



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	INS-0001624
Premises	Mesa A Warrambo Iron Ore Mine ML248SA, G08/82, G08/85, G08/90, L08/166, L08/177 and L08/178 FORTESCUE WA 6716
Date of Report	14 November 2025 (FINAL)
Decision	Revised licence granted

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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 (the Licence Holder) for the Mesa A Warrambo Iron Ore Mine (the Premises). 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 the licence.

On 24 October 2025, the Licence Holder submitted an application to the department to amend Licence L8234/2008/2 under section 59 of the EP Act. The amendment is limited only to adding construction requirements for TSF2 which were not carried across from works approval W6284/2019/1 in a previous amendment determined by the Department (granted 4/07/2023).

The amendments are limited to the following modifications:

- Construction Authorisation: The Licence holder must construct the spillway, deposition pipelines, deposition spigots, and decant system for TSF2 in accordance with the designs and specifications previously authorised under Works Approval W6284/2019/1 (Condition 2);
- Condition 3, Table 2: Operational requirement - maintain and operate the decant pumping system in TSF1 **and TSF2**; and
- Compliance Reporting: Within 60 days of completion of construction, the Licence holder must submit an Environmental Compliance Report (ECR) confirming that the works have been completed in accordance with the approved designs and specifications.

Associated operational requirements for TSF2 are already predominantly captured on the licence as per a previous licence amendment (granted 4/07/2023).

2.2.1 TSF 3 emergency spillway installation timeframes

On the 7 November the Licence Holder provided further clarification on the emergency spillway requirements being transferred across to the licence. The following additional information was provided:

- *The proposed spillway has been designed to ensure that the operational freeboard (vertical distance to the maximum operating water level) is not exceeded during high-intensity rainfall events*

- *Excess water management risks are inherently controlled by the in-pit nature of the facility. At the commencement of tailings deposition, the TSF will have operational storage capacity sufficient to contain inflows significantly exceeding the 1:100 Annual Exceedance Probability (AEP) 72-hour rainfall event within the pit, with no defined natural downstream flow path that would require a spillway for the management of excess water. This inherent storage capacity makes the spillway unnecessary when tailings deposition commences.*
- *Operational water levels within the facility will also be managed through either controlled decant that returns water to the process plant, or through evaporation within the pit, ensuring that water balance is maintained and adequate freeboard is available under expected operating and climatic conditions.*
- *Consistent with the original design intent, and reflecting the inherent natural storage capacity and operational water management of TSF2, it is requested that the installation of the emergency spillway for TSF2 is still authorised by the amended License but is not specifically required prior to commencing deposition to TSF2 - The emergency spillway will instead be installed prior to water levels approaching the minimum operating freeboard, providing appropriate contingency excess water management.*
- *The Tailings Team has confirmed that installation of the emergency spillway will not be required at the commencement of tailings deposition – based on estimated deposition volumes and expected rate of rise, there is sufficient capacity within the pit to accommodate tailings deposition and seasonal inflows of water while maintaining the required freeboard until at least the end of 2027.*

2.2.2 Decant system installation timeframes

On the 7 November the Licence Holder provided further clarification on the decant system requirements being transferred across to the licence. The following additional information was provided:

- *The deposition pipelines, deposition spigots, and decant system for TSF2 are still planned to be installed imminently, though like the spillway installation, it is noted that installation of the decant system for TSF2 may be deferred until after tailings deposition commences, to reflect the natural development of the pond to the depth required for effective water recovery. The pond will develop naturally to this depth sometime after tailings deposition commences.*
- *Tailings deposition is planned to commence in January 2026, with installation of the decant system planned for March 2026, ahead of the pond reaching the required depth for effective water recovery. Once this depth is reached, the decant system will be commissioned, enabling controlled recovery and return of the water to the process plant. To reflect this timing, it is requested that the amended License authorise the installation of the decant system but not require installation prior to commencing deposition to TSF2.*

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 11 November 2025. Comments received from the Licence Holder on 13 November 2025 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
Condition 3, Table 2	Tailings Storage Facility (TSF)1 and TSF2 – reference to TSF2 added in relation to the decant pumping system
Condition 4, Table 3	Construction specifications for TSF2 related infrastructure carried over from Works Approval W6284/2019/1. Respective timeframes for installation reflected in updated conditions for infrastructure and equipment required pre-tailings and post-tailings deposition.
Condition 5	Environmental Compliance Report requirements related to newly included Condition 4 (as carried over from Works Approval W6284/2019/1)

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

Condition	Summary of Licence Holder's comment	Department's response
4	Table 3: Design and construction / installation requirements The License Holder has recently completed the preliminary design for the TSF2 (formerly Pit 3) emergency spillway, located on the north-eastern side of TSF2. The spillway has a design invert elevation of 49.5 mRL, maintaining 0.5 metres of freeboard between the normal operating pond level and the invert and 1.5 m to the TSF2 crest (52.0 mRL). It is intended to convey excess water from a 1:100 Annual Exceedance Probability (AEP) rainfall event into the adjacent Pit 4. The 200 m long channel between TSF2 and Pit 4 has been designed with a gentle 0.25% gradient and a shallow, gently sloped channel profile with 1V:3H side slopes, which promotes low-velocity flow and minimises the potential for erosion. Additional erosion protection measures, including rock armouring, also protect the spillway during activation. The 1-metre crest depth above the invert elevation and maximum modelled water level of 50.5 mRL ensure that flows remain contained under both the 1:5,000 and 1:10,000 AEP events. These design elements collectively ensure that there is always available capacity to accommodate environmental and operational variability. To reflect this, it is proposed that Condition 4, Table 3 be amended to specify performance-based requirements – that the TSF2 spillway must be designed to maintain an operational freeboard of at least 0.5 metres to the invert and convey excess water from a 1:100 AEP rainfall event into the adjacent Pit 4 – rather than prescribing detailed design parameters.	Proposed changes noted and supported. Draft provisions (iii) and (iv) replaced with: - TSF2 spillway invert elevation designed to maintain 0.5 m of freeboard between the normal operating pond level and the spillway invert. - TSF2 emergency spillway sized to convey excess water from a 1:100 AEP event between TSF2 and Pit 4.
5	Please correct reference in conditions from 'works approval holder' to 'licence holder'.	Wording corrected.
13	Table 7: Inspections of infrastructure The original Licence Condition referred to <i>monitoring of the TSF2 process water dam</i>. As TSF2 transitions to an operational TSF with operational freeboard requirements and completion of the preliminary design for the TSF2 spillway, freeboard has become the key operational parameter governing safety performance and risk management. Water levels are dynamic, and without reference to the crest or spillway elevation, they do not provide a meaningful indication of risk – The height and volume of the dam vary over time in response to both operational factors, such as tailings deposition, natural development of the pond and eventually, operation of the decant system, and environmental conditions, such as seasonal rainfall events. Monitoring operational freeboard – the vertical distance between the operating water level and the crest – provides a more effective means of assessing the available storage capacity and remaining vertical safety margin. This information is critical to inform operational decision-making, such as adjusting water management (decant) systems to maintain adequate freeboard under changing environmental conditions. By proactively managing freeboard, the Licence holder ensures that the facility operates within approved design parameters, prevents exceedance of critical limits, and demonstrates compliance with relevant regulatory requirements. As such, the License holder requests that Condition 13, Table 7 is amended to specify monitoring of TSF2 freeboard rather than dam height or volume.	Proposed changes noted and supported