



## Application for Works Approval Amendment

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

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<b>Works Approval Number</b>	W6495/2021/1
<b>Works Approval Holder</b>	Robe River Mining Co. Pty Ltd
<b>ACN</b>	008 694 246
<b>File Number</b>	DER2020/000619
<b>Premises</b>	Mesa J  State Agreement Mineral Lease (ML) 248SA FORTESCUE WA 6716  As defined by the coordinates in Schedule 2 of the Revised Works Approval
<b>Date of Report</b>	26 April 2024
<b>Decision</b>	Revised works approval granted

**MANAGER, RESOURCE INDUSTRIES  
REGULATORY SERVICES**

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

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## 1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6495/2021/1. The amendments 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 Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing works approval 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

In amending the works approval, 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>.

### 2.2 Amendment summary

Works Approval W6495/2021/1 is held by Robe River Mining Co. Pty Ltd (Works Approval Holder) for Mesa J (the Premises), located approximately 13 km south-west of Pannawonica.

The Premises relates to Category 5 activities under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) and the assessed production/design capacity of 13,000,000 tonnes per year which is defined in existing Works Approval W6495/2021/1.

On 8 March 2024, the Works Approval Holder submitted an application to the department to amend Works Approval W6495/2021/1 under section 59B of the *Environmental Protection Act 1986* (EP Act).

The amendment is to extend the time limited operations (TLO) period for an additional 180 calendar days (until 10 October 2024) to allow the Works Approval Holder to continue to selectively deposit to Tailings Storage Facility (TSF) 3 when production rates are high to maintain the average tailings concentration of 40% and to collect the tailings samples required for geotechnical and geochemical characterisation (Condition 13) and complete the extension of the spigots (Condition 1, Table 1).

#### Background

Condition 10 of the existing Works Approval W6495/2021/1 for TSF3 requires tailings from Mesa H to be thickened to greater than 40% weight per weight (w/w) solids.

In January 2024, 20,768 m<sup>3</sup> of tailings were deposited to TSF3 at an average concentration of 38.8%, in February, 32,843 m<sup>3</sup> of tailings were deposited to TSF3 at an average concentration of 36.9%.

The inconsistent deposition of tailings to TSF3 has meant that the Works Approval Holder has not been able to complete all of the requirements of Works Approval W6495/2021 during TLO.

During this amendment and to accommodate the extension of the TLO period the expiry date has also been extended by an additional six months (from 19/08/2024 until 19/02/2025).

### 3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 03 April 2024. Comments received from the Works Approval Holder on 19 April 2024 have been considered by the Delegated Officer as detailed in Appendix 1.

### 4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

#### 4.1 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 works approval as part of the amendment process.

**Table 1: Summary of works approval amendments**

Condition no.	Proposed amendments
Cover page	<ul style="list-style-type: none"> <li>ACN updated for the Works Approval Holder (008 694 246), rather than Pilbara Iron Company (Services) Pty Ltd.</li> <li>Duration extended from 19/08/2024 until 19/02/2025.</li> <li>Suburb included for Premises details.</li> </ul>
Condition 4	Administrative change to read Table 1 rather than condition 4.
Condition 9(a)	Changed from 180 calendar days to 10 October 2024 for the TLO period, when an extra 180 calendar days are applied.

## Appendix 1: Summary of Works Approval Holder's comments on draft amendment

Condition	Summary of Works Approval Holder's comment	Department's response
Expiry date	The Works Approval Holder appreciatively accepts the proposed amendment to the duration of the Works Approval to <b>19/02/2025</b> and the addition of the following to the Amendment Report; ' <i>to accommodate the extension of the TLO period, the expiry date has also been extended by an additional six months (from 19/08/2024 until 19/02/2025)</i> '.	Noted, documents updated accordingly.
9(a)	The Environmental Compliance Report required by Works Approval W6495/2021 was submitted 3 February 2023 and the Environmental Commissioning Report required by Works Approval W6495/2021 was submitted 19 April 2023. However, owing to concerns about average tailings concentrations deposited to TSF3 being below 40%, tailings were not deposited to TSF3 until the trial of alternative operating parameters commenced in October 2023. As such, the Works Approval Holder considers that TLO commenced 12 October 2023 and expired 12 April 2024. The Works Approval Holder kindly requests that TLO is extended by an additional 180 calendar days from 13 April 2024 to 10 October 2024.	Noted, condition updated.