



Application for Licence

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

Licence Number	L9405/2023/1
Applicant	Buckski Holdings Pty Ltd
ACN	155 400 669
File Number	DER2023/000486
Premises	Elazac Quarry Indee WA 6721 Legal description Mining tenement M45/1186 As defined by the coordinates in Schedule 1 of the Licence
Date of Report	01/02/2024
Decision	Licence granted

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 operation of the Premises. As a result of this assessment, Licence L9405/2023/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision 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 Application summary and overview of Premises

On 24 July 2023, Buckski Holdings Pty Ltd (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 crushing and screening within Mining Tenement M45/1186 (the Premises). The Premises is approximately 65 km south of the Town of Port Headland.

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 Licence L9405/2023/1. 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 2017) are outlined in Licence L9405/2023/1.

Excavation is undertaken by blasting within a defined pit. Raw material is then trucked outside the pit and stockpiled to be crushed and screened before the final product is transported off the premises. Excavation at the Elazac quarry is undertaken in accordance with Mining Proposals 24125 and 38348, issued by the Department of Mines, Industry Regulation and Safety.

Crushing and screening at the Elazac Quarry commenced in 2010 and was licenced under the EP Act through licence L8468/2010/1 by the then owner, BGC Contracting Pty Ltd. Operations at the quarry were suspended in 2015 and went into care and maintenance until 2018, when the licence ceased. In 2019, Buckski Holdings Pty Ltd acquired the mining lease and recommenced crushing and screening at the premises and have been operating there continuously since this time. As the previous Part V licence for operations at the premises ceased in 2019, the current owner of Elazac Quarry have been operating without a valid Part V instrument.

Operations

The crushing and screening process involves material being fed into a primary jaw crushing plant using a front end Loader (FEL) or excavator, then dry or wet screened to size. The screened material is then delivered into a feed bin that supplies the feed to a secondary crusher. Material is then passed over a screen and the oversize material is recirculated through to a tertiary crusher. As the material passes through the screens, it is separated into various products and stockpiled via a FEL. The design output is approximately 200 tonnes per hour and the annual production is approximately 350,000 tonnes per annum. The design of the crushing and screening circuit is shown below in Figure 1.

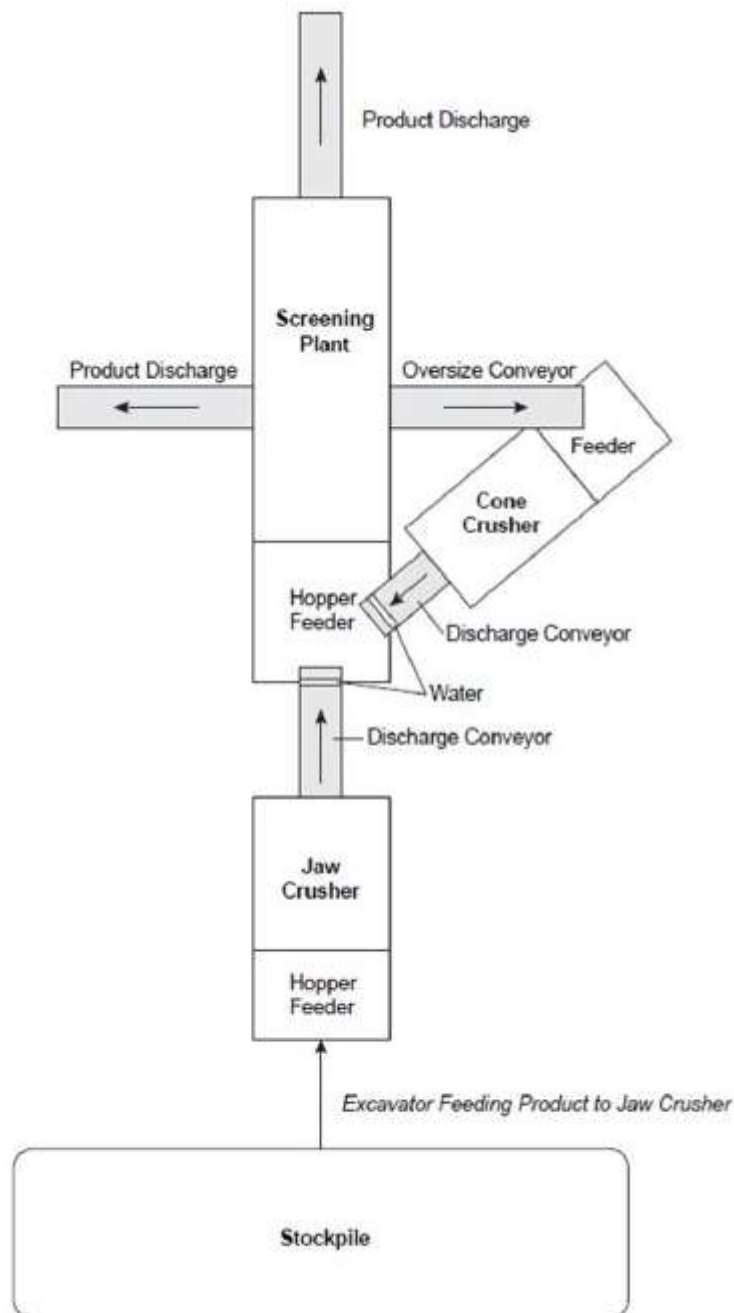


Figure 1: Crushing and screening circuit

Crushing and screening infrastructure consists of the following equipment:

- Rubber-tyred loader and excavator;
- Terex Finlay J14080 Jaw Crushing Plant (mobile);
- Terex Finlay C1540 Cone Crushing Plant (mobile);
- Terex Finlay C1550 Cone Crushing Plant (mobile);
- Terex Finlay 984 Horizontal Screen Plant (mobile);
- Terex Finlay 694 Incline Screen Plant (mobile);
- Terex Finlay 893 Reclaimer Screen Plant (mobile);
- Cat 980 wheeled loader;
- Maintenance bay and offices;

- Service truck; and
- Bobcat.

Hydrocarbon storage at the premises is approved under Mining Proposal Reg Id 38348 and consists of:

- 1 x 55,000L self-bunded main diesel storage tank;
- 2 x 1,000L self-bunded diesel tanks; and
- A fully lined hydrocarbon storage bay designed to hold up to 14 x 205L drums and up to 2000L of waste oil.

The regional location of the Elazac quarry is shown below in Figure 2.

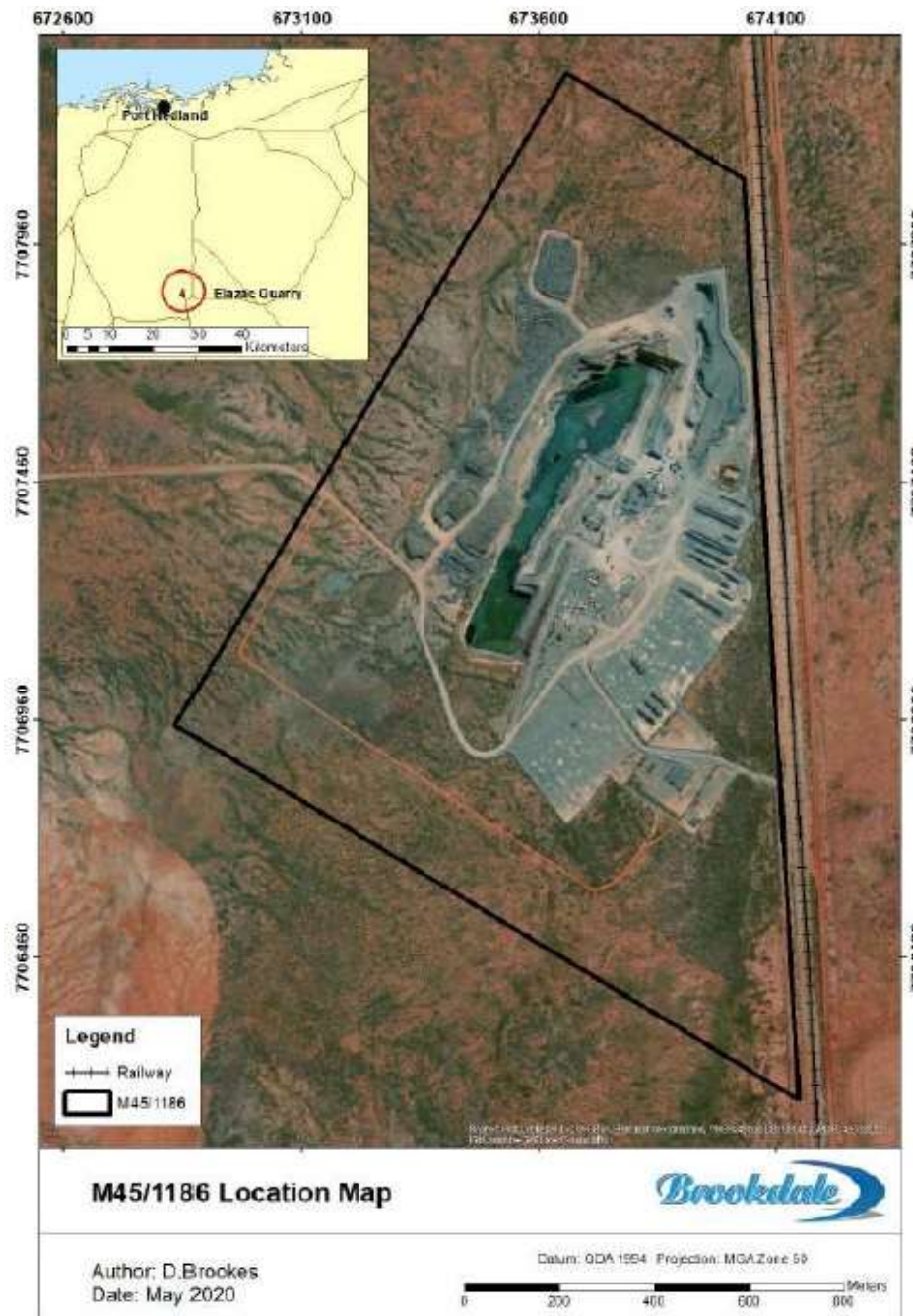


Diagram 2: Elazac quarry location

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 2017).

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 1 below. Table 1 also details the proposed 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
Operation			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne pathway	<ul style="list-style-type: none"> • Minimise the area requiring vegetation removal; • Apply water the roads and other trafficked surfaces to minimise dust lift-off; • Ensure stockpiles are kept wet during periods of high winds; • Maintain dust control equipment on mobile plant such as sprinklers and conveyor shrouds; and • Maintain a speed limit for vehicles on site.
Noise	Crushing and screening of material	Air/windborne pathway	As the nearest noise sensitive receptor is 10 km from the premises, no additional control measures are proposed.
Sedimentation	Runoff from stockpiles and exposed surfaces	Waterborne pathway	<ul style="list-style-type: none"> • Surface water runoff is contained within the surface boundary; and • Surface water is diverted to a number of sedimentation dams and catchment sumps to be stored for dust suppression.
Hydrocarbons	Hydrocarbon storage, vehicle servicing and refueling.	Waterborne pathway	<ul style="list-style-type: none"> • Spill kits are placed at the refueling and vehicle servicing areas; • Contaminated soils are immediately recovered and removed to a licensed facility; and • Waste hydrocarbons are stored in a dedicated bunded area and removed off-site by a licensed contractor.

3.1.2 Receptors

In accordance with the *Guideline: Risk assessment* (DWER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant'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 2 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 2016)).

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

Human receptors	Distance from prescribed activity
Closest residential receptor (Indee Station Village)	10 km south west of the premises.
Railway compound (industrial)	20 km north of the premises.
Environmental receptors	Distance from prescribed activity
Localised groundwater	Up to 35 metres below surface levels.
Tributaries of the South Creek (part of the Port Hedland Coast Surface Water Catchment)	2.5 km north of the premises.
Priority flora	Six species of priority flora were identified as having been previously recorded in the vicinity around the Elazac quarry.
Priority and threatened fauna	An updated EPBC Protected Matters Search was completed in May 2023 that identified 11 Threatened Species that could potentially occur within the Project area. These included 1 reptile, 6 birds and 4 mammals' species.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk assessments* (DWER 2017) 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 3.

Licence L9405/2023/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. crushing and screening activities.

The conditions in the issued Licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Nearest resident 10 km south west of the premises. Native vegetation	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Condition 1	The general provisions of the EP Act apply.
	Noise	Air/windborne pathway causing impacts to health and amenity	Nearest resident 10 km south west of the premises.	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	The general provisions of the EP Act apply.
	Contaminated stormwater, hydrocarbon spills/leaks	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Seasonal tributary 2.5 km north of the premises. Localised groundwater 35 metres below ground level.	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 2 and 3	The general provisions of the EP Act and the <i>Environmental Protection (Unauthorised discharge) Regulations 2004</i> apply.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2017).

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 (18/08/2023)	No Comments received.	N/A
Local Government Authority (Town of Port Headland) advised of proposal (17/08/2023)	No Comments received.	N/A
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal (17/08/2023)	DMIRS replied on 21/08/2023 advising that the proposed licence aligns with the DMIRS Mining Proposal.	Noted.
Applicant was provided with draft documents on 6/12/2024	Applicant responded on 29/01/2024 stating they had not comments on the draft instrument.	Noted.

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) 2016, *Guideline: Environmental siting*, Joondalup, Western Australia.
3. DWER 2017, *Guideline: Risk assessments*, Joondalup, Western Australia.
4. Brookdale Contracting July 2023, Licence Application Crushing and Screening Category 12, Port Headland, WA.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY										
Application type										
Licence	☒	Relevant works approval number:		None	☒					
		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:								
Date application received		24/07/2023								
Applicant and Premises details										
Applicant name/s (full legal name/s)		Buckski Holdings Pty Ltd								
Premises name		Elazac Quarry								
Premises location		M45/1186								
Local Government Authority		Town of Port Headland								
Application documents										
HPCM file reference number:		DER2023/000486								
Key application documents (additional to application form):		<i>Licence Application Crushing and Screening Category 12</i>								
Scope of application/assessment										
Summary of proposed activities or changes to existing operations.		Operation of crushing and screening plant.								
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								
Category 12: Screening etc. of material		500,000 tonnes per annual period								
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"/>	Tribute Agreement Mining Proposal Reg ID 38348
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	mining lease
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 No clearing is proposed.
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.
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: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:
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 WQPN 25)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

<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 checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Mining Act 1978</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>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Classification: N/A Date of classification: N/A</p>