



Licence

Environmental Protection Act 1986, Part V

Licensee: BHP Billiton Iron Ore Pty Ltd

Licence: L4412/1987/8

Registered office: Level 1, City Square Brookfield Place
125 - 137 St Georges Terrace
PERTH WA 6000

ACN: 008 700 981

Premises address: Nimingarra Mining Operations
Part mining leases ML251SA and ML263SA
MARBLE BAR WA 6760
as depicted in Schedule 1

Issue date: Thursday, 12 November 2015

Commencement date: Tuesday, 17 November 2015

Expiry date: Friday, 16 November 2035

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
5	Processing or beneficiation of metallic or non-metallic ore: premises on which – (a) Metallic or non-metallic ore is crushed, ground, milled or otherwise processed; (b) Tailings from metallic or non-metallic ore are reprocessed; or Tailings or residue from metallic or non-metallic ore are discharged into a containment cell or dam.	50, 000 tonnes or more per year	5,000,000 tonnes or more per year

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 12 November 2015

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Alana Kidd

Manager Licensing – Resource Industries

Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The Nimingarra Iron Ore Mine (Nimingarra) is located approximately 209 kilometres east-southeast of Port Hedland in the Pilbara region of Western Australia. Nimingarra has its own ore crushing and train loading facilities where ore is crushed and screened on site and transported from the mine to Port Hedland via rail. Previously, dewatering has been required to allow mining below the table. Other facilities at the premises include administration and workshop facilities, ablution facilities, inert landfill and landfarm.

The premises has been in care and maintenance since 2006-2007 and no operations have been undertaken since this time.

DER conducted a compliance inspection of the premises in April 2014 during which it was confirmed that the landfill has been closed, covered and revegetated and dewatering infrastructure, including flow metres removed.

This Licence is the successor to licence L4412/1987/7. At the time of this renewal, the Licence is being updated to the latest licence template version 2.9. Conditions relating to the monitoring of dewatering discharge and landfill management have not been included in this Licence as these activities have ceased. Accordingly, categories 6 and 64 have not been added to this Licence. Future works or proposals relevant to these activities may require approval from DER.

The licences and works approvals issued for the Premises 2000 are:

Instrument log		
Instrument	Issued	Description
L4412/1987/1	13/10/2000	Licence
L4412/1987/2	13/11/2001	Licence renewal
L4412/1987/3	15/11/2002	Licence renewal
L4412/1987/4	17/11/2003	Licence renewal
L4412/1987/5	15/11/2004	Licence renewal
L4412/1987/6	12/09/2007	Licence renewal
L4412/1987/7	11/11/2010	Licence renewal
L4412/1987/8	12/11/2015	Licence renewal and update to new template licence

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;
Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au;

'Licence' means this Licence numbered L4412/1987/8 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated; and

'usual working day' means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.1.6 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.



1.2 General conditions

- 1.2.1 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.2 The Licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹
- Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

- 1.3.1 The Licensee must carry out the Authorised Activities within the Premises in accordance with the requirements set out in Table 1.3.1.

Table 1.3.1 Authorised Activities	
Authorised activity	Process limits
Category 5	Processing of material at the premises shall not exceed 5,000,000 tonnes per annual period.

2 Information

2.1 Records

- 2.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 2.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 2.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 2.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 2.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint



2.2 Reporting

2.2.1 The Licensee shall submit to the CEO an Annual Environmental Report by 1 October each year. The report shall contain the information listed in Table 2.2.1 in the format or form specified in that table.

Table 2.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
1.3.1	Actual throughput for the annual period	None specified
2.1.3	Compliance	Annual Audit Compliance Report (AACR)
2.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

2.3 Notification

2.3.1 The Licensee shall ensure that the parameters listed in Table 2.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 2.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
1.3.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
-	Recommencement of normal operations	At least 60 calendar days prior to the recommencement of operations	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

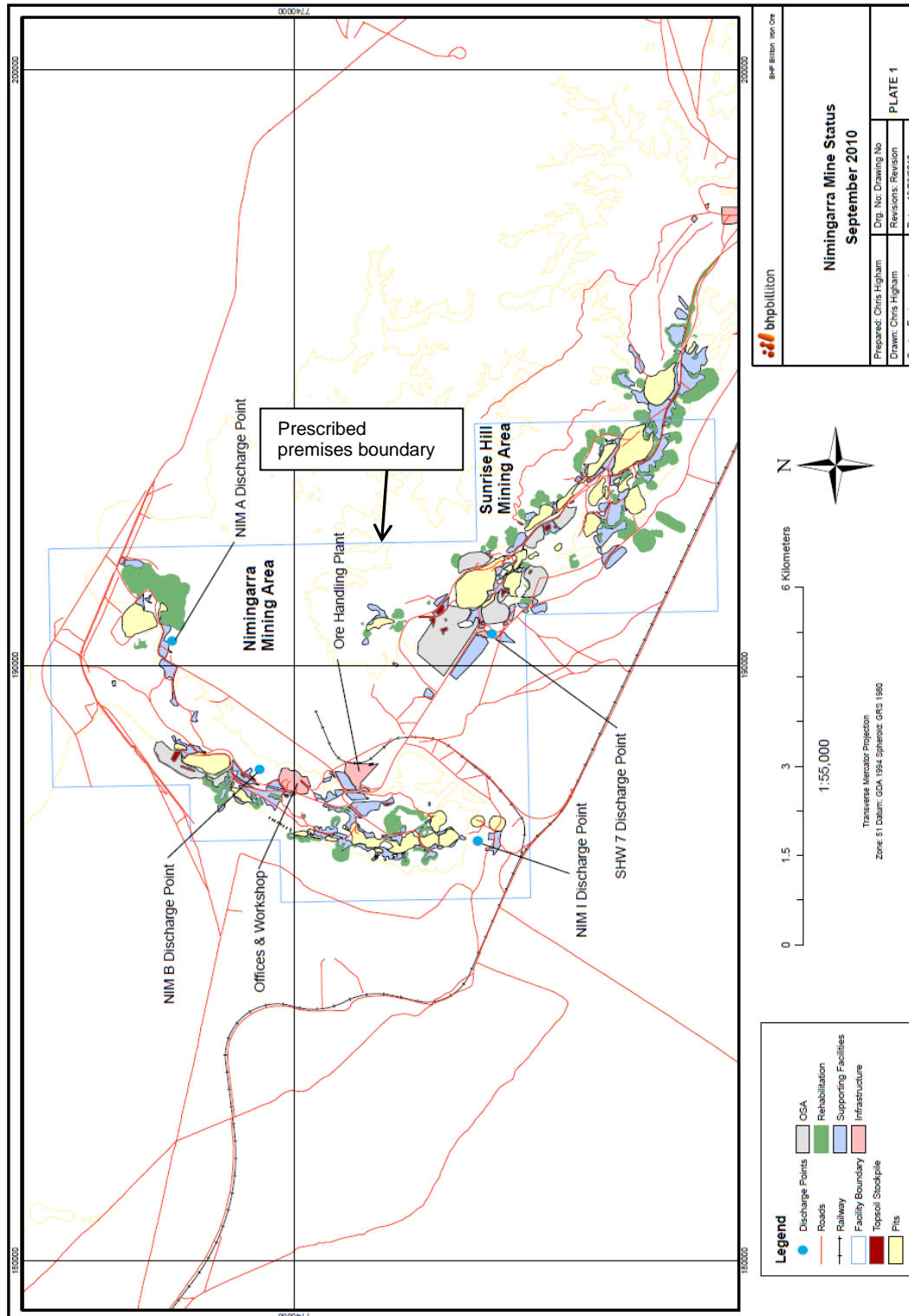
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The blue line depicts the Premises boundary.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) must only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____



Licence: L4412/1987/8
Form: N1

Licensee: BHP Billiton Iron Ore Pty Ltd
Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of BHP Billiton Iron Ore Pty Ltd	
Date	



Environmental Protection Act 1986, Part V

Licence: L4412/1987/8

Expiry date: Friday, 16 November 2035

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document authorised by: Alana Kidd
Manager Licensing – (Resource Industries)



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	5	5,000,000 tonnes per annual period
Application verified	Date: 5 October 2015	
Application fee paid	Date: 13 October 2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No:



		EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.		

3 Executive summary of proposal and assessment

The Nimingarra Iron Ore Mine (Nimingarra) is located approximately 209 kilometres east-southeast of Port Hedland in the Pilbara region of Western Australia. Nimingarra has its own ore crushing and train loading facilities where ore is crushed and screened on site and transported from the mine to Port Hedland via rail. Previously, dewatering has been required to allow mining below the table. Other facilities at the premises include administration and workshop facilities, ablution facilities, inert landfill and landfarm.

The premises has been in care and maintenance since 2006-2007 and no operations have been undertaken since this time.

DER conducted a compliance inspection of the premises in April 2014 during which it was confirmed that the landfill has been closed, covered and revegetated and dewatering infrastructure, including flow metres removed.

This Licence is the successor to licence L4412/1987/7. At the time of this renewal, the Licence is being updated to the latest licence template version 2.9. Conditions relating to the monitoring of dewatering discharge and landfill management have not been included in this Licence as these activities have ceased. Accordingly, categories 6 and 64 have not been added to this Licence. Future works or proposals relevant to these activities may require approval from DER.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.1 and L1.2.2	Conditions 1.2.1 and 1.2.2 have been included on the Licence and specify measures relating to the response to spills of environmentally hazardous materials, stormwater management and treated contaminated or potentially contaminated stormwater prior to discharge.	General provisions of the <i>Environmental Protection Act 1986</i> .
Premises operation	L1.3.1	Condition 1.3.1 has been included on the Licence, restricting the processing limit for category 5, whilst the site is in care and maintenance.	N/A
Emissions general	N/A	General emission conditions have not been included in the Licence as there are no specified emission points included in the Licence, while the site is in care and maintenance.	General provisions of the <i>Environmental Protection Act 1986</i> . <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .
Point source emissions to air including	N/A	There are no significant air emissions associated with the site, as operations have been suspended and the site is in care and maintenance.	General provisions of the <i>Environmental</i>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
monitoring		No specified conditions relating to air emissions or the monitoring of such emissions have been included in the Licence.	<i>Protection Act 1986.</i>
Point source emissions to surface water including monitoring	N/A	<p>There are no point source emissions to water associated with the site, as operations have been suspended and the site is in care and maintenance.</p> <p>In the event that operations recommence and the discharge of excess mine dewatering water to creeks and/or drainage lines is required, further approvals will need to be obtained from DER.</p> <p>No specified conditions relating to surface water emissions or the monitoring of such emissions have been included in the Licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986.</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i></p>
Point source emissions to groundwater including monitoring	N/A	<p>There are no emissions to groundwater associated with the operation of the Nimingarra mine.</p> <p>No specified conditions relating to emissions to groundwater or the monitoring of such emissions have been included in the Licence.</p>	General provisions of the <i>Environmental Protection Act 1986.</i>
Emissions to land including monitoring	N/A	<p>There are no emissions to land associated with the site, as operations have been suspended and the site is in care and maintenance.</p> <p>No specified conditions relating to emissions to land or the monitoring of such emissions have been included in the Licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986.</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
			2004.
Fugitive emissions	N/A	<p>Minor fugitive dust emissions may occur from open areas and as a result of the movement of vehicles on site.</p> <p><u>Emission Description</u> <i>Emission:</i> Dust emissions from open areas, vehicle movements and site maintenance during care and maintenance. <i>Impact:</i> Deposition of dust on vegetation, impacts to amenity of surrounding land users <i>Controls:</i> During care and maintenance, there is limited movement of vehicles on site. No ore processing activities are currently being undertaken, further reducing the likelihood of dust emissions from the premises. There are no sensitive receptors close by that would be impacted by dust emissions generated during care and maintenance.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> General provisions of the <i>Environmental Protection Act 1986</i> and the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> apply. No conditions relating to dust management are considered necessary during care and maintenance. Fugitive dust emissions will be reassessed when operations recommence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour	N/A	Odour emissions are not associated with the operation of the Nimingarra mine. No specified conditions relating to odour emissions have been included in the Licence.	
Noise	N/A	There are no significant noise emissions associated with the site, as operations have been suspended and the site is in care and maintenance. No specified conditions relating to noise have been included in the Licence.	<i>Environmental Protection (Noise) Regulations 1997</i>
Monitoring general	N/A	There are no monitoring requirements specified in the Licence as the site is currently in care and maintenance.	N/A
Monitoring of inputs and outputs	N/A	There are no input or output monitoring requirements included in the Licence as the site is currently in care and maintenance.	N/A
Process monitoring	N/A	There are no process monitoring requirements included in the Licence as the site is currently in care and maintenance	N/A
Ambient quality monitoring	N/A	Mine dewatering activities at the site have been suspended and the discharge of excess groundwater to creeks and/or drainage lines has ceased. Should the Licensee recommence mine dewatering activities, ambient monitoring of surface water may need to be implemented to determine if the discharge of excess groundwater is impacting on the receiving environment. The requirement to implement such monitoring will be evaluated in any future applications to recommence mine dewatering and discharge at Nimingarra.	N/A
Meteorological monitoring	N/A	Meteorological monitoring is not required at the Nimingarra mine.	N/A
Improvements	N/A	No improvement conditions have been included in the Licence.	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information	L2.1.1 to 2.3.1	Conditions 2.1 and 2.2, relating to records and reporting requirements, have been included in the Licence. Under condition 2.3.1 the proponent is required to notify DER 60 days prior to the recommencement of operations at Nimingarra. This timeframe should allow sufficient opportunity to have the relevant statutory approvals in place prior to the recommencement of operations.	N/A
Licence Duration	N/A	In accordance with the Guidance Statement 'Licence Duration (DER, May 2015) L4412/1987/8 has been issued for a period of 20 years.	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
19/10/2015	Application advertised in West Australian (or other relevant newspaper)		
22/10/2015	Proponent sent a copy of draft instrument	<p>Prescribed premises category (page 1) Increase the approved Category 5 production capacity from 50,000 to 5,000,000 tonnes per annual period.</p> <p>Reinstate Categories 6 and 64 on the Licence.</p> <p>Condition 1.1.2 Update the definition of 'annual period' to align with the reporting period for other BHPBIO operating Licences.</p>	<p>Change implemented. The prescribed premises production capacity has been increased to 5,000,000 tonnes per annum.</p> <p>Change not implemented. Categories 6 and 64 have been removed from the Licence as the dewatering discharge infrastructure has been removed from site and mine dewatering and landfilling activities have ceased. Under section 53 of the Act approval from DER will be required prior to any future works associated with mine dewatering and landfilling being undertaken on site. Under <i>Guidance Statement Licensing and works approvals process</i> (DER, Sept 2015), future works can be assessed via the licence amendment process.</p> <p>Change implemented.</p>



Date	Event	Comments received/Notes	How comments were taken into consideration
		Condition 1.3.1 Increase process limit for Category 5 from 50,000 to 5,000,000 tonnes per annual period.	Change implemented.



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High