



## Application for Works Approval

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

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<b>Works Approval Number</b>	W6757/2022/1
<b>Applicant</b>	Agnew Gold Mining Company Pty Ltd
<b>ACN</b>	098 385 883
<b>File number</b>	DER2022/000557
<b>Premises</b>	Agnew Gold Mine  Mining tenements M36/27, M36/32, M36/53, M36/55, M36/65, M36/150, M36/174, M36/248, M36/314 and M36/450 LEINSTER WA 6437
<b>Date of report</b>	8 March 2023
<b>Decision</b>	Granted

#### **MANAGER, RESOURCE INDUSTRIES**

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 W6757/2022/1 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 October 2022, Agnew Gold Mining Company Pty Ltd (Agnew, the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act). Proposed works will take place at the Agnew Gold Mine (currently prescribed under licence L4611/1987/11), approximately 18 km south-west of Leinster.

The application is to undertake construction and time limited operations (180 days requested) for expansion of the gas power station, increasing the capacity from 18MW to 26MW<sup>12</sup> at the premises in two stages (Figure 1):

- stage 1: two proposed gas generators constructed and installed within the existing power station layout; and
- stage 2: two proposed gas generators constructed and installed in an extended area of approximately 0.82 hectares (ha) immediately north-east of the existing power station.

Earthworks, including drainage installation, are also required for the expansion.

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 W6757/2022/1. 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 W6757/2022/1.

DWER notes that all power station infrastructure (including existing infrastructure) will be assessed upon amendment of L4611/1987/11 to include category 52. For this works approval and decision report only the expansion to the power station will be assessed.

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<sup>1</sup> The gas plant and diesel generators will have a capacity of 26MW. The plant is a hybrid microgrid, including wind/solar generated energy. The combined Agnew Hybrid Microgrid will have a capacity of 60MW.

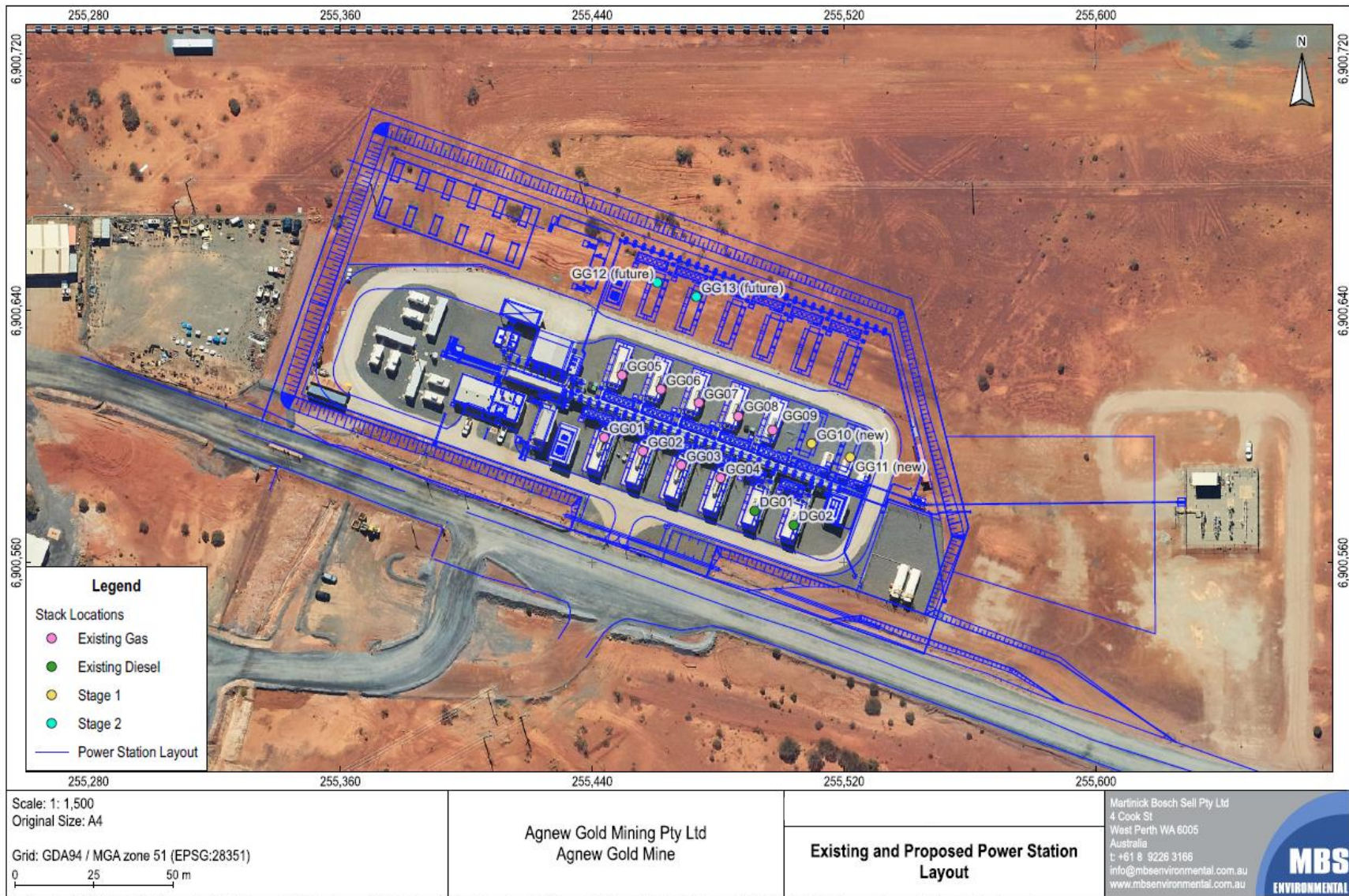
<sup>2</sup> The increased capacity of the gas power station from 18 MW to 26 MW, triggers the Schedule 1 threshold (20 MW) for category 52 - electric power generation fueled by natural gas.

## 2.3 Existing and proposed power station infrastructure

Table 1 and Figure 1 summarise the existing and proposed power station infrastructure.

**Table 1 Existing and proposed infrastructure**

Existing and proposed infrastructure	Detail
<b>Existing power generating infrastructure</b>	<ul style="list-style-type: none"> <li>• 18 MW gas generator plant including:               <ul style="list-style-type: none"> <li>▪ nine 2.0 MW Cummins C2000 N5CB gas reciprocating generator sets;</li> <li>▪ Two 1.8 MW Cummins C2250 D5 prime rated diesel reciprocating generator sets; and</li> <li>▪ 11 kV switch room with three feeders, plus space for future addition of two more feeders/incomers.</li> </ul> </li> <li>• 3.6 MW diesel generator backup plant</li> <li>• 4 MWdc solar plant</li> <li>• a wind turbine generator system with a total capacity of 17.9 MW and 10.4 MW/4MWh battery plant</li> </ul>
<b>Existing associated infrastructure</b>	<ul style="list-style-type: none"> <li>• Bulk lubricant: one 10 kL tank (gas engines) and one 3 kL tank (diesel engines)</li> <li>• Waste oil: one 5kL self-bunded tank</li> <li>• Diesel fuel: one 10 kL self-bunded day tank</li> <li>• power station control system</li> <li>• 11 kV switchboard</li> <li>• auxiliary transformers</li> <li>• gas and diesel distribution</li> <li>• workshop, office, potable water tank</li> <li>• power cables to connect to site distribution network.</li> </ul>
<b>Proposed infrastructure</b>	<p><b>Stage one</b></p> <ul style="list-style-type: none"> <li>• two 2MW Cummins C2000 N5CB gas generators constructed and installed within the existing power station layout (“GG10 and GG11” shown in Figure 1)</li> </ul> <p><b>Stage two</b></p> <ul style="list-style-type: none"> <li>• two 2MW Cummins C2000 N5CB gas generators constructed and installed in an extended area of approximately 0.82 hectares (ha) immediately north-east of the existing power station (“GG12 and GG13” shown in Figure 1)</li> </ul>



**Figure 1 Existing and Proposed Power Station Layout**

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The current and estimated additional emissions for the power station and expansion are given in Table 2 below. Whilst emissions in Table 2 are given at 100% load, Agnew estimates that the engines will be operating at an average load factor below 40%. Built capacity will be much larger than the load limit as the primary energy source for the project is renewable energy. Emissions stacks for gas engines will be 8.5 metres above ground level (m agl). When renewable energy is not directly available, power will then be drawn from battery storage and then the gas power station and/or diesel generators.

**Table 2 Gas power plant emissions (mg/m<sup>3</sup>)**

Component	Continuous Power	Existing Emissions*	Additional Emissions**	Total Emissions
Total unburned hydrocarbons	1,605			
NO <sub>x</sub> (oxides of Nitrogen as NO <sub>2</sub> )	500	4,500	2,000	6,500
Carbon Monoxide	1,105	9,945	4,420	14,365
Particulate Matter	<0.06	0.54	0.24	0.78
Sulfur Dioxide	N/A	N/A	N/A	N/A

\* Emissions based on 9 x 2.0 MW Cummins C2000 N5CB gas reciprocating generator sets at 100% load.

\*\* Emissions based on 4 x 2.0 MW Cummins C2000 N5CB gas reciprocating generator sets at 100% load.

Emissions from the existing diesel plant are given in Table 3 below. Emissions stacks for diesel engines will be 8.1 m agl. No additional diesel generators are proposed for the power station expansion.

**Table 3 Existing diesel plant emissions (mg/m<sup>3</sup>)**

Component	Continuous Power	Existing Emissions*	Additional Emissions	Total Emissions
Total unburned hydrocarbons				
NO <sub>x</sub> (oxides of Nitrogen as NO <sub>2</sub> )	4,010	8,020	N/A	8,020
Carbon Monoxide	500	1,000	N/A	1,000
Particulate Matter	25	50	N/A	50
Sulfur Dioxide	0.56	1.12	N/A	1.12

\* Emissions based on 2 x 1.8 MW Cummins C2250 D5 prime rated diesel reciprocating generator sets at 100% load.

DWER notes that the power station expansion will bring the sites' scope 1<sup>3</sup> greenhouse gas emissions to 65,719 tonnes per annum<sup>4</sup>.

<sup>3</sup> as defined by the Environmental Protection Authority's (EPA) Environmental Factor Guideline "Greenhouse Gas Emissions".

<sup>4</sup> Where scope 1 emissions are likely to exceed 100,000 tpa, the EPA may assess the proposal. See the "Greenhouse Gas Emissions" guideline for further information.

**Table 4 Estimated scope 1 greenhouse gas emissions**

	Emissions tonnes CO <sub>2</sub> per annum 2022	Emissions tonnes CO <sub>2</sub> per annum including expans
<b>Power station</b>	36,131	40,131
<b>Other activities</b>	25,588	25,588
<b>Total for Agnew Gold Mine</b>	61,719	65,719

## 2.4 Other relevant approvals

### 2.4.1 The Mining Act 1978

Department of Mines, Industry Regulation and Safety (DMIRS) advised DWER on 9 January 2023 that a mining proposal (registration ID 73834) was approved for construction of an 18MW power station on 12 June 2018. DMIRS noted that Agnew may need to amend the mining proposal for operation of a 26MW power station and indicated that Agnew contact DMIRS to discuss this. Agnew Gold was notified of this advice on 10 January 2023, and they have indicated they intend to submit a mining proposal in Q1 of 2023.

### 2.4.2 Other Part V EP Act approvals

Agnew Gold Mining Company Pty Ltd holds a clearing permit CPS 8248/2 approved on 20 December 2022 to increase the clearing area from 65.7 hectares to 80.7 hectares within the permitted new boundary for the purpose of expanding their Alternative Power Project (APP).

### 2.4.3 Aboriginal Heritage

Several lodged heritage sites surround the power station, the closest being ~500m north of the proposed expansion envelope (Appendix 1, Figure 2). DWER requested comment from Department of Planning, Lands and Heritage (DPLH) and the Tjiwarl Aboriginal Corporation (Tjiwarl AC) regarding the proposed activities.

A response was received from the Tjiwarl AC on 17 January 2023, indicating that whilst they had not been consulted on this particular project (despite the details contained in Agnew Gold's Stakeholder Engagement Document), the area of the approval falls outside of the Tjiwarl determination area in an area of previously disturbed land and is not large. They indicated that "...For this reason, we do not currently have any reason to provide further comment on the application". No comments were received from DPLH.

DWER notes that the applicant is responsible for ensuring appropriate approvals and stakeholder engagement has taken place under the *Aboriginal Heritage Act 1972* and subsequently the *Aboriginal Cultural Heritage Act 2021* (following completion of the transitional period from the 1972 Act<sup>5</sup>).

## 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).

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<sup>5</sup> Before the *Aboriginal Cultural Heritage Act 2021* is implemented there will be a transitional period during which the regulations, statutory guidelines and operational policies will be developed to ensure the ACH Act will have its intended effects. During the transitional period the *Aboriginal Heritage Act 1972* will remain in force.

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 operations which have been considered in this decision report are detailed in Table 4 below. Table 4 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary. As there are no nearby human receptors, noise emissions have not been included within the risk assessment.

**Table 5: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Construction</b>			
Dust	Construction of power station. Vehicle movements and earthworks.	Air / windborne pathway	<ul style="list-style-type: none"> <li>Dust minimisation measures including water cart and fixed sprays during construction and on unsealed roads; and</li> <li>Vehicles, earth moving equipment and supply vehicles kept to defined roads.</li> </ul>
<b>Time limited operations</b>			
Emissions to air – NOx, SO <sub>2</sub> , CO, particulate matter and unburned hydrocarbons	LNG power station operation, including use of hydrocarbon storage tanks	Air / windborne pathway	<ul style="list-style-type: none"> <li>Low sulfur diesel fuel to be used in power generator sets;</li> <li>Power generators to be maintained and serviced to manufacturers specifications;</li> <li>Emissions testing was completed on existing generators in 2019 and 2020 and has been submitted with the application document (testing confirms emissions from existing power station were within allowable tolerance limits for the generators); and</li> <li>Emissions testing will continue in accordance with the manufacturers requirements: <ul style="list-style-type: none"> <li>Power generators are tuned based on NOx emissions (oxides of Nitrogen as NO<sub>2</sub>), which are readily tested on site during commissioning. All other emission compliance is predicated on the tuning for NOx. During commissioning and operations, the power generators are maintained and tuned using exhaust NOx emissions to ensure optimal efficiency and emissions performance, in accordance with manufacturer specifications. In addition, the</li> </ul> </li> </ul>



Emission	Sources	Potential pathways	Proposed controls
			<p>manufacturer recommends testing NOx when certain engine components are replaced or modified, or otherwise with every scheduled 2000-hour service.</p>
Contaminated stormwater (hydrocarbons)		Surface water run-off	<ul style="list-style-type: none"> <li>• Minor spills to be cleaned up immediately;</li> <li>• Leak/spillage of engine oil to be contained within a closed bund and pumped out of a sump. Spillages to be removed and disposed offsite at an appropriately licensed facility;</li> <li>• Fuel bowsers/delivery inlets to be located on concrete or HDPE lined pads to contain any drips and spills;</li> <li>• Bunds and other spill containment structures will be designed to contain 110% of the largest hydrocarbon storage tank located within the containment area;</li> <li>• Bulk hydrocarbons (lubricant, waste oil diesel fuel) are stored in self-bunded tanks;</li> <li>• The stage one expansion will use existing drainage infrastructure. The existing gas generators are housed in individual purpose-built steel enclosures which are mounted on a 250-mm elevated concrete slab surrounded by blue metal and compacted 150-mm-thick quarry rubble. The additional gas generators for the proposed expansion will be installed in accordance with the current design.</li> <li>• The stage two expansion will incorporate the same design as the existing infrastructure, including mounting each gas generator enclosure on a 250-mm elevated concrete slab surrounded by blue metal and compacted quarry rubble that will be graded away from the enclosure slab to allow drainage to the north and south sides of the site for collection by the stormwater system. This infrastructure will be developed prior to installation of the additional gas generators.</li> </ul>

### 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 6 below provides a summary of potential 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 closest human receptors are in the town of Leinster, 20km northeast of the premises and a pastoral homestead 23km south of the premises. The Delegated Officer considers that, due to distance, these receptors will not be impacted by proposed activities and have discounted them from the risk assessment.

**Table 6: Sensitive environmental receptors and distance from prescribed activity**

Environmental receptors	Distance from prescribed activity
<p><u>Ephemeral creek lines</u> <i>Hydrography WA 250k – surface water lines</i></p>	<p>Unnamed ephemeral creek line ~230m north of power station expansion envelope (Appendix 1, Figure 4) “Scotty Creek” is located ~2.7km west of the power station area The application document indicates that “local creeks are ephemeral and only contain water in isolated water holes for brief periods following significant rainfall events”.</p>
<p><u>Groundwater</u> <i>RIWI Act 1914 – Goldfields Groundwater Area</i></p>	<p><u>Groundwater depth</u> Dames &amp; Moore (1999) indicate that there are two primary aquifer systems in the area:</p> <ul style="list-style-type: none"> <li>• An ultramafic rock aquifer with low permeability layer between 10 to 30 m below ground surface (m bgs), replenished by recharge from high rainfall events; and</li> <li>• A fractured rock aquifer with low permeability weathered rock.</li> </ul> <p>Groundwater depth in monitoring bore EWB68, the closest monitoring bore to the power station area (1.6km south-west of the power station) has recorded groundwater levels between 30 – 35m bgs (between Jan 2018 and September 2021) (Agnew Gold, 2022).</p> <p><u>Groundwater quality:</u> Groundwater quality recorded for the closest monitoring bore EWB68 is brackish (~2800mg/L recorded for monitoring during 2021). DWER notes that this monitoring bore may not be representative of background water quality however, being only 260m north of tailings storage facility 2 (TSF2).</p> <p><u>Nearby groundwater users:</u> There are no beneficial users of groundwater within 2 km of the power station. The closest beneficial users of groundwater to the Power Station at AGM include Pinnacles Pastoral Station (~4 km west) and Leinster Downs Pastoral Station (~3 km north).</p>

<p><u>Native vegetation</u></p> <p>Mostly “poor” quality immediately surrounding the power station (MBS, 2022)</p>	<p>Adjacent to the power station. (Appendix 1, Figure 3)</p>
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### 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 6.

Works approval W6757/2022/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 6 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence amendment is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the power station. 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 7: 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>								
Construction of power station. Vehicle movements and earthworks.	Dust	Air / windborne pathway resulting in poor health of adjacent native vegetation	Adjacent native vegetation (sparse)	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Condition 1 – dust management	Native vegetation adjacent to the power station is sparse and construction works associated with the power station will be of short duration. The applicant proposed control for dust suppression with a water cart is considered sufficient and has been placed on the licence as a regulatory control.
<b>Time limited operations (stage 1 &amp; 2)</b>								
LNG power station operation	Emissions to air – NO <sub>x</sub> , SO <sub>2</sub> , CO, particulate matter and unburned hydrocarbons	Air / windborne pathway causing impacts health of adjacent native vegetation	Adjacent native vegetation (sparse)	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	N	Condition 2 – infrastructure requirements Condition 8 – operational requirements Condition 9 – authorised emissions <b><u>Conditions 10 – 12 – monitoring during time limited operations</u></b>	The applicant proposed controls have been placed on the licence as regulatory controls.  In addition to the applicant proposed NO <sub>x</sub> sampling during commissioning, DWER has placed a requirement volumetric flow rate monitoring and for NO <sub>x</sub> sampling method to be in accordance with USEPA Method 7D or 7E.

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				
	Contaminated stormwater (hydrocarbons)	Surface water run-off - impact to water quality within nearby ephemeral creek lines	Ephemeral creek lines (closest 230m north of power station)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 2 – infrastructure requirements Condition 8 – operational requirements	The applicant proposed controls are considered sufficient and have been placed on the licence as regulatory controls.
		Surface water run-off impact to underlying groundwater quality	Groundwater (~30m bgl)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 2 – infrastructure requirements Condition 8 – operational requirements	The applicant proposed controls are considered sufficient and have been placed on the licence as regulatory controls.

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

**Table 8: Consultation**

Consultation method	Comments received	Department response
Application advertised on the department's website on 16 December 2022	None received	N/A
Shire of Leonora advised of proposal on 16 December 2022	None received	N/A
Tijwarl AC advised of proposal on 13 January 2023	A response was received from the Tijwarl AC on 17 January 2023, indicating that whilst they had not been consulted on this particular project, (despite the details contained in Agnew Gold's Stakeholder Engagement Document), the area of the approval falls outside of the Tijwarl determination area in an area of previously disturbed land and is not large. They indicated that "...For this reason, we do not currently have any reason to provide further comment on the application".	DWER has requested that Agnew are more accurate and transparent in their documents detailing stakeholder engagement.
Department of Planning, Lands and Heritage advised of proposal on 16 December 2023.	None received.	DWER notes that the applicant is responsible for ensuring appropriate approvals and stakeholder engagement has taken place under the <i>Aboriginal Heritage Act 1972</i> and subsequently the <i>Aboriginal Cultural Heritage Act 2021</i> (following completion of the transitional period from the 1972 Act <sup>6</sup> ).
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 16 December 2022	Refer to section 2.4.1	DWER has advised the applicant that they may require an amendment to the Mining Proposal for operation of a 26MW power station and to contact DMIRS to discuss this.

<sup>6</sup> Before the *Aboriginal Cultural Heritage Act 2021* is implemented there will be a transitional period during which the regulations, statutory guidelines and operational policies will be developed to ensure the ACH Act will have its intended effects. During the transitional period the *Aboriginal Heritage Act 1972* will remain in force.

		Agnew has indicated an amendment to Mining Proposal will be submitted shortly.
Applicant was provided with draft documents on 31 January 2023	Refer to Appendix 2	Refer to Appendix 2

## 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.

DWER notes that the applicant will also be required to meet obligations under the *Mining Act 1978* and that a mining proposal, at the time of writing, had not yet been approved.

It is also the responsibility of the applicant to ensure that they have all the appropriate approvals and have conducted stakeholder consultation to meet their obligations under the *Aboriginal Heritage Act 1972*.

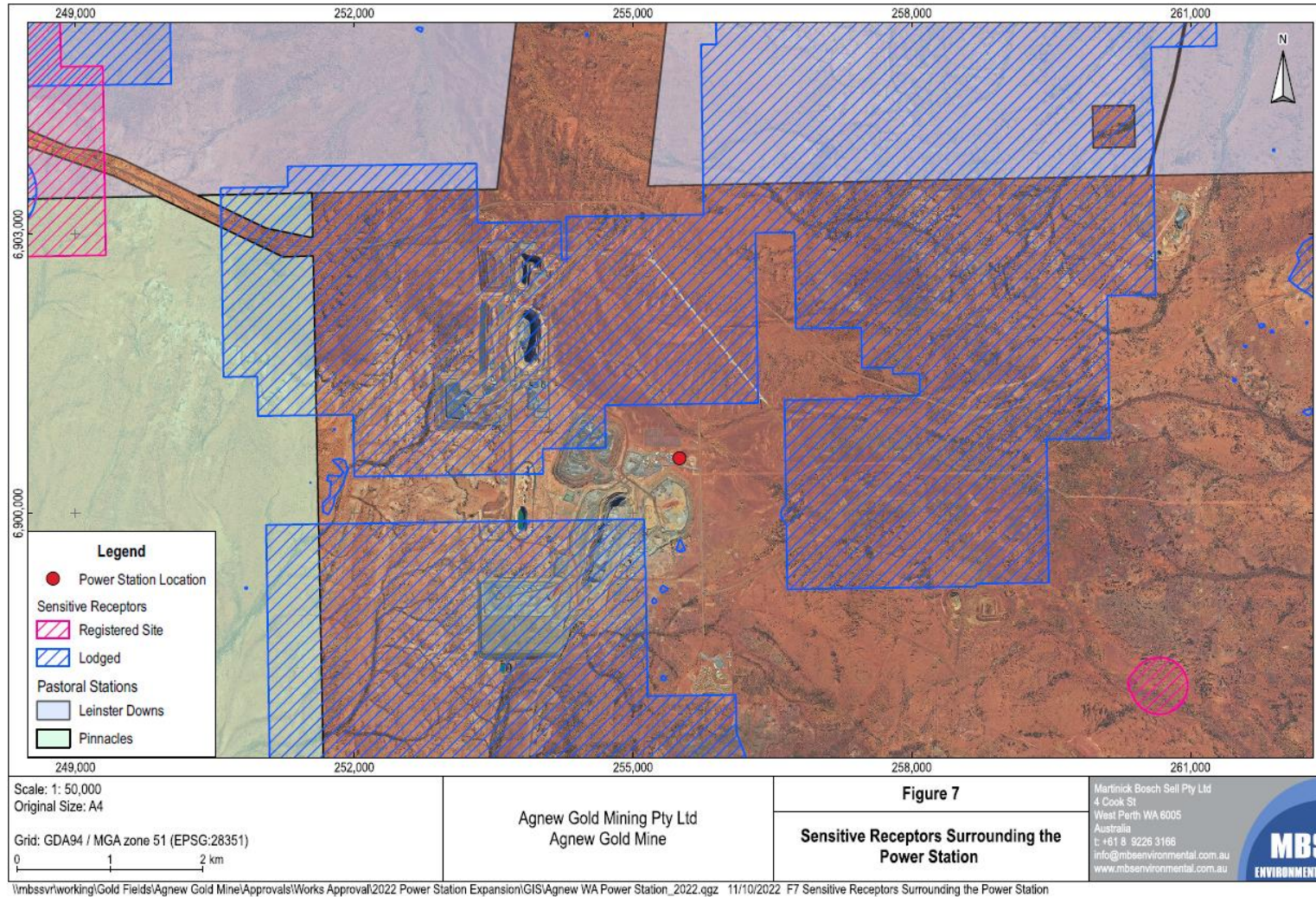
DWER also notes that whilst Tjjarl AC did not object to proposal, they also indicated they had not been consulted as detailed in Agnew's stakeholder engagement document. DWER requests that in future applications, Agnew is accurate and transparent in its reporting of stakeholder consultation.

## References

1. Agnew Gold 2022, *Annual Environmental Report, Reporting Period 1 January 2021 and 31 December 2021* DWER ref DWERDT570268
2. Dames & Moore 1999, *Notice of Intent – EMU Pit Expansion Project. Report prepared for WMC Resources Ltd – Agnew Gold Operation*
3. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
4. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
5. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.



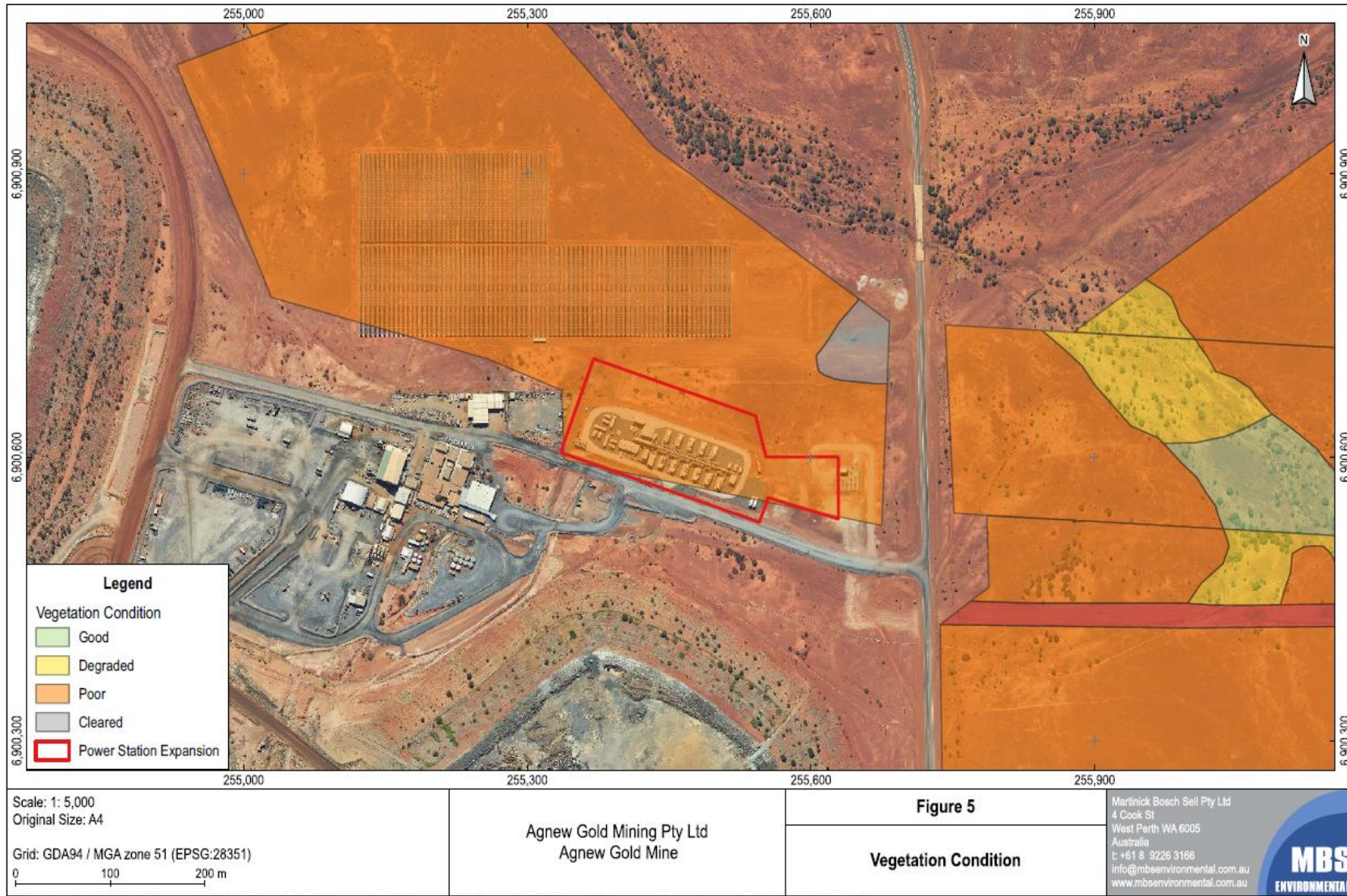
## Appendix 1: Additional Figures



**Figure 2 Lodged Aboriginal Heritage Sites surrounding the Agnew Power Station**

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



**Figure 3 Vegetation condition surrounding the power station**

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



**Figure 4 Sensitive environmental receptors - nearby ephemeral creeks**

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

## Appendix 2: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Condition 2, Table 1	<p>Please update infrastructure from "LNG" to "Gas" power station</p> <p>Item 1(d) and 3(d) rather than draining to a concrete lined sump, the power station contains several bunded areas that may accumulate water or other fluids which will be drained from the bunds and transferred to IBC containers for disposal off-site at an appropriately licensed facility</p> <p>Item 1(e) and 2: hydrocarbon storage is for existing infrastructure and not part of the expansion</p>	<p>Updated to "gas".</p> <p>1(d) DWER has updated the condition to reflect stormwater management</p> <p>1(e) and 2: as the infrastructure is pre-existing, DWER will remove this item from condition 2, however some of the applicant proposed controls (for storage and prevention of spills/leaks) have been placed within condition 8, Table 2 for time limited operations.</p>
Condition 8, Table 3	Item 1(b) and 3(b) – emissions testing requested as detailed for condition 10, Table 4	As emissions testings for NOx will take place as part of condition 10, Table 4 – wording for item 1(b) and 3(b) will be removed. Any additional testing which may be required is captured as part of item 1(a) and 3(a) "maintained and operated in accordance with manufacturers specifications".
Condition 8, Table 3	Request for deletion of hydrocarbon storage infrastructure from the TLO condition as this is pre-existing infrastructure and no additional storage is included as part of the expansion.	DWER has removed this infrastructure from the construction condition 2. DWER has modified the TLO condition to reflect the correct existing hydrocarbon infrastructure and placed some of the proposed controls (as proposed during the application supporting documentation) for management of hydrocarbons during time limited operations (stored within bunded areas, and containment of leaks/spills).
Condition 10, 11 and 12	<p>Agnew requests the following monitoring requirements replace condition 10 (for monitoring of emission during TLO) and consequent removal of associated reporting requirements condition 11 and 12:</p> <p>"Gas power generators will be tuned based on NOx emissions (oxides of Nitrogen as NO2), which are readily tested on site during commissioning. All other emission compliance is predicated on the tuning for NOx.</p> <p>The gas generators will be maintained and tuned using exhaust NOx emissions to ensure optimal efficiency and emissions performance, in accordance with manufacturer specifications, during commissioning and operations. The manufacturer recommends testing NOx when certain engine components are replaced or modified, or otherwise with every scheduled 2000-h service."</p>	<p>As NOx testing will assist in the calibration of other gases DWER will condition a single sampling event requiring NOx testing, as proposed by the applicant, during time limited operations. However, DWER will still require volumetric flow rate sampling and for the NOx sampling method to be USEPA Method 7D or 7E.</p> <p>Associated reporting requirements – conditions 11 and 12 – for monitoring will remain on the instrument for DWER to verify expected emissions from the proposed infrastructure.</p> <p>On-going sampling will be further considered at the time of the licence application.</p>

Condition	Summary of applicant's comment	Department's response
Schedule 1	Updated figures have been provided, showing further detail regarding infrastructure location.	The instrument has been updated.
Schedule 2	Coordinates provided to DWER have been updated to GDA2020	The instrument has been updated with the coordinates in GDA2020

## Appendix 3: Application validation summary

SECTION 1: APPLICATION SUMMARY		
<b>Application type</b>		
Works approval	<input checked="" type="checkbox"/>	
Date application received	14 October 2022	
<b>Applicant and Premises details</b>		
Applicant name/s (full legal name/s)	Agnew Gold Mining Company Pty Ltd	
Premises name	Agnew Gold Mine	
Premises location	Portion (0.82 ha) of M36/53 Agnew Gold Mine, Leinster WA 6437	
Local Government Authority	Shire of Leonora	
<b>Application documents</b>		
HPCM file reference number:	DER2018/001042-8~29	
Key application documents (additional to application form):	<ul style="list-style-type: none"> <li>• Environmental Siting Report (MBS 2022)</li> <li>• Emissions Risk Assessment Report (MBS 2022)</li> <li>• Stakeholder Engagement and Project Approvals (MBS 2022)</li> <li>• Project Activities (MBS 2022), including construction details of the existing and proposed generators</li> </ul>	
<b>Scope of application/assessment</b>		
Summary of proposed activities or changes to existing operations.	<p>Expansion of the existing power station, including installation of the following infrastructure:</p> <ul style="list-style-type: none"> <li>• Stage 1: 2 x 2.0MW Cummins C2000 N5CB gas reciprocating generator sets</li> <li>• Stage 2: 2 x 2.0MW Cummins C2000 N5CB gas reciprocating generator sets</li> </ul> <p>Earthworks including drainage also required for the expansion works.</p> <p>Category 52 is not triggered by the throughput capacity of the existing gas power generation at the premises. This amendment will increase the maximum production capacity from 18 MW to 26 MW (gas) and therefore exceed the 20 MW (gas) threshold for Category 52.</p> <p>A Time Limited Operations phase has been requested to permit emissions testing and operation of the new gas generators until the grant of a licence amendment.</p>	
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>		
<b>Table 1: Prescribed premises categories</b>		
Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 52: Electric Power Generation	26 MW in aggregate (gas) 3.6 MW in aggregate (diesel)	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: 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: 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"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input checked="" type="checkbox"/> Expiry: 29/10/2027 (Mining Lease 36/27) Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Mining Proposal 73834 (construction and operation of 18 MW gas power station, disturbance footprint up to 10 ha) Expiry date: N/A If N/A explain why?
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"/>	CPS No: N/A Clearing exemption on Tenement M36/53 – clearing under 10 ha exemption 0.82 ha of additional 'pre-disturbed' area immediately adjacent to the north of the existing Power Station is to be cleared for the proposed expansion.
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 No clearing is proposed.
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: Licence/permit No: Licence / permit not required.

<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"/>  Regional office: N/A</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: P1 / P2 / P3 / 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"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>None relating to this application.</p>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>N/A</p>
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>No classified sites, however nine reported (PC-IR) sites exist across the premises.  Classification: Awaiting classification  Date of classification: N/A</p>