



Application for Licence Amendment

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

Licence Number	L8880/205/1
Licence Holder	IGO Nova Pty Ltd
ACN	146 091 527
File Number	DER2015/000284
Premises	Nova Nickel Project Eyre Highway FRASER RANGE WA 6443 Being Mining Tenement M28/376
Date of Report	22/11/2023
Decision	Revised licence granted

A/Manager, Resource Industries
REGULATORY SERVICES

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 L8880/2015/1. 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 L8880/2015/1 is held by IGO Nova Pty Ltd (Licence Holder) for the Nova Nickel Project (the Premises), located within mining tenement M28/376, Eyre Highway, Fraser Range WA 6443.

The Premises relates to the categories 5, 52, 54 and 64 and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L8880/2015/1.

On 15 July 2023, the Licence Holder submitted an application to the department to amend Licence L8880/2015/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited to:

- fixing a typographical error of a table number reference condition 4.3.1 (Table 4.3.1); and
- remove a completed licence condition requirement in condition 4.3.1 (Table 4.3.1) and associated footnote (Note 3) under the Table 4.3.1.

Condition 4.3.1 (Table 4.3.1) requires the licence holder to undertake the action (recommendations) 3, 6 and 8 outlined within the 'SRK Nova TSF 2016 August' report. These recommended actions were:

- Realign pipelines and provide bunds for spill containment (Recommendation 3)
- Place rockfill armouring on exposed embankment slope and access ramp (Recommendation 6)
- Install safety markers to demarcate the edge of the liner where there is no pipeline (Recommendation 8) and
- Install pool level markers (Recommendation 10)

The licence holder has stated that these actions were implemented in October 2017. No evidence can be found within the department's records system in regard to notifying the department within 7 days after completion of these actions outlined within the 2016 TSF Audit. In response to an information request by the department, the Licence Holder submitted photographic evidence (record number A2199168) of actioning/implementation of those recommendations at the premises. The department has reviewed the evidence provided and

has determined that the actions have been completed. Therefore, this requirement has been removed from condition 4.3.1.

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 18/10/2023. On 13/11/2023 the Licence Holder waived the comment period.

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	Proposed amendments
Condition 4.2.3	Typographical error corrected as requested by the Licence Holder - the table number reference in the condition has updated to "Table 4.2.2" instead of Table 2.2
Condition 4.3.1 (Table 4.3.1)	Notification requirement 4 of the Table 4.3.1 removed from the licence as it has already been completed.
	Foot note number 3 (Note 3) of the Table 4.3.1 removed as it is no longer valid with the removal of requirement 4 of the table 4.3.1

References

1. Email titled "L8880/2015/1 - IGO Nova Pty Ltd - Nova Project - Application to Amend Licence - Application form and map" dated 15/07/2023 authored by Murray Penter, available at DWER records (DWERDT807497).
2. Email titled "VALIDATION RFI RESPONSE: APPLICATION FOR AN AMENDMENT TO LICENCE (L8880/2015/1)" dated 24/08/2023 authored by Murray Penter, available at DWER records (A2199168).
3. Department of Water and Environmental Regulation (DWER) 2019, Guideline: Decision Making, Joondalup, Western Australia.