



## Application for Works Approval

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

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<b>Works Approval Number</b>	W6692/2022/1
<b>Applicant</b>	MLG Oz Limited
<b>ACN</b>	102 642 366
<b>File number</b>	DER2022/000018
<b>Premises</b>	Tarmoola Project LEONORA WA 6438  Legal description – Mine tenements M37/429  As defined by the premises map and boundary coordinates attached to the issued works approval
<b>Date of report</b>	24 August 2022
<b>Decision</b>	Works approval granted

**Terrel MacGregor**  
**A/MANAGER, RESOURCE INDUSTRIES**  
**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, W6692/2022/1 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 14 January 2022, MLG Oz Limited ('MLG Oz') submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act). The application is for crushing and screening activities within a portion of mining tenement M37/429.

MLG Oz have a services agreement with Greenstone Resources (WA) Pty Ltd ('Greenstone') who are the holder of mining tenement M37/429. MLG Oz are the occupiers of an excised area of the mining tenement defined in Schedule 2 works approval W6692/2022/1.

The premises relates to the category and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6692/2022/1. 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 2020) are outlined in works approval W6692/2022/1.

## 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 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 construction and 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
<b>Construction</b>			
Dust	Placement of screen and associated equipment including vehicle movements (reversing beepers)	Air/windborne pathway	<ul style="list-style-type: none"> <li>a) Dust suppression measures will be implemented, as necessary</li> <li>b) Vehicles will travel at low speeds within the tenement areas to protect fauna, reduce dust and noise</li> </ul>
Noise	Construction of stormwater channels and stormwater sump.		<ul style="list-style-type: none"> <li>a) All vehicles and machinery will be regularly maintained to ensure they are operating optimally and not producing excess noise or emissions</li> <li>b) Screening activities will not be undertaken during periods of strong wind</li> <li>c) Vehicles will travel at low speeds within the tenement areas to protect fauna, reduce dust and noise</li> </ul>
Sediment laden stormwater		Overland runoff	None proposed
<b>Operation (including time limited operations)</b>			
Dust	<p>Screening, crushing, unloading, loading and storage of material</p> <p>Vehicle movements</p>	Air/windborne pathway	<ul style="list-style-type: none"> <li>a) Screening and crushing plant are fitted with dust suppression points at all transfer points</li> <li>b) Screening activities will not be undertaken during periods of strong wind</li> <li>c) Dust suppression measures will be implemented, as necessary</li> <li>d) Vehicles will travel at low speeds within the tenement areas to protect</li> </ul>

Emission	Sources	Potential pathways	Proposed controls
Noise			fauna, reduce dust and noise a) All vehicles and machinery will be regularly maintained to ensure they are operating optimally and not producing excess noise or emissions b) Screening activities will not be undertaken during periods of strong wind c) Vehicles will travel at low speeds within the tenement areas to protect fauna, reduce dust and noise
Sediment laden stormwater	Stockpiling, material handling and screening areas	Overland runoff	None proposed
Hydrocarbons	Spillage during refuelling/direct from plant	Direct discharge; overland flow	a) Regular inspection (start and end of shift) of operating equipment will be undertaken to identify if any leaks are occurring b) Use of drip trays in the event that a leak is detected. If a drip tray cannot adequately contain a minor leak, operation of the machinery will cease until it can be repaired c) All vehicles and other equipment will be regularly maintained and will be stocked with appropriate spill kit equipment d) Any contaminated material (e.g., hydrocarbon contamination soil) will be removed and disposed of at licenced facilities e) As required, any soils defined under Section 72 of the EP Act and <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> will be reported to regulatory authorities as required

### 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 2 and**

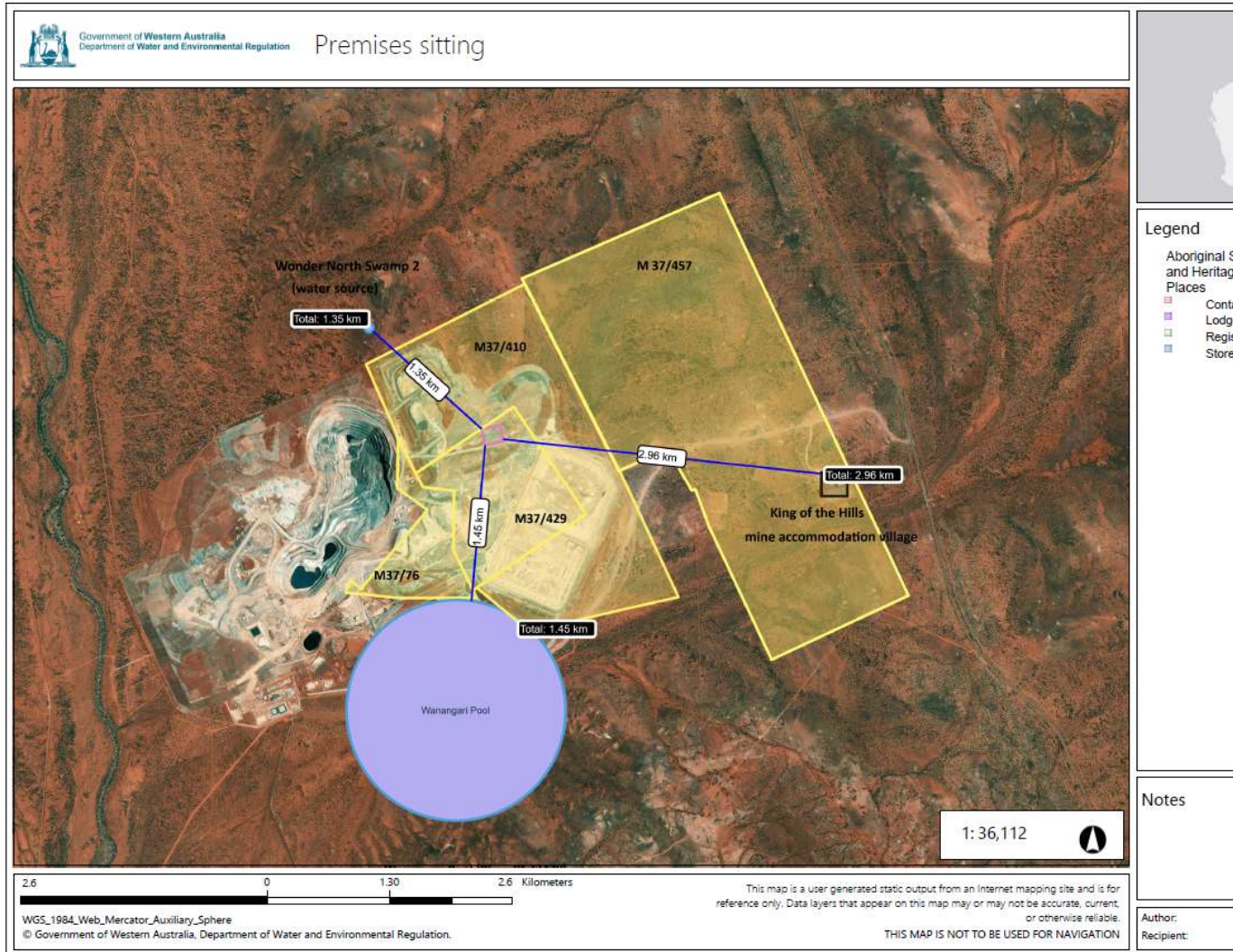


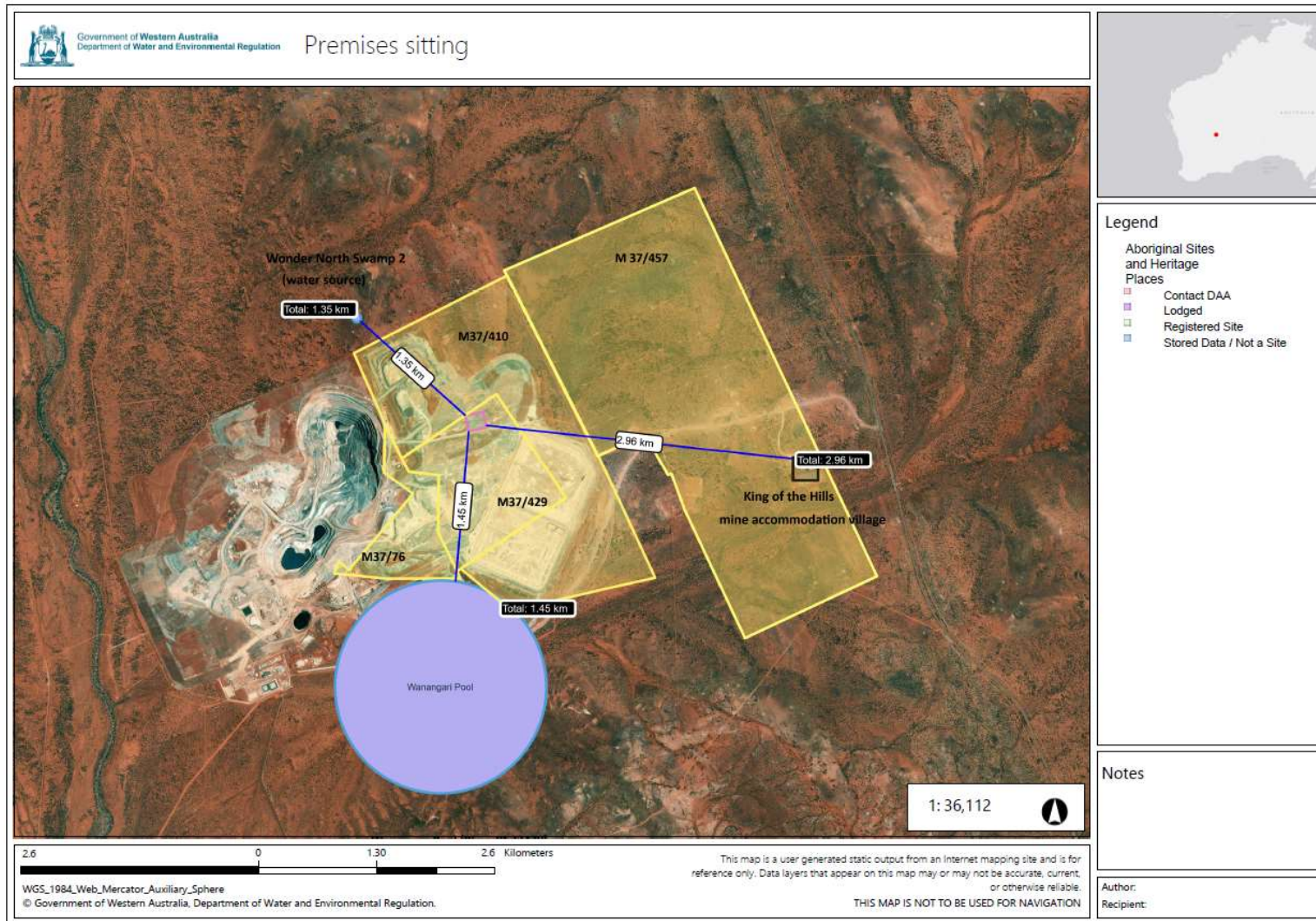
Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020)).

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

Human receptors	Distance from prescribed activity
King of the Hills mine accommodation village	3 kilometres (km) east of the proposed operations
Environmental receptors	Distance from prescribed activity
Aboriginal heritage: Wanangari Pool (Place ID 22420)	1 km south of the premises
Aboriginal heritage: Wonder North Swamp 2 (Place ID 22444)	1.4 km north of premises
Groundwater	Distance from prescribed activity

Groundwater	Monitoring bores around TSF 4 A and TSF B east of the premises indicate the groundwater to be between 4 -12 mbgl in 2021. The average of groundwater TDS is 6800 (mg/L) and pH 8 (RED 5 2021)
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**Figure 1: Distance to sensitive receptors. (The pink line depicts the Premises boundary).**



## 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 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 W6692/2022/1 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 operation of the Premises i.e., 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 <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
<b>Construction</b>								
Placement of screen and associated equipment including vehicle movements (reversing beepers)  Construction of stormwater channels and stormwater sump	Noise	Air / windborne pathway causing impacts to health and amenity	KOTH accommodation village	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A  Emission regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>	N/A
<b>Operations (including time-limited operations)</b>								
Screening, crushing, unloading, loading and storage of material  Vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	KOTH accommodation village	Refer to Section 3.1	C = Moderate L = Possible <b>Medium Risk</b>	Y	Conditions 1 and 7	N/A
	Noise	Air / windborne pathway causing impacts to health and amenity	KOTH accommodation village	Refer to Section 3.1	C = Moderate L = Possible <b>Medium Risk</b>	Y	Conditions 1 and 7  Emission regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>	N/A
	Hydrocarbons	Direct discharge; runoff	Groundwater	Refer to Section 3.1	C = Minor L = Unlikely <b>Low Risk</b>	Y	Conditions 4 and 5	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	None received	N/A
Local Government Authority advised of proposal 14/07/2022		
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 14/07/2022	Provided comments on the clearing exemption related to mining tenement M37/429.	Noted. Clearing of native vegetation is not considered as part of this assessment.
Greenstone advised of proposal 14/07/2022	None received	N/A
Applicant was provided with draft documents on 18/08/22	Applicant advised that they accepted the conditions in the works approval and confirmed proposed controls for noise and dust during the construction phase.	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) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. MLG OZ Limited (MLG) 2022, *Tarmoola Project Works Approval Application Supporting Document*. Internal reference number: A2106122.
5. RED 5 2021, *Annual Environmental Report*. Internal reference number: DWERDT506818

## Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
<b>Application type</b>		
Works approval	<input checked="" type="checkbox"/>	
Date application received	14/1/2022	
<b>Applicant and premises details</b>		
Applicant name/s (full legal name/s)	MLG Oz Limited (ACN 102 642 366)	
Premises name	Tarmoola Project (located within the King of the Hill mine)	
Premises location	M37/429	
Local Government Authority	Shire of Leonora	
<b>Application documents</b>		
HPCM file reference number:	DER2022/000018	
Key application documents (additional to application form):	1A_ Letter from tenement holder 1b_ Applicant ASIC company summary (extract provided A2089182) 2_ Premises map 3b_ Supporting documents 3C_ map of proposed clearing	
<b>Scope of application/assessment</b>		
Summary of proposed activities or changes to existing operations.	Bringing a crushing and screening plant to the premises (crusher pad on premises map). No commissioning required. Limited time operations are required by the applicant.  786,240 tonnes per annum tonnes per annum is the maximum design capacity of plant.  Note clearing 7.7072 ha – details below	
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	786,240 tonnes per annum tonnes per annum	
<b>Legislative context and other approvals</b>		
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: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>

**SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)**

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: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Mining tenement <input checked="" type="checkbox"/> Other evidence <input checked="" type="checkbox"/> Letter provided from the lease holder Greenstone Resources stating that they have entered into a Services Agreement with MLG Oz Ltd covering crushing activities on these tenements. A2078355.
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	If N/A explain why? Mining tenure
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Stated exemption applies - Item 20 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> which allows 10 ha of clearing per tenement per financial year where an approval under the Mining Act has been granted
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not in CAWS area
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence / permit not required
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	About 3km from Leonora Water Reserve.
Is the Premises subject to any other Acts or subsidiary regulations	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Mining Act 1978 – Mining Proposal has been submitted.
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Reported site – active mine site. existing mine site. Not relevant to this assessment