



Application for Licence

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

Licence Number	L3171/2025/1
Applicant	Musgrave Minerals Limited
ACN	143 890 671
File number	APP-0031125
Premises	Cue Gold Project Legal description - Part Miscellaneous Licence L58/42, Part Mining Leases M21/106, M58/224, M58/366, M58/367 As defined by the coordinates and map in Schedule 1
Date of report	11 February 2026
Decision	Licence granted

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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 operation of the premises. As a result of this assessment, licence L3171/2025/1 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 10 September 2025, the applicant submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a licence relating to mine dewatering at the premises. The premises is approximately 25 kilometres (km) south-west of Cue in the Shires of Mt Magnet and Cue and lies approximately 1 km south of Lake Carey.

Works Approval W6892/2024/1 was granted in September 2024 for the construction of a landfill (Category 89) and dewatering infrastructure (Category 6) at the premises. At this time, only the Turkeys Nest and pipelines to the Leviticus and Whiteheat Pits have been constructed. The dewatering pipelines to the Amarillo, BS2500, BS3500, Lena and Numbers Pits are yet to be constructed. This assessment therefore only relates to the category 6 dewatering activities to the Leviticus and Whiteheat Pits.

The East and West Waste Rock Landform (WRL) landfills have not yet been constructed, with putrescible waste generated on site from the office and workshops being transported to the Mt Magnet Shire landfill. It is expected that landfill sites will be constructed at a later date, when required. Category 89 is therefore not authorised under this licence.

The premises relates to category 6 and the assessed production / design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L3171/2025/1. 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 2020) are outlined in licence L3171/2025/1.

2.2.1 Category 6 – Mine dewatering activities

Construction of dewatering infrastructure

An Environmental Compliance Report (ECR) was received by the department for the turkeys nest on 16 May 2025 and the dewatering pipelines on 2 December 2025, in line with the requirements of works approval W6892/2024/1.

The turkeys nest was found to be compliant with construction requirements on 11 July 2025. The ECR, received in December 2025, demonstrated compliance with construction requirements for the dewatering pipelines discharging only to Leviticus and Whiteheat Pits. ECR's will be submitted for the pipelines to the Amarillo, BS2500, BS3500, Lena and Numbers Pits when they come online.

Groundwater, surface water and monitoring

Groundwater

Hydrogeological and hydrological investigations indicate that aquifers in the Project area are highly compartmentalised and there is no direct hydraulic connection between the orebody aquifers and more distant aquifers which will limit long term groundwater inflow rate and the extent of drawdown. Depth to water from surface at measured sites, ranges from 14 m in the south to 4 m in low lying areas in the north.

Groundwater quality across the project area is highly variable, ranging from 1000 to nearly 300,000 total dissolved solids (TDS) milligrams per litre (mg/L) and tends to increase in salinity to the north near Lake Austin. The groundwater has elevated sulphate levels, typical of environments near salt lakes, with dissolved metals concentrations generally low or below detection levels. Nitrogen, nitrite, and ammonia levels were also low. Dewatering bores will tend to be towards the deeper aquifer and therefore be hypersaline in nature (100,000mg/L).

Surface Water

The project is located within the Lake Austin catchment, with Lake Austin lying approximately 1 kilometre to the north. Climate in the catchment area is described as desert, with mean annual rainfall mostly in the 200-250 millimetre range. The project sits between two catchments with most of the project's facilities located in the northern catchment, bounded by a natural ridge that extends up to about 60 m above the Lake Austin lakebed. Runoff from this catchment drains into a minor creek "Central Creek" which passes immediately to the west of the proposed mine pits before discharging to Lake Austin. Flood risks to the site infrastructure will be ameliorated by the flood protection bunds and a diversion channel (Figure 1). Management controls will be implemented to manage runoff and potential loss of sediment laden or contaminated runoff from the project footprint.

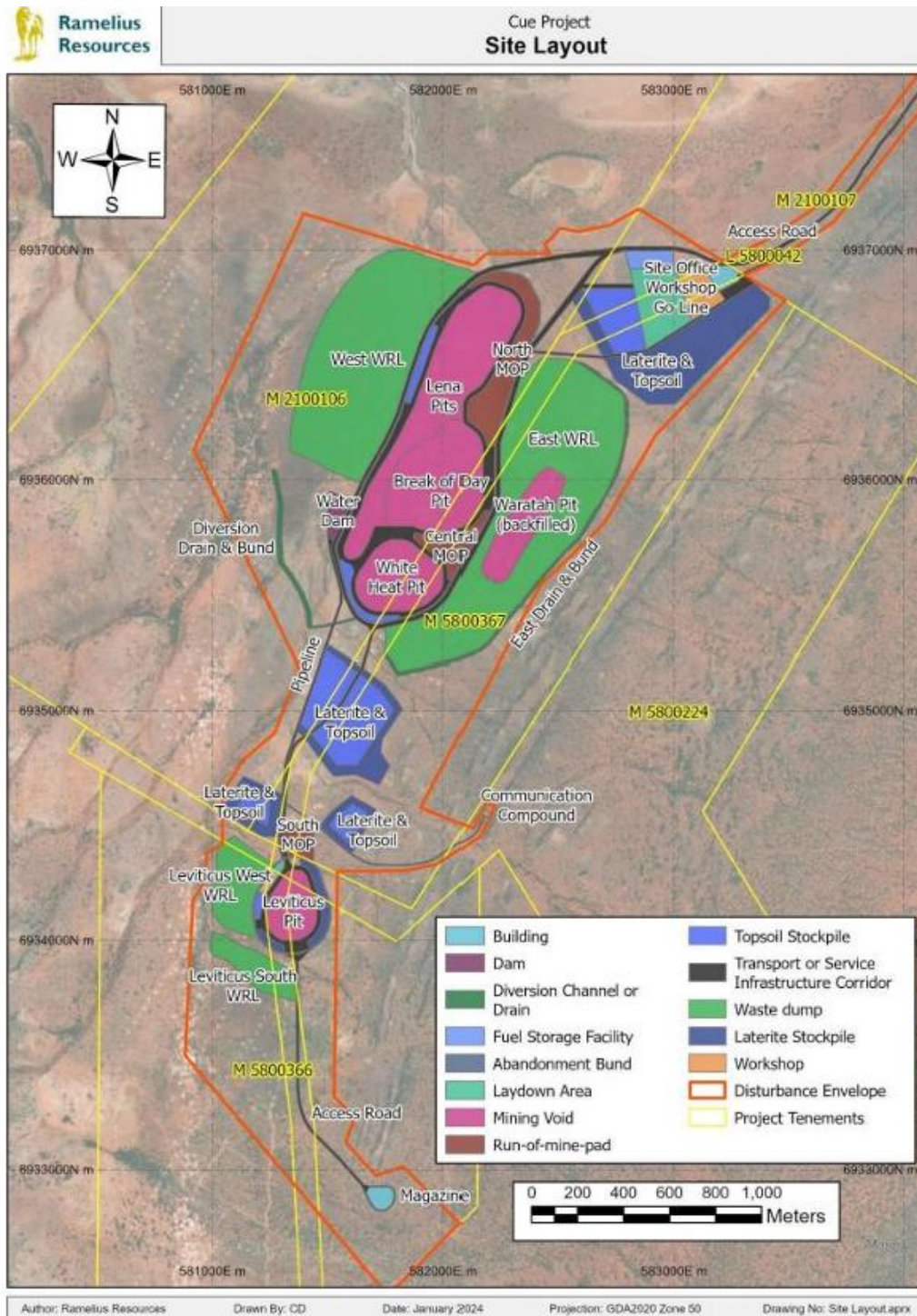


Figure 1: Cue Gold Project Site Layout

Pit Dewater Discharge

Baseline static water levels (SWL) range from 419 RL to 408 RL (Reduced Level) in the south and north of the project area respectively. A study done in 2025 found that, provided discharge water levels do not exceed baseline water levels, groundwater will continue to flow toward the pits and as a result, any intermixing with in-situ groundwater with pit dewater is not expected (MWES 2025).

Mine dewatering is expected to generate saline to hypersaline groundwater at all pits. The transfer of water between the pits will result in an averaging of pit lake salinity across the saline to hypersaline range.

The proposed discharge level limits and available storage volumes are summarised in Table 1.

Table 1: Proposed discharge level limits and available storage

	Minimum Crest RL	Static Water Level RL	Pit Base RL	Recommended Max Water Level	Freeboard at Max Water Level	Drawdown at Max Water Level	Volume at Recommended Max (kL)
Whiteheat Pit	418	411	320	360	58	51	225,000
Leviticus Pit	428	416	370	410	18	6	322,000

Monitoring

Musgrave propose to monitor the quality of the water discharged to the pits monthly when water is being discharged. Water quality data will be routinely reviewed to confirm that there are no discernible changes in the pit lake water quality. The planned monitoring parameters and frequency are conditioned in Table 3 of the associated licence L3171/2025/1.

The current groundwater bore monitoring schedule includes a network of 12 bores. Monitoring is done as per GWL 202638 and includes water level monitoring, monthly dewatering volumes, quarterly field quality and annual chemistry. This also includes monitoring for production bores, dewatering discharge outlets and/or in-pit sumps.

2.3 Other Approvals

2.3.1 Aboriginal Heritage Act 1972

In 2021, a survey coordinated by the Badimia Aboriginal Land Corporation (BLAC) identified seven Aboriginal sites within the Cue Gold Project tenements. In response to the discovery of Aboriginal Sites a Section 18 Application under the *Aboriginal Heritage Act 1972* was submitted.

On 12 July 2023, Musgrave were granted a Section 18 Ministerial Consent and in August 2023, the salvage and relocation of cultural heritage material was undertaken with identified artifacts relocated to an alternate heritage site. Following the completion of the salvage operation, the Badimia Aboriginal People corporation submitted a report to the Department of Planning Lands and Heritage (DPLH) acknowledging mining disturbance activities could now occur over the land and sites detailed in the Section 18 consent.

2.3.2 Environmental Protection Act 1986 (Part V) – Clearing Permit

On 22 December 2023, Musgrave submitted to DEMIRS (now Department of Mines, Petroleum and Exploration (DMPE)), an application for a Purpose Permit (Reference CPS 10464/1) for the clearing of up to 320ha across the premises. This application was approved and granted on 23 March 2024.

An amendment to CPS 10464 was made on 10 April 2025 to include the development of Stage 2 of the Cue Gold Project.

2.3.3 The Mining Act 1978

Mining Proposal Reg 122197 for Stage 1 was approved for the development of the Project in May 2024. An amendment was then approved in November 2024 to include mining of an additional open pit (Waratah North). The Project is in operation, with mining in the Break of Day, Waratah North, Lena and Whiteheat pits. A Mining Proposal for Stage 2 was submitted in April 2025 and includes the Amarillo, Big Sky and Numbers pits.

2.3.4 Rights in Water and Irrigation Act 1914

The Project is located within the Proclaimed East Murchison Groundwater Area. The applicant has been granted a licence to take water (GWL202638(1)) under the Rights in Water Irrigation Act 1914 for the abstraction of 475,000kL (15.06L/s) of groundwater for dewatering and dust suppression purposes. An application to amend the licence to increase the abstraction volume to 800,000kL (25.37L/s) was submitted in November 2023 (Reference Number 060375) and approved for the period 11 April 2024 to 1 April 2029.

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 2020).

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 operation which have been considered in this decision report are detailed in Table 2 below. Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Spills of dewatering water from rupture or leaks of dewatering pipeline	Transportation of dewatering water by pipeline	Direct discharge from pipe outfall and/or seepage to ground	<ul style="list-style-type: none"> Dewatering pipelines are constructed within earthen bunded corridors with scour pits or sumps constructed along the pipeline route at strategic locations and low points to ensure leaks or spills are contained within bunded areas. Ensure secondary containment will be sufficient to contain any spill for a period equal to the time between daily inspection. Ensure that the discharge pipe is located far enough over the pit crest or down the pit ramp to reduce exposure to wind and prevent scouring of pit walls. Telemetry systems and pressure sensors along the pipeline to allow the detection of leaks and failures. Flow meters fitted to measure discharge volumes. Isolation valves at appropriate intervals.

Emission	Sources	Potential pathways	Proposed controls
			<ul style="list-style-type: none"> Undertake daily inspections of the dewatering discharge pipeline to confirm visual integrity of pipelines, bunding and scour pits during operation. Shutdown the required section of the dewatering system, if any leaks or spills from pumps or pipelines are detected, until the leak has been verified and/or repaired.
Sediment laden dewatering discharge	Mine dewater pumped to Turkeys Nest or Pits	Overtopping / overflowing causing direct discharge and potential overland runoff	<ul style="list-style-type: none"> Ensure that the Leviticus Pit lake is below the maximum water level of 423m AH, this will allow 5 metres of freeboard Turkeys Nest will have 300mm freeboard and daily visual inspections. Flow meters to record the volume of water discharged each month. Undertake monthly monitoring of pit lake water level (freeboard capacity) and quality.
Dewatering water		Seepage of water vertically through base and embankments of pits or Turkeys Nest	<ul style="list-style-type: none"> Water levels will be managed to at least 5 metres below baseline water levels in each discharge pit. Pit crests bunded to limit stormwater ingress. Discharge into pits will be metered.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), 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 3 and Figure 2 below provides a summary of potential cultural 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 2020)). The nearest human receptors are located more than 10 km from the premises and therefore, human receptors have not been considered in this risk assessment.

Table 3: Sensitive cultural and environmental receptors and distance from prescribed activity

Cultural receptors	Distance from prescribed activity
Lake Austin	Local Registered Place (Place ID 06561 – Lake Austin) is located within the premises. Lake Austin is historically significant for its association with early exploration of the area. Lake Austin is approximately 500 m from the boundary of the project area (not including the access roads which pass through the Lake Austin site boundary).

Cultural receptors	Distance from prescribed activity
Aboriginal Heritage Sites	<p>Seven Aboriginal Sites were identified within the project area. On 12 July 2023, Musgrave were granted a Section 18 Ministerial Consent and in August 2023, the salvage and relocation of cultural heritage material was undertaken with identified artifacts were relocated to an alternate heritage site (see section 2.3.1).</p> <p>Several Aboriginal Heritage Sites still exist adjacent to and within close proximity of the project area. The closest remaining sites are listed below:</p> <ul style="list-style-type: none"> - 38880 (Artefacts / Scatter; Camp; Grinding Areas / Grooves) 100 m from project area - 38883 (Artefacts / Scatter) 800 m from project area - 38884 (Artefacts / Scatter) 200 m from project area - 38885 (Artefacts / Scatter; Camp; Water Source) 250 m from project area - 38888 (Artefacts / Scatter) 300 m from project area. - 38890 (Artefacts / Scatter; Quarry) 180 m from project area
Environmental receptors	Distance from prescribed activity
Native vegetation	Within premises boundary
Underlying groundwater (non-potable purposes)	<p>Local aquifers in the area range in depth from 4 m (north) to 14 m below ground level (south) sloping north-east to the edge of Lake Austin.</p> <p>Water quality in the area is saline-hypersaline, neutral to slightly alkaline, with low dissolved metals, nitrates and ammonia.</p> <p>Samples collected from onsite bores indicate the presence of fresh and saline groundwater lenses sitting above the hypersaline aquifer. Mine dewater is expected to target the deeper higher saline aquifer with salinity in excess of 100,000 mg/L.</p> <p>Six bores are recorded within a 5 km radius of the premises, ranging in depth from 6-26 mbgl.</p>
Threatened Ecological Communities (TEC)	<p>Two TEC's are located in the project area, these being the Austin Land System (Priority 3) and Lake Austin Vegetation Complexes (Banded Ironstone Formation).</p> <p>Both sites are located on the northern section of the project site, over 1 km from the proposed activities.</p>
Surface water drainage line and water bodies (Lake Austin)	<p>Surface water lines run through the prescribed premises.</p> <p>Lake Austin is approximately 500 m north of the boundary of the project area.</p>
Threatened or Priority Flora	<p>Priority flora were identified during a 2022/2023 spring/summer survey within the Cue Gold Project area despite not being identified on any DBCA databases or any previous surveys of the project area.</p> <p>The Hibiscus sp. Perrinvale Station was found in 4 locations across the project area and another 50 plants in the local area. These 4 plants located within the premises are proposed to be removed and relocated under the current Clearing Permit application (see 2.3.2).</p>

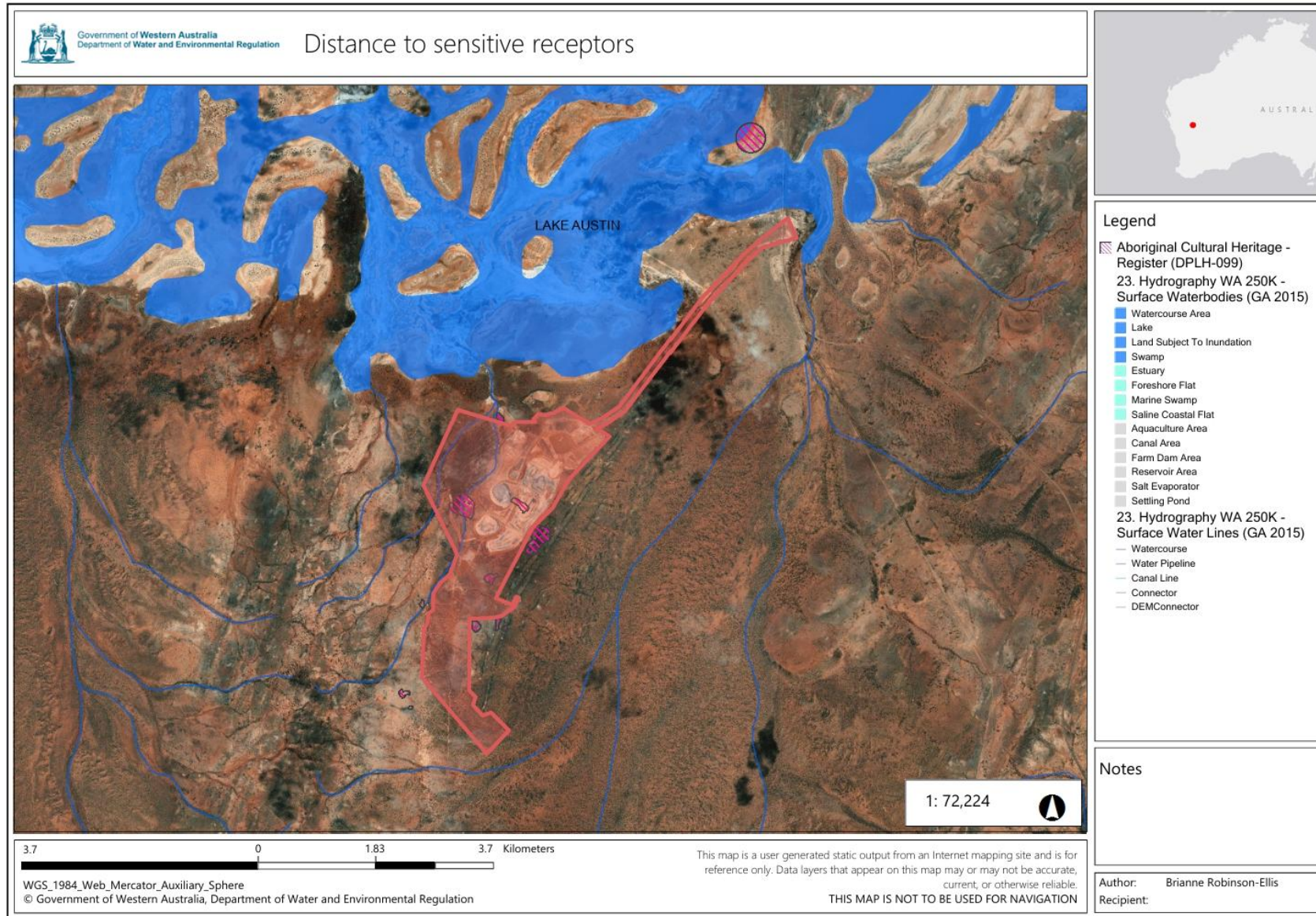


Figure 2: Distance to sensitive receptors

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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 2020) 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 licence 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 4.

Licence L3171/2025/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. dewatering activities.

The conditions in the issued licence, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls / DWER comments
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Operation								
Transportation of dewatering water by pipeline	Spill of dewatering water from rupture or leaks of dewatering pipeline	Pathway: Direct discharge from pipe outfall and/or seepage to ground Impact: Deterioration in soils and inundation of vegetation and erosion	Native vegetation / TEC's	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1	Applicant's controls have been conditioned within the licence in accordance with <i>DWER Guideline: Risk Assessments</i>
Mine dewater pumped to Pits	Dewatering water (saline)	Pathway: Overtopping, causing direct discharge and potential overland runoff Impact: Destruction of vegetation, erosion of surface land / soils, and impacts to local drainage channels/surface water bodies	Native vegetation / TEC's Soil /land Surface water and nearby drainage lines Aboriginal sites and heritage places	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 2, 4 and 5	Applicant's controls have been conditioned within the licence in accordance with <i>DWER Guideline: Risk Assessments</i>
		Pathway: Seepage of water vertically through base and embankments of unlined pit Impact: Change in quality of groundwater, groundwater mounding and vegetation death from impact to root zone.	Native vegetation / TEC's Groundwater	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 2, 4 and 5	Applicant's controls have been conditioned within the licence in accordance with <i>DWER Guideline: Risk Assessments</i>

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls / DWER comments
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Use of mine dewater for dust suppression	Dewatering water (saline)	Pathway: Direct discharge to land Impact: Vegetation health impacts such as decline or death	Native vegetation / TEC's	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	N	<u>Condition 3</u>	Additional regulatory control applied to ensure saline mine dewater used for dust suppression is applied in a manner that avoids impact to vegetation

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 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 22 December 2025	One comment received on 7 January 2025 (refer to Appendix 1).	Refer to Appendix 1.
Shire of Cue advised of proposal on 22 December 2025	No comments received.	N/A
The Badimia Bandi Barna Aboriginal Corporation was advised of the proposal on 22 December 2025	No comments received.	N/A
Applicant was provided with draft documents on 28 January 2026	<ul style="list-style-type: none"> - On 29 January 2026, the applicant requested that additional pits (Lena Pit, Numbers Pit, BS2500 Pit, BS3500 Pit and Amarillo Pit) be included in the licence as authorised discharge points. - On 9 February 2026, the applicant provided confirmation that the diversion bund has been constructed as per Figure 1 and an updated map was provided as requested. 	<ul style="list-style-type: none"> - The Delegated Officer notes that the department requires an Environmental Compliance Report (ECR) on the construction of each pipeline and discharge point before it is included in the licence. An ECR for only the Whiteheat and Leviticus Pit has been submitted and assessed, therefore these are the only two pits currently authorised as discharge points. An amendment to the licence will be required once the additional pipelines have been constructed in the future. - The updated map has been included in the licence as Figure 2.

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence 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) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. MWES Hydrological Services 2025, *Cue Gold Operation – Dewatering Discharge to Pits*, Prepared for Musgrave

Appendix 1: Summary of stakeholder comments

Summary of stakeholder comment	Department's response
<p><i>Matters raised in submissions that are outside the scope of the assessment of this application, or the provisions Part V, Division 3 of the EP Act are not further addressed in this assessment.</i></p>	
<p>Groundwater modelling framework</p> <p>Concerns were raised that the groundwater model in the application oversimplifies the aquifer system. The concern is that it assumes uniform hydraulic properties and constant recharge, despite evidence of significant variability in transmissivity and anisotropy. Boundary conditions are also questioned, as the model uses fixed lake levels that historically fluctuate by more than five metres seasonally.</p> <p>Recommendations</p> <ul style="list-style-type: none"> Rebuild the model and conduct a sensitivity analysis producing probability-density functions for drawdown at key monitoring points over 1, 5, and 10-year periods. 	<p>Groundwater Operating Strategies are not regulated under Part V of the <i>Environmental Protection Act 1986</i> (the Act). Category 6 is the regulation of dewatering and the discharge of mine dewater into the environment, in this instance to a pit. The risk assessment for this activity is detailed in section 3 of this Decision Report.</p>
<p>Salinity and Pit-Lake Water Balance</p> <p>Comments were received in relation to salinity and water balance methods. Namely that without a geochemical transport model, future salinity trends and associated risks such as brine extraction feasibility or salt-laden dust emissions cannot be assessed.</p> <p>Recommendations</p> <ul style="list-style-type: none"> Develop a coupled hydro-chemical model to simulate water volume and salinity over 50 years. Assess whether salinity exceeds brine extraction thresholds and evaluate potential air quality risks from salt-spray. 	<p>The risk assessment has been completed in section 3 and appropriate monitoring has been applied which includes salinity monitoring.</p> <p>Monitoring results are required to be reported to the department on an annual basis as part of the Annual Environment Report. These reports are routinely reviewed by the department.</p>
<p>Surface-Water Diversion and Flood-Risk Assessment</p> <p>Another concern is that peak flow estimates for the diversion bund vary widely from 6 to 44 cubic metres per second, due to differing assumptions about runoff, rainfall, and channel roughness. Also noted is that key parameters, such as hydraulic radius and Manning's n value, were assumed rather than measured on site.</p> <p>Recommendations</p> <ul style="list-style-type: none"> Perform a hydraulic modelling exercise to simulate the full 1:10 000-year flood event. Confirm bund crest elevation and slope design provide adequate freeboard for the most severe event. 	<p>Contaminated stormwater has not been included in this assessment however the general provisions of the Act would apply.</p> <p>Freeboard limits have been assessed and conditioned in licence L3171. Condition 2 requires the licence holder to maintain a freeboard of >5 meters below crest level within the pits. Condition 1 requires the maintenance of an operational freeboard of >300 mm for the Turkey's Nest at all times.</p>

Summary of stakeholder comment	Department's response
<p>Air-Quality and Dust Emissions</p> <p>Concerns were raised that dust mitigation measures in the application are limited to general statements about watering and speed limits, with no baseline PM₁₀ or PM_{2.5} data or dispersion modelling to predict project impacts.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Install a temporary dust-monitoring station at the project footprint for twelve months. • Where necessary, propose additional control measures including water trucks, vegetative windbreaks, or covered haul roads. 	<p>Construction works have already occurred and were assessed and approved under works approval W6892. Dust has not been identified in this assessment as a potential emission arising from the operation of the dewatering pipelines.</p> <p>The assessment focuses on point source emissions from the prescribed activities with appropriate monitoring determined as an outcome. Refer to section 3 of the Decision Report to see appropriate monitoring to be applied to the approval.</p>
<p>Biodiversity and Cumulative Effects</p> <p>A comment was made regarding the lack of detailed ecological surveys, species inventories or habitat maps provided within the application. The concern is of cumulative effects of different mining activities in the Cue district.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Identify threatened species and critical habitats within the project footprint. • Integrate findings into a cumulative-effects assessment, including neighbouring mines. • Develop mitigation strategies such as habitat offsets, fauna translocation, and vegetation preservation. 	<p>The department has conducted an assessment for this activity and determined potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (refer to section 3.1.2).</p> <p>The Part V approvals are specific to the prescribed premises of the application and the point source emissions from the prescribed activities. A cumulative assessment of neighbouring mines is out-of-scope under Part V.</p>