



Tony Chafer - CEO  
Cambridge Gulf Limited  
PO Box 238  
KUNUNURRA WA 6743

Dear Mr Chafer

**ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED**

**Premises**

Port of Wyndham

Lot 2 on Deposited Plan 18875, parts of Reserve 24040, Wyndham WA 6740

**Licence Number:** L6367/1973/8

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at [admin@appealsconvenor.wa.gov.au](mailto:admin@appealsconvenor.wa.gov.au).

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Sarah Greenwood on 9168 4200.

Yours sincerely

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

15 August 2014

Enclosed: copy of Licence L6367/1973/8  
Cc: Shire of Wyndham East Kimberley



# Licence

## Environmental Protection Act 1986, Part V

**Licensee: Cambridge Gulf Limited**

**Licence: L6367/1973/8**

**Registered office:** Shop 18 Kununurra Shopping Centre  
Konkerberry Drive  
KUNUNURRA WA 6743

**ACN:** 123 039 181

**Premises address:** Port of Wyndham  
Lot 2 on Deposited Plan 18875;  
Those parts of Reserve 24041, Port of Wyndham, comprising Lot 600  
and Lot 654 on Deposited Plan 207828, Lot 719 and Lot 1272 on  
Deposited Plan 172093, Lot 896 on Plan 208779, Lot 1737 on Plan  
216431 and Wyndham Townsite Lot 1232,  
WYNDHAM WA 6740  
as depicted in Schedule 1.

**Issue date:** Friday, 15 August 2014

**Commencement date:** Sunday, 24 August 2014

**Expiry date:** Friday, 23 August 2019


**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
58	Bulk material loading or unloading: premises on which clinker, coal, ore, ore concentrate or other bulk granular material (other than salt) is loaded onto or unloaded from vessels by an open materials loading system.	100 tonnes or more per day	Not more than 5 000 tonnes per day
55	Livestock saleyard or holding pen: premises on which live animals are held pending their sale, shipment or slaughter.	10 000 animals or more per year	80 000 animals per year

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

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





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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to protect and conserve the state's environment on behalf of the people of Western Australia.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.





You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

**Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

**Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

**Premises description and Licence summary**

The Port of Wyndham was established to service the East Kimberley cattle industry pioneered by the Durack family and others. It was gazetted as a Port in 1886, with vessels berthing at a jetty at Anton's Landing. In 1917, a new timber jetty was built on the site of the current jetty to service the newly opened meat works. This jetty was positioned to make use of a natural deep water basin to allow for larger, deep draft ships. In the early 1970's the current steel and concrete jetty was built to replace the original timber structure and the unique horseshoe shape was completed allowing the more efficient movement of cargo on and off the jetty. Up until the 1980's, frozen meat was exported from Wyndham to overseas markets. Since the closure of the meat works in 1986, live cattle exports have become a major trade for the Port.

Wyndham Port is the only deep-water port between Broome and Darwin. Exports include live cattle, nickel, produce from the Ord River irrigation area. Imports include diesel, ammonium nitrate for the mining industry Australia wide and general cargo. The opening of Savannah Nickel Mine north of Halls Creek in early 2004 provides up to 100,000 tonnes of nickel concentrate exported to China every year.

Approximately 10% of Australia's live cattle exports go through Wyndham Port. The cattle are sourced from the many cattle stations in the East Kimberley and are exported mainly to Indonesia, Malaysia and the Philippines with some shipments to the Persian Gulf. It is anticipated there will be a significant increase in the number of cattle exported through the Port in the near future, which is the most geographically favoured of the three cattle exporting ports in the North West of Australia.

This Licence is the result of an amendment sought by the proponent for the addition of category 55 livestock saleyard and deletion of category 81 metal coating. DER has taken this opportunity to convert the existing licence to a new format REFIRE licence.

The licences and works approvals issued for the Premises since 1 October 1973 are:

Instrument log		
Instrument	Issued	Description
L6367/1973/1	01/10/1997	New application
L6367/1973/2	01/10/1998	Licence reissue
L6367/1973/3	23/08/2004	Licence reissue
L6367/1973/4	24/08/2005	Licence reissue
L6367/1973/5	24/08/2006	Licence reissue
L6367/1973/6	24/08/2008	Licence reissue
L6367/1973/7	24/08/2011	Licence reissue
L6367/1973/7	12/01/2012	Proponent amendment
L6367/1973/7	15/08/2014	New licence reviewed, converted to REFIRE format with addition of category 55 and deletion of category 81





**Severance**

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

**END OF INTRODUCTION**



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

**'Act'** means the *Environmental Protection Act 1986*;

**'annual period'** means the inclusive period from 1 January until 31 December in the same year;

**'ANZECC/ARMCANZ Guidelines'** means the Australian and New Zealand Environment and Conservation Council (2000), *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, Australian and New Zealand Environment and Conservation Council & Agriculture and Resource Management Council of Australian and New Zealand, National Water Quality Management Strategy No. 4 & 7;

**'APHA-AWWA-WEF'** means the American Public Health Association (APHA), the – American Water Works Association (AWWA) and the – Water Environment Federation (WEF);

**'AS 4439.1'** means the Australian Standard AS 4439.1 *Wastes, Sediments and contaminated soils – Preparation of leachates – Preliminary assessment*;

**'AS 4482.1'** means the Australian Standard AS 4482.1 *Guide to the investigation and sampling of sites with potentially contaminated soil Part 1: Non-volatile and semi-volatile compounds*;

**'AS/NZS 5667.1'** means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling Part 1 Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples*;

**'AS/NZS 5667.9'** means the Australian Standard AS/NZS 5667.9 *Water Quality – Sampling Part 9: Guidance on sampling from marine waters*;

**'AS/NZS 5667.12'** means the Australian Standard AS/NZS 5667.12 *Water Quality – Sampling Part 12: Guidance on sampling of bottom sediments*;

**'bin loading method'** means the open bin loading method as specified in the document "Standard Operational Procedure for Loud Out of Bulk Nickel Wyndham Port- Mach II, Mach III/ Mach IIIa Tipping Jig Application: by CGL Wyndham Port" as amended from time to time;

**'bund'** means an impervious structure surrounding an area ensuring containment of all materials within and has a hydraulic conductivity of less than  $1 \times 10^{-9}$  meters per second;

**'cattle'** means large cud-chewing horned animals of the genus *Bos* kept for milk or meat;

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





'CEO' for the purpose of correspondence means;

Manager Licensing, (North West)  
Department of Environment Regulation  
PO Box 942  
KUNUNURRA WA 6743  
Telephone: (08) 9168 4200  
Facsimile: (08) 9168 2179  
Email: northwest@der.wa.gov.au;

'code of practice for the storage and handling of dangerous goods' means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'compound' means an area of land enclosed by a bund;

'dangerous goods' has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

'dip' means a trench like structure for containing one or more chemicals where cattle are to be immersed within that chemical;

'dipping area' area consisting of the dip, including associated walls, roof and drainage pipes, and the post-dip cattle holding area where dip chemicals drain off the cattle;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'excrement' means faeces, specifically originating from cattle;

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;

'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

'hardstand' means a surface with a hydraulic conductivity of  $10^{-9}$  metres per second or less;

'impervious' means having a hydraulic conductivity of less than  $1 \times 10^{-9}$  metres per second;

'inform' means inform in writing (including facsimile);

'inspector' means a person appointed to be an inspector under section 88 of the *Environmental Protection Act 1986*;

'Licence' means this Licence numbered L6367/1973/8 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'mg/L' means milligrams per Litre;

'NATA' means the National Association of Testing Authorities, Australia;



'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'nickel-copper-cobalt concentrate' means any one, or more, of concentrates of nickel, copper or cobalt;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Savannah Project' means the mining operations located on mining leases M80/179, M80/180 and M80/181, approximately 40km south of Warmun and 3km west of Great Northern Highway in the Shire of Halls Creek;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated; and

'waste' has the meaning defined in the *Environmental Protection Act 1986*.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

## 1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.<sup>1</sup>

Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.





### 1.3 Premises operation

- 1.3.1 The Licensee shall not load or unload any granular material, other than nickel-copper-cobalt concentrate at the premises.
- 1.3.2 The Licensee shall take measures to prevent the discharge of granular material into any waters during loading or unloading operations. These measures are to include but not be restricted to:
- (a) use of metal skirting between the vessel and the wharf; and
  - (b) use of manual, vacuum or vehicular sweepers to clean the berth following each loading or unloading operation.
- 1.3.3 The Licensee shall maintain and operate a wheel-wash bay designed to remove accumulated nickel-copper-cobalt concentrate from vehicle wheels operating between the storage shed and the wharf at the premises.
- 1.3.4 The Licensee shall ensure that no water from the wheel-wash bay, referred to in condition 1.3.3 of this Licence, spills over the side of the wheel-wash bay as vehicles are passing through the bay.
- 1.3.5 The Licensee shall regularly clean out and maintain the wheel-wash bay referred to in condition 1.3.3, settling drains, spillways and other associated drainage systems to prevent overflow of concentrate to stormwater drains or adjacent roadways.
- 1.3.6 The Licensee shall only load nickel-copper-cobalt concentrate using the bin loading method.
- 1.3.7 The Licensee shall wash mobile and other equipment in areas to enable the wash water to pass through a catchment sump prior to being recycled onsite.
- 1.3.8 The Licensee shall ensure that no liquid waste is discharged from the premises.
- 1.3.9 The Licensee shall maintain an impervious base on the dip, the exit from the dip and within the dipping area.
- 1.3.10 The Licensee shall maintain the drainage system of the dip and dipping area to ensure that all chemical run-off from the dipped cattle returns to the dip.
- 1.3.11 The Licensee shall operate the dip and dipping area to prevent the loss or overflow of chemicals.
- 1.3.12 Between 1 April and 30 November annually, the Licensee shall ensure that excrement is collected from holding pens, cattle runs and loading and unloading areas on at least a three-monthly basis.
- 1.3.13 Between 1 December and 31 March annually, the Licensee shall ensure that excrement is collected from holding pens, cattle runs and loading and unloading areas within 5 working days of cattle having vacated the yards.
- 1.3.14 Excrement shall not be stockpiled at the Premises after 21 November 2014.
- 1.3.15 If excrement is to be disposed of, it shall be disposed of at an approved landfill facility.
- 1.3.16 The Licensee shall ensure that any dead cattle are disposed of within 24 hours of their death at an approved landfill facility.



## **2 Emissions**

### **2.1 General**

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

### **2.2 Point source emissions to air**

There are no specified conditions relating to point source emissions to air in this section.

### **2.3 Point source emissions to surface water**

There are no specified conditions relating to point source emissions to surface water in this section.

### **2.4 Point source emissions to groundwater**

There are no specified conditions relating to point source emissions to groundwater in this section.

### **2.5 Emissions to land**

There are no specified conditions relating to emissions to land in this section.

### **2.6 Fugitive emissions**

- 2.6.1 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.

### **2.7 Odour**

- 2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

### **2.8 Noise**

There are no specified conditions relating to noise in this section.





### **3 Monitoring**

#### **3.1 General monitoring**

##### **3.1.1 The licensee shall ensure that:**

- (a) All sampling programs, techniques and the preservation and handling of samples is conducted in accordance with AS 4439.1, AS 4482.1, AS/NZS 5667.1, AS/NZS 5667.9 or AS/NZS 5667.12; and
- (b) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured [unless indicated otherwise in the relevant table].

#### **3.2 Monitoring of point source emissions to air**

There are no specified conditions relating to monitoring of point source emissions to air in this section.

#### **3.3 Monitoring of point source emissions to surface water**

There are no specified conditions relating to monitoring of point source emissions to surface water in this section.

#### **3.4 Monitoring of point source emissions to groundwater**

There are no specified conditions relating to monitoring of point source emissions to groundwater in this section.

#### **3.5 Monitoring of emissions to land**

There are no specified conditions relating to monitoring of emissions to land in this section.



### 3.6 Monitoring of inputs and outputs

3.6.1 The Licensee shall undertake the monitoring in Table 3.6.1 according to the specifications in that table.

Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Output	Nickel-copper-cobalt concentrate	Tonnes per day	Daily	Daily
Input	Cattle received at premises	Number of cattle	Monthly	Each delivery arriving at the premises
Output	Cattle leaving premises	Number of cattle	Monthly	Each delivery leaving the premises
Output	Cattle carcasses	Number of cattle	24 hours	Daily
Output	Disposal location of cattle carcasses		24 hours	Daily
Output	Excrement	Tonnes per year	Three Monthly	Three monthly
Output	Disposal location of cattle excrement		Three Monthly	Three monthly

### 3.7 Process monitoring

There are no specified conditions relating to process monitoring in this section.

### 3.8 Ambient environmental quality monitoring

3.8.1 The Licensee shall undertake the monitoring in Table 3.8.1 according to the specifications in that table and record and investigate results.

Table 3.8.1: Monitoring of ambient sediment quality			
Monitoring point reference and location	Parameter	Units	Frequency
(B) 50m east of northern end of shed – mudflats; (E) 150m west of shed – mudflats west of paved area; (H) sediment east of jetty; (J) sediment west of jetty (N) Shed North; and (S) Shed South (as shown in Schedule 1)	pH*	pH units	January; April; July; and October.
	Total Soluble Salt; Nickel; Cobalt; Copper; Chromium; Lead; Silver; and Zinc.	mg/kg	

\* In field non-NATA accredited analysis permitted.

### 3.9 Meteorological monitoring

There are no specified conditions relating to meteorological monitoring in this section.





## 4 Improvements

### 4.1 Improvement program

4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date of completion in Table 4.1.1.

4.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 4.1.1.

Table 4.1.1: Improvement program		
Improvement reference	Improvement	Date of completion
IR1	The Licensee shall ensure the wastewater collection pond: (a) has an impervious lining; (b) is capable of holding the volume of stormwater equivalent to that generated in a 1 in 100 year average recurrence interval (ARI) 72 hour rain event; (c) maintains a minimum of 300mm freeboard at all times; and (d) receives all stormwater from the cattle stockyards, the access road to the cattle stockyards and the cattle loading and unloading ramp.	21/11/2014
IR2	The Licensee shall submit to the CEO a report on how the wastewater collection pond shall be managed and maintained. The report shall include, but not be limited to, managing and maintaining the following: (a) the impervious lining; (b) the capacity of the pond to hold the volume of stormwater equivalent to that generated in a 1 in 100 year average recurrence interval (ARI) 72 hour rain event; and (c) a minimum of 300mm freeboard at all times.	21/11/2014
IR3	The Licensee shall ensure stormwater is diverted away from the access road at the cattle loading and unloading ramp.	21/11/2014
IR4	The Licensee shall ensure a hard stand area is constructed for the purpose of stockpiling excrement that: the impervious lining; (a) has an impervious base; (b) prevents water from rain, sprinklers or surface drainage from accessing the excrement; and (c) ensures run-off from the stockpile is directed to the wastewater collection pond.	21/11/2014



## 5 Information

### 5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect the condition of the land or waters.

- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
  - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

- 5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

- 5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

- 5.1.5 The Licensee shall ensure the register of complaints is retained at the Premises and is made available to an inspector upon request.

### 5.2 Reporting

- 5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken.	N1
Table 3.6.1	Nickel-copper-cobalt concentrate, Cattle received, Cattle leaving premises, Cattle carcasses, Disposal location of cattle carcasses, Excrement, Disposal location of cattle excrement	None specified
Table 3.8.1	pH, Total Soluble Salt, Nickel, Cobalt, Copper, Chromium, Lead, Silver, Zinc.	LR1
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2





- 5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets;
  - (b) a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request; and
  - (c) any changes to site boundaries, location of monitoring sites, surface drainage channels and on-site or off-site impacts.

**5.3 Notification**

- 5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

<b>Table 5.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.  Part B: As soon as practicable	N1
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary.







### Map of monitoring locations

The locations of the monitoring points defined in Table 3.8.1 are shown below.





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A

##### LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

##### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:





**SECTION B**  
**DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.**

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____  <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) must only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)





Licence: L6367/1973/8  
Form: N1

Licensee: Cambridge Gulf Limited  
Date of breach:

**Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.**

These pages outline the information that the operator must provide. Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

<b>Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution</b>	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident	



### Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Cambridge Gulf Limited	
Date	



	mg/L	g/s	Spot sample		
	mg/L	g/s	Spot sample		
	mg/L	g/s	Spot sample		
	mg/L	g/s	Spot sample		
	mg/L	g/s	Spot sample		
	mg/L	g/s	Spot sample		

ited: ..... Date: .....



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Cambridge Gulf Limited

**Licence:** L6367/1973/8

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**Registered office:** Shop 18 Kununurra Shopping Centre  
Konkerberry Drive  
KUNUNURRA WA 6743

**ACN:** 123 039 181

**Premises address:** Port of Wyndham  
Lot 2 on Deposited Plan 18875  
Those parts of Reserve 24041, Port of Wyndham, comprising Lot 600 and Lot 654 on Deposited Plan 207828, Lot 719 and Lot 1272 on Deposited Plan 172093, Lot 896 on Plan 208779, Lot 1302 on Plan 173335, Lot 1737 on Plan 216431 and Wyndham Townsite Lot 1232, WYNDHAM WA 6740, as depicted in Schedule 1.

**Issue date:** Friday, 15 August 2014

**Commencement date:** Sunday, 24 August 2014

**Expiry date:** Friday, 23 August 2019

### Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Sarah Greenwood  
Licensing Officer

Decision Document authorised by: Alana Kidd  
Manager Licensing





## Contents

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1 Purpose of this Document	2
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## 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

### Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

#### Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

#### Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

#### Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



## 2 Administrative summary

Administrative details									
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence Renewal <input checked="" type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>								
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>58</td> <td>Not more than 5 000 tonnes per day</td> </tr> <tr> <td>55</td> <td>80 000 animals per annual period</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	58	Not more than 5 000 tonnes per day	55	80 000 animals per annual period		
	Category number(s)	Assessed design capacity							
	58	Not more than 5 000 tonnes per day							
55	80 000 animals per annual period								
Application verified	Date: 10 March 2013								
Application fee paid	Date: 19 June 2014								
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>								
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>								
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
Commercial-in-confidence claim outcome									
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>								
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Ministerial statement No: EPA Report No:								
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>								
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.									
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.									





### 3 Executive summary of proposal and assessment

The Port of Wyndham was established to service the East Kimberley cattle industry pioneered by the Durack family and others. It was gazetted as a Port in 1886, with vessels berthing at a jetty at Anton's Landing. In 1917, a new timber jetty was built on the site of the current jetty to service the newly opened meat works. This jetty was positioned to make use of a natural deep water basin to allow for larger, deep draft ships. In the early 1970's the current steel and concrete jetty was built to replace the original timber structure and the unique horseshoe shape was completed allowing the more efficient movement of cargo on and off the jetty. Up until the 1980's, frozen meat was exported from Wyndham to overseas markets. Since the closure of the meat works in 1986, live cattle exports have become a major trade for the Port.

Wyndham Port is the only deep-water port between Broome and Darwin. Exports include live cattle, nickel and produce from the Ord River irrigation area. Imports include diesel, ammonium nitrate for the mining industry Australia wide and general cargo.

Approximately 10% of Australia's live cattle exports go through Wyndham Port. The cattle are sourced from the many cattle stations in the East Kimberley and are exported mainly to Indonesia, Malaysia and the Philippines with some shipments to the Persian Gulf. It is anticipated there will be a significant increase in the number of cattle exported through the Port in the near future, which is the most geographically favoured of the three cattle exporting ports in the North West of Australia.

Infrastructure associated with the livestock saleyards have been in existence at the Port of Wyndham for over 50 years. There is no construction involved in the operation of the yards, therefore a Works Approval is not required.

This Licence is the successor to Licence L6367/1973/7 for the Port of Wyndham operated by Cambridge Gulf Limited and continues to authorise category 58 bulk material loading or unloading activities at the Port. As part of this new licence, DER has not reassessed the acceptability or impacts of emissions and discharges from the Premises, or re-visited any existing emission control levels. As such, this Decision Document will acknowledge the existing conditions of licence L6367/1973/7 applicable to category 58 activities and will only provide assessment on the conditions required to manage issues arising from the addition of category 55 livestock saleyards. The licensee advised metal coating activities are no longer performed on the premises, therefore DER has taken this opportunity to delete category 81 from the licence, and to convert the existing licence to the REFIRE format.

SC  
OSC  
NSC  
NSC

licences. Previous licence conditions 2(b), 2(c), 5(a), 7(c), 11(a) have been incorporated into these standard conditions.

NSC L1.3.1 – 1.3.8 are pre-existing from the original Licence and manage activities related to Category 58 bulk material loading or unloading. DER has not reassessed the acceptability or impacts of emissions and discharges for Category 58 activities. Previous licence conditions 1, 2(a), 5(b), 5(c), 5(d), 7(a), 10(a), 10(b), 12 are now incorporated into these NSC.

Previous licence conditions 8, 9 and 11(b) manage activities related to Category 81 metal coating. The Licensee has advised these activities no longer occur at the Premises, so they have been deleted off the REFIRE licence.

**Operation**

Emission Description

*Emission:* During the dry season, from approximately 1 April to 30 November annually, there is a low chance of stormwater being received at the Premises. During the wet season, approximately 1 December to 31 March annually, there is a very high chance for large volumes of stormwater to be received at the Premises, and on a frequent basis. This stormwater could potentially become contaminated with dip chemicals, cattle excrement and deceased cattle. There

of the  
*Environmental  
Protection Act 1986*

Application  
supporting  
documentation

Existing licence  
conditions  
(L6367/1973/7)

Bureau of  
Meteorology (2004)  
Monthly rainfall  
data for Wyndham



constructed by best practice to ensure the base of the dip, dip exit and dipping area are impervious, and that the dipping area is adequately graded to collect chemical runoff from the cattle, however the dip is not totally sealed to prevent rainwater entering but the licensee has advised there will be no dipping of cattle during rain events as this negates the effects of the dip chemical and severely reduces the potential to kill parasites and it is an offense to export cattle with external parasites. When not operating the dip there is a by-pass valve that stops stormwater entering the dip. Wastewater collection pond is located at the Premises to store contaminated and potentially contaminated stormwater. The Licensee does not intend on discharging this water to the environment, however it is not known what the pond is lined with, what the storage capacity is, if it can maintain a freeboard, or if it indeed receives all stormwater from the cattle stockyard areas. Deceased cattle were previously disposed of at the local crocodile farm, however the farm closed down on 16 June 2014.

Risk Assessment

*Consequence:* Moderate

*Likelihood:* Almost Certain

*Risk Rating:* High

Addition of NSC L1.3.12 for the collection of excrement during the dry season, 1 April to 30 November annually.  
Addition of NSC L1.3.13 for the collection of excrement during the wet season, 1 December to 31 March annually.  
Addition of NSC L1.3.14 and 1.3.15 for the storage and disposal of excrement.  
Addition of NSC L1.3.16 for the disposal of deceased cattle at a landfill.

Residual Risk

*Consequence:* Moderate

*Likelihood:* Almost Certain

*Risk Rating:* High

The regulatory controls do not reduce the residual risk of contaminated and potentially contaminated stormwater being discharged into the environment.

Residual risks include:

- The dipping area has an open roof and open sides that have the potential to allow stormwater to enter the dipping area, and be drained into the dip.
- The Licensee does not know if the wastewater collection pond:
  - (a) has an impervious lining;
  - (b) is capable of holding the volume of stormwater equivalent to that generated in a 1 in 100 year average recurrence interval (ARI) 72 hour rain event;
  - (c) maintains a minimum of 300mm freeboard at all times; and



	<ul style="list-style-type: none"> <li>There is no hardstand area for the purpose of stockpiling excrement.</li> </ul> <p>In order to reduce these residual risks further, improvement conditions IR1, IR2, IR3, and IR4 have been added to the licence.</p> <p>DER anticipates that completion of the improvement conditions will alter the residual risk assessment to:</p> <p><u>Residual Risk</u>  <i>Consequence: Moderate</i>  <i>Likelihood: Possible</i>  <i>Risk Rating: Moderate</i></p>	
OSC	<p><b>Operation</b></p> <p>Descriptive limits have been set through OSC L2.6.1 and L2.7.1 of the licence, therefore OSC L2.1.1 regarding recording and investigation of exceedances of limits or targets has been included.</p>	N/A
N/A	<p><b>Operation</b></p> <p>There will be no point source emissions to air including monitoring associated with operational activities at the Port of Wyndham or the cattle stockyards. No specified conditions relating to point source emissions to air or the monitoring of these emissions are required to be added to the Licence.</p>	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>



DECISION TABLE				
Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
				Application supporting documentation
Point source emissions to surface water including monitoring	L2.3 L3.3	N/A	<b>Operation</b> There will be no point source emissions to surface water including monitoring associated with operational activities at the Port of Wyndham or the cattle stockyards. No specified conditions relating to point source emissions to surface water or the monitoring of these emissions are required to be added to the Licence.	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>  Application supporting documentation
Point source emissions to groundwater including monitoring	L2.4 L3.4	N/A	<b>Operation</b> There will be no point source emissions to groundwater including monitoring associated with operational activities at the Port of Wyndham or the cattle stockyards. No specified conditions relating to point source emissions to groundwater or the monitoring of these emissions are required to be added to the Licence.	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>  Application supporting documentation
Emissions to land including monitoring	L2.5 L3.5	N/A	Previous licence condition 10(c) regulated sampling from the Discharge Sump. The old concentrate storage shed used a wheel wash bay located outside the shed to wash nickel-copper-cobalt concentrate from the wheels of transport	<i>Environmental Protection (Unauthorised</i>



	<p>the water recycled within the shed system for dust control on the stockpiles. Potentially contaminated stormwater will not be emitted from the new storage shed. As this condition related only to the old storage shed, as of November 2012 it no longer applies. DER has taken this opportunity to remove previous condition 10(c) from the licence.</p> <p><b>Operation</b> There will be no point source emissions to land including monitoring associated with operational activities at the Port of Wyndham or the cattle stockyards. No specified conditions relating to point source emissions to land or the monitoring of these emissions are required to be added to the Licence.</p>	Existing licence conditions (L6367/1973/7)
OSC	<p><b>Operation</b> Previous licence condition 4 has been converted to OSC L2.6.1. Condition L2.6.1 outlines the requirement for the Licensee to ensure that no visible dust generated by activities on the Premises crosses the boundary of the Premises.</p> <p>Previous licence condition 6 regulated dust generated from within the old nickel-copper-cobalt concentrate storage shed where DER considered the age of the facilities required strict conditions to manage fugitive dust emissions. This shed was decommissioned in November 2012. A new storage shed has been constructed on the Premises by Savannah Nickel Mine which is a fully enclosed shed system where dust will not be emitted. As this condition related</p>	<p>Application supporting documentation</p> <p>Existing licence conditions (L6367/1973/7)</p>



DECISION TABLE				
Works Approval / Licence section	Condition number W = Works Approval L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p>only to the old storage shed DER has taken this opportunity to remove previous condition 6 from the licence.</p> <p>Previous licence condition 7(b) regulated dust generated from loading of nickel-copper-cobalt within a ship's hold. During the process of converting the licence to REFIRE format it was realised that previous condition 7(b) does not provide any additional management to fugitive dust emissions. Previous condition 7(a), now converted to NSC1.3.6, provides adequate management for fugitive dust emissions during all activities involving loading of nickel-copper-cobalt at the Premises. Combined with OSC 2.6.1 discussed above, both conditions will adequately manage fugitive dust emissions at the Premises. As such, DER has taken this opportunity to remove previous licence condition 7(b) from the licence.</p>	
Odour	L2.7.1	OSC	<p><b>Operation</b></p> <p><u>Emission Description</u>  <i>Emission:</i> Odour released by excrement generated by cattle at the stockyards, and any deceased cattle at the stockyards.  <i>Impact:</i> Potential impacts to the health, welfare, convenience, comfort or amenity of people not on the Premises.  <i>Controls:</i> Stockyard operations are intermittent and Port is 1km from the nearest sensitive receptor</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p>	Application supporting documentation

	<p>L1.3.16 to manage deceased cattle which will mitigate the production of odours.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p>	
N/A	<p><b>Operation</b>  Noise emissions will be generated by vehicle and machinery movements, conveyor equipment and ships during bulk material loading and unloading activities at the Port of Wyndham, and by cattle at the stockyards. These noise emissions are expected to be localised to the immediate area. The Licensee has a statutory responsibility to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>. No specified conditions relating to noise are required to be added to the Licence.</p>	<p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p>Application supporting documentation</p>
OSC	<p><b>Operation</b>  Monitoring is required for ambient environmental quality and inputs and outputs, therefore optional standard conditions have been included under general monitoring to ensure these monitoring programs are performed to a national standard. Previous licence conditions 10(d), 10(e) and 13(b) required all samples to be collected in accordance with relevant parts of AS 5667 and</p>	<p>Existing licence conditions (L6367/1973/7)</p>



	<p>as follows:</p> <ul style="list-style-type: none"> <li>• Category 58: Bulk material loading or unloading; Not more than 5 000 tonnes per day; and</li> <li>• Category 55: Livestock saleyard or holding pen; 80 000 animals per year.</li> </ul> <p>To ensure the Licensee does not exceed these limits, and does not breach the licence, accurate records are required. Non Standard Condition L3.6.1 has been added to the licence to ensure accurate records are maintained for all inputs and outputs at the Premises.</p>	<p>documentation</p> <p>Existing licence conditions (L6367/1973/7)</p>
N/A	<p><b>Operation</b></p> <p>There is no process monitoring required for operational activities at the Port of Wyndham. No specified conditions relating to process monitoring are required to be added to the Licence.</p>	N/A
NSC	<p><b>Operation</b></p> <p>Ambient environmental quality monitoring occurs at the Premises to ensure management of the Premises is not having an impact on the environment.</p> <p>The old nickel-copper-cobalt concentrate storage shed was a source of fugitive dust emissions and the wheel wash bay a source of potentially contaminated stormwater. Both had the potential to discharge nickel-copper-cobalt contaminants to the environment. To determine background levels of the</p>	<p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p> <p>Application supporting</p>

recycled internally for dust control on the stockpiles. Dust and potentially contaminated stormwater will not be emitted from the new storage shed, which reduces the risk of emissions to the environment.

wyndham Port,  
East Kimberley  
2013.

Continuation of ambient environmental quality monitoring will ensure continued collection of background levels of contaminants. Therefore previous licence condition 13(a) has been retained on the licence and converted to NSC L3.8.1.

Existing licence  
conditions  
(L6367/1973/7)

With the construction of the new concentrate storage shed comes the need to ensure background monitoring occurs at this new location. Therefore two additional monitoring locations have been added to condition L3.8.1 for Shed North (N) and Shed South (S). The Licensee has already commenced a sampling program at these two sites.

NSC L3.8.1 requires the sampling and testing of a number of parameters. The Licensee has received advice from the NATA accredited laboratory that the two parameters being tested for, Total Dissolved Solids and Total Suspended Solids, are results only obtained from a water sample. As the Licensee is required to sample sediment, the laboratory has advised the correct parameter to be tested from a sediment sample is Total Soluble Salt. As such, DER has amended NSC L3.8.1 to delete two parameters of Total Dissolved Solids and Total Suspended Solids, and replace them with Total Soluble Salt.

	Port or Wyndham. No specified conditions relating to meteorological monitoring are required to be added to the Licence.	
OSC	<p><b>Operation</b></p> <p>During the wet season, there is a very high chance for large volumes of stormwater to be received at the Premises, and on a frequent basis. This stormwater could potentially become contaminated with dip chemicals and cattle excrement. There is the potential for this contaminated stormwater to be emitted to the environment. As discussed in the section above for General Conditions, the regulatory control from the application of non-standard general conditions L1.3.9 – 1.3.15 do not adequately reduce the residual risk of contaminated and potentially contaminated stormwater being generated at the Premises.</p> <p>In order to further reduce these residual risks, improvement conditions 4.1.1 and 4.1.2 have been added to the licence. These improvement conditions include:</p> <ul style="list-style-type: none"> <li>• IR1: ensuring the wastewater collection pond: <ul style="list-style-type: none"> <li>(a) has an impervious lining;</li> <li>(b) is capable of holding the volume of stormwater equivalent to that generated in a 1 in 100 year average recurrence interval (ARI) 72 hour rain event;</li> <li>(c) maintains a minimum of 300mm freeboard at all times; and</li> </ul> </li> </ul>	<p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p> <p>Application supporting documentation</p>



to that generated in a 1 in 100 year average recurrence interval (ARI)  
72 hour rain event; and

- (c) a minimum of 300mm freeboard at all times;
- IR3: ensure stormwater is diverted away from the access road at the cattle loading and unloading ramp; and
- IR4: ensuring a hard stand area is constructed for the purpose of stockpiling excrement that:
  - (a) has an impervious base;
  - (b) prevents water from rain, sprinklers or surface drainage from accessing the excrement; and
  - (c) ensures run-off from the stockpile is directed to the wastewater collection pond.

A completion date of 21 November 2014 has been imposed on these improvement conditions, being three months, to ensure the completion of the improvements prior to the commencement of the wet season on approximately 1 December 2014.

Completion of the improvements prior to the wet season commencing on approximately 1 December 2014 will ensure infrastructure and management practices are in place to adequately manage the large volumes of stormwater likely to be received at the Premises, and the frequency with which this occurs, during the wet season. This quantity of stormwater potentially becoming

	<p>collect excrement within 72 hours of cattle vacating the yards.</p> <p>After completion of the improvement conditions, the licence will need to be amended to incorporate the new structures and regulate management of these structures.</p>	
<p>SC NSC SC OSC</p>	<p><b>Operation</b> L5.1.1 – 5.1.4 are standard conditions on REFIRE licenses relating to record keeping requirements.</p> <p>Previous licence condition 15 has been converted to SC L5.1.3 to require the submission of an annual audit compliance report.</p> <p>Previous licence condition 3(a) has been converted to SC L5.1.4. Condition L5.1.4 outlines the requirement for the Licensee to implement a complaints management system at the Premises.</p> <p>Previous licence condition 3(b) has been converted to NSC L5.1.5. Condition L5.1.5 outlines the requirement for the register of complaints to be retained at the Premises and made available to an inspector upon request.</p>	<p>Existing licence conditions (L6367/1973/7)</p>

OSC L5.3.1 requires the Licensee to notify DER should any incident or malfunction occur on the premises that have the potential to cause pollution, or should an exceedance of any limit occur.



comment.	history of why some conditions were on the licence, explanation of construction for new concentrate storage shed. Explanation of new sampling program for Lead and Silver.	conditions no longer required, add new monitoring conditions for new sites, amend parameters to be measured.
received from	Advised that stockyards will be operating throughout the year including the wet season	Licence conditions re-drafted to manage added risks of operating throughout the year including the wet season.
West	No comments received.	N/A
draft	Comments received 12/08/2014 and 14/08/14.	Comments considered and appropriate changes made to licence.



## 6. Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High