



Works Approval Number	W6258/2019/1
Works Approval Holder	Coburn Resources Pty Ltd
ACN	165 036 537
Registered business address	Level 9, 216 St Georges Terrace Perth WA 6000
File Number	DER2019/000290
Duration	02/09/2019 to 01/09/2022
Date of transfer	05/11/2021
Prescribed Premises	Category 85 Category 89
Premises	Coburn Mineral Sands Project M09/102, M09/103, M09/104, M09/105, M09/106, M09/111 and M09/112 COBURN WA 6532

This Works Approval is transferred to the Works Approval Holder, subject to the following conditions, on 5 November 2021, by:

**A/Manager, Resource Industries
REGULATORY SERVICES**

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

Works approval history

Date	Reference number	Summary of changes
02/09/2019	W6258/2019/1	New works approval granted.
05/11/2021	W6258/2019/1	Works approval transferred from Strandline Resources Limited to Coburn Resources Pty Ltd.

Explanatory notes

These explanatory notes do not form part of this Works Approval.

Defined terms

Definition of terms used in this Works Approval can be found at the start of this Works Approval. Terms which are defined have the first letter of each word capitalised throughout this Works Approval.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986* (WA) (EP Act). The Department also monitors and audits compliance with licences and works approvals, takes enforcement action and develops and implements licensing and industry regulation policy.

Works Approval

Section 52 of the EP Act provides that an occupier of any premises commits an offence if any work is undertaken on, or in relation to, the premises which causes the premises to become, or to become capable of being, Prescribed Premises, except in accordance with a works approval.

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered or permitted to be altered from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987* (WA) (EP Regulations).

This Works Approval does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to, the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Works Approval Holder to ensure that any action or activity referred to in this Works Approval is permitted by, and is carried out in compliance with,

statutory requirements.

The Works Approval Holder must comply with the Works Approval. Contravening a Works Approval Condition is an offence under s.55 of the EP Act.

Responsibilities of Works Approval Holder

Separate to the requirements of this Works Approval, general obligations of Works Approval Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Works Approval Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under s.61; and
- restrictions on making certain changes to Prescribed Premises unless the changes are in accordance with a Works Approval, Licence, closure notice or environmental protection notice (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Works Approval Holder has a duty to report to the Department all Discharges of Waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Works Approval Holder commits an offence if Emissions are caused, or altered, from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a closure notice or an environmental protection notice.

Defences to certain offences may be available to a Works Approval Holder and these are set out in the EP Act. Section 74A(b)(iii) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Works Approval Holder can prove that an Emission or Discharge occurred in accordance with a Works Approval.

This Works Approval specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The specified and general Emissions and Discharges from the Works authorised through this Works Approval are authorised to be conducted in accordance with the Conditions of this Works Approval.

Amendment of Works Approval

The Works Approval Holder can apply to amend the Conditions of this Works Approval under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Works Approval at any time on the initiative of the CEO without an application being made.

Duration of Works Approval

The Works Approval will remain in force for the duration set out on the first page of this Works Approval or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Works Approval in accordance with s.59A of the EP Act.

Definitions and interpretation

Definitions

In this Works Approval, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
AS/NZS 5667.10	means the Australian Standard AS/NZS 5667.10 Water Quality – Sampling – Guidance on sampling of waste waters.
Averaging period	means the time over which a limit is measured or a monitoring result is obtained.
Books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
cfu	means colony forming unit
Condition	means a condition to which this Works Approval is subject under s.62 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Works Approval Holder in writing and sent to the Works Approval's address for notifications, as described at the front of this Works Approval, in relation to: (a) compliance with the EP Act or this Works Approval; (b) the Books or other sources of information maintained in accordance with this Works Approval; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986</i> (WA).
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).

ha	means hectare
HDPE	means High Density Polyethylene
Implementation Agreement or Decision	has the same meaning given to that term under the EP Act.
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
kL	means kilolitre
Material Environmental Harm	has the same meaning given to that term under the EP Act.
m	means metre
m ³	means cubic metres
mg/L	means milligram per litre
NATA	means the National Association of Testing Authorities, Australia.
NATA accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis.
Pollution	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Works Approval applies, as specified at the front of this Works Approval and as shown on the map in Schedule 1 to this Works Approval.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Spot sample	means a discrete sample representative at the time and place at which the sample is taken.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.
WWTP	means Waste Water Treatment Plant
Works	refers to the Works described in Schedule 2, at the locations shown in Schedule 1 of this Works Approval to be carried out at the Premises, subject to the Conditions.
Works Approval	refers to this document, which evidences the grant of the works approval by the CEO under s.54 of the EP Act, subject to the Conditions.
Works Approval Holder	refers to the occupier of the Premises being the person to whom this Works Approval has been granted, as specified at the front of this Works Approval.

Interpretation

In this Works Approval:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Works Approval means the version of the standard, guideline or code of practice in force at the time of granting of this Works Approval and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Works Approval; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Infrastructure and equipment

1. The Works Approval Holder must construct and/or install the infrastructure listed in Table 2, in accordance to the requirements set out in Table 2.
2. The Works Approval Holder must not depart from the requirements specified in

3. Table 2 except where:
 - (a) where such departure does not increase risks to public health, public amenity or the environment; and
 - (b) all other Conditions in this Works Approval are still satisfied.
4. The works approval holder must within 28 calendar days of the infrastructure required by condition 1 being constructed:
 - (a) undertake an audit of their compliance with each of the requirements of condition 1, Table 2; and
 - (b) prepare and submit to the CEO an audit report on that compliance.
5. The Environmental Compliance Report required by condition 3, must include as a minimum the following:
 - (a) certification by a suitably qualified and experienced person that each item of infrastructure or component of infrastructure specified in Table 2 has been constructed with no material defects and to the requirements specified in Table 2;
 - (b) where a departure from the requirements specified in Table 2 occurs and is of a type allowed by condition 2, the Works Approval Holder must provide to the CEO a description of, and explanation for the departure; and
 - (c) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person within the company.

Table 2: Infrastructure and equipment requirements table

Infrastructure	Design and construction requirement / installation requirement	Infrastructure location
Mine Village WWTP	Fully modular Activated Sludge Bioreactor ASBR-075 (75 m ³ /day capacity) designed to treat effluent to the following water quality standards: <ul style="list-style-type: none"> Biochemical Oxygen Demand: < 20 mg/L Total Suspended Solids: < 30 mg/L Faecal Coliform: < 1000 cfu /100 ml Colony Residual Free Chlorine: 0.2 – 2 mg/L Total Nitrogen (TN): < 50 mg/L Total Phosphorus (TP): 4mg/L at highest coagulant dose rate pH: 6.5 – 8.5 	As shown in Map 1 in Schedule 1
	Fitted with alarms and controls to identify faults including high and low tank levels.	
	Fitted with contingency storage capacity of 50 kL.	
	Fitted with a 12 m ³ tank for storage of sludge.	
Pipeline	1 km welded HDPE pipeline for transportation of treated effluent from the Mine Village WWTP to the Spray Field.	
Spray field	3.5 ha	As shown in Map 1 in Schedule 1
	Constructed so that effluent is discharged by above-ground sprinklers which are spaced and located to minimise pooling, and for a spray drift buffer of 5 m.	
Landfill	1.8 ha	As shown in Map 1 in Schedule 1
	At least 1.8 m high chain-link fence around the entire boundary of the landfill to provide effective barrier to large animals and escape of windblown waste.	
	Constructed so that: <ul style="list-style-type: none"> stormwater is diverted away from waste; and where water comes into contact with waste, the water is retained on the landfill. 	
	Tipping area no more than 30 m in length and 2 m above ground level in height.	

Emissions

6. The Works Approval Holder must not cause any Emissions from the Works authorised through this Works Approval except for specified Emissions and general Emissions described in Column 1 of Table 3, subject to the exclusions, limitations or requirements specified in Column 2, of Table 3.

Table 3: Authorised Emissions table

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
Specified Emissions	
Treated effluent from the Mine Village WWTP	Subject to compliance with conditions 6 to 16.
General Emissions (excluding Specified Emissions)	
Emissions which arise from undertaking the Works set out in Schedule 2.	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

Commissioning

7. The Works Approval Holder may only commence environmental commissioning of the Mine Village WWTP once the Environmental Compliance Report has been submitted in accordance with condition 3 of this works approval.
8. The Works Approval Holder shall commission the Mine Village WWTP for a period not exceeding 4 months.
9. The works approval holder must submit to the CEO an environmental commissioning report within 28 business days of the completion date of environmental commissioning.
10. The Works Approval Holder shall ensure the environmental commissioning report required by condition 8 includes:
 - (a) a summary of the monitoring results recorded under condition 13;
 - (b) a list of any original monitoring reports submitted to the Works Approval Holder from third parties for the commissioning period;
 - (c) a summary of the environmental performance of the Mine Village WWTP as installed, against the design specification set out in the works approval application; and
 - (e) where they have not been met, measures proposed to meet the design specification and/or works approval conditions, together with timescales for implementing the proposed measures.

Time limited operations

11. The Works Approval Holder may conduct time limited operations for the landfill for a period not exceeding 180 calendar days from the submission date of the Environmental Compliance Report required by condition 3 of this works approval.
12. The Works Approval Holder may conduct time limited operations for the WWTP for a period not exceeding 180 calendar days from the date of submission of the environmental commissioning report required by condition 8.
13. The Works Approval Holder must ensure that wastes and discharges are managed in accordance with the requirements listed in Table 4.

Table 4: Management of waste and discharges

Waste and discharges management strategy	Management requirements
Treatment of sewage - Mine Village WWTP	No more than 75 m ³ per day.
Discharge of effluent from the Mine Village WWTP	Discharged by pipeline to a 3.5 ha irrigation spray field as located in Schedule 1: Premises map.
Disposal of waste by landfilling	<p>Disposal of waste by landfilling shall only take place within the landfill area as shown on Schedule 1: Premises map.</p> <p>Waste types accepted onto the landfill may consist only of:</p> <ul style="list-style-type: none"> • Inert Waste Type 1;

Waste and discharges management strategy	Management requirements
	<ul style="list-style-type: none"> • Inert Waste Type 2 (plastics only); and • Putrescible Waste. <p>No more than 2,700 tonnes per year of all waste types cumulatively shall be disposed of by landfilling.</p> <p>1.8 m high chain-link fence around the entire boundary of the landfill maintained to minimise entry by scavengers and exit of wind-blown waste.</p> <p>Tipping area no more than 30 m in length and 2 m above ground level in height.</p> <p>Stormwater diverted from areas where there is waste.</p> <p>Water that has come into contact with waste retained on the landfill.</p> <p>Tipping area must be covered with dense (at least 200 mm), inert and incombustible material at least once a fortnight while the landfill is in use.</p>

Monitoring

14. The Works Approval Holder must undertake monitoring of effluent discharged during environmental commissioning and time limited operations in accordance with Table 5.

Table 5: Monitoring of WWTP effluent discharge

Discharge Location	Monitoring Location	Parameter	Units	Averaging period	Frequency
Irrigation spray field as located in Map 1 in Schedule 1.	Effluent outlet	pH ¹	pH units	Spot sample	Weekly during environmental commissioning. Monthly during time limited operations.
		<i>E.coli</i>	cfu/100ml		
		Biochemical Oxygen Demand	mg/L		
		Total Suspended Solids	mg/L		
		Total Nitrogen	mg/L		
		Total Phosphorus	mg/L		
		Effluent flow rate	kL/day	24 hours	Continuous

Note 1: In field non-NATA accredited analysis permitted.

- 15.** The Works Approval Holder must ensure that:
- (a) all wastewater sampling is conducted in accordance with AS/NZS 5667.10; and
 - (b) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in relevant table.
- 16.** The Works Approval Holder must ensure that:
- (a) monitoring is undertaken in each weekly period such that there are at least 4 days in between the days on which samples are taken in successive weeks; and
 - (b) monitoring is undertaken in each monthly period such that there are at least 15 days in between the days on which samples are taken in successive months.
- 17.** The works approval holder must record the results of all monitoring activity required by condition 14 during environmental commissioning and time limited operations.

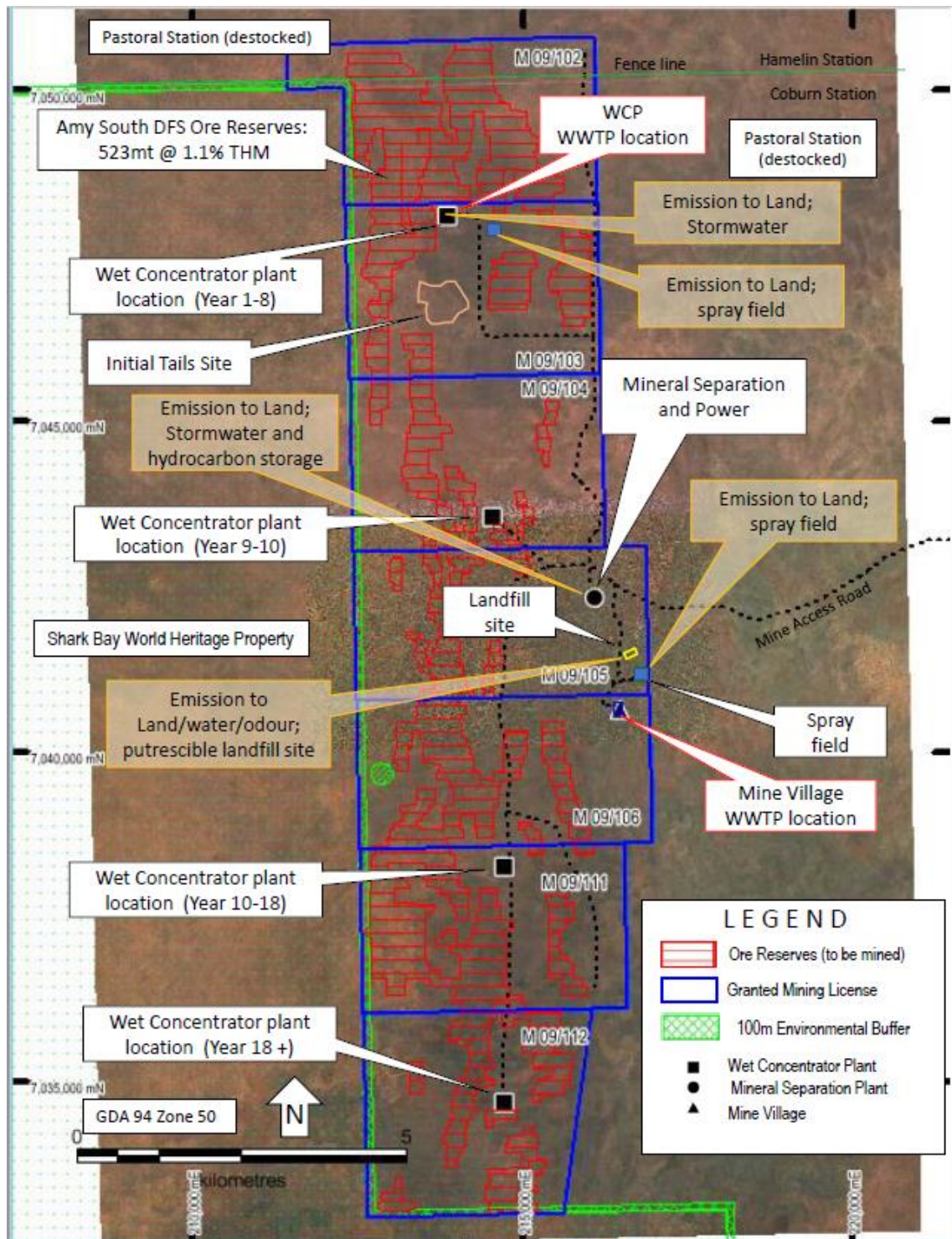
Record-keeping

- 18.** The Works Approval Holder must maintain accurate Books including information, reports and data in relation to the Works and the Books must:
- (a) be legible;
 - (b) if amended, be amended in such a ways that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) be retained for at least 3 years from the date the Books were made; and
 - (d) be available to be produced to an Inspector or the CEO.
- 19.** The Works Approval Holder must comply with a Department Request within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

Schedule 1: Maps

Map 1: Premises map

The premises boundary is drawn by the blue line and the locations of the WWTP, sprayfield, and landfill, are shown in the map below.



Schedule 2: Works

At the time of assessment, Emissions and Discharges from the Works listed in Table 5 were considered in the determination of the risk and related Conditions for the Works Approval.

Table 6: Authorised Works

Works	Design
WWTP - Activated Sludge Bioreactor ASBR-075	75 m ³ production capacity per day
Effluent pipeline	Approximately 1 km
Irrigation spray field	3.5 ha
Landfill	2,700 tonnes waste deposited per year

Site layout

The infrastructure and equipment are set out on the Premises in accordance with the site layout specified on the Premises map in Schedule 1.