



Application for Works Approval Amendment

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

Works Approval Number	W6120/2018/1
Works Approval Holder	Mt Weld Mining Pty Ltd
ACN	053 160 400
File Number	DER2017/002205
Premises	Mt Weld Rare Earths Project Elora Road LAVERTON WA 6440 Mining tenement M38/58
Date of Report	9 April 2021
Decision	Revised works approval granted

Terrel MacGregor
A/Manager, Resource Industries
REGULATORY SERVICES

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

Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6120/2018/1. 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.

1. Scope of assessment

1.1 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>.

1.2 Application summary

Works Approval W6120/2018/1 is held by Mt Weld Mining Pty Ltd (Works Approval Holder) for the Mt Weld Rare Earth Project (the Premises), located at Elora Road Laverton.

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 W6120/2018/1.

On 4 March 2021, the Works Approval Holder applied to the department to amend Works Approval W6120/2018/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to extending works approval expiry date.

The Works Approval Holder indicated that due to various commercial and logistical reasons including the onset of the COVID-19 pandemic, capital expenditure on several items covered under the Works Approval have been deferred. Mt Weld Mining proposes to complete construction and commissioning of the plant expansion within the next three years.

2. Consultation

The Works Approval Holder was provided with the draft Amendment Report and draft instrument on 9 April 2021. The Works Approval Holder made no comment to the draft documents and waived the remainder of the comment period.

3. 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.

3.1 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
Duration	Extended to 09/04/2024
Cover page	Prescribed premises category and capacity table added
History	Added to works approval
Explanatory notes	Deleted. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019)
Interpretation	Updated based on departmental legal advice.
Definitions	Definitions updated: 'CEO'
	Definitions removed: 'minister', 'MS', 'reportable event' – as these were not used in the works approval.

4. References

1. Mt Weld Mining, "W6120/2018/1 Application to Amend Works Approval" application form and supporting documentation, March and April 2021.
2. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
3. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
4. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.