



Department initiated Amendment

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

Works Approval Number	W6567/2021/1
Works Approval Holder	Lynas Kalgoorlie Pty Ltd
ACN	053 160 302
File Number	DER2020/000366
Premises	Lynas Kalgoorlie Rare Earths Processing Facility 70 Johns Road YILKARI WA 6430 Legal description – General Purpose Lease – G26/169 As defined by the Premises maps attached to the Revised Works Approval
Date of Report	20 December 2024
Decision	Revised works approval granted

MANAGER, PROCESS INDUSTRIES

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 W6567/2021/1. 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 Amendment summary

Works Approval W6567/2021/1 is held by Lyna Kalgoorlie Pty Ltd (Works Approval Holder) for the Lynas Kalgoorlie Rare Earths Processing Facility (the Premises), located at 70 Johns Road, Yilkari, General Purpose Lease G26/169.

The Premises relates to the categories and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W6567/2021/1.

On 17 September 2024, the works approval was amended for the inclusion of Category 54 activities. During the amendment process, the works approval holder provided comments on the draft amendment, requesting that the 95kL/day limit (as initially drafted) be amended to 400kL to adequately meet dust management obligations at the premises. As detailed in the amendment report for that amendment, the Delegated Officer accepted the proposed changes, noting the conditions of the works approval appropriate to manage the risks associated with the proposed re-use of the treated effluent. As part of updates to Condition 20 (Table 6) however, a limit on the use of treated effluent outside of engineered containment was retained.

2.2.1 2.2.1 CEO Initiated Amendment

On 12 November 2024, the department initiated an amendment to the works approval, limited to amending the following condition:

- Condition 20, Table 6 Treated effluent re-use requirements, item 2 (b)

'Treated effluent discharged for dust suppression outside of engineered containment infrastructure must not exceed 95kL/day'.

Following the granting of the previous amendment, the Delegated Officer has determined that the condition (as stipulated) may be open to misinterpretation, and as a result, has initiated an amendment to update the wording of the condition, and improve alignment with the assessed production capacity for Category 54 activities on the premises through an amendment to the wording of the condition to specify the overall limit on treated wastewater reuse. The Delegated Officer considers this change does not alter the risk of the assessed activity and improves interpretation of the condition.

3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 26 November 2024. Comments received from the Works Approval Holder on 10 December 2024 have been considered by the Delegated Officer as detailed in Appendix 1.

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 1 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 1: Summary of works approval amendments

Condition no.	Proposed amendments
Table 6 Condition 20, Item 2 Onsite Treated effluent, (b)	Condition 20 relating to the re-use of treated effluent on site, item 2 (b) has been amended to align with the assessed production capacity.

5. References

Department of Environment Regulation (DER) 2015, Guidance Statement: Setting Conditions, Perth, Western Australia.

1. *Department of Water and Environmental Regulation (DWER) 2020, Guideline: Environmental Siting, Perth, Western Australia.*
2. *DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.*

Appendix 1: Summary of Works Approval Holder's comments on draft amendment

Condition	Summary of Works Approval Holder's comment	Department's response
Condition 20, Item 2 Onsite treated effluent reuse (b)	To ensure the condition's original description is retained Lynas suggested minor wording change to that drafted.	The condition has been updated as requested.