



Application for Works Approval Amendment

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

Works Approval Number	W5651/2014/1
Works Approval Holder	Black Cat (Paulsens) Pty Ltd
ACN	657 781 194
File Number	DER2014/000773-1
Premises	Paulsen's Gold Operation Nanutarra-Munjina Road, PARABURDOO WA 6754 Mining Leases M08/99 and M08/196 As defined by the Premises maps in Schedule 1 of the Revised Works Approval
Date of Report	28 September 2023
Decision	Revised works approval granted

A/MANAGER, RESOURCE INDUSTRIES

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary	1
Works Approval Transfer	1
Works Approval Amendment	1
3. Assessments	2
Transfer Assessment	2
4. Consultation	2
5. Conclusion	2
5.1 Summary of amendments	2
References	5
Appendix 1: Summary of Works Approval Holder’s comments on draft amendment	6
Table 1: Summary of works approval amendments	2
Table 2: Consolidation of works approval conditions in this amendment	3

1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W5651/2014/1. 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. The Works Approval has been updated to the current formatting and amalgamated Amendment Notice 1.

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 works approval and Amendment Notice 1 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 works approval, 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

Works Approval W5651/2014/1 is held by Northern Star Resources Ltd (Works Approval Holder) for the Paulsen's Gold Mine (the Premises), located on Mining Lease M08/99 and M08/196 on Nanutarra-Munjina Road, Paraburdoo.

The Premises relates to category 5 and the assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W5651/2014/1.

Works Approval Transfer

On 10 July 2023, Black Cat (Paulsens) Pty Ltd (the Applicant) submitted an application to the department to transfer Works Approval W5651/2014/1 under section 59B of the EP Act (Black Cat, 2023a). The application sought to amend the Works Approval details as follows:

Works Approval Holder: Black Cat (Paulsens) Pty Ltd

ACN: 657 781 194

Works Approval Amendment

In addition to the application to transfer Works Approval W5651/2014/1 the Applicant submitted an application to the department to amend Works Approval W5651/2014/1 under section 59B of the *Environmental Protection Act 1986* (EP Act) (Black Cat, 2023b). The amendment is limited to extending works approval expiry date and to remove references of the Premises being in care and maintenance.

The Works Approval currently expires on 24 August 2024 (DWER, 2019a). The Works Approval Holder has requested that this be extended. This Works Approval provides construction approval for Stage 7, 8 and 9 embankment rises on the TSF. Stage 7 was completed in 2015 and the operations placed in care and maintenance in 2017. Construction of stage 7 was deemed compliant by the department on 14 May 2019 (DWER, 2019b). Stage 8 and 9 are planned as part of mining recommencement.

3. Assessments

Transfer Assessment

The assessment of the transfer application is limited to a review of ownership details to determine if a transfer may occur.

Legal entity status

Black Cat (Paulsens) Pty Ltd is a registered company with a valid and current entry on the Australian Securities & Investments Commission register (ACN 657 781 194) and is therefore a legal entity.

Black Cat (Paulsens) Pty Ltd is the current leaseholder of the Premises. A current company extract in Black Cat (Paulsens) Pty Ltd name and the signed Sales Agreement between the current Works Approval Holder, Northern Star Resources Ltd and the applicant Black Cat (Paulsens) Pty Ltd has been provided to the Department as part of the application (Black Cat, 2023c).

Mining tenements M08/99 and M08/196 are currently active and expire on 31 February 2032 and 2 March 2041 respectively.

Fitness and competency

The Applicant has advised it has not been convicted or paid a penalty for an offence under a provision of the EP Act or its subsidiary legislation or similar environmental protection legislation in Australia.

4. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 24 August 2023. Comments received from the Works Approval Holder on 13 September 2023 have been considered by the Delegated Officer as detailed in Appendix 1.

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. Table 2 provides a summary of the consolidation of works approval conditions in this amendment. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
History	Updated to include this works approval amendment.
Definitions – redundant removed and updated	Definitions updated: 'annual period', 'CEO', 'environmentally hazardous material', 'Premises', 'works approval' and 'works approval holder'.
	Definitions removed: 'Code of practice for the storage and handling of dangerous goods', and 'dangerous goods'.

Condition no.	Proposed amendments
	Definitions added: 'AEP', 'AS/NZS 5667.11', 'ARI', 'books', 'condition', 'critical containment infrastructure', 'Critical Containment Infrastructure Report', 'Department', 'discharge', 'emission', 'environmental commissioning', 'Environmental Commissioning Report', 'Environmental Compliance Report', 'EP Act', 'NATA', 'prescribed premises', 'Quarterly', 'suitably qualified', 'TSF', 'time limited operations' and 'waste'.
Schedule 1: Maps	Premises map Figure 1. Updated text.
	Figures added: 2 to 12 Updated from supporting document.

Table 2: Consolidation of works approval conditions in this amendment

Existing condition	Condition summary	Revised works approval condition	Conversion notes
N/A	Works Approval Holder: Northern Star Resources Ltd	Works Approval Holder: Black Cat (Paulsens) Pty Ltd	Works Approval has been transferred to another company.
N/A	ACN: 092 832 892	ACN: 657 781 194	Works Approval has been transferred to another company.
N/A	Expiry Date: 24/08/2024	Expiry Date: 24/08/2029	Premises is to recommence works.
1. 1.1 1.1.1 1.1.2	General, Interpretation and definitions	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current works approval format.
1.1.3	Australian or other standard	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current works approval format.
1.1.4	Reference to code of practice	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current works approval format.
1.2 1.2.1	General conditions Table 1.2.1 Construction requirements	Construction phase Infrastructure and equipment Conditions 1, 2 and 3	Condition refers to application form and supporting documentation. Revised to current works approval format to include construction conditions for Paulsens TSF stages 8 and 9.
1.2.2	Environmentally hazardous material stored in accordance with code of practice	Condition 4	This condition is not enforceable as it is not sufficiently clear or certain. It is also contrary to the Guidance Statement: Licences and Works Approvals.

Existing condition	Condition summary	Revised works approval condition	Conversion notes
			Replaced with an enforceable spill condition.
1.3	Premises operation	N/A	Conditions not specified are not valid, enforceable or risk based. These provisions are not a condition. They are drafting conditions that were used to retain consistent numbering in templates as part of the implementation of the works approval.
2	Emissions	N/A	
3	Monitoring	N/A	
4	Improvements	N/A	
5 5.1	Information Reporting	Compliance reporting Condition 5 Condition 6	Revised to current works approval format.
5.1.1	Compliance document	Condition 7	Revised to current works approval format.
5.1.2	Compliance document requirements	Condition 8	Revised to current works approval format.
N/A	Environmental commissioning phase Environmental commissioning requirements and emission limits	Condition 9 Condition 10 Condition 11	Revised to current works approval format.
N/A	Monitoring during environmental commissioning	Condition 12 Condition 13	Revised to current works approval format.
N/A	Environmental commissioning reporting	Condition 14 Condition 15	Revised to current works approval format.
N/A	Time limited operations phase Commencement and duration	Condition 16 Condition 17	Revised to current works approval format.
N/A	Time limited operations requirements and emission limits	Condition 18 Condition 19	Revised to current works approval format.
N/A	Monitoring during time limited operations	Condition 20	Revised to current works approval format.
N/A	Compliance reporting	Condition 21 Condition 22	Revised to current works approval format.

Existing condition	Condition summary	Revised works approval condition	Conversion notes
N/A	Records and reporting (general)	Condition 23 Condition 24 Condition 25	Revised to current works approval format.

References

1. Department of Water and Environmental Regulation (DWER) 2019a, *W5651 Works Approval Paulsens AN1 May 2019*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2019b, *Compliance for Works Approval W5651/2014/1 Lift 7 Tailings Storage Facility*, Perth, Western Australia.
3. Black Cat Syndicate (Black Cat) 2023a, *Transfer Application form*, West Perth, Western Australia.
4. Black Cat 2023b, *Amendment Application form*, West Perth, Western Australia.
5. Black Cat 2023c, *Supporting Information for Works Approval W5651/2014/1 Amendment and Works Approval Transfer Application- Paulsens Gold Project*, West Perth, Western Australia.

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

Condition	Summary of Works Approval Holder's comment	Department's response
Premises Details, Page 1	Please refer to the site as "Paulsen's Gold Operation".	Updated the site name to the correct version.
Condition 1, Table 1 - Return water pipeline	Black Cat advises that the TSF does not have a permanent return water pipeline from the TSF to the plant. This is due to high evaporation rates, high surface area and the tailings density around 55%. The original design did contemplate a floating decant however this was also found to be ineffective as the pool on the surface of the TSF was too shallow to recover.	Adjusted to read 'Transient' return water pipeline. Removed installation requirements.
Condition 1, Table 1 - Stormwater diversion drain.	Black Cat confirms the existing diversion drain is effectively redundant as Lift 7 and Lift 8 both include an overflow culvert in the design, which connects to a perimeter drain that abuts the TSF and is lined with fresh rock. The culvert is designed for a 1:1000 AEP event.	Removed the stormwater diversion drain from Table 1. Overflow from the TSF raises due to over topping or stormwater will be managed by the spill way in Table 2.
Condition 12, Table 6	Bore names in the Monitoring Location column of Table 6 are incorrect. As part of working towards recommencing mining, Black Cat (Paulsens) has audited and dipped all Tailings Storage facility monitoring bores. During this process it was identified that bores were incorrectly referenced on some documents. Figure 6 on the existing licence (L7969/2004/3) is correct. An updated version of this image has been provided as separate attachment (Attachment 1) to this document. The correct bore references are: PMB1; PMB2; PMB3; PMB3A; PMB4; PMB5; PMB6; PMB6A; PMB7; PB8; PMB9; PMB9a; PMB10; PMB11.	Corrected the list of bore names to the names provided.

Condition	Summary of Works Approval Holder's comment	Department's response
Condition 20, Table 9	Bore names in the Monitoring Location column of Table 9 are incorrect. As part of working towards recommencing mining, Black Cat (Paulsens) has audited and dipped all Tailings Storage facility monitoring bores. During this process it was identified that bores were incorrectly referenced on some documents. Figure 6 on the existing licence (L7969/2004/3) is correct. An updated version of this image has been provided as separate attachment (Attachment 1) to this document. The correct bore references are: PMB1; PMB2; PMB3; PMB3A; PMB4; PMB5; PMB6; PMB6A; PMB7; PB8; PMB9; PMB9a; PMB10; PMB11.	Corrected the list of bore names to the names provided.
Schedule 1 Figure 1 Premises Map	The Premises map (Figure 1) included is outdated. A new premises map has been provided as a separate attachment (Attachment 2)	Updated Figure 1. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 2 Site Infrastructure Layout	The Site Infrastructure Layout (Figure 2) included is outdated. A new site infrastructure map has been provided as a separate attachment (Attachment 3)	Updated Figure 2. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 3 General arrangement and monitoring bore locations	The General arrangement and monitoring bore locations (Figure 3) included is incorrect and outdated. A new Monitoring Bores location map has been provided as a separate attachment (Attachment 1)	Updated Figure 3. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 4 Stage 8 Construction Plan	Figure 4 Stage 8 Construction Plan is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 4).	Updated Figure 4. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 5 Cross section of Stage 8 Construction	Figure 5 Cross Section of Stage 8 Construction is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 5).	Updated Figure 5. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.

Condition	Summary of Works Approval Holder's comment	Department's response
Schedule 1 Figure 6 Spillway Plan and Cross Sections of Stage 8 Construction	Figure 6 Spillway Plan and Cross Sections of Stage 8 is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 6).	Updated Figure 6. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 7 Stage 9 Construction Plan	Figure 7- Stage 9 Construction Plan is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 7).	Updated Figure 7. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 8 Cross Section of stage 9 construction.	Figure 8- Cross Section of stage 9 construction is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 8).	Updated Figure 8. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 9 Spillway Plan and cross section of stage 9 construction	Figure 9- Spillway Plan and cross section of stage 9 construction is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 9).	Updated Figure 9. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 10 Construction plan for life of mine and storage curve	Figure 10- Construction plan for life of mine and storage curve is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 10).	Updated Figure 10. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.
Schedule 1 Figure 11 Cross section of life of mine and tailings	Figure 11 Cross section of life of mine and tailings deposition is low resolution and difficult to read. A higher resolution has been provided as a separate attachment (Attachment 11).	Updated Figure 11. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.

Condition	Summary of Works Approval Holder's comment	Department's response
deposition		
Schedule 1 Figure 12 Production bore and TSF bore locations.	This figure is incorrect and out of date. As the information is captured by the proposed Figure 3 and our Attachment 1, it appears redundant.	Updated Figure 12. Pasted as a Bitmap File. High resolution PDF copies will be retained on file.