



Application to renew a licence

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

Licence Number	L9029/2017/2
Licence Holder	Karora (Higginsville) Pty Ltd
ACN	108 547 217
File Number	DWERVT14264~1
Premises	Mount Henry Project Legal description – M63/515, L63/64 and G63/7 NORSEMAN WA 6443 As defined by the Premises maps attached to the Revised Licence
Date of Renewal	27 March 2024
Decision	Revised licence granted

1. Decision summary

The Delegated Officer has determined to renew Licence L9029/2017/1 which expires on 27 March 2024. The licence renewal changes 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 Decision Report documents the changes made to the renewed licence pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

When renewing the licence, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/department-of-water-and-environmental-regulation/regulatory-documents).

2.2 Amendment summary

Licence L9029/2017/2 is held by Karora (Higginsville) Pty Ltd (licence holder) for the Mt Henry Project (the premises), located on tenement 63/515, L63/64 and G63/7 at Norseman.

The premises relates to the category and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing licence L9029/2017/2.

An application was received on 29 December 2023 requesting the department initiate renewal of Licence L9029/2017/2. The licence changes are limited to the licence duration, reduced licence expiry date, converting licence to latest licence format and correcting typographical errors.

The licence renewal extends the duration of the licence by 36 months to allow the department further time to consider whether the risk profile of emissions and discharges from the premises has been adequately addressed by the current risk assessment and licence conditions. Following this review, if changes are required, the Department of Water and Environmental Regulation (DWER) will amend the conditions relating to emissions and discharges.

3. Consultation

The licence holder was provided with the draft licence and decision report on 16 February 2024. On 26 and 27 February 2024, the licence holder requested the licence duration be extended to 2027 as operations are likely to remain in care and maintenance in the next 12 to 18 months and considered a one-year licence to be unmanageable. The Delegated Officer agreed to extend the licence duration to 2027.

A copy of the licence was also sent to the Department of Biodiversity Conservation and Attractions (DBCA) who replied on 21 February 2024 asking the Premises boundary to be adjusted to exclude the Brockway Timber Reserve. This was noted and Premise map in schedule 1 of the licence was adjusted.

The Shire of Dundas (SoD) and Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) had no comments.

4. Decision

The Delegated Officer has determined that a licence renewal shall be granted to extend the licence duration by 36 months. The short-term extension is to allow sufficient time for the department to conduct a comprehensive licence review and assess the risks to public health and the environment associated with emissions and discharges from the Premises.

In granting this renewal the Delegated Officer has also determined that the licence be converted into the latest DWER licence format and that Schedule 2 and 3 monitoring requirements be included as licence conditions within the body of the licence. Table 1 describes the changes proposed and including the replacement of outdated conditions, removal of redundant conditions and typographical errors. These changes have been documented in Section 5.1 table 1.

All proposed changes have been incorporated into the revised licence as part of the licence renewal process.

5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that a renewed licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 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 licence as part of the licence renewal process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover Page	<ul style="list-style-type: none">- Change Licence Holder name to Karora (Higginsville) Pty Ltd- Update registered business address to 15 Altona Street, West Perth.- Update DWER file number to current record.- Licence duration extended for 36 months until 27 March 2027.- Schedule 2 Table 4, primary activity relocated to licence cover page.
Explanatory notes	<ul style="list-style-type: none">- Redundant and removed from licence.
Definitions	<ul style="list-style-type: none">- Definitions moved to Table 7 at the end of the licence prior to the licence Schedules 1.- Removed redundant definitions aligning the licence to the latest DWER format.
Licence history	<ul style="list-style-type: none">- Include renewal of licence granted with thirty-six month duration expiring on 27 March 2027.
Interpretation	<ul style="list-style-type: none">- Updated interpretation to align with the most recent licence format.
Condition 1	<ul style="list-style-type: none">- Rewrite the authorised emissions condition.- Include the Specified emissions being mine dewater.- Remove General emissions as these are covered in the interpretation of the new licence format.

Condition no.	Proposed amendments
Condition 2	<ul style="list-style-type: none"> - Rewrite condition 2 to include infrastructure and equipment described in Schedule 2 Table 5 and original Condition 2. - Include the operational requirements in Column 2 of Table 2 - Include Column 3 in Table 2 that indicates the infrastructure location. - Include footer text at the bottom of table 2 that defines “a significant rainfall event”.
Condition 3, 4 & 5	<ul style="list-style-type: none"> - Unchanged but covered by heading General Monitoring.
Condition 4	<ul style="list-style-type: none"> - Insert Condition 7, 8, 9, 10, 11 & 12 in text of condition
Condition 6	<ul style="list-style-type: none"> - Separate Heading included but Condition 6 remains unchanged.
Condition 7 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 1 and replaced as a new Condition.
Condition 8 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 2 and replaced as a new Condition. - Renumber table 6, 7, 8 & 9 to Table 3, 4, 5 & 6
Condition 9 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 3 and replaced as a new Condition.
Condition 10 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 4 and replaced as a new Condition.
Condition 11 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 5 and replaced as a new Condition.
Condition 12 (New)	<ul style="list-style-type: none"> - Removed Schedule 3 Condition 6 and replaced as a new Condition.
Table 3, 4, 5 & 6	<ul style="list-style-type: none"> - Tables renumbered. - Tables from Schedule 3 replaced as new Table in the licence.
Condition 13 (New)	<ul style="list-style-type: none"> - Removed from Schedule 3 and replaced as a new Condition. - Point (b) replace Schedule 3 with Condition 7 to 12 - Point (e) removed terms “so as” and “where appropriate” as these terms are unclear and unenforceable terms
Condition 14	<ul style="list-style-type: none"> - Renumber Condition 7 as Condition 14 - Split Condition 14 (a) to (j) & include Condition 15 (a) to (d) as required by the latest DWER licence format. - Point (a) and (b) remain unchanged. - Point (c) Insert Condition 2 Column 2 Table 2 text. - Point (d) insert remove reference to schedule 3 and replace with Conditions 7, 8, 9, 10, 11 & 12 text. - Point (e) insert Condition 6 text. - Point (f) insert Condition 16 text.
Condition 15 (New)	<ul style="list-style-type: none"> - Renumber Condition 7 (g) to (j) as Condition 15 and reference Condition 14.
Condition 16	<ul style="list-style-type: none"> - Replaced Condition 8 and is in the latest DWER licence condition format.

Condition no.	Proposed amendments
Condition 17	<ul style="list-style-type: none"> - Replaced Condition 9 and is the latest DWER licence format aligning with the 16 May 2022 Notice of Amendment. - Insert report due date of 21 June yearly. - Include point (c) to align with original Condition 9.
Condition 18	<ul style="list-style-type: none"> - Replaced Condition 10 without change to the Condition.
Schedule 1	<ul style="list-style-type: none"> - Premises Map remain unchanged.
Schedule 2	<ul style="list-style-type: none"> - Previous Schedule 2 text Replaced with a description of the Monitoring sites locations.
Schedule 3	<ul style="list-style-type: none"> - Map of the monitoring site locations.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) June 2019, *Guideline: Industry Regulation Guide to Licensing*, Joondalup, Western Australia
3. Part V Licence – L9029/2017/1
4. Department of Water and Environmental Regulation (DWER) - *Decision Report – Concurrent Works approval and Licence W6028/2017/1 & L9029/2017/1* revised on 22 March 2019
5. Department of Water and Environmental Regulation (DWER) - *Amendment Report – Give effect to the Minister’s determination L9029/2017/1* dated 3 January 2020