



## 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>	2012/006877-1
<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 and G36/51 LEINSTER WA 6437 As defined in Schedule 1 (Figure 1 and Figure 2) in the Licence
<b>Date of Report</b>	11/09/2023
<b>Decision</b>	Revised licence granted

A/MANAGER, RESOURCES INDUSTRIES  
REGULATORY SERVICESan 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 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 (the Licence Holder) for the Nickel West Leinster Nickel Operations (the Premises), located at 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 and G36/51 LEINSTER WA 6437.

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

On 23 June 2023, 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 amendment is limited to:

- Updating the annual reporting period;
- Fixing typographical errors; and
- Removal of redundant monitoring bores and the operation of new replacement monitoring bores that have already been constructed (discussed in Table 1).

### 2.3 Monitoring changes

The Licence Holder supplied the department with a list of proposed requests involving the removal and addition of monitoring bore locations. Table 1 provides the proposed changes submitted by the Licence Holder followed by the Departments decision.

**Table 1: Proposed monitoring locations**

Condition	Licence Holder Proposal	Licence Holder Justification	Departments Decision
17	Removal of groundwater monitoring bore ST05 monitoring requirements from licence.	ST05 groundwater monitoring bore is situated within the footprint of the proposed Camelot South Pit cutback and will need to be decommissioned and removed from the licence to	ST05 is a located adjacent to the Camelot Pits dewatered groundwater discharge location. This monitoring bore is currently used for reporting standing water level (SWL), pH and Total dissolved solids (TDS) as per

	<p>Sampling/monitoring requirements for three new replacement groundwater monitoring bores (ST11, ST12 and ST13) (Figure 1).</p>	<p>complete the cutback.</p>	<p>licence L4612/1989/11. It is noted however that ST05 was dry over the previous reporting period (1 November 2019 to 31 October 2022).</p> <p>The proposed new monitoring bores are located approximately 150m to 680m away from ST05.</p> <p>The proposed new locations are spatially spread out from ST05 and if any groundwater leaching occurs from the Camelot South Pit it is likely to be identified. It is noted that the regional groundwater flow direction is northwards (BHP, 2020).</p> <p>The Department has removed the requirement to monitor ST05 and have included conditions to monitor ST11, ST12 and ST13 for SWL, pH and TDS every quarter outlined in Licence L4612/1989/11.</p>
	<p>Removal of the requirement to monitor MB74 (Figure 2).</p>	<p>The dip tube cannot fit beside pump in casing and therefore cannot be gauged.</p>	<p>MB74 is recovery bore located approximately 1km north northwest of TSF3 Cell F.</p> <p>MB74, MB73 and MB75 were added to the licence as part of an amendment on 27/4/2023 to allow monitoring of any lateral seepage from TSF3. Bores MB73 and MB 75 are located approximately 180m and 300m away from MB74 and are deemed sufficient in monitoring seepage from TSF3. It is noted that the application mentions the licence holder "intends to submit a Works Approval for construction of TSF Cell G in the next quarter 2023 and a revised bore monitoring arrangement will be submitted." (BHP, 2023).</p> <p>The Department has removed the requirement to gauge MB74. A note is added which requires the licence holder to note if the recovery bore (MB74) is on or off while gauging surrounding bores. As this could impact monitoring results.</p>
	<p>Removal of the</p>	<p>EPMB06A is damaged and</p>	<p>EPMB06A is a monitoring bore</p>

	<p>requirement to monitor EPMB06A (Figure 3).</p>	<p>blocked and can no longer be monitored without redrilling. Nearby monitoring bores EPMB07A and EPMB14 will remain as monitoring locations, (BHP, 2023).</p>	<p>associated with monitoring SWL of the evaporation ponds. EPMB06A is located approximately 50m east of the evaporation ponds.</p> <p>EPMB14 and EPMB07A is located approximately 70m and 140m respectively from EPMB06A.</p> <p>It's noted that nickel and TDS results prior to EPMB06A becoming blocked in 2018 were reported within an order of magnitude to the surround bores EPMB07A and EMPMB14 (from 2015 to 2017).</p> <p>Therefore, due to the close proximity and similar parameters measured within the nearby groundwater monitoring bores it has been determined it is acceptable to remove the requirement to monitor EPMB06A from the licence.</p>
	<p>Addition of monthly cumulative flow meter reading and sampling of two recovery bores located to the north of TSF Cell AB (RB01 and RB02).</p>	<p>Bores were removed off the Licence as they were originally going to be destroyed during the construction of TSF Cell F. Due to design change recovery bores were not removed/damaged and remained in operation.</p> <p>Removal of the recovery bores in not anticipated for a few years.</p>	<p>There are no objections to this change.</p> <p>RB01 and RB02 are added back into the Licence as part of this amendment.</p>
	<p>Addition of MB08-B recovery bore to Licence.</p>	<p>The licence holder states that recovery bore MB06 was not sufficient to manage groundwater levels and targets. An additional recovery bore was installed to assist, recovery bore MB08-B was installed in 2021 under CAW206316.</p>	<p>There are no objections to this change.</p> <p>MB08-B is added into the Licence as part of this amendment and requires monthly cumulative flow meter readings and annual sampling for nickel and TDS .</p>
	<p>Rename EPRB02 to EPRB02-B</p>	<p>A new recovery bore was installed at the evaporation ponds and the old EPRB02 recovery system has been decommissioned.</p> <p>The licence holder has requested that EPRB02 to be renamed to EPRB02-B to prevent confusion with the</p>	<p>There are no objections to this change.</p> <p>EPRB02 is re-named to EPRB02-B within the Licence as part of this amendment.</p>

		<p>historic bore.</p> <p>It's also noted by the licence holder that the historic bore (EPRB02) and the new bore (EPRB02-B) is approximal 10m away from each other.</p>	
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### 3. Consultation

The Licence Holder was provided with the draft Amendment Report on 3 August 2023. Comments received from the Licence Holder on 10 September 2023 have been considered by the Delegated Officer as detailed in Appendix 2.

### 4. 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.

#### 4.1 Summary of amendments

Table 2 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 licence as part of the amendment process.

**Table 2: Summary of licence amendments**

Condition no.	Proposed amendments
Licence History	Addition of summary of all changes within this new licence amendment.
1	<p><b>Annual Environmental Report submission date</b></p> <p>Date changed from <u>31 October</u> to <u>30 September</u> for the required submission date of the report.</p> <p>The AER report period change from <u>1 August to 31 July</u> to <u>1 July until 30 June</u>.</p>
2	<p><b>Annual Audit Compliance Report submission date</b></p> <p>Date changed from <u>31 October</u> to <u>30 September</u> for the required submission date of the report.</p>
Condition 17 Table 3	<p><b>Row 1 – Cumulative flow meter readings...</b></p> <p><u>Removed:</u> EPRB02 <u>Added:</u> MB08-B, EPRB02-B, RB01, RB02 and added superscripts where appropriate.</p> <p><b>Row 2 and 3</b></p> <p>Added and removed general formatting, no compliance and/or reporting conditions are changed.</p> <p><b>Row 5 – SWL, pH and TDS measurements</b></p> <p><u>Removed:</u> ST05 <u>Added:</u> ST10, ST11, ST12 and ST13</p> <p><b>Row 6 – SWL measurements</b></p>

Condition no.	Proposed amendments
	<p><u>Removed</u>: N from <u>NLNOPB02</u>, MB74 and EPMB06A  <u>Added</u>: “nearby” to ... “noting whether the <u>nearby</u> recovery bore was on or off...”</p> <p><b>Row 7 – Nickel and TDS sampling</b></p> <p><u>Removed</u>: EPMB06A and N from <u>NLNOPB02</u>  <u>Added</u>: MB08-B, RB01, RB02 and “<u>B</u>” in EPRB02-<u>B</u></p> <p><b><u>Note 1</u></b></p> <p><u>Added</u>: Definition of NATA</p>
Definitions	Updated new definition to “annual period” and included TDS acronym.
Schedule 1: Figures	Updated to include and/or remove monitoring locations described in Condition 17.

## References

BHP Billiton Nickel West (BHP) 2020, Leinster Nickel Operations: L4612/1989 Licence Amendment Application Supporting Information.

BHP Billiton Nickel West (BHP) 2023, Leinster Nickel Operations: L4612/1989/11 Licence Amendment Application Supporting Information.

# Appendix 1: Figures



Figure 1: Camelot Existing and Proposed Bores





Figure 2: TFS3-North Groundwater Monitoring and Recovery Bores

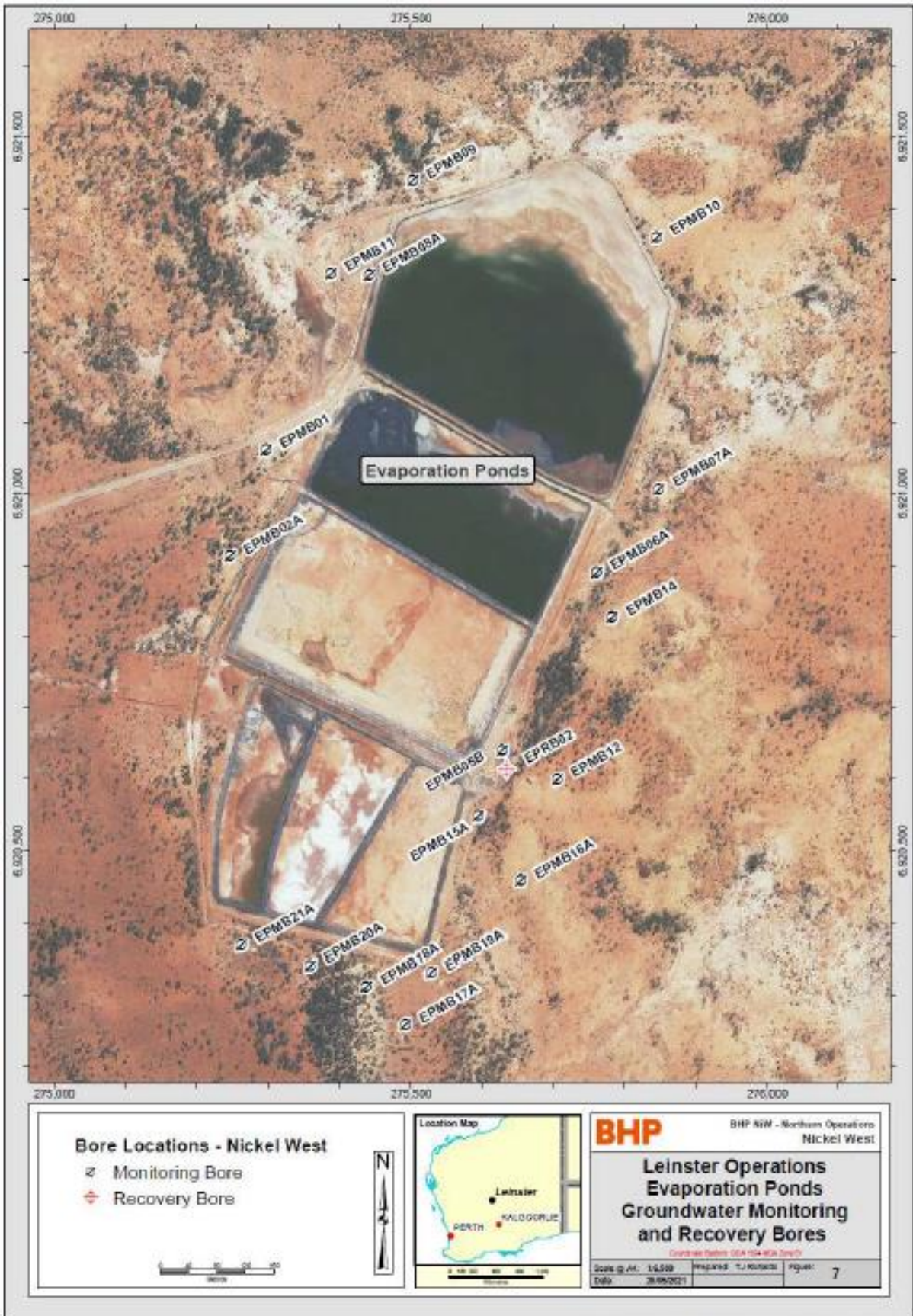


Figure 3: Evaporation Ponds Groundwater Monitoring and Recovery Bores

## Appendix 2: Summary of Licence Holder's comments on draft amendment

Condition	Summary of Licence Holder's comment	Department's response
17	<p>Minor edits required throughout Table 3 including formatting and clarification that bores "RB01 and RB02" relate the Cell AB and not TSF 2.</p>	<p>Amended throughout Condition 17 Table 3.</p>
60	<p>The Licence Holder mentions that Table 8 (Monitoring Bore Construction Requirements) contains overly onerous bore design/construction requirements that are more appropriate TSF monitoring.</p> <p>The intent for the three additional bores at Camelot (ST11, 12 and 13) is for basic regional groundwater monitoring.</p> <p>The Licence Holder has noted that the additional Camelot bores have been installed.</p>	<p>As the licence holder has confirmed that the three new bores have already been constructed, monitoring bore construction conditions 60 and 61 have been removed from the licence.</p>

## Appendix 3: Application validation summary

SECTION 1: APPLICATION SUMMARY						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>	
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input type="checkbox"/>	Current licence number:				
Amendment to works approval	<input type="checkbox"/>	Current works approval number:				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L4612/1989/11			
		Relevant works approval number:		N/A	<input checked="" type="checkbox"/>	
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>	
Date application received		23/06/2023				
Applicant and Premises details						
Applicant name/s (full legal name/s)		BHP Nickel West Pty Ltd				
Premises name		Nickel West Leinster Nickel Operations				
Premises location		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 and G36/51 Leinster WA 6437				
Local Government Authority		Shire of Leonora				
Application documents						
HPCM file reference number:		A2184126				
Key application documents (additional to application form):		Licence Amendment Application Supporting Information				
Scope of application/assessment						

<p>Summary of proposed activities or changes to existing operations.</p>	<p><b>Licence amendment</b></p> <p>BHP Nickel West Pty Ltd intends to expand the south pit at the Camelot Project. The works are granted under Mining Proposal Registration ID: 81247 Revision 3 titles Camelot Project – South Pit Extension Mining Proposal Revision 3.</p> <p>Monitoring well ST05 is currently listed within condition 17 under the existing licence. ST05 requires quarterly monitoring of standing water level (SWL), pH and Total Dissolve Solids (TDS) field parameters and serves the purpose of monitoring dewatering from the Camelot open pits. Monitoring well ST05 is located within the footprint of the proposed Camelot pit cutback and will need to be decommissioned.</p> <p>BHP Nickel West Pty Ltd is requesting a licence amendment to L4612/1989/11 that is administrative in nature.</p> <p>The following is a summary of the scope of this licence amendment application:</p> <ol style="list-style-type: none"> <li>1. Replacement of a groundwater monitoring well (ST05) with three newly installed monitoring wells (ST11, ST12 and ST13) at the Camelot mine site.</li> <li>2. Administrative amendments to existing reporting dates and the definition of annual period, with minor amendments to contemporise existing licence conditions.</li> </ol>
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**Category number/s (activities that cause the premises to become prescribed premises)**

**Table 1: Prescribed premises categories**

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity
Category 5: Processing or beneficiation of metallic or non-metallic ore	3,600,000 tonnes per year (ore processed)	No change
Category 6: Mine dewatering	2,500,000 tonnes per year	No change
Category 12: Screening, etc. of material	1,780,000 tonnes per year	No change
Category 57: Used tyre storage	500 tyres or less	No changes
Category 64: Class II putrescible landfill	20 tonnes or more per year	No change
Category 85: Sewage facility	44m <sup>3</sup> per day	No change

**Legislative context and other approvals**

<p>Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/></p>
<p>Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Ministerial statement No: N/A EPA Report No: N/A</p>

Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Expiry: ML255SA – 27 April 2040 M36/4 – 20 October 2025 M36/87 – 11 July 2030 M36/102 – 13 November 2030 M36/103 – 13 November 2030 M36/131 – 11 June 2031 M36/156 – 03 December 2031 M36/230 – 20 May 2034 M36/389 – 09 December 2029 M36/439 – 04 February 2029 L36/93 ( <i>Inactive</i> ) – 12 October 2023 G36/49 – 18 November 2040 G36/50 – 18 November 2040 G36/51 – 18 November 2040 Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why? Not needed, applicant is holder of the relevant mining tenement
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N8877 Disturbance is authorised under the existing Mining Proposal for additional bores at Camelot under Mining Act approvals.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: GWL 58111 GWL 63834 GWL 66248 GWL 167071  Licence / permit not required

<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  Type: N/A  Has Regulatory Services (Water) been consulted?  Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>  Regional office: N/A</p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  Priority: N/A  Are the proposed activities/ landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a>)?  Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<ul style="list-style-type: none"> <li>• <i>Nickel (Agnew) Agreement Act 1974</i></li> <li>• <i>Mining Act 1978</i></li> <li>• <i>RIWI 1914</i></li> <li>• <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i></li> <li>• <i>Mines Safety and Inspection Act 1994</i></li> <li>• <i>Environmental Protection (Controlled Waste) Regulations 2004</i></li> <li>• <i>Aboriginal Heritage Act 1972</i></li> </ul>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>