



## Application for Licence Amendment

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

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<b>Licence Number</b>	L4612/1989/11
<b>Licence Holder</b>	BHP Nickel West Pty Ltd
<b>ACN</b>	004 184 598
<b>File Number</b>	APP-0026475
<b>Premises</b>	Nickel West Leinster Nickel Operations  Legal description - Mining tenements ML255SA, M36/4, M36/87, M36/102, M36/103, M36/131, M36/156, M36/230, M36/389, M36/439, L36/93, G36/49, G36/50
<b>Date of Report</b>	03 April 2025
<b>Decision</b>	Revised licence granted

## Table of Contents

<b>1. Decision summary .....</b>	<b>1</b>
<b>2. Scope of assessment .....</b>	<b>1</b>
2.1 Regulatory framework .....	1
2.2 Application summary .....	1
<b>3. Assessment.....</b>	<b>1</b>
<b>4. Consultation.....</b>	<b>3</b>
<b>5. Conclusion .....</b>	<b>3</b>
5.1 Summary of amendments.....	3
<b>Appendix 1: Summary of Licence Holder's comments on draft amendment .....</b>	<b>5</b>
 Table 1: Summary of licence holder proposed amendments .....	 1
Table 2: Summary of licence amendments .....	3

## 1. Decision summary

The Delegated Officer has determined to make amendments to Licence L4612/1989/11. 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 licence will remain on the department's website for future reference and will act as a record of the department's decision making.

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the licence, 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 Application summary

Licence L4612/1989/11 is held by BHP Nickel West Pty Ltd (Licence Holder) for the Nickel West Leinster Nickel Operations (the Premises), located on several mining tenements near Leinster, Western Australia.

The Premises relates to the categories and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L4612/1989/11.

On 15 November 2024, the Licence Holder submitted an application to the department to amend Licence L4612/1989/11 under section 59B of the *Environmental Protection Act 1986* (EP Act). The proposed amendments (Table 1) are limited to changes to support and reflect temporary suspension of operations at the premises, other minor amendments and correcting the table numbers.

The licence holder advised that operations at the premises will enter a period of temporary suspension until February 2027, when the situation will be re-assessed. Several projects and maintenance activities have commenced, mainly related to water management on and around the tailings storage facilities at the premises.

## 3. Assessment

Table 1 below provides a summary of the licence holder proposed amendments and the department's decision regarding each proposed amendment.

**Table 1: Summary of licence holder proposed amendments**

Condition no.	Proposed amendments	Licence Holder's Justification	Delegated Officer decision
8	Updated the condition by adding "During operational periods"  The new condition is as follows.  <i>During operational periods the licence holder shall ensure</i>	Proposed inclusion of "During operational periods" to clarify that this condition only applies during operational periods.	The Delegated Officer agrees with the justification and notes that this change is consistent with conditions specified in licences for other premises in care and maintenance. The licence has been updated

Condition no.	Proposed amendments	Licence Holder's Justification	Delegated Officer decision
	<i>that all installed emissions sampling ports, platforms and access ways on the stacks and ducting at the premises are maintained for the purpose of emission sampling.</i>		accordingly.
9	<p>Updated the condition by adding "During operational periods"</p> <p>The new condition is as follows.</p> <p><i>During operational periods the licence holder shall at the frequency stated in Table 2, take representative samples of the parameters stated in Table 2, from the discharge point stated in Table 2, under normal operating conditions in accordance with Australian Standard AS4323.1.</i></p>	Proposed inclusion of "During operational periods" to clarify that this condition only applies during operational periods.	The Delegated Officer agrees with the justification and notes that this change is consistent with conditions specified in licences for other premises in care and maintenance. The licence has been updated accordingly.
17	Remove monitoring Bore MB04	<p>MB04 has been consistently dry since the bore was drilled in 1991 and is no longer considered an appropriate or safe groundwater monitoring location – located within a declared safety exclusion zone.</p> <p>The bore was drilled to a depth of 39 m into weathered schist and greenstone units. Minor water was reported at a depth of ~39 m between 2001-2002.</p> <p>The bore sits on the eastern side of the Perseverance Fault, within the drawdown footprint of the Perseverance Mine. Water levels are not expected to recover in this bore due to continuing underground dewatering and the long-term cessation of deposition to TSF Cell 2 (decommissioned).</p> <p>Water levels are collected from nearby bore MB66. This bore is located on the western side of Perseverance Fault and is sufficient to monitor southerly mounding associated with the TSF.</p>	The Delegated Officer accepts the rationale provided and the MB04 monitoring bore has been removed accordingly.
27	Updated the condition 27 so that TSF visual inspections during non-operational periods are every 24 hours rather than 12 hours	During the temporary suspension of operations water will continue to be transferred throughout the processing plant, TSFs, and water storage area to handle weather events. No tailings deposition lowers the	The Delegated Officer accepts the rationale provided due to the temporary suspension period, and the licence has been updated accordingly.

Condition no.	Proposed amendments	Licence Holder's Justification	Delegated Officer decision
		operation's risk profile, hence BHP advises a lower frequency of visual inspections, as shown in the table.	
50	Correct the table number reference in condition 50 and the table number.	N/A	Corrected.
51 to 55	Deleted the conditions to 50 to 55 from the licence.	Paste plant is not operational and no longer required.	The Delegated Officer accepts the changes and the conditions have been removed accordingly.
Definitions	New definition added for 'operational periods'.	N/A	Accepted. The definitions have been updated

## 4. Consultation

The Licence Holder was provided with the draft Amendment Report on 12 March 2025. Comments received from the Licence Holder on 28 March 2025 have been considered by the Delegated Officer as detailed in Appendix 1.

## 5. Conclusion

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

### 5.1 Summary of amendments

Table 2 below provides a summary of the proposed amendments. All proposed changes have been incorporated into the Revised licence as part of the amendment process.

**Table 2: Summary of licence amendments**

Condition no.	Proposed amendments
8	Updated the condition by adding "During operational periods"
9	Updated the condition by adding "During operational periods"
17	Remove monitoring Bore MB04
27	Amended TSF visual inspections during non-operational periods to 48 hours
50	Corrected the table number reference in condition 50 and the table number.
51 to 55	Deleted the conditions to 50 to 55.
Definitions	New definition added for 'operational periods'.

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

Condition	Summary of Licence Holder's comment	Department's response
27	BHP NiW proposed a change through the 21-day package to condition 27, TSF Visual Inspections – the proposed change is “ <i>Frequency of inspection when non-operational from 24-hours to 48-hours</i> ” and provided a table that reflects the proposed change including the Engineer of Record endorsement.	The department has accepted the change through the 21-day draft package, due to the change as it is relatively minor and relates to a control, however it is not a proposed change in primary activity or infrastructure.