



Licence Number L8845/2014/1

Licence Holder IB Operations Pty Ltd

ACN 165 513 557

File Number: DER2014/002065-1~1

Premises North Star Project
Mining Tenements M45/1226, L45/293, L45/294,
L45/359, L45/360, L45/361, L45/364, and L45/367
MARBLE BAR WA 6760

Date of Amendment 03/10/2018

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
ACN	Australian Company Number
Amendment Notice	refers to this document
Category	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 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
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 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
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 amendment.
Prescribed Premises	Has the same meaning given to that term under the EP Act
Premises	refers to the Premises to which this Amendment Notice applies, as specified at the front of this Amendment Notice
Licence Holder Licensee	IB Operations Pty Ltd

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 5 – change to the inspection frequency of the North Star Project Tailings Storage Facility (TSF). No other changes to the aspects of the original licence relating to Category 5 have been requested by the Licence Holder.

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: Decision Making* (February 2017)
- *Guidance Statement: Risk Assessment* (February 2017)
- *Guidance Statement: Environmental Siting* (November 2016)

Amendment description

On 31 July 2018 IB Operations Pty Ltd (Licence Holder) submitted an application (IB Operations, July 2018) to amend the North Star Project operating licence L8845/2014/1. The Licence Holder has requested that the inspection frequency of the TSF be changed from daily to fortnightly (except during severe storm events) while operations at the site is undergoing a period of care and maintenance. No material has been processed through the Stage 1 ore processing facility since April 2017 and no tailings has been deposited since April 2017. There are no plans for further deposition in the near future.

An inspection audit of the TSF was carried out in December 2017 by environmental consultants Golder Associates. The audit found that the status of the TSF was 'operational readiness mode' and it was recommended that the inspection frequency be reduced to fortnightly except during severe storm events or when in operation. As a result of this audit the Licence Holder has sort this licence amendment.

The Licence Holder has requested the following amendments to Table 1.2.2 (shown in bold and underlined).

Table 1.2.2: Inspection of infrastructure		
Scope of inspection	Type of inspection	Frequency of inspection
Tailings delivery pipelines	Visual integrity	Daily whilst operational
Tailings storage facility return water pipelines	Visual integrity	Daily whilst operational
Tailings storage facility embankment freeboard	Visual to confirm required freeboard capacity is available	<u>Fortnightly whilst not operational; or daily whilst operational or within 24 hours of a significant rainfall event.</u>

Amendment history

Table 2 provides the amendment history for L8845/2014/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8845/2014/1	04/06/2015	New licence for category 52.
L8845/2014/1	07/01/2016	Amendment to include Category 5.
L8845/2014/1	02/06/2016	Amendment to decrease category 5 approved production capacity, increase category 52 approved production capacity and include conditions for care and maintenance.
L8845/2014/1	24/05/2017	Amendment notice 1 – Amendment to modify Category 54 activities during care and maintenance, general storm water management and administrative changes.
L8845/2014/1	03/10/2018	Amendment notice 2 – this amendment

Decision

The Delegated Officer considers the risk to the environment from changing the inspection frequency of the TSF from daily to fortnightly while in care and maintenance to be low. The Licence Holder will be required to increase the frequency of inspections back to daily when the TSF reverts back to operation.

The Licence Holder's request to include a specification within Table 1.2.2 to require daily inspection of the TSF freeboard within 24 hours of a significant rainfall event has not been included as part of this amendment. Condition 1.2.2 (Table 1.2.1) of the Existing Licence requires the Licence Holder to maintain a minimum freeboard of 1000mm on the TSF regardless of whether the site is operating or in care and maintenance. It is up to the Licence Holder to remain compliant with this condition during significant rainfall events and therefore the Delegated Officer does not deem it necessary to specify this requirement within Condition 1.2.3 (Table 1.2.2).

The Delegated Officer considers that the Existing Licence has identified and assessed the environmental risk of potential emissions from the operation of the North Star TSF and that issue of this Amendment Notice will not adversely affect the risk rating of the Premises.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 12 September 2018. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. Condition 1.2.3 (Table 1.2.2) of the Licence is amended by the insertion of the bold text shown in underline below:

1.2.3 The Licensee shall:

- (a) undertake inspections as detailed in Table 1.2.2;
- (b) where any inspection identifies that an appropriate level of environmental protection is not being maintained, take corrective action to mitigate adverse environmental consequences as soon as practicable; and
- (c) maintain a record of all inspections undertaken.

Table 1.2.2: Inspection of infrastructure		
Scope of inspection	Type of inspection	Frequency of inspection
Tailings delivery pipelines	Visual integrity	Daily whilst operational
Tailings storage facility return water pipelines	Visual integrity	Daily whilst operational
Tailings storage facility embankment freeboard	Visual to confirm required freeboard capacity is available	Daily <u>whilst operational</u> <u>Fortnightly whilst in care</u> <u>and maintenance.</u>

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Amendment Application form and supporting documentation, 180731_UID-82808_NS-EN-0060_DWER_NS_License Amendment L8845_ELP-1447, Sean McGunnigle, 31 July 2018.		DWER records (A1707744)
2	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	N/A	accessed at www.dwer.wa.gov.au
6	DER, October 2015. <i>Guidance Statement: Setting Conditions</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.		

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 12 September 2018 for review and comment. The Licence Holder responded on 26 September 2018. The following comments were received on the draft Amendment Notice.

Condition	Summary of Licence Holder comment	DWER response															
N/A	<p>The 'Amendment history' section doesn't specifically include the last licence amendment from May 2017, and seems to have combined some of the changes from 2/6/16 and 25/5/17 into one cell..? I've copied the relevant section from that May '17 amendment below FYI.</p> <p>Amendment History</p> <p>Table 3 provides the amendment history for L8845/2014/1.</p> <p>Table 3: Licence amendments</p> <table><tr><th>Instrument</th><th>Issued</th><th>Amendment</th></tr><tr><td>L8845/2014/1</td><td>08/06/2015</td><td>New Licence</td></tr><tr><td>L8845/2014/1</td><td>07/01/2016</td><td>Amendment to add category 5</td></tr><tr><td>L8845/2014/1</td><td>02/06/2016</td><td>Amendment to increase category 5, add category 54 and decrease category 5 throughput.</td></tr><tr><td>L8845/2014/1</td><td>24/05/2017</td><td>Amendment Notice for Category 54 activities during care and maintenance, general stormwater management and administrative changes.</td></tr></table>	Instrument	Issued	Amendment	L8845/2014/1	08/06/2015	New Licence	L8845/2014/1	07/01/2016	Amendment to add category 5	L8845/2014/1	02/06/2016	Amendment to increase category 5, add category 54 and decrease category 5 throughput.	L8845/2014/1	24/05/2017	Amendment Notice for Category 54 activities during care and maintenance, general stormwater management and administrative changes.	Amendment history table has been corrected.
Instrument	Issued	Amendment															
L8845/2014/1	08/06/2015	New Licence															
L8845/2014/1	07/01/2016	Amendment to add category 5															
L8845/2014/1	02/06/2016	Amendment to increase category 5, add category 54 and decrease category 5 throughput.															
L8845/2014/1	24/05/2017	Amendment Notice for Category 54 activities during care and maintenance, general stormwater management and administrative changes.															