West Coastal Highway, Mardie at the site of an existing roadhouse. The accommodation village was constructed in 2008 by CITIC Pacific Mining Management Pty Ltd to service the accommodation needs of the nearby Sino Iron project. The roadhouse and the surrounding pastoral lease are owned by companies associated with the

licence holder.

The wastewater treatment plant (WWTP) is located 250m northwest of the Fortescue River Roadhouse. The treated effluent is disposed to land, namely a former airstrip, approximately 2ha in size.

3. Regulatory framework

The Delegated Officer has not conducted a full review of the environmental risk of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (department) *Work Instruction: Regulatory Services, COVID-19 licensing position* October 2021.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

4. Considerations for issuing a new licence

4.1 Compliance and enforcement actions

There have been no incidents or complaints identified at the Premises by the department in the last five years. There have been no enforcement actions taken against the licence holder in the last 5 years related to this licensed activity.

4.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.3 Categories of the licence

The requested categories and the corresponding maximum production capacities for the renewal of the licence are consistent with the categories for which the licence holder currently holds the licence when previously assessed.

4.4 Planning approval

The licence holder has demonstrated to have planning approval for the activities on the Premises.

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licence. A licence is issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 1 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 1: Licence conditions changes, description and rationale

Current condition / table	Summary of current condition	New condition/ table (if relevant)	Description and rationale
1.1.3, 1.1.4, 1.2.1, 1.2.2, & 1.2.3	General conditions	N/A	Redundant conditions, removed as no longer relevant.
1.2.4	Recovery and removal of spills	1	Revised to current licensing format.
1.2.5	Stormwater control	2	Revised to current licensing format.
1.3.1	Record and investigate exceedance of limit/target	3	Transfer existing condition and updated wording to refer to licence not section.
1.3.2	Acceptance of waste	4	Transfer existing condition.
1.3.3	Waste processing	5	Transfer existing condition.
1.3.4	Wastewater treatment vessels	6	Transfer existing condition.
1.3.5	Irrigation of treated wastewater	7	Transfer existing condition.
1.3.6	Site security	8	Transfer existing condition.
2.1.1	Record and investigate exceedance of limit/target	3	Removed as it duplicates previous condition 1.3.1.
2.2, 2.3 & 2.4	Point source emissions to air, surface water and groundwater	N/A	Redundant condition removed from licence.
2.5.1	Emissions to land	9	Transfer existing condition.
2.5.2	Emission targets to land	10	Transfer existing condition.
2.6	Fugitive emissions	N/A	Redundant condition removed from licence.
2.7.1	Odour	N/A	Redundant condition removed from licence.
2.8	Noise	N/A	Redundant condition removed from licence.
3.1.1	General monitoring	11	Transfer existing condition.
3.1.2	Quarterly monitoring	12	Revised to current licensing format.
3.1.3	Monitoring equipment	13	Transfer existing condition.
3.2, 3.3, & 3.4	Monitoring of point source emissions to air, surface water, and groundwater.	N/A	Redundant condition removed from licence.
3.5.1	Monitoring of emissions to land	14	Transfer existing condition.
3.6, 3.7, 3.8, & 3.9	Monitoring of inputs/outputs, process, ambient environmental quality and meteorological.	N/A	Redundant condition removed from licence.
4.0	Improvements	N/A	Redundant condition removed from licence.
5.1.1	Records	17 and 18	Revised to current licensing format.
5.1.2	Personnel aware of conditions	N/A	Redundant condition removed from licence.

Current condition / table	Summary of current condition	New condition/ table (if relevant)	Description and rationale
5.1.3	Annual Audit Environmental Report (AACR)	16	Revised to current licensing format. Form accessed at www.dwer.wa.gov.au
5.1.4	Complaints	15	Revised to current licensing format.
5.2.1	AER reporting	19	Revised to current licensing format. Removed redundant requirement relating to 'Summary of any failure or malfunction of any pollution control equipment ...'. Compliance required in new condition 16.
5.2.2	AER reporting - additional info to be provided	20	Transfer existing condition
5.3.1	Notification	21 and 22	Breach of a limit specified in the licence has been revised to current licensing format (condition 22). Notification of any failure or malfunction of pollution control equipment is redundant and has been removed as it duplicates reporting requirement under Section 72 of the EPA Act (duty to notify CEO of discharged of waste). Form N1 is redundant and has been removed.
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention. Maps updated to include Figure 1.
Schedule 2: Reporting & notifications	AACR and N1 forms	N/A	Redundant attachments removed from licence.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 2.

Table 2: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the department's website on 26 May 2022	No public submissions received.	N/A
Local Government Authority advised of application on 13 May 2022.	The City of Karratha replied on 19 May 2022 confirming no planning/development approval is required to be issued by the City in this instance. The City notes there is no works component as part of the renewal licence therefore there is no	The Delegated Officer notes the advice from the City of Karratha.

Consultation method	Comments received	Delegated Officer's response
	requirement for additional or further approvals.	
Stakeholder - Mineralogy Pty Ltd advised of application on 18 May 2022.	No comments received.	N/A
Applicant was provided with draft documents on 1 June 2022	<p>Summary of comments received on 13 June 2022:</p> <p><i>Revise legal description to reflect premise map. No portion of the existing premise boundary extends onto Lot 51 on Plan 174944.</i></p> <p><i>Proposed footnote, consistent with Table 3.5.1 – Monitoring of Emissions to land (L8310/2008/2, 15 August 2014)</i></p> <p><i>Propose submission deadline for the AACR be revised to 31 October 2022 to align with the Environmental Report submission deadline prescribed by condition 19.</i></p>	<p>The Delegated Officer is satisfied with the Licence Holders justification for all comments.</p> <p>Therefore, the legal description and conditions 14 and 16 relating to the footnote and AACR submission deadline have been updated in the licence.</p> <p>Premises map: Schedule 1 – Figure 1 has been replaced with the revised plan provided by Licence holder that indicates the location of the WWTP discharge pipeline and monitoring point L1.</p>