



## Application for Works Approval Amendment

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

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<b>Works Approval Number</b>	W6264/2019/1
<b>Works Approval Holder</b>	Fortescue Metals Group Ltd
<b>ACN</b>	002 594 872
<b>File Number</b>	DER2019/000332
<b>Premises</b>	Hamersley Rail Mobile Crushing and Screening Facility  L 1SA Great Northern Highway Marble Bar, WA 6760  Legal description –  L 1SA  As defined by the coordinates in Schedule 1 of the Revised Works Approval
<b>Date of Report</b>	8 December 2022
<b>Decision</b>	Revised works approval granted

**Alana Kidd**  
**MANAGER, RESOURCE INDUSTRIES**  
**REGULATORY SERVICES**

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

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## 1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6264/2019/1. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the Existing works approval will remain on the department's website for future reference and will act as a record of the department's decision making.

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the works approval, 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

Works Approval W6264/2019/1 is held by Fortescue Metals Group Ltd (Works Approval Holder) for the Hamersley Rail Mobile Crushing and Screening Facility (the Premises), located within State Agreement Act tenement L1SA Great Northern Highway, Marble Bar, WA 6760. LaSA expires 28 November 2056 and is held by the Pilbara Infrastructure Pty Ltd,

The Premises relates to the category and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W6264/2019/1.

Hamersley Rail Mobile Crushing and Screening Facility (MCSF) is prescribed for category 12 activities where material is extracted from the ground, screened, washed, crushed, milled, sized, or separated, with a design capacity of 1.5 million tonnes per annum. The MCSF will produce material required to build an overpass for the Great Northern Highway over the Hamersley Rail.

On 07 October 2022, the Works Approval Holder submitted an application to the department to amend Works Approval W6264/2019/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to extending works approval expiry date by two years, changing the expiry date from 08/12/2022 to 08/12/2024.

This extension is required due to delays in the construction of the Great Northern Highway Overpass. Prior to construction, it was identified that the dedication of the road reserve for the Great Northern Highway overpass location had not been completed. Completion of the road reserve dedication is required to authorise land access for road construction activities and is currently being completed by third parties. Main Roads WA (MRWA) and Department of Planning, Lands and Heritage (DPLH) are finalising this process and unable to advise the likely date for completion of this dedication and thus construction has been delayed. Works are set to continue upon resolution of land access.

## 3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 8 December 2022. On 8 December 2022 the Works Approval Holder waived the comment period.

Table 1 provides a summary of the consultation undertaken by the department.

**Table 1: Consultation**

Consultation method	Comments received	Department response
Local Government Authority advised of proposal on 14 November 2022	The Town of Port Hedland replied on 1 December 2022 noting the existing <i>Local Planning scheme No. 7 (LPS7)</i> and the <i>Local Planning Strategy (2021)</i> that the site remains subject to. The Town of Port Hedland has reiterated the <i>Dust and Sediment Management</i> advice given with the initial application. Following this, the town has provided no objection to the proposal.	No reply required.
Main Roads was advised of the proposal on 14 November 2022	Main Roads replied on 22 November 2022 to state there were no objections to the proposal.	No reply required.

## 4. Conclusion

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

### 4.1 Summary of amendments

Table 2 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

**Table 2: Summary of works approval amendments**

Section of Works Approval	Proposed amendments
Duration on front page	Extended to 08/12/2024

Table 3 provides a list of works approval conditions consolidated and revisions made to contemporize formatting. All changes have been incorporated into the Revised works approval as part of the amendment process.

**Table 3: Consolidation of works approval conditions in this amendment**

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Explanatory Notes	Section removed	Revised to contemporary licence format – no change to risk
N/A	N/A	Works approval history section added	Addition to align with contemporary format
N/A	Definitions	Section moved	Revised to contemporary licence format
N/A	Figures	Figure titles added	Addition to align with contemporary licence format

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Site Layout Section	Section removed and consolidated into figure description and title	Revised to contemporary licence format

## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Fortescue Metals Group Ltd 2022, *Email titled: FMG application to extend the Hamersley Rail Mobile Crushing and Screening Facility W6264/2019/1 works approval*, Received 07 November 2022
5. Works Approval W6264/2019/1 Available at [Search - Department of Water and Environmental Regulation \(der.wa.gov.au\)](#)