Application for Works Approval

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

Works Approval Number	W3131/2025/1
Applicant	Legacy Iron Ore Limited
ACN	125 010 353
Application number	APP-0031789
Premises	Mt Celia Gold Mine Legal description Within Tenures M39/1127, M39/1128 and M39/1145 KOOKYNIE WA 6431 As defined by the coordinates in Schedule 2 of the works approval
Date of report	11 May 2026
Proposed Decision	Works approval granted

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MANAGER, HEAVY 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 W3131/2025/1 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 26 September 2025, Legacy Iron Ore Limited (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act). The application is in relation to the installation and time limited operations (TLO) of a mobile crushing and screening plant operating at four different locations within the Mt Celia Gold Mine (the premises). The premises is located in Kookynie, approximately 95 km south of Laverton, and lies within the Shire of Menzies, Western Australia.

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 works approval W3131/2025/1. 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 2020a) are outlined in works approval W3131/2025/1.

2.3 Infrastructure and operations

The applicant has proposed to operate a mobile crushing and screening plant for Category 5 activities on mining tenement M39/1145. Authorised Category 5 activities will be undertaken on designated areas approved under works approval. These areas are limited to four existing Run-of-Mine (ROM) pads on the premises (as depicted in Figure 1). The ROM pads have previously been cleared under a native vegetation clearing permit (10213/1) and no further clearing of native vegetation will be required.

The proposed mobile crushing and screening plant will be a McCloskey 144R impact crusher (or equivalent) with a capacity of 180 tonnes per hour. The plant will be assembled off-site and be transported the premises ready to operate. The general assemblage of the plant will comprise of a main conveyor, hopper, feeder and a crusher with pre-screen.

The ore used for processing will be collected from stockpiles located on the ROM pad and loaded into the mobile plant via a 30-tonne excavator (or equivalent). The estimated annual throughput for the premises is 255,000 tonnes. All stockpiles will be constructed on the ROM pad and constructed with a maximum height of 20 m.

Stormwater is managed by retaining the water on the ROM pads with bunds and swales and redirecting it to an on-pad sump for collection and management.

To support operations, two 100 kL self-contained diesel storage tanks will also be located on site.

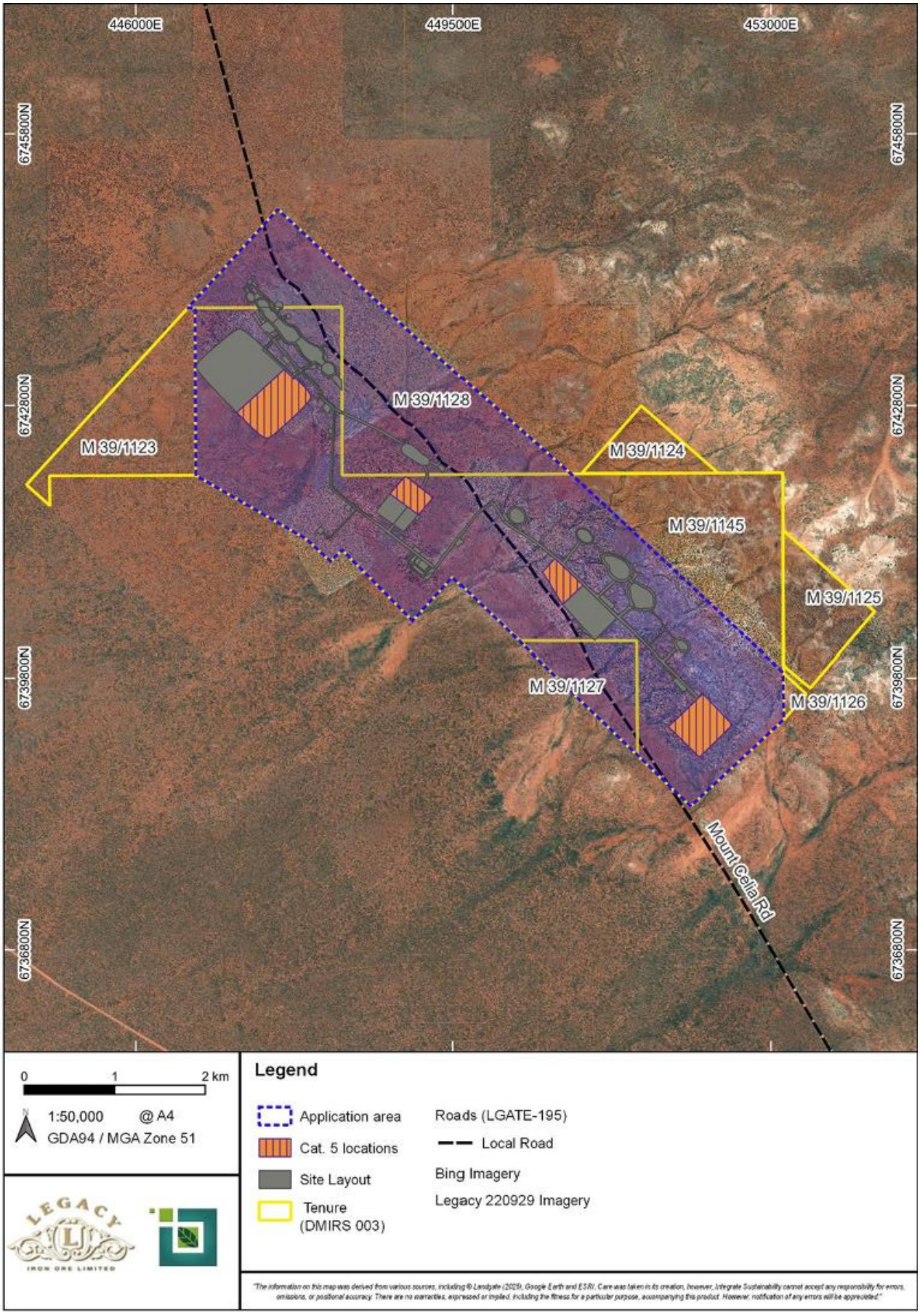

Figure 1: Proposed locations for Category 5 activities (ROM pads)

2.4 Mining Proposal 122281

Mining Proposal (Revision 5) Reg ID 122281 was approved on 14 February 2024 for the Mt Celia Gold Mine on tenements M39/1127, M39/1128 and M39/1145 by the Department of Mines, Petroleum and Exploration (DMPE).

The proposed activities in this application will be contained within the tenements approved under the *Mining Act 1978* and this works approval will have the same boundary as the existing prescribed premises boundary.

The applicant is preparing a mining development and closure proposal to incorporate on-site processing activities in already cleared areas, including the operation of mobile crushing equipment. The delegated officer notes submission and approval of the proposal will be required prior to the activities assessed under this decision report and works approval W3131/2025/1 commencing.

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 2020a).

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
Construction			
Dust	Installation of crushing and screening plant.	Air / windborne pathway	• Majority of the mobile crushing equipment is fabricated offsite and brought to site to be assembled (i.e. installed). • Dust emissions during installation are minor therefore no other active dust controls have been proposed.
Noise	Installation of crushing and screening plant.	Air / windborne pathway	• Majority of the mobile crushing equipment is fabricated offsite and brought to site to be assembled (i.e. installed). • All noise emissions will be compliant with the *Environmental Protection (Noise) Regulations 1997.*
Operation			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air / windborne pathway	• Dust suppression system consisting of water tank connected to high pressure sprays with further dust management via wetting of stockpile prior to feeding of crusher. • Dust suppression within the ROM pad areas will be undertaken using water sprays operated during active operations, particularly at material transfer and discharge points. • A mobile water cart will be operated when visible dust emissions are observed within the ROM pad areas. • Stockpiles will be constructed within the ROM pad areas to a maximum height of 20m, with individual lift heights limited to 10m. • Visual monitoring is undertaken daily for output of excessive dust
Noise	Crushing and screening of material	Air / windborne pathway	• Premises is remote from sensitive receptors. • All noise emissions will be compliant with the *Environmental Protection (Noise) Regulations 1997.*

Sediment laden stormwater	Stockpiling of ore, lump and fines. Dust on surface of ROM	Surface runoff Seepage to soil and groundwater	• Earthen bund surrounding mobile crushing and stockpiling area preventing any sediment run off. • All stockpiles will be located within the ROM pad areas and contained within the perimeter bunds surrounding each ROM pad. Internal drainage systems within the ROM pads will be managed within their respective areas. • Toe drains and sediment traps will be installed and maintained within the ROM pad areas to manage runoff, minimise erosion and contain stockpile material. • The ROM pad areas designated for stockpiling are enclosed by existing perimeter bunds approximately 1.5 to 2m in height. Any existing bunding will be enhanced as necessary to improve continuity and maximise sediment retention during rainfall events. • The stormwater diversion system to capture runoff within each ROM area and direct flows towards a designated sump for collection and management. The proposed sumps for stormwater collection on each ROM pad will have nominal dimensions of 10m (length) x 2m (width) x 1m
Hydrocarbon spills of leaks	Storage of fuels for loaders crushers and other vehicles		• Hydrocarbons stored in accordance with the relevant Australian Standards including the design specifications of AS 1940 – Storage and Handling of Flammable and Combustible • The diesel tanks are self-bunded. • Spill kits will be available at storage and transfer points.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020a), 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 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 2020b)).

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

Human receptors	**Distance from prescribed activity**
No nearby human receptors	The nearest sensitive site is the abandoned Mt Celia Homestead, located on the Mt Weld pastoral lease (N049826) within the application area. The Second Fortune mining operation is located 5 km northwest of the proposed premise, with the Deep South mining operation located 6.5 km to the south.
Environmental receptors	**Distance from prescribed activity**
Native vegetation	No threatened or priority flora within 3 km of the activity
Conservation significant fauna: - Malleefowl (*Leipoa ocellata*) – vulnerable - Long-tailed dunnart (*Sminthopsis longicaudata*) – near threatened	Malleefowl tracks were observed during site surveys, however, no malleefowl or mounds were located within the Mt Celia tenure. No long-tailed dunnarts were observed during site surveys however due to the habitat type (breakaway and rocky areas) may be present.
Underlying groundwater (non-potable purposes)	A water reserve (R11185) is located within the premises boundary.
TECs/PECs	Approximately 9 km from activity ***Considering the distance of Category 5 activities to this receptor, the delegated officer considers that impacts to this receptor are not foreseeable and therefore is not further considered in the risk assessment.***
Surface waters	Lake Carey is located approximately 9km to the northeast of the premises boundary and Lake Raeside is located approximately 17 km southwest of the premises. Lake Raeside is saline and often dry, filling to various degrees after larger rainfall events. Inflow occurs from direct rainfall and flow from creeks and adjacent wash plain. ***Considering the distance of Category 5 activities to this receptor, the delegated officer considers that impacts to this receptor are not foreseeable and therefore is not further considered in the risk assessment.***
Cultural receptors	**Distance from prescribed activity**
Aboriginal Cultural Heritage: - ACH-1562 - ACH-17031 - ACH 17033 - ACH-30613	There are two registered Aboriginal Cultural Heritage sites located within and immediately adjacent to the northeast of the premises boundary. ACH-1562 (Mt Celia Station) and ACH17033 are located within the premises boundary and ACH-17031 (Granite Monoliths) is located northeast adjacent to the premise boundary. A lodged Aboriginal heritage site - ACH-30613 (Granite Site Complex) is also located adjacent within 1km, to the east of the premises boundary.

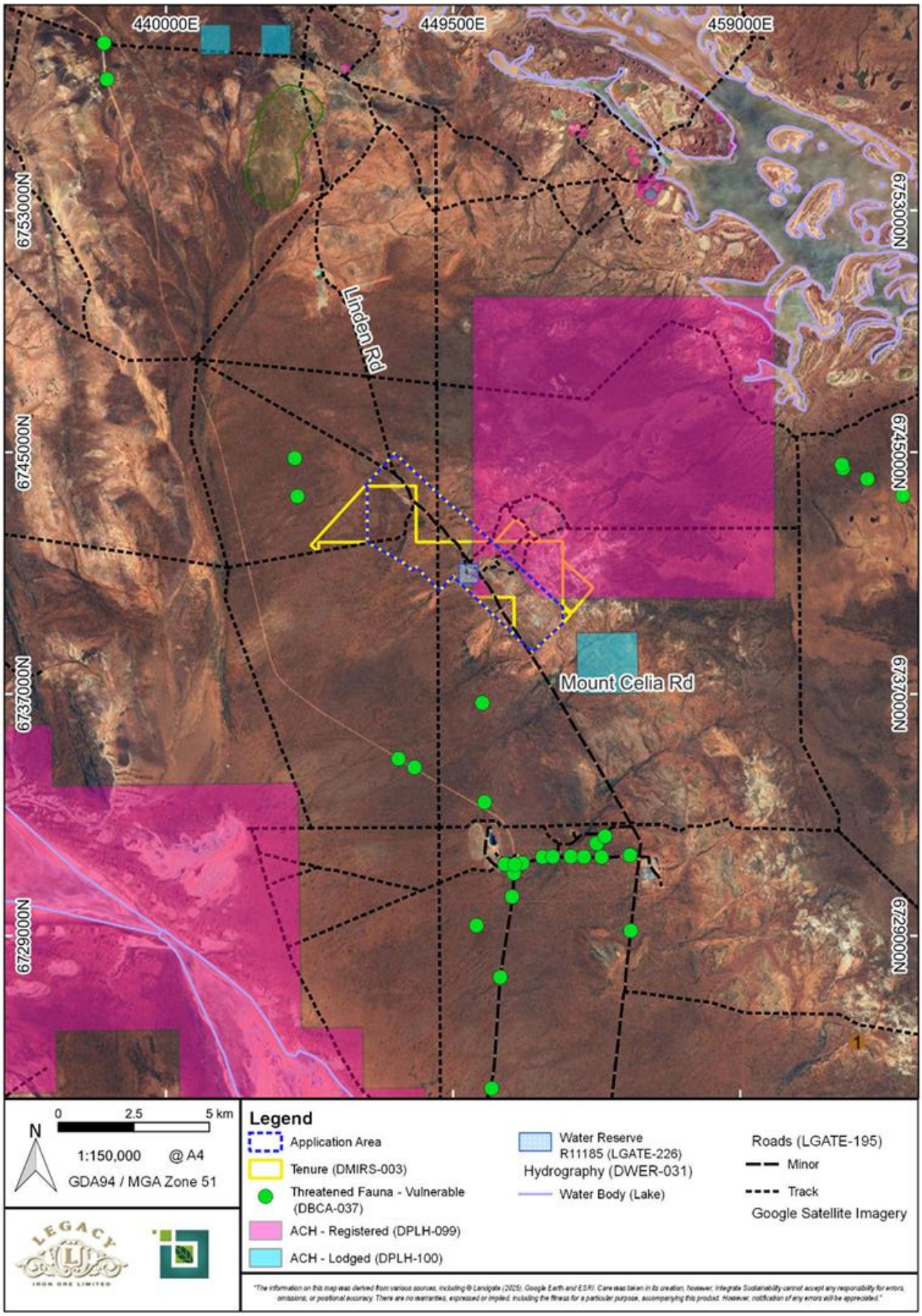

Figure 2: Nearby environmental and cultural receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020a) 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 W3131/2025/1 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 ongoing operation of the premises. 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 [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of works approval	Reasoning
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
Category 5: Processing or beneficiation of metallic or non-metallic ore								
Construction								
Placement of screen and associated equipment including vehicle movements (reversing beepers). Construction of stormwater channels, bund and stormwater sump.	Dust	Air / windborne pathway causing disturbance to foraging or nesting behaviour	Conservation significant fauna	Refer to Section 3.1	C =Slight L = Unlikely **Low Risk**	Y	N/A	The delegated officer considers that the due to the short-term duration of establishing the crushing and screening equipment, and the minimal dust emissions expected, the applicant's management controls for dust are sufficient in minimising the impact to the environment.
		Air / windborne pathway causing impacts to health and amenity	Adjacent mining operations		C =Slight L = Unlikely **Low Risk**			
	Noise	Air / windborne pathway causing disturbance to foraging or nesting behaviour	Conservation significant fauna	Refer to Section 3.1	C =Slight L = Unlikely **Low Risk**	Y	N/A	The delegated officer considers that the risk associated with noise emissions during the construction/establishment of the crushing and screening equipment to be low, noting the distance to sensitive receptors, and the short-term duration of the works. Notwithstanding, the Environmental Protection (Noise) Regulations 1997 apply to noise emissions for sensitive receptors
		Air / windborne pathway causing impacts to health and amenity	Adjacent mining operations and cultural heritage sites		C =Slight L = Unlikely **Low Risk**			
Operation (including TLO)								
Screening, crushing, unloading, loading and storage of material. Vehicle movements.	Dust	Air / windborne pathway causing disturbance to foraging or nesting behaviour	Conservation significant fauna	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Y	Condition 1 and Condition 6	The delegated officer considers that the applicants proposed management controls for dust are sufficient in minimising the impact on the environment. These controls are conditioned within the works approval.
		Air / windborne pathway causing impacts to health and amenity	Adjacent mining operations and cultural heritage sites					

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of works approval	Reasoning
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
Screening, crushing, unloading, loading and storage of material. Vehicle movements.	Noise	Air / windborne pathway causing impacts to health and amenity	Adjacent mining operations	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Y	NA	The delegated officer considers that the risk associated with noise emissions during the operation of the crushing and screening equipment to be low, noting the distance to sensitive receptors. Notwithstanding, the *Environmental Protection (Noise) Regulations 1997* apply to noise emissions for sensitive receptors.
		Air / windborne pathway causing disturbance to foraging or nesting behaviour	Conservation significant fauna					
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Local soil and groundwater	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Y	Condition 1 and Condition 6	The delegated officer considers that the applicant's proposed controls for management of stormwater are sufficient in minimising impact to the environment, noting that stormwater is to be retained on the ROM pads and redirected to sumps. The applicant's proposed controls are conditioned within the works approval.
	Hydrocarbon leaks and spills	Direct discharge to land, seepage into soil and groundwater contamination of run-off	Local soil and groundwater	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Y	Condition 1, 6 and 7	The delegated officer considers that the applicants' proposed controls for management of hydrocarbon storage are considered sufficient in minimising impact on the environment. The applicant's proposed controls are conditioned within the works approval.

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

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 on 25 November 2025.	A public submission was received on 10 December 2025 See Appendix 1	See Appendix 1
Wangkatja Tjungula Aboriginal Corporation (WTAC) notified 22 December 2025	Comments were received on 28 December 2025	See Appendix 1.
Applicant was provided with draft documents on 24 April 2026	Comments were received on 1 May 2026: - The applicant requested an update to information drafted in the decision report regarding operating hours to align with the submitted application information; and - The applicant provided an updated figure with a visible pink line demarcating the premises boundary.	Noted and updated.

5. Conclusion

Based on the information in the application and this assessment, the delegated officer has determined that the establishment of mobile crushing and screening works at Mt Celia will not present an unacceptable risk to the environment. In reaching this conclusion the delegated officer noted the following points:

- The area is already highly disturbed by mining and the crushing and screening will take place on the existing ROM pads.
- No additional clearing will occur.
- Hydrocarbons will be stored in accordance with the appropriate Australian Standards.
- Stormwater will be retained on the ROM pads.
- The site is remote from sensitive receptors.

The delegated officer has therefore determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting conditions. The granted works approval includes TLO to allow time for a licence to be applied for and granted.

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: Risk Assessments*, Perth, Western Australia.
3. Department of Water and Environmental Regulation (DWER) 2020b, *Guideline: Environmental Siting*, Perth, Western Australia.
4. Legacy Iron Ore Ltd, 2025, Supporting Information for Cat 5 Works Approval Application for the Mt Celia Gold Operation located on tenements M39/1127, M39/1128 and M39/1145

Appendix 1: Summary of stakeholder comments on the application

Summary of public comment	Department's response
Dust emissions • No quantitative dust emission factors or modelling results have been provided. • Given the arid climate and frequent windy conditions, fugitive dust is likely to be the dominant pathway for off-site impacts. • A calibrated dust dispersion modelling should be conducted. • Particulate monitoring stations upwind and downwind of the site should be included in the conditions.	The department acknowledges the detailed submission regarding potential dust emissions from the proposed activities and acknowledges dust as an important emission in the assessment of the works approval application. In this regard, the assessment conducted by the department for risks associated with dust emissions is detailed in section 3.2. Due to the nature of the activities, the controls proposed, and the distance to sensitive receptors, in this case approximately 5km to the northwest, the department considers that the risk posed by the activity to be low, and the controls proposed by the applicant to be sufficient to manage the activity. As per the department's published guidance statement *Risk Assessments*, the department considers the risk of impacts on sensitive receptors through the source pathway-receptor-impact model, and for this assessment determined that the risk posed is insufficient to necessitate baseline monitoring, dust dispersion modelling or on-going real time ambient monitoring. The conditions included within the works approval relating to equipment installation and operation, are expected to sufficiently manage the risks posed.
Noise emissions • The application is contradictory about the hours of operation saying that it is limited to day shift in the noise controls and 24-hour 7 day week in other places. • No sound power levels for the crusher, diesel genset, or ancillary equipment are supplied, nor is a noise contour map presented. Considering the nearest sensitive receptors (e.g., the abandoned Mt Celia Homestead, Aboriginal cultural heritage sites) lie within a few kilometres, a detailed acoustic prediction is essential. • Recommend acoustic modelling to compare to WA noise guidelines (eg ≤ 55 dB(A) L_eq, 24 h for residential zones)	The risk assessment conducted for risks associated with noise emissions is detailed in section 3.2. The *Environmental Protection (Noise) Regulations 1997* prescribe maximum noise levels to be received at a premises. As detailed in the assessment, there are no noise sensitive premises in the vicinity of the proposed works. The nearest residential area is Laverton, 95 km away and the Second Fortune Mining Operation is located 5 kilometres northwest of the site. Noise modelling for comparison with the prescribed noise levels is considered unnecessary based on the source-pathway-receptor risk assessment. The applicant has specified that operation will occur as both day and night shifts. The delegated officer has not included specific controls regarding the hours of operation as the risk assessment did not find a significant risk from noise emissions.

Water abstraction The cumulative volume of water abstracted for dust suppression, equipment cooling, and ancillary purposes is not quantified. Any increase in groundwater drawdown could affect the regional water balance especially during low rainfall years.	Matters regarding access to water and water usage (from source) are managed outside of the assessment under Part V of the EP Act and are therefore considered out of scope for this assessment. Depending on the specific circumstances, water access is administered via commercial agreement, or via groundwater extraction managed under the *Rights in Water Irrigation Act 1914*. The applicant has three licenced groundwater abstraction bores and six groundwater monitoring bores as well as in-pit sumps. Groundwater is currently only being recovered from sumps within the pits with additional water being obtained from an offsite source. A valid licence to take groundwater applies (GWL209078(1)) and the applicant has not proposed to increase the allowed extraction. Conditions of the GWL209078(1) require an annual groundwater monitoring report and a tri-annual groundwater monitoring review.
Fauna The baseline surveys identified two conservation-significant fauna species (Malleefowl and Long-tailed Dunnart) within a 3 km radius. The increased traffic and noise could exacerbate predation pressure on Malleefowl, a species already vulnerable to habitat fragmentation. Recommend the implementation of a species-specific monitoring program for malleefowl including camera traps and regular track surveys to detect any behavioural changes.	The department acknowledges the comments regarding the identified conservation significant fauna. These receptors were considered the risk assessment as detailed in section 3.2 Due to the nature of the proposed activities, and the controls proposed, the department considers that species specific monitoring is not warranted under the works approval.
Heritage Sites Three Aboriginal cultural heritage sites (ACH-1562, ACH-17031, ACH-30613) lie within or adjacent to the premise boundary. The statement “no risk of adverse impact” is not substantiated with a detailed cultural heritage impact assessment. Recommend that the applicant conduct a formal Aboriginal Cultural Heritage assessment in partnership with the Traditional Owners and develop a site-specific management plan that includes buffer zones, avoidance of ground-disturbing activities, and rapid response protocols for any inadvertent damage.	The department acknowledges the comments regarding Aboriginal Cultural Heritage sites. During the assessment of the application, the applicant advised that a Relationship Committee meeting was held with relevant Traditional Owners to present an overview of the application and the environmental management measures that will be taken. A mining agreement with the corporation is in place that requires the sharing of information on the project and regular meetings. The applicant’s Relationship Committee meets 2-4 times a year. The department understands that heritage surveys undertaken have not raised concerns about the project or the proposed activities. Open pit mining has occurred between the ROM pads and ACH-17033 which is the nearest heritage site to the proposed activities.

Climate and hydrology The climate description highlights occasional heavy rainfall and tropical cyclones. The application mentions earthen bunds to contain sediment during heavy rain, but does not provide design specifications (e.g., crest height, freeboard) or flood-risk modelling Recommend that the applicant perform a hydrological risk assessment and modelling using recent rainfall intensity-duration-frequency (IDF) curves for the Laverton region. Design bunds and drainage structures to withstand the 1-in-100-year storm event, and outline an emergency response plan for cyclone-related flooding.	The department acknowledges the comments regarding flood risk and notes that the risk assessment conducted for risks associated with flooding and sediment laden water is detailed in section 3.2. Due to the nature of the proposed activities, and the controls proposed, the department considers that detailed flood risk modelling is not warranted.
Summary of comments from WTAC	**Department's response**

Key comments/comments raised in the submission included;
 	
• WTAC has raised concern regarding direct and indirect impacts, including;
  ○ dust deposition and increased noise/activity affecting the heritage sites and cultural landscapes
  ○ increased risk of damage from vehicle and plant movements/relocation, laydown areas and maintenance of equipment; and
  ○ stormwater/sediment mobilisation and impacts during rainfall events.
• WTAC has expressed there was inadequate consultation regarding the proposal and requests this should be remedied before any determination is made.
• WTAC has noted the application supporting documentation refers to both 24 hours a day, 7 days a week (page 10) and 12 hours a day, 7 days a week (page 19).
	The department acknowledges the comments from WTAC regarding the proposed application, and with approval from WTAC, requested the applicant conduct further consultation and engagement.
	
	The department understands that this engagement has been undertaken, and as a result, the concerns raised have been addressed.
	
	The applicant confirmed the crushing and screening activities will be operated 24 hours a day, 7 days a week and this has been taken into account in the assessment.