



# Works Approval

## *Environmental Protection Act 1986, Part V*

**Works Approval Holder:** Poseidon Nickel Limited

**Works Approval Number:** W5300/2012/1

**Registered office:** Unit 8, Churchill Court  
331-335 Hay Street  
SUBIACO WA 6008

**ACN:** 060 525 206

**Premises address:** Lake Johnston Operations  
M63/163, M63/283, M63/284, L63/51, G63/4 and G63/5  
VICTORIA ROCK WA 6429  
(as depicted in Attachment 1)

**Issue date:** Thursday, 13 December 2012

**Commencement date:** Thursday, 13 December 2012

**Expiry date:** Monday, 12 December 2016

The following category/s from the *Environmental Protection Regulations 1987* cause this Premises to be a prescribed premises for the purposes of the *Environmental Protection Act 1986*:

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
05	Processing of beneficiation of metallic or non-metallic ore	50 000 tonnes or more per year	1.5 million tonnes per annual period
06	Mine dewater	50 000 tonnes or more per year	5,000,000 tonnes per annual period
52	Electric power generation	10 MW or more in aggregate (using a fuel other than natural gas)	12.2 MW in aggregate (diesel)
54	Sewage facility	100 m <sup>3</sup> or more per day	100 m <sup>3</sup> or more per day
63	Class I inert landfill site	500 tonnes or more per year	500 tonnes per annual period
64	Class II putrescible landfill site	20 tonnes or more per year	500 tonnes per annual period

### Conditions

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

Date signed: 19 November 2015

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



# Works Approval Conditions

## 1 General

### 1.1 Interpretation

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

1.1.2 In the Works Approval, unless the contrary intention appears:

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

**'annual period'** means the inclusive period from 1 January until 31 December in the same 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](mailto:info@der.wa.gov.au);

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

**'Schedule 1'** means Schedule 1 of this Works Approval unless otherwise stated;

**'Works Approval'** means this Works Approval numbered W5300/2012/1 and issued under the *Act*; and

**'Works Approval Holder'** means the person or organisation named as the Works Approval Holder on page 1 of the Works Approval.

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

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



## 1.2 General conditions

1.2.1 The Works Approval Holder shall construct the works in accordance with the documentation detailed in Table 1.2.1:

**Table 1.2.1: Construction Requirements<sup>1</sup>**

Document	Parts	Date of Document
"Lake Johnston Operations Tailings Storage Facility 2 Embankment Raise: Works Approval Application" prepared for Lake Johnston Operations Pty Ltd by SRK Consulting (Australasia) Pty Ltd	All	23 October 2012
"Lake Johnston TSF Embankment Raise" design report prepared for Lake Johnston Operations Pty Ltd by SRK Consulting (Australasia) Pty Ltd	All	23 October 2012
"Application to Amend Works Approval W5300/2012/1 – TSF2 Embankment Raise, Lake Johnston Operations" Poseidon Nickel Limited	All	3 November 2014

Note 1: Where the details and commitments of the documents listed in condition 1.2.1 are inconsistent with any other condition of this Works Approval, the conditions of this Works Approval shall prevail.

## 2 Information

### 2.1 Reporting

2.1.1 The Works Approval Holder shall submit a compliance document to the CEO, following the construction of the works and prior to commissioning of the same.

2.1.2 The compliance document shall:

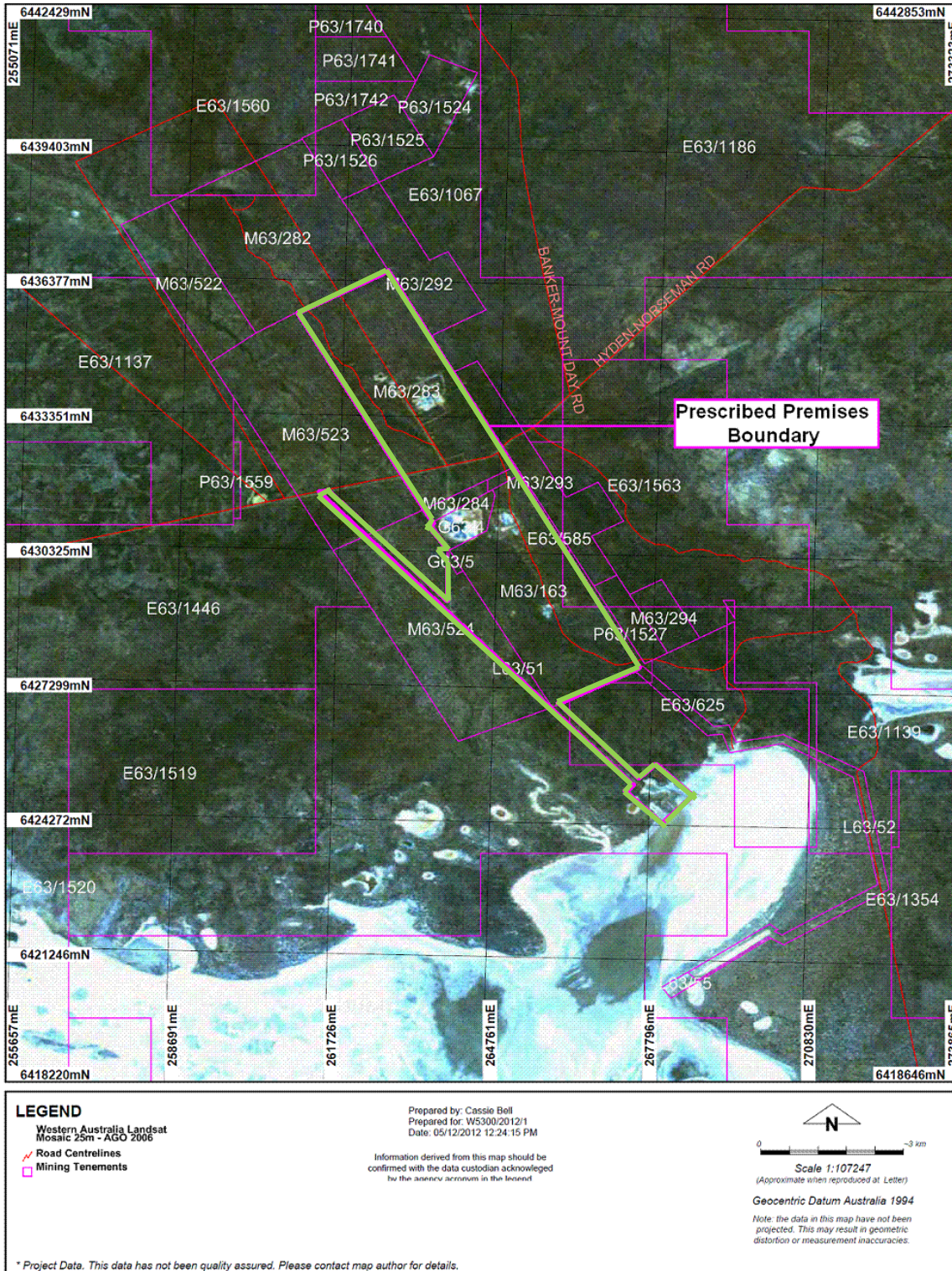
- (a) certify that the works were constructed in accordance with the conditions of the works approval;
- (b) be signed by a person authorised to represent the Works Approval Holder and contain the printed name and position of that person within the company.



# Schedule 1: Maps

## Premises map

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





# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Poseidon Nickel Limited

**Works Approval:** W5300/2012/1

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**Registered office:** Unit 8, Churchill Court  
331-335 Hay Street  
SUBIACO WA 6008

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**Premises address:** Lake Johnston Operations  
M63/163, M63/283, M63/284, L63/51, G63/4 and G63/5  
VICTORIA ROCK WA 6429  
(as depicted in Attachment 1)

**Issue date:** Thursday, 13 December 2012

**Commencement date:** Thursday, 13 December 2012

**Expiry date:** Saturday, 12 December 2016

### **Decision**

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

Decision Document prepared by:

Clarrie Green  
Licensing Officer

Decision Document authorised by:

Danielle Eyre  
Delegated Officer



## Contents

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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 type="checkbox"/> Works Approval amendment <input checked="" type="checkbox"/>														
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>05 – Ore processing</td> <td>1.5 Mtpa</td> </tr> <tr> <td>06 – Mine dewatering</td> <td>5 Mtpa</td> </tr> <tr> <td>52 – Power generation</td> <td>12.2 MW</td> </tr> <tr> <td>54 – Sewage facility</td> <td>100 m<sup>3</sup> per day</td> </tr> <tr> <td>63 – Inert landfill</td> <td>500 tonnes</td> </tr> <tr> <td>64 – Putrescible landfill</td> <td>500 tonnes</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	05 – Ore processing	1.5 Mtpa	06 – Mine dewatering	5 Mtpa	52 – Power generation	12.2 MW	54 – Sewage facility	100 m <sup>3</sup> per day	63 – Inert landfill	500 tonnes	64 – Putrescible landfill	500 tonnes
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	54 – Sewage facility	100 m <sup>3</sup> per day													
63 – Inert landfill	500 tonnes														
64 – Putrescible landfill	500 tonnes														
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 type="checkbox"/> No <input checked="" type="checkbox"/> <table border="1"> <tr> <td>Referral decision No:</td> <td></td> </tr> <tr> <td>Managed under Part V</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Assessed under Part IV</td> <td><input type="checkbox"/></td> </tr> </table>	Referral decision No:		Managed under Part V	<input type="checkbox"/>	Assessed under Part IV	<input 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 checked="" type="checkbox"/> <table border="1"> <tr> <td>Ministerial statement No:</td> <td></td> </tr> <tr> <td>EPA Report No:</td> <td></td> </tr> </table>	Ministerial statement No:		EPA Report No:											
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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  No

Is the Premises subject to any EPP requirements? Yes  No

### 3 Executive summary of proposal and assessment

Until November 2014, Norilsk Nickel Australia (Norilsk) had operated the Maggie Hays and Emily Ann nickel mines, which have capacity for processing 1,500,000 tonnes of ore per year at the Lake Johnston Operations. In July 2013 Norilsk entered an indefinite period of care and maintenance. In November 2014, Poseidon Nickel Limited (Poseidon) purchased the Lake Johnston Operations and now proposes to continue the use of TSF2. This Works Approval is required to allow for a lift to reach the original approved height of RL 346.4 m.

No material was excavated, mined and/or processed during this reporting period. Lake Johnston holds a licence (L8628/2012/1) for six categories including:

- Category 5 – Ore processing
- Category 6 – Mine dewatering
- Category 52 – Electric power generation
- Category 54 – Sewage Facility
- Category 63 – Class I inert landfill site
- Category 64 – Class II Putrescible landfill site

A concrete batching plant is also located on site operated under a registration R1915/2007/1 held by Barmenco Limited. It only produces concrete for use on site so does not trigger schedule 1, category 77 of the EP Regulations meaning that addition to the licence is not required.

#### **Amendment November 2015:**

Poseidon had originally intended to complete the raise in the latter part of 2015 as part of a planned return to operations, although this has been postponed due to unfavourable market conditions. As a result Poseidon have applied for a one year extension to the expiry of the Works Approval requiring works to now be complete by December 2016.

DER has considered whether the risk profile of emissions and discharges from the premises has significantly changed since the previous licence was granted. As there are no proposed changes to the works or to the risk profile of emissions and discharges, DER has not amended conditions relating to emissions and discharges.



## 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.

<b>DECISION TABLE</b>				
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>OSC or NSC</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>General conditions</b>	W1.2.2	N/A	Environmentally hazardous materials such as hydrocarbons and processing chemicals need to be stored in accordance with the code of practice for the storage and handling of dangerous goods as regulated by the Department of Mines and Petroleum. To reduce overlapping regulation at Lake Johnston Operations condition 1.2.2 has been removed.	Application supporting documentation
<b>Works Approval Duration</b>	N/A	N/A	The expiry date will be extended one year to 12 December 2016. This will not result in any change of emissions and discharges and the Works Approval premises.	N/A

## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
10/11/2015	Proponent sent a copy of draft instrument	No comments received	N/A





## 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