



Application for Licence Amendment

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

Licence Number	L8562/2011/1
Licence Holder	Hamersley Iron Pty Ltd
ACN	004 558 276
File Number	DER2014/000869
Premises	Koodaideri Exploration Camp Mining Tenement ML252SA Section 2, within coordinates – E708,070 N7,510,070; E706,830 N7,507,440; E708,850 N7,506,520; E709,670 N7,508,230; E715,870 N7,505,370; E716,310 N7,506,300 NEWMAN WA 6753
Date of Report	15 October 2020
Decision	Revised licence granted

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MANAGER, RESOURCE INDUSTRIES

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary	1
2.3 Part IV of the EP Act	1
3. Risk assessment	1
3.1 Source-pathways and receptors	2
3.1.1 Receptors	2
3.2 Risk ratings	3
4. Consultation	5
5. Conclusion	5
5.1 Summary of amendments	5
References	6
Appendix 1: Summary of Licence Holder’s comments on risk assessment and draft conditions	7
Appendix 2: Application validation summary	8
Table 1: Proposed design changes	1
Table 2: Sensitive human and environmental receptors and distance from prescribed activity	2
Table 3. Risk assessment of potential emissions and discharges from the Premises during construction, commissioning and operation	3
Table 4: Consultation	5
Table 5: Summary of licence amendments	5

1. Decision summary

Licence L8562/2011/1 is held by Hamersley Iron Pty Ltd for the Koodaideri Exploration Camp (the Premises), located at Mining Tenement ML252SA Section 2, Newman.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L8562/2011/1 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

On 7 September 2020, the Licence Holder submitted an application to the department to amend Licence L8562/2011/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendment is being sought:

- Increase the capacity of the Class II putrescible landfill (Landfill) from 2,000 tonnes per annum to 20,000 tonnes per annum.

This amendment is limited only to changes to Category 64 activities from the Existing Licence. The Licence Holder will only be increasing the capacity at the Landfill using existing infrastructure with no construction activities proposed. No changes to the aspects of the existing Licence relating to Category 54 have been requested by the Licence Holder.

Table 1 below outlines the proposed changes to the existing Licence

Table 1: Proposed design capacity changes

Category	Current design capacity	Proposed design capacity	Description of proposed amendment
64	2,000 tpa	20,000 tpa	Increase the total amount of waste buried at the Class II putrescible landfill.

2.3 Part IV of the EP Act

The Koodaideri Exploration Camp is subject to Ministerial Statement, MS 999 (EPA Report 1933) under Part IV of the EP Act. The Part IV approval does not impact this Part V Licence amendment assessment and is therefore not considered further.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guidance Statement: Risk Assessments* (DER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to

that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
N/A	N/A
Environmental receptors	Distance from prescribed activity
Irregular network of onsite ephemeral creeks (drainage channels)	Located approximately 200 metres NW and 250 metres SE of the landfill.
Native vegetation	Sparsely populated native vegetation surrounding the landfill footprint.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls, these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder’s proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the Licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder’s controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The Revised Licence L8562/2011/1 that accompanies this Amendment Report, authorises emissions associated with the operation of the Premises i.e. Categories 54 and 64 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder’s controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder’s controls				
Operation								
Unloading of waste into landfill trenches Covering of waste Vehicle movements	Dust	Air/windborne pathway. Smothering of vegetation causing impacts to vegetation health.	Surrounding native vegetation.	Dust suppression via use of water truck when required. Control of vehicle movement and restricted speeds.	C = Slight Only minimal onsite impacts L = Rare Impacts to vegetation health may only occur in exceptional circumstances Low Risk	Yes	No regulatory controls are required to mitigate this risk.	N/A

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Unloading of wastes into landfill trenches Exposed landfill trenches	Windblown waste	Air/windborne pathway. Visual amenity impacts.	Surrounding native vegetation and landscape.	Existing landfill fencing. Earthen bunds around trenches assist in deflecting the effects from the wind. Routine (at least once per month) collection of windblown waste and return to the tipping area. Waste covered weekly.	C = Slight Minimal local impacts on amenity L = Rare Impacts on local amenity may only occur in exceptional circumstances Low Risk	Yes	Existing conditions adequate. No additional regulatory controls are required to mitigate this risk.	N/A
Storage and burial of waste at the landfill	Contaminated stormwater	Direct discharge through run-off. Contamination of onsite ephemeral creeks causing impacts to local ecosystems.	Nearby ephemeral creeks (drainage channels).	Stormwater is diverted away from the waste area by earthen bunds. Any potentially contaminated stormwater is diverted to sumps.	C = Slight Only minimal onsite impacts L = Rare Impacts to nearby ephemeral creek may only occur in exceptional circumstances Low Risk	Yes	Existing conditions adequate. No additional regulatory controls are required to mitigate this risk.	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

Licence: L8562/2011/1

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4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Licence Holder was provided with draft amendment on 8 October 2020	Response provided 13 October 2020 requesting the Revised Licence be issued.	Revised Licence issued.

5. Conclusion

The Delegated Officer has determined the key emissions associated with increasing the throughput at the Class II landfill.

Based on the application supporting documentation, the Delegated Officer has determined that increasing the throughput at the Class II landfill from the current 2,000 tpa, up to 20,000 tpa, presents a low risk to the environment as a result of dust emissions to air, wind blown waste and contaminated stormwater. However, these risks are adequately managed by existing regulatory controls in the Existing Licence.

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 5: Summary of licence amendments

Condition no.	Proposed amendments
Not applicable Front of Licence	Prescribed premises category description table amended by increasing the assessed production/design capacity for category 64.
Previous conditions 18 and 19	Redundant conditions. These conditions are adequately covered by EP (Unauthorised Discharges) Regulations 2004. Deleted from the Licence.
Schedule 1: Maps Premises map	Map updated to clearly show recent changes at the Premises.

References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DWER, June 2019. Guideline: *Decision making*. Department of Water and Environmental Regulation, Perth.
4. DWER, May 2016, *Operational Procedure IR-OP-02*, Redundant Conditions. Department of Water and Environmental Regulation, Perth.

Appendix 1: Summary of Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comment	Department's response
NA	NA	NA

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L8562/2011/1	
		Relevant works approval number:	N/A	<input checked="" type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received	7 September 2020			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Hamersley Iron Pty Ltd			
Premises name	Koodaideri Exploration Camp			
Premises location	ML252SA, Newman			
Local Government Authority	Shire of Newman			
Application documents				
HPCM file reference number:	DER2014/000869-1			
Key application documents (additional to application form):	Premises location and site layout provided as an attachment to application form. Copy of Part IV approval (Ministerial Statement 999) provided. No other Key documents provided.			
Scope of application/assessment				

Summary of proposed activities or changes to existing operations.	<p>Operation of a category 64 Class II landfill.</p> <p>The applicant is seeking approval for an increase in the capacity of waste buried at the existing Class II landfill from the current 2,000 tonnes per year, up to 20,000 tonnes per year.</p> <p>The increased capacity at the landfill is required to support constructions activities at the premises and the future operational phase.</p> <p>The applicant expects the landfill will receive approximately 10,000 tonnes of inert waste and 4,000 tonnes of putrescible waste per year. The quantity of asbestos waste (Type 1 Special Waste) buried at the landfill will remain unchanged.</p>
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Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity
Category 64: Class II putrescible landfill site	2,000 tonnes per year.	20,000 tonnes per year

Legislative context and other approvals

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	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"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: MS999 EPA Report No: 1933 The Part IV approval does not impact this Part V Licence amendment assessment
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Reference No: 2012/6422
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Expiry: Mining Tenement ML252SA Section 2. Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why?
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CPS No: N/A No clearing is required for this amendment application. Initial clearing was assessed as part of

		MS999.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Application reference No: N/A Licence/permit No: GWL177962
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Iron Ore (Mt Bruce) Agreement Act 1972</i> <i>Dangerous Goods Safety Act 2004</i>
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"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A