



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L8117/2006/9
Licence holder	Hamersley HMS Pty Ltd
ABN	115 004 129
File number	DER2013/001046-1
Premises	Hope Downs 1 Iron Ore Mine Mining Lease AM70/282 and L47/378 NEWMAN WA 6753 (as depicted in Schedule 1 of licence)
Date of report	18/11/2021
Status of report	Final

1. Decision summary

This decision report documents the Delegated Officer's decision to grant replacement licence L8117/2006/9 to Hamersley HMS Pty Ltd (licence holder) for the Hope Downs 1 Iron Ore Mine on Mining Lease AM70/282 and L47/378, NEWMAN WA 6753 (the premises).

In determining to grant this licence, the Delegated Officer noted that no changes to the activities undertaken, or the volumes of material produced, at the premises have occurred. The Delegated Officer has not undertaken a detailed review and risk assessment of emissions and discharges from the premises. Therefore, the original risk assessment will be included with this licence when published onto the Departments website.

The format of the licence has been updated, consistent with the current approved licence format.

2. Scope of assessment

2.1 Application summary and overview of the Premises

The licence holder has applied to replace its expiring licence L8117/2006/8, issued under Part V Division 3 of the *Environmental Protection Act 1986* due to expire on 26 November 2021.

The premises is located in the Pilbara region, approximately 75 kilometres (km) north-west of Newman and relates to:

- (i) Category 5 - open cut mining methods of drilling and blasting of up to 32,000,000 tonnes per annum (tpa);
- (ii) Category 6 – mine dewatering up to 40,150,000 tpa to Weeli Wolli Creek at various discharge points (see Attachment 3) in licence;
- (iii) Category 12 – screening of material using a mobile crushing and screening plant to primarily produce stemming for blasting purposes and material for construction/maintenance activities;
- (iv) Category 54 – sewage facilities consisting of WWTPs located at the Site Administrative Building and North Village 1 and 2 with a total design capacity of 402 cubic metres (m³) per day and irrigating the treated wastewater to sprayfields; and
- (v) Category 73 – bulk storage of chemicals in 2 X 200kL fuel tanks.

2.2 Regulatory framework

In replacing the licence 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>.

3. Consultation

A draft replacement licence and this decision report were provided to the licence holder on 26/10/2021 for comment. The licence holder's comments, along with DWER's response, have been summarised in Appendix 1.

4. Decision

The Delegated Officer has granted replacement licence L8117/2006/9 with administrative changes only and without conducting any additional risk assessment. In determining to grant this licence the Delegated Officer notes that no changes to the activities undertaken or the volumes of material produced at the premises have occurred. Therefore, the Delegated Officer determined the risks to public health and the environment from activities at the premises, and previously assessed by the Department, have not materially changed and are deemed acceptable. The format of the licence and conditions have been updated to be consistent with the current DWER licence format. The updates are administrative in nature and do not alter the risk profile of the premises.

The replacement licence has been issued for a period of 20 years. The Department proposes to conduct a review of the licence before the next expiry to ensure the risks to public health and the environment from activities on the premises have not changed.

In replacing the expiring license, the Delegated Officer has also determined to:

- update the format and appearance of the licence;
- amalgamated Amendment Notice 1 into the replacement licence;
- remove redundant conditions and include additional conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence condition numbers and realign condition numbers for numerical consistency; and
- transfer all existing regulatory controls and conditions to the replacement licence.

Summary of changes

The below table provides a summary of changes to the previous licence and will act as a record of implemented changes. All changes have been incorporated into the replacement licence.

Condition / table	Description
Cover page	Licence version updated. Issue and expiry dates updated.
Introduction	Previous 'introduction' section removed to be consistent with current DWER licence template. This guidance is now available in DWER's <i>Guide to Licensing</i> (June 2019).
Definitions	Definitions updated to be consistent with current DWER licence template: 'annual period' and 'CEO'
	Definitions added: 'AACR', 'books', 'emission', 'EP Act', 'EP Regulations', 'licence', and 'licence holder'
	Definitions removed: 'Act', 'Standard Methods for Examination of Water and Wastewater'
Table 2	Included the following previous conditions of licence L8117/2006/8 into the infrastructure and equipment Table 2: <ul style="list-style-type: none"> • Condition 1 • Condition 2 • Condition 3 • Condition 11 • Condition 14 • Conditions 11 and 14 of Amendment Notice 1
Table 3	Included previous conditions 9 and 12 of Amendment Notice 1 into Table 3
Condition 3	Added standard general monitoring requirement.
Records and reporting	Updated, consistent with current DWER template.
Schedule 1	Included all updated maps (supplied by licence holder)
-	Removed Attachment 7 to be consistent with current DWER licence template.

Neville Welsh

SENIOR INDUSTRY REGULATION OFFICER

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

Appendix 1: Summary of licence holder's comments on draft replacement licence and decision report

The licence holder was provided with the Draft Licence and Draft Decision Report on 26/10/2021 for review and comment. The licence holder responded via email on 13/11/2021. The following comment/s were received on the Draft Licence.

Condition/Table	Summary of Licence Holder comment	DWER response
Condition 1 - Table 2 Condition 2 – Table 3	The Licence Holder requested that all reference to waste dump landfill/s in the replacement licence be amended to inert landfill/s.	DWER amended all waste dump landfill/s references to inert landfill/s.
Schedule 1	<ul style="list-style-type: none">• amended Attachment 4 map showing inert landfill.• include an updated map showing the locations of the current putrescible landfills.	<ul style="list-style-type: none">• DWER included updated supplied map as Attachment 4 showing inert landfill locations.• DWER included new supplied map as Attachment 5 showing the locations of the current putrescible landfills.