



**Licence Number** L8557/2011/1

**Licence Holder** Kimberley Metals Group

**ACN** 114 123 572

**File Number:** 2011/004700

**Premises** Ridges Iron Ore Project Barge Loading Facility  
Mining Tenements L80/56, L80/59, L80/75 and G80/16  
Barytes Road  
Wyndham WA 6740  
As depicted in Schedule 1

**Date of Amendment** 09/08/2019

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence 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.

**Alana Kidd**

**Manager, Resource Industries**

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

# Definitions and interpretation

## Definitions

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

**Table 1: Definitions**

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer.  CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 JOONDALUP DC WA 6919 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> 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</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Kimberley Metals Group Pty Ltd
Minister	the Minister responsible for the EP Act and associated regulations
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997</i> (WA)
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence 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 for Category 58. No changes to the aspects of the original Licence relating to Category 57 have been requested by the Licence Holder.

The Licence Holder has also requested to extend the expiry date in line with the expiration dates of the relevant mining tenements.

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

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*
- *Guidance Statement: Environmental Siting (November 2016)*

## Amendment description

Kimberley Metals Group (KMG) commenced mining haematite iron ore from the Ridges Iron Ore Project (RIOP) mine site located approximately 165 kilometres (km) south of Wyndham under licence L8549/2011/1. Ore from the RIOP mine site was hauled to the Barge Loading Facility (BLF) in Wyndham via road trains on the Great Northern Highway. Ore from the mine was stockpiled at the BLF located adjacent to Barytes Road in Wyndham then loaded onto a 1,200tph conveyor loading system into a barge to be transferred to a ship anchored in deeper water in the Cambridge Gulf.

On 6 February 2015 KMG placed the RIOP (which includes the BLF) on care and maintenance. During the RIOP/BLF care and maintenance period the following limitations were imposed:

- There will be no activities related to ore processing (i.e. screening and crushing of ore);
- There will be no haulage of ore within the RIOP, or from RIOP to the BLF;
- There will be no barge loading of ore or shipping activity at the BLF;
- There will be limited civil works occurring on site; and
- Site-wide maintenance and upkeep will be undertaken.

On 21 May 2019 KMG submitted an application to amend L8557/2011/1 to increase Category 58 back up to 28,000 tonnes per day. The increase in Category 58 is due to the project recommencing operations following a period of care and maintenance.

KMG has also applied for an extension to the expiry date of the licence in line with the expiry dates of the mining tenements, being L80/56 and L80/59 (both expire in 2031), G80/16 (expires in 2033) and L80/75 (expires in 2035). As no specific date was request in the application this amendment will extend the expiry date to 22 July 2031 to align with the expiry of Licence L8549/2011/1 (RIOP mine site).

KMG has advised that there will be no infrastructure change to the existing BLF.

In an email of 5 August 2019 the Licensee requested an amendment to the Premise boundary to include all of tenement L80/59.

Table 2 below outlines the proposed changes to the Licence.

**Table 2: Proposed throughput capacity changes**

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
58: Bulk Material loading or unloading	100 tonnes per day	28,000 tonnes per day	Increase throughput to enable the project to come out of care and maintenance

## Other approvals

The following information relating to other approvals as outlined in Table 3 was obtained via Departmental records.

**Table 3: Relevant approvals**

Legislation	Number	Approval
<i>Rights in Water and Irrigation Act 1914</i>	GWL179989(1)	Groundwater Licence issued to KMG Logistics Pty Ltd. Annual water entitlement of 20,000kL for the purpose of 'Dust Suppression for mining purposes'. Expires 20 November 2024.

## Amendment history

Table 4 provides the amendment history for L8857/2011/1.

**Table 4: Licence amendments**

Instrument	Issued	Amendment
W4920/2011/1	09/04/2011	Works Approval
L8557/2011/1	07/07/2011	New Licence
L8857/2011/1	03/01/2013	Licence amendment
L8557/2011/1	19/02/2015	Licence amendment to add category 57 and conversion to REFIRE format
L8557/2011/1	08/10/2015	Licence amendment to reduce category 58 approved capacity due to care and maintenance status and to add tenement L80/75 to the premises description and boundary.
L8557/2011/1	09/08/2019	Amendment Notice 1 to increase category 58 approved capacity due project coming out of care and maintenance and to extend the expiry date.  Premises boundary is amended to include all of tenement L80/59.

## Location and receptors

Table 5 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

**Table 5: Receptors and distance from activity boundary**

Residential and sensitive premises	Distance from Prescribed Premises
Gully Community	1.2km south
Town of Wyndham	4.2km south

Table 6 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

**Table 6: Environmental receptors and distance from activity boundary**

Environmental receptors	Distance from Prescribed Premises
Major, watercourse – West Arm (Cambridge Gulf)	Adjacent to Prescribed Premise
Ord River Floodplain – Ramsar wetland	16km east
Parry Lagoons Nature Reserve	12.3km south east

## Risk assessment

Table 7 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. The table identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

**Table 7: Risk assessment for proposed amendments during operation**

Risk Event						Consequence rating	Likelihood rating	Risk	Reasoning
Source/Activities		Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts				
<b>Cat 58</b> Bulk material loading or unloading	Stockpiling ore and loading and unloading of ore	Dust: generated from trucks unloading ore, ore stockpiles, loading conveyor hopper and from conveyor transfer points	Gully Community 1.2km south  West Arm (Cambridge Gulf) – major watercourse	Air	Health and amenity impacts	Minor	Unlikely	Medium	<p>KMG has committed to managing potential dust emissions by:</p> <ul style="list-style-type: none"> <li>• Suppression of dust using a water truck on site to ensure stockpiles, roads, lay down areas and car parks are adequately dampened to reduce dust impact.</li> <li>• Maintaining the ore at optimum moisture content of 5-8%.</li> </ul> <p>The bulk loading facility conveyor includes:</p> <ul style="list-style-type: none"> <li>• Dust suppression at the hopper and discharge points.</li> <li>• Sensors and switches across the conveyor system to prevent overloading of the conveyor and barge.</li> <li>• A cover over the entire conveyor system to reduce the potential for drying of the ore during handling.</li> </ul> <p>In the event that weather conditions lead to extreme dust generation activities will be halted until conditions alter.</p> <p>The Licence Holder has a Dust Management Plan (2015) for the site which will be reinstated once the mine comes out of care and maintenance. The Dust Management Plan outlines activities that are likely to generate dust and key</p>

									<p>management actions that will be taken to minimize dust impacts. The Dust Management Plan also makes commitments regarding inspections and monitoring.</p> <p>Given the distance to the nearest residential receptor coupled with the dust control measures outline above impacts from dust are unlikely to occur.</p>
				Surface water	Sedimentation of watercourse	Minor	Unlikely	Medium	<p>The BLF includes an ore stockpile pad that retains any sediment laden water from rainfall and dust suppression activities.</p> <p>The water drains to a 1,400kL sediment pond to capture ore mobilized from surface water runoff across the ore stockpile pad.</p> <p>Laboratory sedimentation work performed on the ore showed that within 10 minutes all ore particles had settled leaving a clear solution. The sediment pond has therefore been constructed to contain run-off from 1 in 100 year rainfall event falling on the stockpile pad with a critical duration of 10 minutes to ensure no ore particles escape into the surrounding environment (KMG, 2011).</p> <p>The water in the sediment pond will be discharged to an existing natural drainage line that runs into the waters of Cambridge Gulf.</p> <p>Potential hydrocarbons will be intercepted through the use of a filtration boom within the sediment</p>

									<p>pond.</p> <p>Given the applicants controls listed above the risk of surface water quality being degraded due to the mobilisation of sediments is considered to be medium. The existing licence contains conditions relating to emissions to surface water and monitoring requirements for water quality.</p>
		Noise: generated from the operation of machinery	Gully Community 1.2km south	Air	Health and amenity impacts	Slight	Unlikely	Low	<p>The distance to the nearest residential receptor is considered to be too great for noise impacts, from the operation of machinery, to occur.</p> <p>The provisions of the Noise Regulations are applicable.</p>
		Light: generated from 24 hour operations	Gully Community 1.2km south	Air	Health and amenity impacts	Slight	Unlikely	Low	<p>The distance to the nearest residential receptor is considered to be too great for light impacts to occur.</p> <p>In addition, lighting at the BLF is directed inwards to avoid visually impacting traffic and nearby residence.</p>



## Decision

The Delegated Officer determined that the recommissioning of machinery related to the BLF has a medium risk to the environment due to impacts from dust. It was determined that this level of risk is acceptable subject to the re-addition of dust control conditions (2.3 and 4.2.1), as outlined below. In addition to the dust control conditions imposed on this licence KMG has committed to controlling dust through the measures outlined in Table 6. Given the distance to the nearest residential receptor (Gully Community 1.2km south), licence conditions and the Licence Holders commitments, the Delegated Officer has determined to grant this amendment.

The Licence (Table 3.2.1) has also been amended to increase surface water monitoring to weekly during periods of discharge.

Schedule 1 Premises Map has been updated at the request of the Licensee to include the whole tenement boundary for L80/59.

The licence has been updated to extend the expiry date to 22 July 2031. This date has been selected to align with the expiry date of Licence L8549/2011/1 (RIOP mine site) and with the expiry of Mining Tenements L80/56 and L80/59.

## Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 6 August 2019. In an email dated 7 August 2019 the Licence Holder requested to waive the 21 day notification period with no comments.

## Amendment

1. The Licence duration has been extended from 6 June 2020 to 22 July 2031.
2. The Prescribed Premises category as shown on the front page of the Licence is amended by the deletion of the text shown in strikethrough and the insertion of the text shown in bold below.

### 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 any other bulk granular material (other than salt) is loaded onto or unloaded from vessels by an open loading system.	100 tonnes or more per day	<del>400</del> <b>28 000</b> tonnes per day
57	Used Tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more	1000 tyres

3. Condition 1.1.2 is amended by the insertion of the text below shown in bold underline and the deletion of the text shown in strikethrough:

**'Annual Audit Compliance Report' means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO (guidelines and templates may be available on the Department's website);**

'CEO' means Chief Executive Officer of the Department of **Water and Environmental Regulation**;

'CEO' for the purpose of correspondence means;

Chief Executive Officer **Director General**  
Department Administering the Environmental Protection Act 1986  
Locked Bag ~~33~~ **10**  
CLOISTERS SQUARE WA 6850  
**JOONDALUP WA 6919**  
Email: ~~info@der.wa.gov.au~~ **info@dwer.wa.gov.au**

4. Condition 1.3.7 of the Licence is amended by the deletion of the text shown in strikethrough below and the insertion of the bold text shown below:

The Licensee shall ensure that bulk material loading and unloading at the Premises does not exceed ~~400~~ **28 000** tonnes per day.

5. The Licence is amended by the insertion of the following Condition 2.3.1:

### 2.3 Fugitive emissions to air

- 2.3.1 The Licensee shall ensure that no visible dust generated from the primary activities crosses the boundary of the Premises.

6. Table 3.2.1 of the Licence is amended by the insertion of the bold text and by the deletion of the text shown in strikethrough below:

<b>Table 3.2.1: Monitoring of point source emissions to surface water</b>			
<b>Emission point reference</b>	<b>Parameter</b>	<b>Units</b>	<b>Frequency</b>
W1	pH <sup>1</sup>		Within 24 hours of discharging to the environment and <del>Monthly</del> <b>weekly</b> during ongoing periods of discharging
	Electrical Conductivity*	µs/cm	
	Total Suspended Solids	mg/L	
	TRH		
	Aluminium		
	Arsenic		
	Barium		
	Boron		
	Cadmium		
	Calcium		
	Chromium		
	Cobalt		
	Copper		
	Iron		
	Lead		
	Magnesium		
	Manganese		
	Mercury		
	Molybdenum		
	Nickel		
	Potassium		
	Sodium		
	Vanadium		
	Zinc		

Note 1: in field non-NATA accredited analysis permitted

7. Table 4.2.1 of the Licence is amended by the insertion of the bold text shown below:

<b>Table 4.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form</b>
-	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	None specified
Table 3.2.1	pH, Electrical Conductivity, Total Suspended Solids, TRH, Aluminium, Arsenic, Barium, Boron, Cadmium, Calcium, Chromium, Cobalt, Copper, Iron, Lead, Magnesium, Manganese, Mercury, Molybdenum, Nickel, Potassium, Selenium, Sodium, Vanadium and Zinc	WR1
Table 3.3.1	Output of Iron during operations	None specified
<b>2.3.1</b>	<b>Measures taken to suppress dust</b>	<b>None specified</b>
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

8. Table 4.3.1 of the Licence is amended by the deletion of the text shown in strikethrough below:

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
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.	N1
		Part B: As soon as practicable	
	<del>Intention for the site to recommence normal operations from care and maintenance status</del>	<del>At least 60 calendar days prior to site recommencing operations</del>	<del>None specified</del>

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

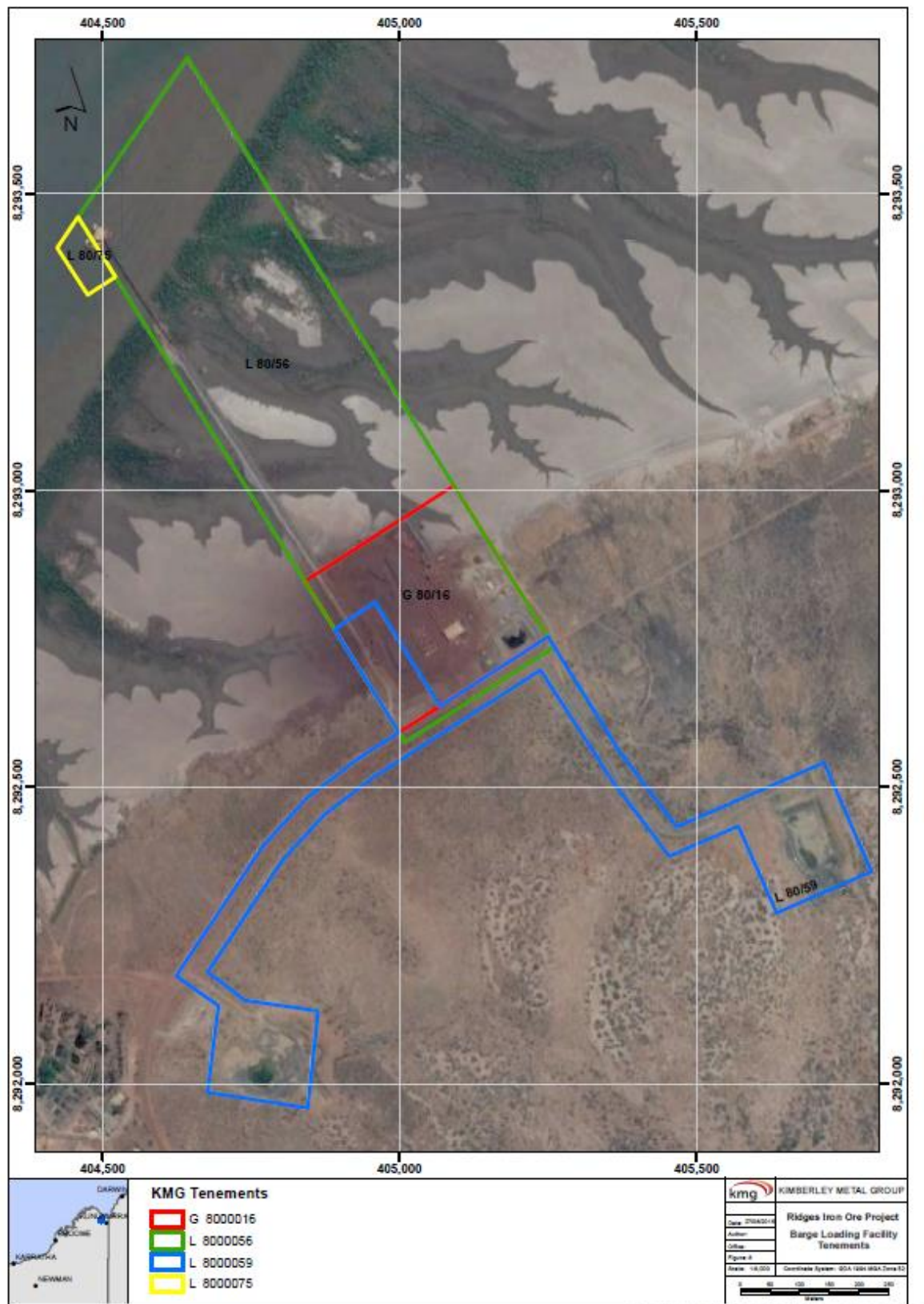
Note 2: Forms are in Schedule 2





10. Schedule 1 of the Licence is amended by the deletion of the Premises map and is replaced with a new map as shown below. The Premises boundary is the perimeter of the tenements shown below.

### Premises Map



11. Schedule 2 of the Licence is amended by the deletion of the Annual Audit Compliance Report Proforma.



## Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8557/2011/1– Ridges Iron Ore Project Barge Loading Facility	L8557/2011/1	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	Works Approval W4920/00331/1– Ridges Iron Ore Project Barge Loading Facility	W4920/00331/1	DWER records (A398162)
3	Application Form: Licence Amendment	-	DWER records (A1790176)
4	Works Approval Application for the Construction and Operation of the Ridges Iron Ore Project Barge Loading Facility L80/56 and L80/59 – January 2011.	KMG (2011)	DWER records (A388819)
5	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	-	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
6	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	-	
7	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	-	
8	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	-	
9	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	-	