



Application for Works Approval

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

Works Approval Number	W6730/2022/1
Applicant	Norton Gold Fields Pty Limited
ACN	112 287 797
File number	DER2022/000418
Premises	Binduli Operations Legal description - Part of Mining tenements M26/446 and M26/447 As depicted by the premises map attached to Schedule 1 of the issued works approval
Date of report	15/12/2022
Decision	Works approval granted

Kang Tam

**A/SENIOR ENVIRONMENTAL OFFICER, INDUSTRY REGULATION
REGULATORY SERVICES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the premises. As a result of this assessment, works approval W6730/2022/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 and overview of premises

On 23 August 2022, Norton Gold Fields Pty Ltd (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act). The application is to undertake construction and time limited operation of a mobile crushing and screening plant, for the crushing and screening of rock from three waste rock dumps (WRD's) within the premises. This crushed rock will be utilised in the construction of Stage 2 and 3 of a heap leach approved under a separate works approval W6504/2021/1.

Category 12 activities were previously authorised at the Binduli North site under two separate works approvals: W6521/2021/1 and W6504/2021/1. Rock crushed under time limited operations for W6521/2021/1 was utilised for aggregate and road base to develop the broader site prior to mining while W6504/2021/1 was utilised for construction of Stage 1 of the heap leach. Upon completion, associated infrastructure was demobilised from the site hence, the requirement for this new works approval to re-mobilise equipment and authorise time limited operations.

It is estimated that 700,000 tonnes of crushed rock are required for the proposed works. Hence, the applicant proposed a throughput of 800,000 tonnes per annum, to allow for some flexibility in throughput. The applicant plans to apply for a licence following mobilisation of the plant in order to continue operations. The premises is approximately 3.5 km west of Kalgoorlie Boulder.

The premises relates to the category and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6730/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020b) are outlined in works approval W6730/2022/1.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020b).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and time limited operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Placement and mobilization of screening plant and associated infrastructure (including vehicle movements)	Air / windborne pathway	<ul style="list-style-type: none"> Daily dust observations recorded; Water sprays/carts will be utilised in the event high levels of dust are observed; Complaints will be immediately investigated; and The mobile plant will be positioned at each location so that the waste rock dump provides shielding of operations from wind.
Noise			<ul style="list-style-type: none"> Any complaints received regarding noise disturbance will be recorded and investigated immediately.
Time limited operations			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product.	Air / windborne pathway	<ul style="list-style-type: none"> Waste rock is heavily wetted by water cart prior to excavation and crushing; Daily dust observations recorded; Water sprays/carts will be utilised in the event high levels of dust are observed; Crushing equipment will have appropriate in-built water sprays, and supplemented with external sprays where necessary; Material drop heights between loaders, trucks and stockpiles is kept to the minimum practical height; Complaints will be immediately investigated; Water carts are used onsite to ensure dust around stockpiles and roads areas are adequately controlled; and The mobile plant will be positioned at each location so that the waste rock dump provides shielding of operations from wind.
Noise	Crushing and screening of material, vehicle movements.	Air / windborne pathway	<ul style="list-style-type: none"> Crushing and screening will only occur between the hours of 7am and 7pm; All mobile equipment will be maintained, with efficient mufflers and noise shielding; The location of the crushing and screening area has been designed to take advantage of

Emission	Sources	Potential pathways	Proposed controls
			<p>the existing waste rock dump (WRD), which will provide a noise buffer for the nearest residence.</p> <ul style="list-style-type: none"> • Stockpiles of crushed and screened product will be positioned to provide noise suppression buffer to the nearest dwellings wherever practicable; • All mobile equipment will be maintained, with efficient mufflers and noise shielding; • Any complaints received regarding noise disturbance will be recorded and investigated immediately; • All operations will be carried out to comply with the assigned levels within the <i>Environmental Protection (Noise) Regulations 1997</i>.
Sediment laden stormwater	Crushing and screening of material, waste rock stockpiles	Overland runoff	<ul style="list-style-type: none"> • Plant infrastructure will operate on hardstand areas; • Bunding is created from crushed material around the operation area to prevent the escape of stormwater; • Crushing areas are located on previously disturbed areas where there are pre-existing toe or v drains to capture stormwater runoff; and • Where crushed material stockpiles cannot be carted directly to the heap leach it will be stockpiled on the historic ROM pad.
Spills or hydrocarbon leaks	Operation of vehicles and mobile equipment. Leaks from damaged equipment and refueling	Overland runoff and infiltration to soil and groundwater	<ul style="list-style-type: none"> • Will be managed according to site management plans. • No specific controls proposed.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020b), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020a)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	<p>There are three residential receptors, two about 1.8 km southeast of the premises boundary and one about 2.8 km east of the premises boundary (Figure 1).</p> <p>There are two additional residential premises within close proximity to the premises boundary to the south (not shown in Figure 1). These premises were identified in the assessment of the previous Works Approval W6504/2021/1. The applicant undertook an Environmental Noise Impact Assessment, where these two properties were identified as unlikely to meet compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>. As a result, Norton entered into a purchase agreement with the owners. Therefore, these properties are not considered receptors and not included in this risk assessment.</p>
Environmental receptors	Distance from prescribed activity
Surrounding native vegetation – Mixed Eucalyptus woodlands	Within the works approval boundary and surrounding the premises.

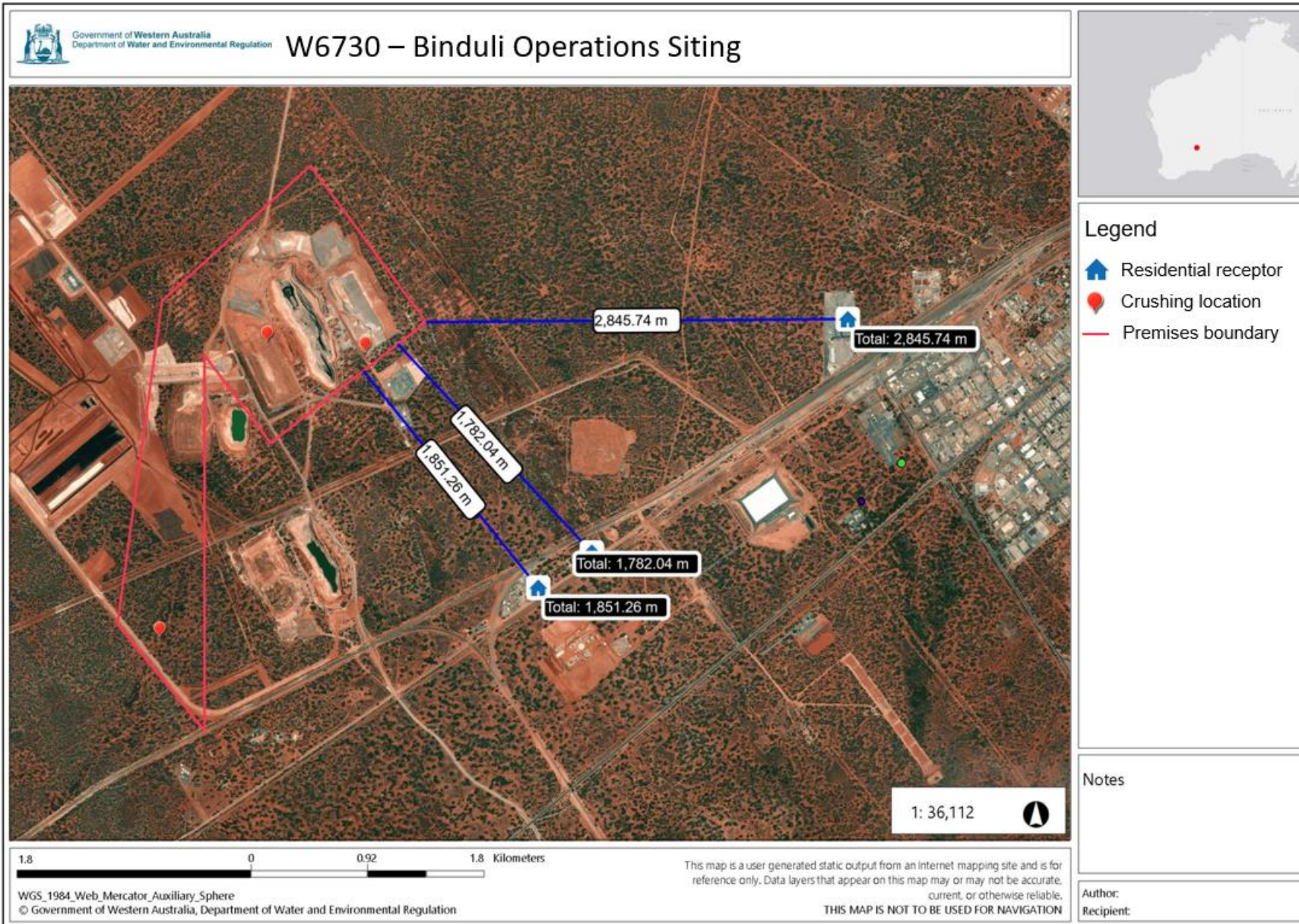


Figure 1: Distance to sensitive receptors

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IR-T13 Decision report template (short) v3.0 (May 2021)

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020b) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works approval W6730/2022/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this decision report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3: Risk assessment of potential emissions and discharges from the premises during construction and operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Placement and mobilization of crushing and screening infrastructure including vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Residences within 2 km of the premises boundary	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Condition 1	N/A
	Noise			Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
Operation (including time-limited-operations operations)								
Crushing and screening, unloading, loading and storage of material. Vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Residences within 2 km of the premises boundary Surrounding vegetation	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 1,6 and 9	N/A
	Noise		Residences within 2 km of the premises boundary	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1, 6 and 12	The Delegated Officer notes that crushing and screening activities have been undertaken at the premises for two periods of 180 days authorised under separate works approvals. No noise complaints were reported to the department or the works approval holder in relation to these activities. Furthermore, all receptors identified are greater than 1000 m away from the premises boundary which is the recommended separation distance for crushing and

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Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								screening activities by the EPA (2005) in the <i>EPA Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses No. 3</i> . Therefore, no additional regulatory controls are required.
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance	Surrounding vegetation	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 1 and 6	N/A
	Spills or hydrocarbon leaks			Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 6	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 7 November 2022	No comments received.	N/A
Local Government Authority advised of proposal on 2 November 2022	The City of Kalgoorlie-Boulder advised that a noise sensitive receptor (Lot 317 Hall Road) is located within 2 km of the subject site and recommended that DWER review the proposed noise and dust controls to ensure compliance with the relevant legislation.	The department has noted the comments received and have considered all relevant noise sensitive receptors in the risk assessment (Table 3).
Applicant was provided with draft documents on 9 December 2022	Applicant waived the comment period.	Noted.

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020a, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020b, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Environmental Protection Authority (EPA) 2005, *Guideline for the Assessment of Environmental Factors, Separation Distances between Industrial Sensitive Land Uses No. 3*, Perth, Western Australia

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY		
Application type		
Works approval	<input checked="" type="checkbox"/>	
Date application received	23/08/2022	
Applicant and premises details		
Applicant name/s (full legal name/s)	Norton Goldfields Pty Ltd	
Premises name	Binduli Operations	
Premises location	Part of M 26/446 and M 26/447	
Local Government Authority	City of Kalgoorlie Boulder	
Application documents		
HPCM file reference number:	DER2022/000418	
Key application documents (additional to application form):	Norton Golf Fields response to RFI (DWERDT678839)	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Mobilisation and time limited operations (180 days) of a mobile crushing and screening plant to support further construction requirements at the Binduli project – construction of stage 2 of the heap leach planned to commence early 2023.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 12: Screening etc. of material	800 000 tonnes per annum	N/A
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: N/A Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A

SECTION 1: APPLICATION SUMMARY

<p>Has the applicant demonstrated occupancy (proof of occupier status)?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Expiry: M 26/446 EXP. 29/11/2036 M 26/447 EXP. 24/01/2037 Other evidence <input type="checkbox"/> Expiry:</p>
<p>Has the applicant obtained all relevant planning approvals?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	<p>Approval: N/A Expiry date: N/A If N/A explain why?</p>
<p>Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>CPS No: N/A No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Application reference No: N/A Licence/permit No: N/A No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Application reference No: N/A Licence/permit No: N/A Licence / permit not required.</p>
<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Type: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	

SECTION 1: APPLICATION SUMMARY

Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A