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Strategy and Reform
Department of Environment Regulation
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To whom it may concern

Re: DEPARTMENT OF ENVIRONMENT REGULATION LICENCE DOCUMENTATION

Thank you for the opportunity to review and provide comment on the draft Licence Documentation. Roy Hill welcomes the Department of Environment Regulation (DER) commitment to deliver a consistent and transparent approach to licensing required under the *Environmental Protection Act 1986*. Please find below Roy Hill's recommendations regarding the proposed documentation for your consideration.

The application form is a single form for works approval and licence applications and enables concurrent application for works approvals and licences.

The ability for a proponent to submit a single application for works approval and licences is a positive feature. While this may reduce the administrative requirements on a proponent to compile the application it is unclear if this will result in a reduction in time to achieve the licence. The new assessment process flow chart published on DER's website presents the process for assessment of individual applications for works approvals and licences. Roy Hill suggests that further information regarding the process of assessment for concurrent applications and where 'stop the clock' scenarios are likely to occur be included in the documentation. Currently the DER requests the compliance document to commence the assessment of the licence application and commissioning results to complete the application. The form suggests that the information received for a works approval and operating licence application is the same. Roy Hill would like to seek clarification on the rationale for undertaking a second assessment of existing information to approve a licence. Roy Hill believes that where the compliance document and commissioning results meet the requirements of the works approval, the DER would have sufficient information to issue an operating licence. Roy Hill acknowledges that the Guidance Statement on the Assessment Framework is proposed to be released in October 2015.

Historically, holders of existing licences have sought a works approval and an amendment to the licence when proposing a facility which requires the addition of a new category to the licence. Will the functionality of the form be expanded to allow a concurrent application to be submitted for these scenarios?

All activities on the premise within category of the prescribed premises of Schedule 1 have been specified (tick box of the form).

The form appears to require proponents to disclose all activities that may be prescribed under Schedule 1, even if their capacity or design does not exceed the requirements of the Schedule. Roy Hill would like to seek

clarification on DER's requirements for this section. Are proponents required to list all primary, secondary and contributing activities as described in *Guidance Statement: Licensing and Works Approvals Process* in the form? Once a premise is licenced, if a proponent proposes to undertake any secondary activities, are proponents required to submit the form to disclose these activities to the DER?

Commissioning requirements.

The form is proposed to be utilised for works approval applications. Previously in the application proponents can request authority to commission facilities under the works approval. Roy Hill recommends the inclusion of a tick box feature to request commissioning, with a time frame for the duration of commissioning to be stipulated.

Draft Licence – Section 6 Monitoring: The Licensee must monitor the emissions specified in column 1 from the locations specified in column 2 in the Emissions Monitoring Table. Emissions must be calculated as an average over the period specified in column 3, at the frequency specified in column 4.

Roy Hill notes the draft licence states the emissions must be calculated as an average over the specified period. Currently Roy Hill is required to record cumulative water volumes for its facilities licence under category 54. Will there be flexibility for the calculations to be tailored to be appropriate for the parameter being monitored? The proposed language in the form and instruction guideline suggests that these requirements are definite. Roy Hill notes that there are situations where emissions/discharges only occur after rainfall events which will need to be considered in this section.

Request for information.

Roy Hill notes that the licensee must comply with a CEO request within 7 days of the day of the request. Roy Hill believes that this time period may be difficult in some cases to comply with, particularly if information is required from contractors or subcontractors.

Registrations.

The form can be utilised to seek approval for works approvals and licences. Will there be a separate form or process for seeking a registration for Schedule 1 Part 2 facilities?

Guideline for applications using the application form.

The *Guideline for Applications* document provides simple instructions regarding the information required. Roy Hill recommends the instructions are incorporated into the form. There is a large volume of documents currently being produced by the DER to inform the approval process and requirements for works approval and licences. Combining the instructions into the form can possibly alleviate the requirement for a guideline dedicated to populating the form correctly.

If you have any queries or require further information please contact Kimberley Flowerdew on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

Susanna Beech
Manager Environment and Approvals