



Application for Licence Amendment

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

Licence Number	L8234/2008/2
Licence Holder	Robe River Mining Co. Pty Ltd
ACN	008 694 246
File Number	DER2014/000868-1
Premises	Mesa A Warramboe Iron Ore Mine ML248SA, G08/82, G08/85, G08/90, L08/166, L08/177 and L08/178 FORTESCUE WA 6716
Date of Report	04 January 2024
Decision	Revised licence granted

A/MANAGER, RESOURCE INDUSTRIES

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 Licence L8234/2008/2. 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 L8234/2008/2 is held by Robe River Mining Co. Pty Ltd (Licence Holder) for the Mesa A Warramboe Iron Ore Mine (the Premises), located at ML248SA, G08/82, G08/85, G08/90, L08/166, L08/177 and L08/178.

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 L8234/2008/2.

On 20 October 2023, the Licence Holder submitted an application to the department to amend Licence L8234/2008/2 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to an update to condition 3, Table 2 of the existing Licence L8234/2008/2 to change the Tailings Storage Facility (TSF) 1 freeboard requirements.

The Licence Holder has stated the following (Rio Tinto 2023):

- “Reassessment of the catchment reporting to TSF1 has shown that 1.5 m freeboard between the decant pond level and the spillway level is not adequate to store the 1:100 AEP 72-hour rainfall event above the decant pond without spilling, and cannot be maintained. The License holder requests that 0.5 m freeboard be maintained between decant pond level and the spillway level during normal operations with inflows of excess floodwater, including the 1:100 year 72-hour rainfall event, managed by spillway transfer to Pit 4.”
- “TSF1 will continue to be managed to maintain the required 0.5 m freeboard between decant pond level and the spillway level, Pit 4 will accommodate excess floodwaters resulting from the 1:100 AEP 72-hour rainfall event (and has capacity to store extreme events including the 1:5,000 AEP 72-hour rainfall event). Pit 4 was always intended to accommodate excess floodwaters. Widening of the existing spillway will be required to transfer floodwaters, including those from extreme (1:5,000 AEP 72-hour) rainfall events to Pit 4.”
- “DMIRS did not have any objections to the flow of water from in-pit TSF1 via the spillway to Pit 4 during the 1:100 AEP 72-hour rainfall event. The widening of the spillway to meet the 1:5,000 AEP 72-hour event design criteria was also endorsed.”

Refer to Figures 1 and 2 which show how the proposed arrangements will operate.

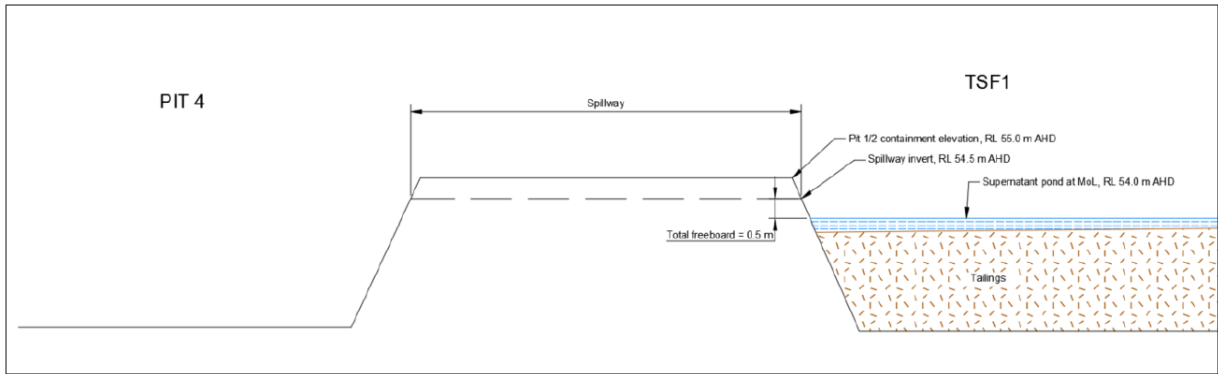


Figure 1: General arrangement of the pond (54.0 mRL), maintaining 0.5m freeboard to the spillway level (54.5 mRL) during normal operations.

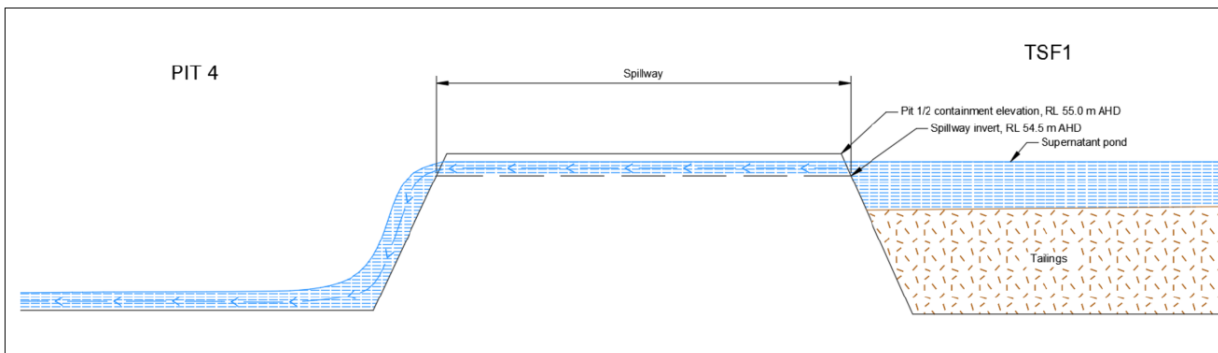


Figure 2: Operation of the spillway during storm events (including the 1:100 year 72-hour rainfall event).

The department has made the requested changes.

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 27 November 2023. Comments received from the Licence Holder on 21 December 2023 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 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 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 licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	Date of issue included
Licence history	This amendment added

Condition no.	Proposed amendments
3, Table 2	<p>TSF1 and TSF2 freeboard condition spilt</p> <p>TSF1 freeboard updated – 0.5 m freeboard must be maintained between the operating pond level and the spillway level during normal operations with inflow of excess floodwater managed by spillway transfer to Pit 4</p> <p>TSF2 freeboard condition retained, but with the removal of reference to '54.5 m RL' for the spillway level</p> <p>Figure 11 added to location</p>
Schedule 1	Inclusion of Figure 11

References

1. Rio Tinto 2023, *Mesa A Licence L8234/2008 Amendment Application – TSF1 Freeboard* (REF: A2210549).

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

Condition	Summary of Licence Holder's comment	Department's response
Condition 3, Table 2	<p>The Licence Holder requested the following amendments to the wording of Condition 3:</p> <p><i>TSF1: 0.5 m freeboard must be maintained between the operating pond level and the spillway level during normal operations with inflows of excess floodwater, including the 1:100 year 72-hour rainfall event, managed by spillway transfer to Pit 4.</i></p> <p>The Licence Holder also provided map showing the location of the TSF1 spillway to Pit 4.</p>	TSF1 freeboard updated as requested.
	<p>The Licence Holder requested for TSF2 and consistent with the management of TSF1, that freeboard adequate to store the 1:100 year 72-hour rainfall event must be maintained between the operating pond level and the spillway level, with inflows of excess floodwater managed by spillway transfer to Pit 4.</p>	The department has retained the original wording of this requirement except for the removal of the level of the spillway.