



Licence

Environmental Protection Act 1986, Part V

Licensee: Kimberley Metals Group Pty Ltd

Licence: L8557/2011/1

Registered office: 38 Station Street
SUBIACO WA 6008

ACN: 114 123 572

Premises address: Ridges Iron Ore Project Barge Loading Facility
Mining Tenements L80/56, L80/59, L80/75 and G80/16
Barytes Road
Wyndham WA 6740
as depicted in Schedule 1.

Issue date: Thursday, 07 July 2011

Commencement date: Thursday, 07 July 2011

Expiry date: Wednesday, 06 July 2016

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
58	Bulk Material loading or unloading: premises on which clinker, coal, ore, ore concentrate or any other bulk granular material (other than salt) is loaded onto or unloaded from vessels by an open loading system.	100 tonnes or more per day	100 tonnes per day
57	Used Tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more	1000 tyres

Conditions

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

Date signed: 8 October 2015

.....
Alana Kidd
Manager Licensing – (Resources 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 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

Kimberley Metals Group (KMG) commenced mining haematite iron ore from the Ridges Iron Ore Project (RIOP) mine site located approximately 165 kilometres (km) south of Wyndham under licence L8549/2011/1. Ore from the RIOP mine site was hauled to the Barge Loading Facility (BLF) in Wyndham via Road Trains on the Great Northern Highway. Ore from the mine was stockpiled at the BLF located adjacent to Barytes Road in Wyndham then loaded onto a 1,200tph conveyor loading system into a barge to be transferred to a ship anchored in deeper water in the Cambridge Gulf.

On 6 February 2015 KMG placed the RIOP (which includes the BLF) on Care and Maintenance (C&M). During the RIOP/BLF C&M period, activities undertaken on site will be limited, but not exclusive to:

- There will be no activities related to ore processing (i.e. screening and crushing of ore);
- There will be no haulage of ore within the RIOP, or from RIOP to the BLF;
- There will be no barge loading of ore or shipping activity at the BLF;
- There will be limited civil works occurring on site; and
- Site-wide maintenance and upkeep will be undertaken.

This Licence is the result of an amendment sought by the Licensee as DER received a Form P4 licence amendment application on 4 August 2015 to reduce the approved category 58 capacity. KMG also requested that the premises description and boundary be amended to include tenement L80/75. KMG sent written evidence that this tenement had been granted on 21 August 2014, expiring on 20 August 2035.

This amendment also implements changes to the licence template being carried out as part of Departmental reform. These changes are outlined and justified in the attached Decision Document.

The licences and works approvals issued for the Premises since 09/04/2011 are for the licences prior to issue of this Licence are:

Instrument log		
Instrument	Issued	Description
W4920/2011/1	09/04/2011	Works Approval
L8557/2011/1	07/07/2011	New Licence
L8857/2011/1	03/01/2013	Licence amendment
L8557/2011/1	19/02/2015	Licence amendment to add category 57 and conversion to REFIRE format
L8557/2011/1	08/10/2015	Licence amendment to reduce category 58 approved capacity due to care and maintenance status and to add tenement L80/75 to the premises description and boundary.

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;

'Approved Monitoring Device' means Hydrolab Quanta Quality Monitoring System used to monitor pH and Electrical Conductivity;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'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

'controlled waste' has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

'Licence' means this Licence numbered L8557/2011/1 and issued under the Act;

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

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'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; and

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated.

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 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 operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.3 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.

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 shall only accept waste onto the Premises if:
- (a) it is of a type listed in Table 1.3.1;
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance

Waste type	Quantity limit unit/ annual period	Specification ¹
Inert Waste Type 2	1000	Tyres

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

- 1.3.2 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.2 and in accordance with any process limits described in that Table.

Table 1.3.2: Waste processing

Waste type	Process(es)	Process limits ¹
Inert Waste Type 2	Receipt, handling and associated storage.	To be stored in windrows not exceeding 3 metres high, 5 metres wide and 20 metres long with a 6 metre separation distance between piles.

Note 1: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

- 1.3.3 The Licensee shall only load iron ore from the premises.
- 1.3.4 The Licensee shall ensure that the ship's master immediately cleans up any spillage of granular material on the deck of the vessel being loaded.
- 1.3.5 The Licensee shall ensure that spilt ore material referred to in condition 1.3.4 of this licence shall be collected and deposited into the vessel's hold.



- 1.3.6 The Licensee shall ensure that the premises is drained such that contaminated stormwater is directed to the stormwater sediment pond (as depicted in Schedule 1) to allow for treatment of sediment and hydrocarbons prior to discharge off the premises.
- 1.3.7 The Licensee shall ensure that bulk material loading or unloading at the Premises does not exceed 100 tonnes per day.

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

2.2 Point source emissions to surface water

- 2.2.1 The Licensee shall ensure that where waste is emitted to surface water from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.

Table 2.2.1: Emission points to surface water

Emission point reference and location on Map of emission points	Description	Source including abatement
W1	Stormwater Sedimentation Pond	Stormwater is directed to the sedimentation pond to treat contaminated stormwater prior to discharge to adjacent tidal flats.

- 2.2.2 The Licensee shall not cause or allow point source emissions to surface water greater than the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to surface water

Emission point reference	Parameter	Limit (including units)	Averaging period
W1	Total Recoverable Hydrocarbon (TRH)	15 mg/L	Spot sample

3 Monitoring

3.1 General monitoring

- 3.1.1 The Licensee shall ensure that:
- all water samples are collected and preserved in accordance with AS/NZS 5667.1 unless otherwise indicated in the relevant table; and
 - all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in the relevant table.
- 3.1.2 The Licensee shall ensure that:
- monthly monitoring is undertaken at least 15 days apart.
- 3.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications and the requirements of the Licence.



- 3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to surface water

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to surface water			
Emission point reference	Parameter	Units	Frequency
W1	pH ¹		Within 24 hours of discharging to the environment and Monthly during ongoing periods of discharging
	Electrical Conductivity*	µs/cm	
	Total Suspended Solids	mg/L	
	TRH		
	Aluminium		
	Arsenic		
	Barium		
	Boron		
	Cadmium		
	Calcium		
	Chromium		
	Cobalt		
	Copper		
	Iron		
	Lead		
	Magnesium		
	Manganese		
	Mercury		
	Molybdenum		
	Nickel		
	Potassium		
	Sodium		
	Vanadium		
	Zinc		

Note 1: in field non-NATA accredited analysis permitted

- 3.2.2 The Licensee shall perform the monitoring for emission point W1 required in accordance with Table 3.2.1 of this licence using the Approved Monitoring Device.

3.3 Monitoring of inputs and outputs

- 3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Output	Iron	Tonnes per day	Daily	Daily during operations



4 Information

4.1 Records

4.1.1 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 5.1.1(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.

4.1.2 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.

4.1.3 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.

4.1.4 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.

4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 120 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: 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
Table 3.2.1	pH, Electrical Conductivity, Total Suspended Solids, TRH, Aluminium, Arsenic, Barium, Boron, Cadmium, Calcium, Chromium, Cobalt, Copper, Iron, Lead, Magnesium, Manganese, Mercury, Molybdenum, Nickel Potassium, Selenium, Sodium, Vanadium and Zinc	WR1
Table 3.3.1	Output of Iron during operations	None specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.



Table 4.3.1: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
2.1.1	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.	N1
		Part B: As soon as practicable	
-	Intention for the site to recommence normal operations from care and maintenance status	At least 60 calendar days prior to site recommencing operations	None specified

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

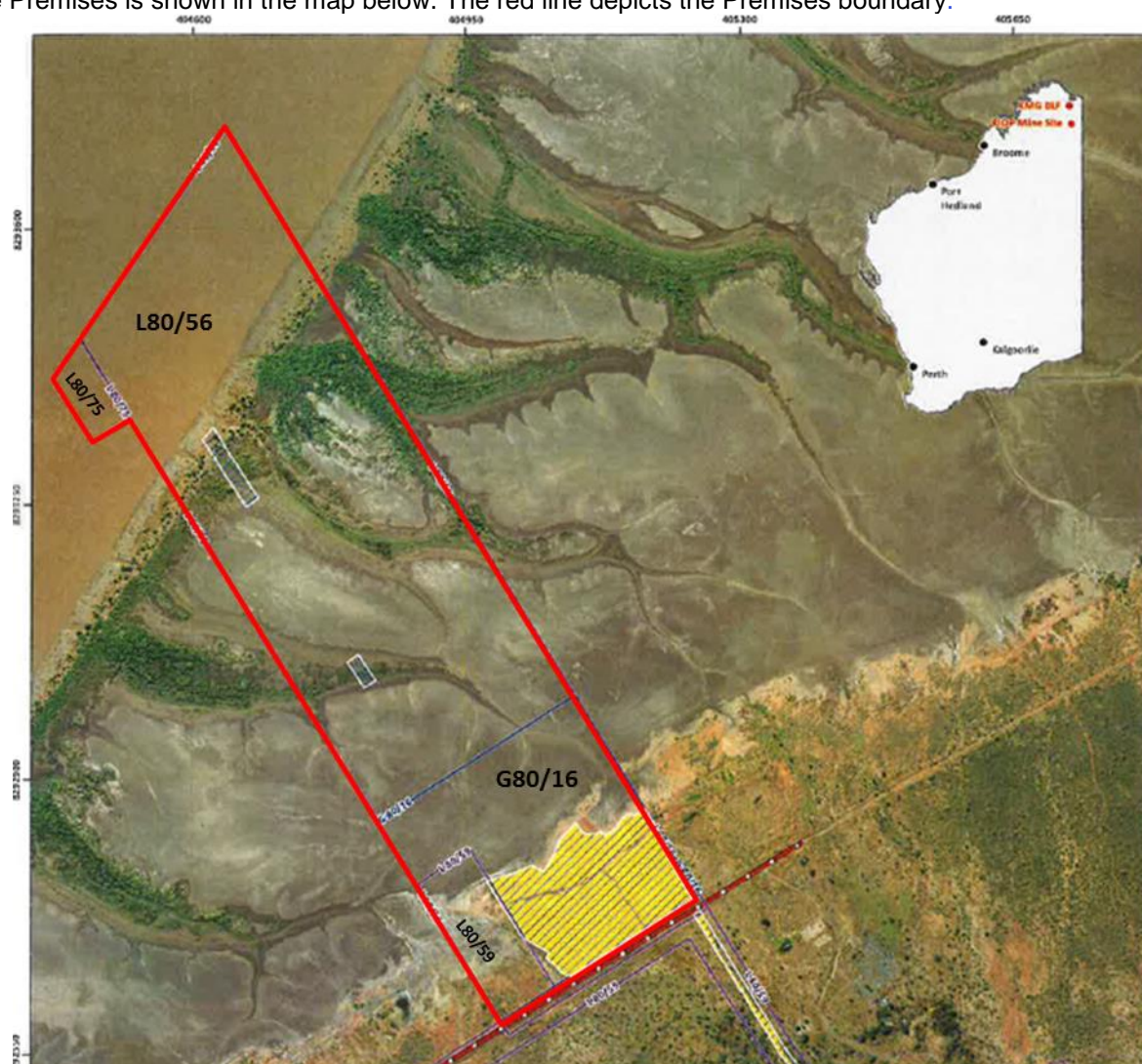
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

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





Map of emission points

The locations of the emission points defined in Tables 2.2.1, 2.2.2 and 3.2.1 are shown below.





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: L8857/2011/1
Form: N1

Licensee: Kimberley Metals Group Pty Ltd
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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 Kimberley Metals Group Pty Ltd	
Date	



Licence: L8557/2011/1
Form: WR1
Name: Monitoring of point source emissions to surface water

Licensee: Kimberley Metals Group Pty Ltd
Period :

Form WR1: Monitoring of point source emissions to surface water							
Emission point	Parameter	Limit	Result ¹	Result ¹	Averaging period	Method	Sample date & times
W1	pH	-					
	Electrical conductivity	-	µS/cm				
	Total Suspended Solids	-	mg/L		Spot sample		
	TRH	15mg/L	mg/L		Spot sample		
	Aluminium	-	mg/L		Spot sample		
	Arsenic	-	mg/L		Spot sample		
	Barium	-	mg/L		Spot sample		
	Boron	-	mg/L		Spot sample		
	Cadmium	-	mg/L		Spot sample		
	Calcium	-	mg/L		Spot sample		
	Chromium	-	mg/L		Spot sample		
	Cobalt	-	mg/L		Spot sample		
	Copper	-	mg/L		Spot sample		
	Iron	-	mg/L		Spot sample		
	Lead	-	mg/L		Spot sample		
	Magnesium	-	mg/L		Spot sample		
	Manganese	-	mg/L		Spot sample		
	Mercury	-	mg/L		Spot sample		
	Molybdenum	-	mg/L		Spot sample		



	Nickel	-	mg/L		Spot sample		
	Potassium	-	mg/L		Spot sample		
	Selenium	-	mg/L		Spot sample		
	Sodium	-	mg/L		Spot sample		
	Vanadium	-	mg/L		Spot sample		
	Zinc	-	mg/L		Spot sample		

Note 1: All units are referenced to STP dry

Signed on behalf of Kimberley Metals Group Pty Ltd: Date:



Partial Decision Document

Environmental Protection Act 1986, Part V

Proponent: **Kimberley Metals Group Pty Ltd**

Licence: **L8557/2011/1**

Registered office: 38 Station Street
 SUBLACO WA 6008

ACN: 114 123 572

Premises address: Ridges Iron Ore Project Barge Loading Facility
 Mining Tenements L80/56, L80/59, L80/75 and G80/16
 Barytes Road
 Wyndham WA 6740

Issue date: Thursday, 07 July 2011

Commencement date: Thursday, 07 July 2011

Expiry date: Wednesday, 06 July 2016

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by:

Cathy Scheib
Licensing Officer

Decision Document authorised by:

Alana Kidd
Manager Licensing



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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 type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	58	100 tonnes per day
	57	1000 tyres per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
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		
Is the proposal a Major Resource Project?	Yes <input checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" 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

Kimberley Metals Group (KMG) commenced mining haematite iron ore from the Ridges Iron Ore Project (RIOP) mine site located approximately 165 kilometres (km) south of Wyndham under licence L8549/2011/1. Ore from the RIOP mine site was hauled to the Barge Loading Facility (BLF) in Wyndham via Road Trains on the Great Northern Highway. Ore from the mine was stockpiled at the BLF located adjacent to Barytes Road in Wyndham then loaded onto a 1,200tph conveyor loading system into a barge to be transferred to a ship anchored in deeper water in the Cambridge Gulf.

On 6 February 2015 KMG placed the RIOP (which includes the BLF) on Care and Maintenance (C&M). During the RIOP/BLF C&M period, activities undertaken on site will be limited, but not exclusive to:

- There will be no activities related to ore processing (i.e. screening and crushing of ore);
- There will be no haulage of ore within the RIOP, or from RIOP to the BLF;
- There will be no barge loading of ore or shipping activity at the BLF;
- There will be limited civil works occurring on site; and
- Site-wide maintenance and upkeep will be undertaken.

The BFL ore stockpile pad has been cleared for the care and maintenance period. A small stockpile of approximately 1000 tonnes of inert, non-acid forming iron ore iron remains stockpiled on the hardstand ore pad. The purpose of the stockpile is for use in maintaining the windrows installed at entry points to the BLF operation to prohibit unauthorized access and thereby limit any risk of injury to person or property. During the operational period, any sheet wash off the ore pad and surrounding operational area reported to a sediment trap located in the northern corner of the pad. The sump has not been rehabilitated and therefore it will continue to act as a sediment trap during the C&M period.

This Licence is the result of an amendment sought by the Licensee as DER received a Form P4 licence amendment application on 4 August 2015 to reduce the approved category 58 capacity.



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 – 1.2.3	General conditions have not been reassessed as part of this amendment. Generic changes have been made to the General Conditions of this Licence as part of Departmental reform and updates to licence templates. These changes include removing conditions referencing the Code of Practice for the Storage and handling of dangerous goods. No other changes have been applied to this section.	General Provisions of the <i>Environmental Protection Act 1986</i> <i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i>
Premises operation	L1.3.1 – 1.3.6	Premises Operation conditions have not been reassessed as part of this amendment. No changes have been made to the Premises Operation conditions.	<i>Environmental Protection (Controlled Waste) Regulations 2004.</i>
Emissions general	L2.1.1	Generic changes have been made to the general emissions condition L2.1.1 as part of Departmental reform and updates to licence templates. This change removes references to targets, with limits being retained on a risk basis.	N/A
Point source emissions to	L2.2.1 and L2.2.2 L3.2.1	No changes have been made to the point source emissions to surface water conditions. The BLF stockpile pad is empty and clear during the C&M period and	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
surface water including monitoring		<p>therefore incident rainfall exiting the cleared pad is not considered a surface water emission during the C&M period. When operations recommence and the ore stockpile pad is in use, surface water draining the active stockpile pad is considered an emission to surface water.</p> <p>The monitoring of point source emissions to surface water have been retained on the licence since monitoring is only required within 24 hours of discharging to the environment and monthly during ongoing periods of discharging. The monitoring is retained on the licence to streamline the process of restarting operational status in the licence but the expectation is that during the C&M period there are no surface water discharges occurring.</p> <p>The Total Recoverable Hydrocarbon (TRH) limit has been changed from 5 mg/L to 15 mg/L to ensure consistency with conditions imposed on other licenced premises.</p>	
Fugitive emissions	L – no conditions	<p><u>Emission Description</u> <i>Emission:</i> Very limited dust emissions are produced during minor civil works, vehicle movements and site maintenance during C&M. <i>Impact:</i> No impact is anticipated from dust emissions during the C&M period. <i>Controls:</i> During C&M there will be no activities relating to processing (screening, crushing), haulage or barge loading therefore control of dust is not considered a requirement.</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</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</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
		<p>to dust management are considered necessary during C&M and the fugitive dust condition has been removed during this amendment. This aspect 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>	
Monitoring general	L3.1.1 – 3.1.4	General monitoring conditions have had definitions added and reference to a groundwater sampling standard removed as not required. Otherwise, no changes have been made to the general monitoring conditions.	N/A
Monitoring of inputs and outputs	L3.3.1	The frequency of output monitoring has been changed to “Daily during operations” to ensure that output monitoring occurs only when ore is being loaded and shipped. Therefore during C&M there is no requirement to monitor since there are no outputs.	N/A
Information	L4.1.1 – 4.1.4 L4.2.1 L4.3.1	<p>No changes have been made to the reporting conditions L4.1.1 – 4.1.4 during this amendment.</p> <p>Annual Environmental Report requirements have been amended to remove the requirement to provide dust suppression measures since the site is in C&M. The requirement to provide assessment of monitoring data against previous years monitoring has been removed since the site is in C&M and monitoring will not be occurring during this period only.</p> <p>The notification requirement in the event of “any failure or malfunction of any pollution control equipment, or any incident, which has caused, is causing or may cause pollution” has been removed as this duplicates the duty to notify the CEO of discharges of waste under Section 72 of the <i>Environmental Protection Act, 1986</i>. A requirement has been added to notify DER of the intention for the site to recommence normal operations from care and maintenance status to ensure DER has sufficient time to carry-out any required amendments to this licence.</p>	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
Licence Duration	N/A	The licence duration has not been changed as a result of this licence amendment.	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
17/09/2015	Proponent sent a copy of draft instrument	Kimberley Metals Group replied on 29/09/2015 to indicate that DER should proceed with the amendment and proposed no changes.	DER issued the amendment as proposed.



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