



Application to renew a licence

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

Licence Number	L8654/2012/2
Licence Holder	Mineral Resources Limited
ACN	118 549 910
File Number	DER2015/001584-1
Premises	Phil's Creek Project Mining tenements M47/1359, M47/1421 and Miscellaneous Licence L47/336 As defined by the coordinates in Schedule 2 NEWMAN WA 6753
Date of Report	31 August 2023
Decision	To grant a licence

Senior Environmental 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 process the application to renew licence L8654/2012/1 without conducting any additional 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, wording and appearance of the licence;
- transfer all existing regulatory controls and conditions to the new licence;
- revise licence conditions as detailed in Table 1 in this decision report;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements); and,
- update the premises map and boundary of the premises (reduction to remove areas not being used for the prescribed activity).

As a result of the above, the Delegated Officer decided to grant Licence L8654/2012/2 subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 13 June 2023 Mineral Resources Limited applied to renew licence L8654/2012/1 as the licence is due to expire on 1/09/2023. The licence was granted to the licence holder for the premises located within mining tenements M47/1359, M47/1421 and L47/336, Newman, Western Australia.

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 5: Processing or beneficiation of metallic or non-metallic ore	2.4 million tonnes per annum
Category 85: Sewage facility	64m ³ per day
Category 89: Putrescible landfill site	100 tonnes per year

The project consists of an open cut iron ore mine, crushing/screening plant, vehicle washdown facility, landfill, tyre disposal area, accommodation village and wastewater treatment plant (WWTP).

Ore processing

Ore processing consists of dry crushing and screening of the ore through a three stage crushing and screening plant to produce an all fines product with a 7-8% moisture content. Once crushed and screened, the fines are transported via a conveyor system to stockpiles within the stockyard. Water is added to the process to suppress dust generation and to achieve the required moisture content. The ore processing process does not generate any waste products or tailings.

WWTP

Sewage from the accommodation village is treated by two packaged WWTPs consisting of a Submerged Aeration Filtration (SAF) plant and an Aerated system. Treated wastewater is discharged to an irrigation area via a combination of spray and drip sprinklers.

Waste sludge from the SAF plant is transported by a licensed controlled waste contractor and disposed off at a licensed facility off site.

In August 2021 the Department approved expansion of the WWTP and irrigation field. The proposed expansion included an additional balance tank and WWTP unit (Tristar Submerged Aerated Filter) designed to function in unison with the other units. The irrigation field amendment included an increase in the total irrigation field area to 14,000 m². The category 85 throughput capacity was increased to 64m³ per day.

Landfill and tyre disposal area

The premises includes an unlined landfill for the disposal of general domestic and putrescible waste, building product wastes (wood, plastic wrapping, polystyrene foam and other packaging) and machinery parts that cannot be recycled. This waste is deposited in trenches.

A separate landfill area (in-pit waste dump) is allocated for the disposal of used tyres from the project.

Vehicle washdown facility

The premises includes a vehicle washdown facility. Wastewater is collected and treated through a treatment system including a sediment trap and de-emulsification basin. Treated wastewater from the system is discharged to a specified emission point (discharge to land). Waste including solids, oil and emulsifier is contained, collected and disposed off at an approved facility.

3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (Department) *Work Instruction: Industry Regulation, Licensing position – COVID 19 response, October 2022* (currently being updated to address licences that expire beyond 30 June 2023).

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 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

4.2 Prescribed premises details

The requested prescribed premises categories and the corresponding production/design capacities are consistent with the categories and production/design capacities previously assessed by the Department.

The Delegated Officer has verified that there are no proposed changes to the previously assessed activities.

4.3 Compliance and enforcement actions

There have been 5 incidents identified at the premises by the Department within the last 5 years (July 2018 to June 2023). All incidents have been closed. No major enforcement actions have been required.

In relation to an additional licence held by the licence holder (licence L8859/2014/1), there have been 6 incidents identified at this premises by the Department within the last 5 years (July 2018 to June 2023). Five of the incidents have been closed and one is under investigation. At the time of writing no major enforcement actions have been required.

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 licences. Most licences are 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 / schedule	New condition / schedule	Description and rationale
Definitions section	Definitions section	Defined terms have been transferred from the existing licence and revised in accordance with the current standard (where applicable). Redundant terms have been removed. Additional terms have been added in accordance with the current licence template.
Condition 1	Condition 1	Amended condition wording in accordance with the current standard. Added reference to tyre disposal area to clarify where used tyres can be landfilled.
Condition 2	Condition 2	Minor change to condition wording
Not applicable	Condition 3	Condition added to clarify that waste from other premises must not be accepted at the Phil's Creek project.
Condition 3	Condition 8	Changes to condition wording in accordance with current standard
Condition 4	Condition 9	Minor change to condition wording
Condition 5	Condition 10	Change to condition wording in accordance with current standard
Condition 6	Condition 4	Minor change to condition wording
Condition 7	Condition 11	Minor change to condition wording
Condition 8	Condition 12	Minor change to condition wording
Condition 9	Condition 13	Minor change to condition wording
Condition 10	Condition 14	Changes to condition wording in accordance with current standard.
Condition 11	Not applicable	Condition removed as it is deemed redundant
Condition 12	Condition 6	Condition updated to align with current standard

Current condition / schedule	New condition / schedule	Description and rationale
Condition 13	Condition 7	Changes to condition wording in accordance with current standard.
Condition 14	Condition 17	Condition 14 d) wording updated to align with current standard.
Condition 15	Condition 16	Changes to condition wording in accordance with current standard.
Condition 18	Condition 15	Changes to condition wording and table format in accordance with current standard. Added description of monitoring locations.
Condition 16	Condition 18	Changes to condition wording in accordance with current standard.
Condition 17	Condition 19	Minor change to condition wording
Condition 19	Condition 20	Changes to condition wording in accordance with current standard.
Condition 20	Condition 21	Minor changes to condition wording and table format. Corrected reference to groundwater monitoring to surface water monitoring. Added grid coordinates for surface water monitoring locations.
Condition 21	Condition 24	Condition revised in accordance with current standard
Condition 22	Condition 25	Condition wording updated to align with current standard
Condition 23	Condition 22	Condition updated to align with current standard
Condition 24	Condition 26	Condition wording and table format updated in accordance with current standard. The wording in report requirements table has been updated to align with current standard for annual reporting or to clarify the reporting requirement.
Condition 25	Not applicable	Condition removed as the requirements have been incorporated into new condition 25.
Condition 26	Not applicable	Condition removed – redundant condition. The requirement to submit copies of laboratory sample analysis reports is captured in new condition 25.
Condition 27	Not applicable	Condition removed. Reporting of limit exceedances is addressed in new condition 26 in accordance with the current standard. Form N1 removed as it is redundant. Calibration report requirement added into new condition 25. Notification regarding recommencement of operations is now addressed by new condition 27.
Condition 28	Condition 6	Change to condition number only
Condition 29	Condition 29	Change to condition referencing only.
Condition 30	Condition 30	Minor change to condition wording and updated condition referencing.

Current condition / schedule	New condition / schedule	Description and rationale
Schedule 1 – Premises map	Schedule 1 – Figure 1 – Premises and emission point map	Premises map updated to align with current standards. The premises boundary area has been updated (reduced) to more accurately represent the area related to the prescribed activity only. Figure name updated to include reference to emission points.
N/A	Schedule 1 – Figure 2 - map of authorised emission points	Added separate emissions point map (previously captured within premises map).
Schedule 1 – map of monitoring locations	Schedule 1 – Figure 3 - map of surface water monitoring locations	Change to figure description only
N/A	Schedule 2	Added premises boundary coordinates table to delineate the new premises boundary. Refer to Schedule 1 comments above.

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 27 July 2023	No comments received	Noted
Shire of East Pilbara advised regarding the application on 28 July 2023	No comments received	Noted
Applicant was provided with draft documents on 3 August 2023	Summary of comments received on 18 August 2023: Revised maps provided including premises, emission points and surface water monitoring locations maps. Grid coordinates for surface water monitoring locations provided. No additional comments on the draft decision report and licence	1. The Delegated Officer notes that the licence holder did not raise any issues with the draft decision report and draft licence conditions. 2. The updated premises map has been accepted as this better illustrates the location of the premises and premises boundary area. Illustration of the processing facility area has been included and aligns with the existing licence. Illustration of emission points within the same map is deemed acceptable in this case. 3. A revised surface water monitoring location map is not required. However, the monitoring location grid coordinates have been included in Condition 21, table 9.