



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Mineral Resources Limited

**Licence:** L8654/2012/1

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**Registered office:** 1 Sleat Road  
APPLECROSS WA 6153

**ACN:** 118 549 910

**Premises address:** Phil's Creek Project  
Mining leases M47/1359, M47/1421 and Miscellaneous Licence L47/336  
NEWMAN WA 6753

**Issue date:** Thursday, 29 August 2013

**Commencement date:** Monday, 2 September 2013

**Expiry date:** Saturday, 1 September 2018

### **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.

Decision Document prepared by: Sonya Poor  
Licensing Officer

Decision Document authorised by: Alana Kidd  
Delegated Officer



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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	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>50,000 tonnes per annual period</td> </tr> <tr> <td>85</td> <td>49 cubic metres per day</td> </tr> <tr> <td>89</td> <td>100 tonnes per annual period</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	5	50,000 tonnes per annual period	85	49 cubic metres per day	89	100 tonnes per annual period
	Category number(s)	Assessed design capacity							
	5	50,000 tonnes per annual period							
	85	49 cubic metres per day							
89	100 tonnes per annual period								
Application verified	Date: N/A								
Application fee paid (transfer)	Date: 3/07/2015								
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>								
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>								
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
Commercial-in-confidence claim outcome	N/A								
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> ?	<table border="1"> <tr> <td>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></td> <td>           Referral decision No:            Managed under Part V <input checked="" type="checkbox"/>            Assessed under Part IV <input type="checkbox"/> </td> </tr> </table>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>						
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>								
Is the proposal subject to Ministerial Conditions?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td>           Ministerial statement No:            EPA Report No:         </td> </tr> </table>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:						
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"/> If Yes include details of which EPP(s) here.								
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.								



### 3 Executive summary of proposal and assessment

The Phil's Creek Project is located in the East Pilbara region of Western Australia, approximately 90 kilometres (km) north-west of the town of Newman and 140 km east of the township of Tom Price. The Phil's Creek Project is situated on Mining leases M47/1359 and M47/1421 and Miscellaneous Licence L47/336.

The Phil's Creek-Project consists of a shallow, open cut mine with an operational life of 5 years and an approximate ore reserve of 7 million tonnes (Mt) with a strip ratio of 0.3:1 (waste:ore). The site has the capacity to process up to 5.8 million tonnes per annum (tpa). The Phil's Creek Project is currently in care and maintenance. Due to this, the capacity of category 5 has significantly reduced.

Wastewater from the 207 person accommodation village is treated by two packaged wastewater treatment plants (WWTPs) with a design capacity of 35 and 14 cubic metres (m<sup>3</sup>). All other wastewater from the mine site offices, process plant area and workshops is treated via leach drains attached to septic tanks.

The Phil's Creek Project has a Class II unlined landfill for the disposal of general domestic and putrescible waste as well as building product wastes such as wood, plastic wrapping, polystyrene foam and other packaging, machinery parts that cannot be recycled. It is estimated that less than 100 tonnes of material is disposed of within the landfill each year. The landfill is operated in accordance with the *Environmental Protection (Rural Landfill) Regulations 2002*.

Used tyres are disposed of onsite under the category 89 landfill premises. Tyres are disposed of separately from the waste that is disposed of to the putrescible landfill site. Tyres are disposed of within the in-pit waste dump. It is estimated that 150 used tyres require disposal during operations and the bulk of this number is expected to be light vehicle tyres.

During this amendment the following changes have been made to the licence:

- Licensee has been transferred from Process Minerals International Pty Ltd (PMI) to Mineral Resources Limited (MRL);
- The design capacity for category 5 has been reduced from 5.8 million tpa to 50,000 tpa;
- Changes to the template in line with version 2.9; and
- Inclusion of a notification requirement for the recommencing start-up of operations (after a period of care and maintenance).

DER has not re-assessed the acceptability of impacts or emissions and discharges from the Premises or re-visited any existing emission controls. Where conditions have been removed or added in the existing licence these have been justified in Section 4.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* 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.

<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L = Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Premises operation</b>	N/A.	During this amendment the licence has been transferred from PMI to MRL.  The Phil's Creek Project is currently in care and maintenance and the processing plant is non-operational. Due to this, the design capacity of category 5 has been reduced from 5.8 million tpa to 50,000 tpa.	Form P4 Application to transferor amend a licence, works approval or registration, dated 1/07/2015.
<b>Emissions to land including monitoring</b>	Licence conditions.	Previous emission targets to land have been removed. In accordance with DER's licensing process these have now been placed as limits.	N/A.
<b>Fugitive emissions</b>	N/A.	The previous licence contained conditions for fugitive emissions. Fugitive emissions of dust can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> (the Act). In accordance with DER's licensing process, the fugitive emission conditions have been removed.	N/A.
<b>Odour</b>	N/A.	The previous licence contained a condition for odour. Odour can be sufficiently regulated under section 49 of the Act. In accordance with DER's licensing process, the odour condition has been removed.	N/A
<b>Information</b>	Licence conditions.	The Phil's Creek Project is currently in care and maintenance. A condition has been added to the licence requiring MRL to notify DER at least 90 days prior to recommencing production.	N/A.



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
20/08/2015	Proponent sent a copy of draft instrument	Comments received on "Premises description and Licence summary" regarding Licensee information to be updated	Document updated accordingly



## 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