



**Works Approval Number** W5835/2015/1

**Works Approval Holder** Iluka Resources Limited

**ACN** 008 675 018

**File Number:** DER2015/000690

**Premises** North Capel Operations  
Yearly Rd  
CAPEL WA 6271  
  
Being all of mining tenements M70/257, M70/962,  
M70/970, M70/978, M70/990, M70/1082 and  
M70/1083 and part of mining tenements M70/279 and  
M70/386 as depicted in Schedule 1

**Date of Amendment** 14 March 2018

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Works Approval 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 : 14 March 2018

Caron Goodbourn

A/Manager Licensing (Process Industries)

*Officer delegated under section 20 of the Environmental Protection Act 1986*

# Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

<b>Term</b>	<b>Definition</b>
<b>Term</b>	<b>Definition</b>
ACN	Australian Company Number
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department 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 EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Works Approval 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 notice is limited only to an amendment to Category 31, to extend the duration of the Works Approval. No changes to any other aspects of the Works Approval have been requested by the Works Approval Holder.

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

- *Guidance Statement: Decision Making* (February 2017)
- *Guidance Statement: Licence Duration* (August 2016)

## Amendment description

Works Approval W5835/2015/1 was issued to Iluka Resources Limited (Iluka) on 20 August 2015 under Part V of the EP Act, for the construction of a new 110 metre (m) stack to replace the current 35m dryer stack for Synthetic Rutile Plant 1 (SR1). The main objective of the new 110m stack is to improve the safety of gas emissions from SR1 and decrease odour impacts on the neighboring environment.

The Works Approval Holder stated that the construction of a new 110 m stack has not yet commenced as the starting up of SR1 is not financially feasible due to poor market demand.

This Amendment Notice is a result of an application submitted by Iluka on 25 January 2018 and relates to an extension to Works Approval W5835/2015/1 expiry date from 23 August 2018 to 23 August 2021, being an extension of three (3) years.

## Decision

In determining the Works Approval expiry date extension, the Delegated Officer considers that the Works Approval Holder has not yet commenced with construction of the new 110m stack, that no other statutory approvals such as planning approval are needed and that it will not change the environmental risk profile of the Premises.

Given the above, the Delegated Officer has determined to grant the amendment, being a 3 year extension to Works Approval W5835/2015/1.

## Works Approval Holder's comments

The Works Approval Holder was provided with the draft Amendment Notice on 18/03/2018. Comments received from the Works Approval Holder have been considered by the Delegated Officer as shown in Appendix 2.

## Amendment

1. Works Approval W5835/2015/1 expiry date has been extended from **23 August 2018 to 23 August 2021**.
2. Definitions have been updated with the deletion of text shown in strikethrough below and the insertion of the red text shown in underline:

*'CEO' for the purpose of correspondence means;*

~~Manager - Licensing (Resource Industries)~~

*At the following address:*

*Department of Environment Regulation  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: industry.regulation@der.wa.gov.au*

*Chief Executive Officer  
Department Division 3, Part V of the Act  
Locked Bag 33, Cloisters Square  
PERTH WA 6850  
Email: info@dwer.wa.gov.au*

## Appendix 1: Key documents

	<b>Document title</b>	<b>In text ref</b>	<b>Availability</b>
1	Works Approval W5835/2015/1 – North Capel Operations	W5835/2015/1	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	Guidance Statement: Decision Making (February 2017)	
3	<i>Guidance Statement: Licence Duration</i> (August 2016) Department of Environment Regulation, Perth.	Guidance Statement: Licence Duration (August 2016)	

## **Appendix 2: Summary of Licence Holder comments**

The Works Approval Holder was provided with the draft Amendment Notice on 8/03/2018 for review and comment. The Works Approval Holder responded on 13/03/2018 waiving the 21-day response. No comments were received.