



Amendment Notice 2

Licence Number	L8788/2013/1
Licensee	Atlas Iron Limited
ACN	110 396 168
File Number	2013/003893
Premises	Mt Webber DSO Project M45/1209-1 and L45/280 NULLAGINE WA 6758
Date of Amendment	1 November 2017

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 1 November 2017

Alana Kidd

MANAGER LICENSING – RESOURCE INDUSTRIES

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
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 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au
Delegated Officer	an officer under section 20 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
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Amendment
Licensee	Atlas Iron Limited
Occupier	has the same meaning given to that term under the EP Act
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Existing Licence and Amendment Notice 1 issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This Amendment Notice is limited only to administrative amendments. No other changes to the aspects of the Existing Licence and Amendment Notice 1 relating to Category 5, 54 and 89 have been requested by the Licensee.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015);
- *Guidance Statement: Setting Conditions* (October 2015);
- *Guidance Statement: Decision Making* (February 2017); and
- *Guidance Statement: Risk Assessment* (February 2017).

Amendment description

On 20 September 2017 Atlas Iron Limited (Licensee) submitted an application (Atlas Iron, 2017a) to DWER for an amendment to the Mt Webber DSO Project (Premises) licence L8788/2013/1 to correct the premises boundary map from Amendment Notice 1, which was issued 31 March 2017.

Decision

Amendment Notice 1 updated the premises boundary to remove reference to the *Land Administrative Act 1997* Section 91 Licence Area (LIC00200/2013_A3227408), which was the location of the mobile crushing and screening plant during construction of the Hillside – Woodstock Road and Woodstock – Marble Road. Category 12 was removed from the Existing Licence on 11 February 2016 (refer to Table 2 below).

The Premises is located within tenure (M45/1209 and L45/280) previously assessed as a prescribed premises for Category 5, 54 and 89 activities, within Schedule 1 of the *Environmental Regulations 1987*. The prescribed premises address has been updated via this Amendment Notice to include the coordinates for the Premises boundary. The Delegated Officer considers that this update to the Premises boundary is acceptable and will not result in emissions which are unacceptable to public health or the environment.

Amendment history

Table 2 provides the amendment history for L8788/2013/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8788/2013/1	3/07/2014	Licence amendment to include Category 5, Category 12 and the MOC WWTP.
L8788/2013/1	05/02/2015	Licence amendment to change monitoring frequency of the WWTP.
L8788/2013/1	11/02/2016	Licence amendment to include tyre disposal at waste rock dump and remove Category 12.

L8788/2013/1	29/04/2016	Notice of Amendment by administrative notice to extend duration of the Licence to 30 March 2030.
L8788/2013/1	31/03/2017	Amendment Notice 1 Licence amendment to increase assessed production capacity to 9,000,000 tonnes per annum.
L8788/2013/1	01/11/2017	Amendment Notice 2 Licence amendment for administrative changes and to update the prescribed premises boundary.

Other amendments

During this amendment the following administrative changes have also been made to the Licence:

- All references to DER changed to DWER.
- Inclusion of definitions for 'Annual Audit Compliance Report', 'Department' and updates to the definitions of 'Annual Period', 'CEO' and 'CEO for the purposes of notification'.
- Updates to the Annual Audit Compliance Report submission and reporting requirements specified under Condition 4.1.3.

Licensee's comments

The Licensee was provided with the draft Amendment Notice on 17 October 2017 for review and comment. The Licensee responded on 18 October 2017 waiving the remaining comment period.

Amendment

1. The Prescribed Premises address is amended by the deletion of the text shown in strikethrough and the insertion of the bold text shown in underline below:

Mt Webber DSO Project

Part of M45/1209-4 and L45/280

Within coordinates E734860 N7613029; E734895.9 N7616304; E737177.8

N7616303; E737177.6 N7613542; E737024 N7613554; E736419 N7612794;

E735812.3 N7612796; and E735717 N7613029

NULLAGINE WA 6758

2. Definitions of the Licence are amended by the deletion of the text shown in strikethrough below and the insertion of the bold text shown in underline below:

'Annual Audit Compliance Report' means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website;

'Annual Pperiod' means a 12 month ~~the inclusive period~~ commencing from 1 July until ~~to~~ 30 June in the following year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purposes of ~~correspondence~~ **notification** means;

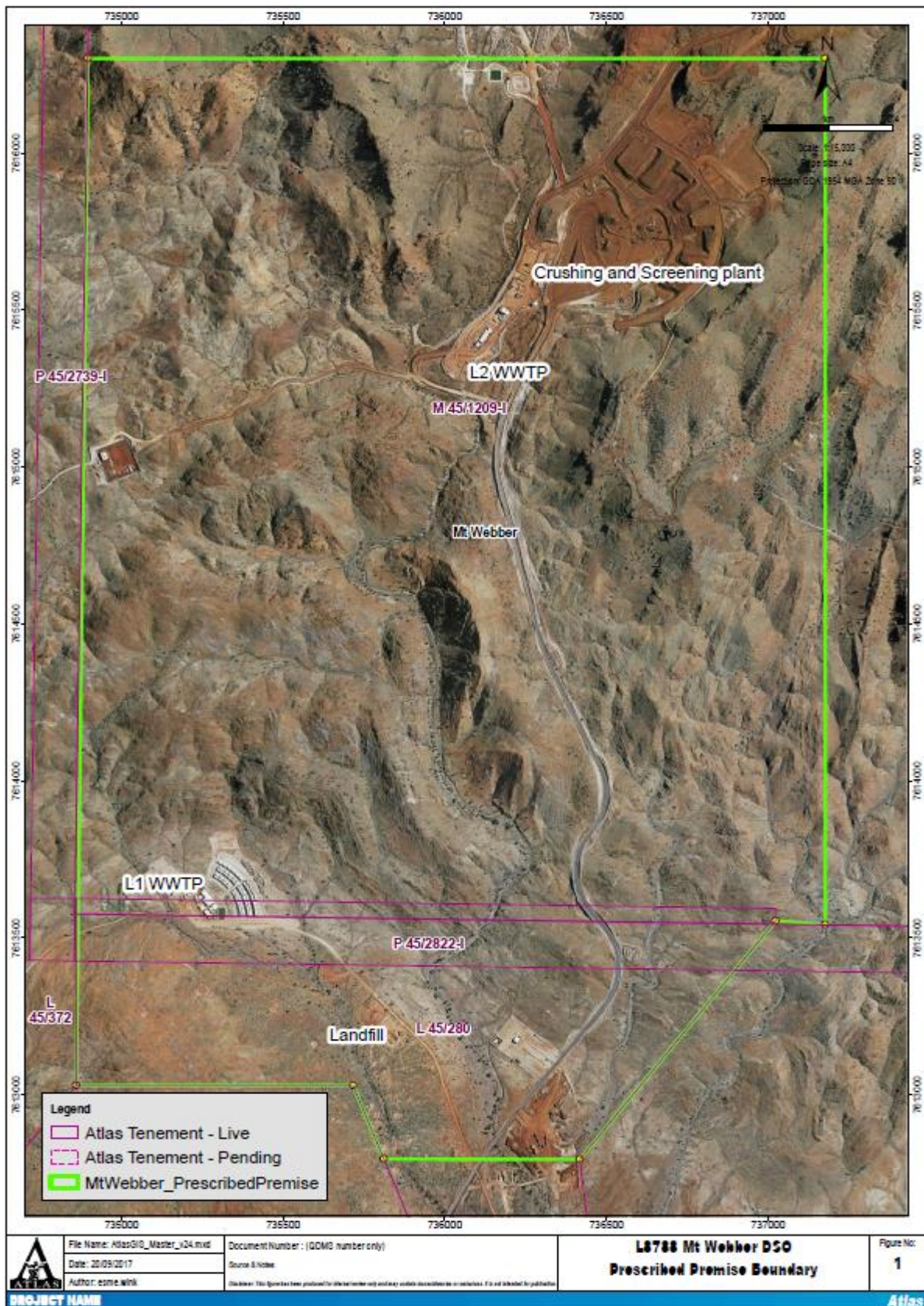
~~Chief Executive Officer~~ **Director General**
Department **Administering the** ~~Div. 3 Pt. V EP Act~~
Locked Bag 33 **Cloisters Square**
~~Cloisters Square~~ **PERTH** WA 6850
Email: info@der.wa.gov.au info-der@dwer.wa.gov.au;

'Department' means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Division 3 Part V of the EP Act;

3. Previous condition 4.1.3 of the Existing Licence is amended by the deletion of the test shown in strikethrough below and the insertion of the bold text shown in underline below:
 - 4.1.3 The Licensee **must submit to the CEO by 31 July each year,** ~~shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the Conditions **in this** of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous **A**nnual **P**eriod.~~
4. The Premises map in Amendment Notice 1 is deleted and replaced with the map in Attachment 1 of this Amendment Notice.

Attachment 1

Premises map



Licence: L8788/2013/1

IR-T07 Amendment Notice (Minor) v2.0 (July 2017)

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Amendment Notice 1 – L8788/2013/1 amended 31 March 2017	Amendment Notice 1	accessed at www.dwer.wa.gov.au
2	Atlas Iron – Mt Webber L8788 – Licence amendment application, received from Esme Wink (Atlas Iron), 20 September 2017	Atlas Iron, 2017a	DWER records (A1527248)
3	<i>Guidance Statement: Decision Making</i> , Department of Environment Regulation, February 2017	<i>Guidance Statement: Decision Making</i>	accessed at www.dwer.wa.gov.au
4	<i>Guidance Statement: Regulatory Principles</i> , Department of Environment Regulation, July 2015	<i>Guidance Statement: Regulatory Principles</i>	
5	<i>Guidance Statement: Risk Assessments</i> , Department of Environment Regulation, February 2017	<i>Guidance Statement: Risk Assessments</i>	
6	<i>Guidance Statement: Setting Conditions</i> , Department of Environment Regulation, October 2015	<i>Guidance Statement: Setting Conditions</i>	
7	Licence L8788/2013/1 – Mt Webber DSO Project amended 11 February 2016	Existing Licence	
8	RE: Atlas Iron – Mt Webber L8788 – Licence amendment application, request for additional information, received from Esme Wink (Atlas Iron), 4 October 2017	Atlas Iron, 2017b	DWER records (A1534387)