



## Application for Works Approval Amendment

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

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<b>Works Approval Number</b>	W6730/2022/1
<b>Works Approval Holder</b>	Norton Gold Fields Pty Limited
<b>ACN</b>	112 287 797
<b>File Number</b>	DER2022/000418
<b>Premises</b>	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
<b>Date of Report</b>	27 July 2023
<b>Decision</b>	Revised works approval granted

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

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

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## 1. Decision summary

Works Approval W6730/2022/1 is held by Norton Gold Fields Pty Limited (Works Approval Holder) for the Binduli Operations (the Premises), located within mining tenements M26/446 and M26/447.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Revised Works Approval W6730/2022/1 has been granted.

The Revised Works Approval issued as a result of this amendment consolidates and supersedes the existing Works Approval previously granted in relation to the Premises.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, 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 Amendment summary

On 27 June 2023, the Works Approval Holder submitted an application to the department to amend Works Approval W6730/2022/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendment is being sought:

- A variation to change the location for the mobile crushing and screening infrastructure resulting in the modification of the prescribed premises boundary.

The amendment application was submitted due to a new source of suitable material identified within closer proximity to the heap leach construction. The new material identified is both similar in nature to the material proposed in the existing works approval but was not available at the time of the initial works approval application. Operational commencement delays have occurred and suboptimal performance following commencement has resulted in the postponement of stage 2 construction of the Binduli North Heap Leach until January 2024.

No changes to the aspects of the existing Works Approval relating to Category 12 have been requested by the Works Approval Holder. The prescribed premises boundary is still located within mining tenements M26/446 and M26/447.

## 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 construction and time limited

operations have been considered in this Amendment Report which does not differ from the initial Works Approval (DWER 2022).

### 3.1.2 Receptors

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

Table 1 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 1: Sensitive human and environmental receptors and distance from prescribed activity**

<b>Human receptors</b>	<b>Distance from prescribed activity</b>
Residences	The closest dwelling is located approximately 3 km southeast of the premises which is a greater distance from the existing works approval (1.8 km).
<b>Environmental receptors</b>	<b>Distance from prescribed activity</b>
Native Vegetation (Mixed Eucalyptus woodlands)	Based on aerial imagery available, native vegetation appears adjacent to the boundary to the north, east and south.

## 3.2 Risk ratings

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

Where the Works Approval Holder 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 Works Approval Holder'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 Works Approval Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 2.

The revised Works Approval W6730/2022/1 that accompanies this Amendment Report authorises construction and time-limited operations. The conditions in the Revised Works Approval 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. Category 12 activities. A risk assessment for the operational phase has been included in this Amendment Report, however licence conditions will not be finalised until the department assesses the licence application.

**Table 2. Risk assessment of potential emissions and discharges from the Premises during construction, commissioning and operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Works Approval Holder's controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Works Approval Holder's controls				
<b>Construction</b>								
Placement and mobilisation of crushing and screening infrastructure including vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Residences within 3km of the premises boundary	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Condition 1	N/A
	Noise			Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A	N/A
<b>Operation (including time-limited-operations operations)</b>								
Crushing and screening, unloading, loading and storage of material.  Vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Residences within 3km of the premises boundary	Refer to Section 3.1	C = Moderate L = Rare <b>Medium Risk</b>	Y	Conditions 1,6 and 9	N/A
			Surrounding vegetation		C = Moderate L = Unlikely <b>Medium Risk</b>			
	Noise		Residences within 3km of the premises boundary	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Condition 1, 6 and 12	N/A
	Sediment laden		Overland runoff potentially	Surrounding vegetation	Refer to Section 3.1	C = Minor	Y	Conditions 1 and 6

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Works Approval Holder's controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Works Approval Holder's controls				
	stormwater	causing ecosystem disturbance			L = Unlikely <b>Medium Risk</b>			
	Spills or hydrocarbon leaks				C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 6	N/A

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

Note 2: Proposed Works Approval Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

## 4. Consultation

Table 3 provides a summary of the consultation undertaken by the department.

**Table 3: Consultation**

Consultation method	Comments received	Department response
Applicant was provided with draft documents on 20 July 2023	On 20 July 2023 after the applicant received the draft works documents the applicant replied for the consultation period to be waived and the final version to be released.	No response, Licence finalised and issued.

## 5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised 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 4 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Works Approval as part of the amendment process.

**Table 4: Summary of works approval amendments**

Condition no.	Proposed amendments
Condition 1	Updated <i>Infrastructure Location</i> to reflect modified prescribed premises boundary.
Condition 6	Updated <i>Infrastructure Location</i> to reflect modified prescribed premises boundary.
----	Updated Schedule 1, Figure 1 to modify prescribed premises boundary.



## 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. DWER 2022, *Decision Report: W6730/2022/1* issued on 15/12/2022.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY				
<b>Application type</b>				
Works approval	<input type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input checked="" type="checkbox"/>	Current works approval number:	W6730/2022/1	
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None <input type="checkbox"/>
Date application received		27 June 2023		
<b>Applicant and Premises details</b>				
Applicant name/s (full legal name/s)		Norton Gold Fields Pty Limited		
Premises name		Binduli Operations		
Premises location		Part of Mining tenements M26/446 and M26/447		
Local Government Authority		City of Kalgoorlie-Boulder		
<b>Application documents</b>				
HPCM file reference number:		DWERDT798296		
Key application documents (additional to application form):		- Shapefiles of new proposed prescribed premises.		
<b>Scope of application/assessment</b>				

<p>Summary of proposed activities or changes to existing operations.</p>	<p><b>Works approval amendment</b></p> <p>Norton Gold Fields Pty Ltd (Norton) proposes to change the premises boundary for the mobile crushing and screening infrastructure.</p> <p>The new proposed premises boundary is located on the original Mining Tenements (M26/446 and M26/447) as the initial application.</p>	
<p><b>Category number/s (activities that cause the premises to become prescribed premises)</b></p>		
<p><b>Table 1: Prescribed premises categories</b></p>		
<p><b>Prescribed premises category and description</b></p>	<p><b>Assessed production or design capacity</b></p>	
<p>Category 12: Screening etc. of material</p>	<p>800 000 tonnes/annual period</p>	
<p><b>Legislative context and other approvals</b></p>		
<p>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?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Referral decision No: N/A Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/></p>
<p>Does the hold any existing Part IV Ministerial Statements relevant to the application?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Ministerial statement No: N/A EPA Report No: N/A</p>
<p>Has the proposal been referred and/or assessed under the EPBC Act?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Reference No: N/A</p>
<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 Bellamel Mining Pty Ltd is the current holder. 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? Works are occurring on mining lease.</p>

Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CPS No: 8950-1
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"/>	Application reference No: N/A Licence/permit No: N/A
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"/>	Application reference No: N/A Licence/permit No: N/A
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"/>	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"/> Regional office: N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	• <i>Environmental Protection (Noise) Regulations 1997</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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