



Application to renew a licence

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

Licence Number	L9178/2018/2
Licence Holder	Mulga Downs Iron Ore Pty Ltd
ACN	008 676 417
File Number	DER2018/001539~3
Premises	Mulga Downs Exploration Camp Landfill Part of R47/12 within E656287 N7559031, E656339 N7556031, E656287 N7555959, E656339 N7555959 Mulga Downs WA 6751 As defined by the Premises map in Schedule 1
Date of Report	15 January 2024
Decision	To grant a licence

Neville Welsh
SENIOR INDUSTRY REGULATION OFFICER
REGULATORY SERVICES

Officer delegated 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 L9178/2018/1 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 and appearance of the licence; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L9178/2018/2, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 19 September 2023 Hancock Prospecting Pty Ltd (licence holder) applied to renew licence L9178/2018/1, as the licence is due to expire on 15 January 2024. The licence was granted to the licence holder for the premises located at Mulga Downs Exploration Camp Landfill (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 89: Putrescible landfill site	50 cubic meters per annual period.

The main activities occurring on the Premises include four trenches, with only one trench being operational at any given time. The trenches are 40m long by 2m wide with a depth of 2.5m. The active tipping area will be approximately 30m wide and cover material will be sourced from the material excavated from the trenches.

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: 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 occupier in the last 5 years regarding the licence.

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 a licence and which was previously assessed.

4.4 Planning approval

The licence holder has informed the department that it has 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 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 2 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 2: Licence conditions changes, description and rationale

Current condition / table	Summary of current condition	New condition / table (if relevant)	Description and rationale
Format	-	-	Updated Licence to reflect current DWER format.

6. Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 3.

Table 3: Consultation

Consultation method	Comments received	Delegated response	Officer's
Application advertised on the department's website on 20 November 2023 closing 8 December 2023	No submissions were received.	N/A	
Applicant was provided with draft documents on 21 November 2023.	On 11 December 2023 the Licence holder responded with no comments and waived the remaining consultation period.	N/A	