



## Application for Licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence Number</b>	L9332/2022/1
<b>Applicant</b>	Spinifex Crushing and Screening Services Pty Ltd
<b>ACN</b>	135 324 551
<b>File Number</b>	DER2022/000232
<b>Premises</b>	Mt Regal Mine M47/1418 & M47/1484 MAITLAND WA 6714 As defined by the coordinates in Schedule 2 of the Licence
<b>Date of Report</b>	09 September 2022
<b>Status of Report</b>	Final

**Marko**

**Pasalich**

**A/MANAGER WASTE INDUSTRIES**

**an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)**

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# 1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation  As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of, and during this Review
Licence Holder	Spinifex Crushing and Screening Services Pty Ltd
m <sup>3</sup>	cubic metres

<b>Term</b>	<b>Definition</b>
Minister	the Minister responsible for the EP Act and associated regulations
MS	Ministerial Statement
mtpa	million tonnes per annum
NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
PM	Particulate Matter
PM <sub>10</sub>	used to describe particulate matter that is smaller than 10 microns (µm) in diameter
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Primary Activities	as defined in Schedule 2 of the Revised Licence
Review	this Licence review
Revised Licence	the amended Licence issued under Part V, Division 3 of the EP Act following the finalisation of this Review.
Risk Event	As described in <i>Guideline: Risk Assessments</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>
µg/m <sup>3</sup>	micrograms per cubic metre
µg/L	micrograms per litre

## 2. 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 L9332/2022/1 has been granted.

## 3. Scope of assessment

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>.

### 3.1 Application summary and overview of premises

On 25 May 2022, Spinifex Crushing and Screening Services 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 relates to crushing and screening of rock quarrying material and obsolete concrete rail sleepers at Mt Regal Mine, Karratha (M47/1418 and M47/1484).

The Applicant proposes to:

1. Produce quarried rocks using standard drill and blast techniques, with the resulting quarry product treated in a mobile crushing and screening plant, to produce product according to commercial demand; and
2. The recycling of obsolete concrete rail sleepers and re-using the crushed material as a road base on site.

The premises relates to the categories and assessed production capacities under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) that are defined in licence L9332/2022/1. The infrastructure and equipment relating to the premises category and any associated activities that the department has considered in line with *Guideline: Risk assessments* (DWER 2020) are outlined in licence L9332/2022/1.

#### 3.1.1 Background

Works approval W6261/2019/1 was granted for construction of the premises on 19 September 2019. On 14 June 2022, the Applicant was advised that compliance with condition 3 of Works approval W6261/2019/1 had not been demonstrated since the time limited operation of the installed infrastructure commenced prior to the completion of the storage pond and the compliance report required under condition 3 had been submitted to the Department.

The Applicant was further advised that since the construction of the storage pond is now complete, no further action will be taken by the Department regarding this matter at this stage and that the application for licence for the premises has been accepted.

#### 3.1.2 Overview of Premises

The Applicant is proposing to operate a mobile crushing and screening plant within Mining Leases M47/1418 and M47/1484 (Mt Regal Mine), Karratha, Western Australia.

The tenement holder of Mining Leases M47/1418 and M47/1484 is Archipelago Nominees Pty Ltd, has given written consent for the Applicant to undertake the proposed activity on these leases.

The rock will be quarried using standard drill and blast techniques, with the resulting quarry product treated in a mobile crushing and screening plant, to produce product according to commercial demand. It is anticipated that minimal product will be stockpiled on site as the intent is to only produce significant quantities of material as and when commercial demand required. Explosives will be supplied by approved contractor on a daily basis and will not be stored on site. Due to the nature of the operation being on a campaign basis and mobile equipment, the location of crushing and screening areas will change, but generally, will be within the area shaded green in Figure 1.

The applicant is also proposing to recycle obsolete rail sleepers from Rio Tinto and reuse the crushed material as a road base. The application details that equipment for processing the rail sleepers is already on site at the quarry. The rail sleepers will be brought to site and processed initially through a concrete pulveriser and then loaded into a closed loop impact crusher. As the rail sleepers are modern and recovered from a known source there is not considered to be a risk of asbestos material within the sleepers.

All internal steel will be recovered during the crushing process and collected in skip bins where it will be sent off site to a metal recycler. The impact crusher is fitted with internal and external water sprays that will be used to minimise the release of dust. The moisture conditioned end product will be stockpiled ready for testing.

### 3.2 Infrastructure

The Mt Regal Mine facility infrastructure, as it relates to Category 12, and 13 activities, is detailed in Table 2 and with reference to the Site Plan (attached in the Issued Licence).

Table 2 lists infrastructures associated with each prescribed premises category.

**Table 2: Category 12 and 13 infrastructures**

	Infrastructure	Site Plan Reference
<b>Prescribed Activity Category 12</b>		
Crushing and Screening of basalt/rock extracted through standard drill and blast technique with design capacity of 500,000tpa utilizing a mobile jaw and cone crusher, reclaimers, front end loader and tip truck.		
1	Reclaimers	Infrastructure will be located within the area shaded green shown in Figure 1 below.
2	Jaw crusher	
3	Cone crusher	
4	Front end loader and tip truck	
5	Service truck	
6	Bunds to divert stormwater within the crushing and screening area	
<b>Prescribed Activity Category 13</b>		
The cement sleepers which are also stored within the project area are taken via a loader to the crushing and screening plant to crush cement with an expected throughput of 40,000tpa.		
1	Concrete pulveriser	Infrastructure will be located within the area shaded green shown in Figure 1 below.
2	Closed loop impact crusher	
3	Front end loader	

	Infrastructure	Site Plan Reference
4	Bunds to divert stormwater within the crushing and screening area	
	Directly related activities	
Water management		
1	Settling pond with an earthen V-shaped bund around the perimeter of the pond, with rock armour spill way and ramp access.	Infrastructure will be located within the area shaded green shown in Figure 1 below.
2	Wash down area	

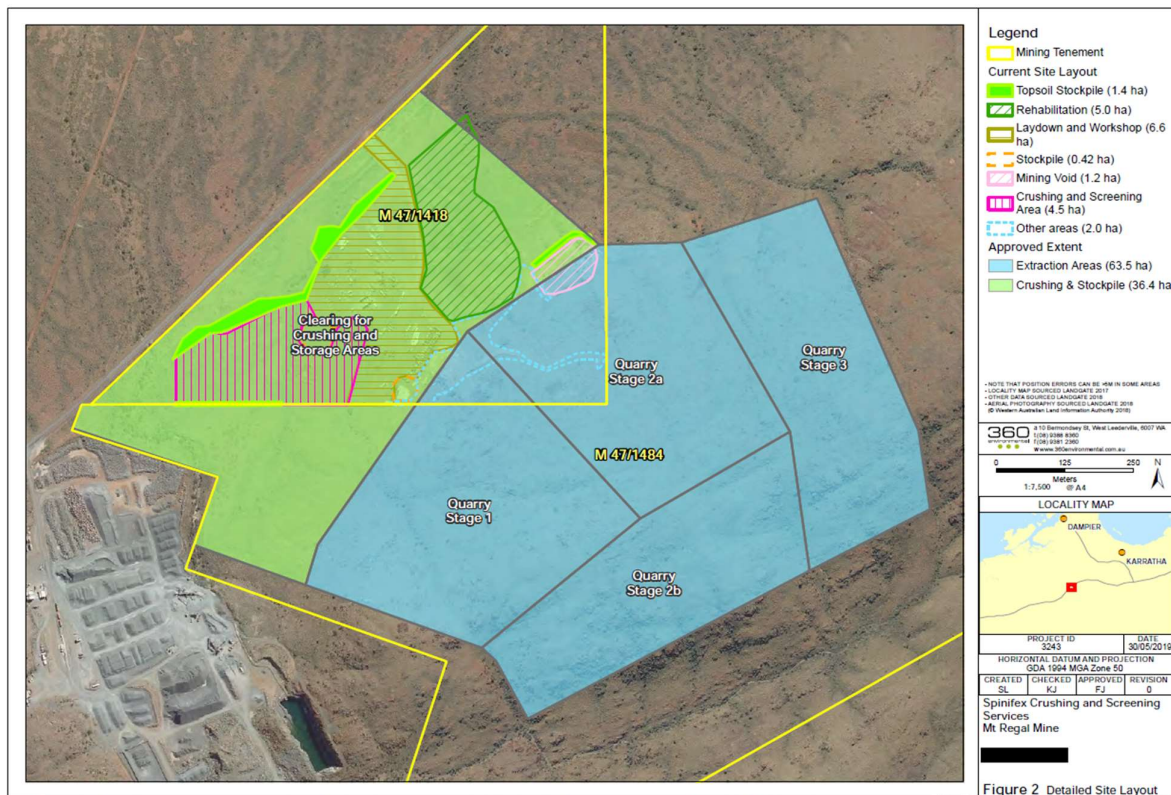


Figure 1: Site Plan

## 4. Legislative context

Table 3 summarises approvals relevant to the assessment.

Table 3: Relevant approvals and tenure

Legislation	Number	Subsidiary	Approval
<i>Environmental Protection Act 1986</i>	<i>CPS 6233/1</i>	<i>Spinfex Crushing and Screening Mt Regal Mine</i>	<i>Clearing Permit CPS 6233/1 is valid until 30 June 2025 and authorizes the clearing of 272.02 hectares of native vegetation within Mining Lease 47/1484 for the purpose of mineral production.</i>



Legislation	Number	Subsidiary	Approval
<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	<i>Regulation 5, Item 20</i>	<i>Spinifex Crushing and Screening Mt Regal Mine</i>	<i>Clearing resulting from low impact or other mineral or petroleum activities.</i>
<i>Rights in Water and Irrigation Act 1914</i>	<i>GWL 174699</i>	<i>Achillies Pty Ltd</i>	<i>Groundwater licence 174699 is valid until 29 November 2021 and has an annual water entitlement of 50kL for dust suppression for mining purposes.</i>
<i>Mining Act 1978</i>	<i>Reg ID 52422</i>	<i>Spinifex Crushing and Screening Mt Regal Mine</i>	<i>Mining Proposal and Mine Closure Plan</i>

## 4.1 Part V of the EP Act

### 4.1.1 Applicable regulations, standards and guidelines

The overarching legislative framework of this assessment is the EP Act and EP Regulations.

The guidance documents which inform this assessment are:

- *Guidance Statement: Setting conditions (October 2015)*
- *Guidance Statement: Licence duration (August 2016)*
- *Guidance Statement: Publication of Annual Audit Compliance Reports (May 2016)*
- *Guideline: Decision making (December 2020)*
- *Guideline: Environmental siting (December 2020)*
- *Guideline: Regulatory principles (December 2020)*
- *Guideline: Risk assessments (December 2020)*

### 4.1.2 Works approval and licence history

Table 4 summarises the works approval and licence history for the premises.

**Table 4: Works approval and licence history**

Instrument	Issued	Nature and extent of works approval, licence or amendment
<i>W6261/2019/1</i>	<i>19/09/2019</i>	<i>Works approval issued for the installation of a mobile crushing and screening plant</i>
<i>L9332/2022/1</i>	<i>TBA</i>	<i>Licence issued to operate a mobile crushing and screening plant within Mining Leases M47/1418 and M47/1484 (Mt Regal Mine), Karratha, Western Australia.</i>

## 5. Risk Assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

## 5.1 Source-pathways and receptors

### 5.1.1 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 5 below. Table 5 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 5: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Operation</b>			
<i>Dust</i>	<i>Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.</i>	<i>Air / windborne pathway</i>	<p><i>The nearest sensitive receptor located approximately 2km to the east of the site.</i></p> <p><i>Check weather forecasts everyday, reschedule dust generating activities on windy days.</i></p> <p><i>Site visual inspection of dust and positive communication with operators to ensure safe activities.</i></p> <p><i>Misting systems/sprinklers on crusher, stockpiles limited to 7m in height, onsite speed limited to 10 km/hr, water cart retained onsite, wetting down of roads when required.</i></p> <p><i>The site will be operational on an as needs basis.</i></p> <p><i>Licence holder proposed washing down vehicles leaving the site, has been added as a licence condition.</i></p>
<i>Noise</i>	<i>Crushing and screening of material</i>	<i>Air / windborne pathway</i>	<p><i>The nearest sensitive receptor located approximately 2km to the east of the site.</i></p> <p><i>Vehicles and equipment to be fitted with appropriate noise control mufflers and routinely maintained.</i></p> <p><i>Engine tampering to increase power output will be prohibited.</i></p> <p><i>All plant and equipment will be regularly monitored and maintained.</i></p> <p><i>Crusher/screener only to be operated between "day-time" hours (6am to 6pm, Mon – Sun).</i></p> <p><i>Noise bunds constructed around noise generating equipment.</i></p> <p><i>The site will be operational on an as needs basis.</i></p> <p><i>A complaints register will be kept and reported in the AER.</i></p>

Emission	Sources	Potential pathways	Proposed controls
Sediments	Runoffs from dust suppression, wash down activities and contaminated stormwater	Overland, stormwater runoff causing impacts to minor, non-perennial watercourse from an increase in suspended solids resulting in turbidity and sedimentation the watercourses, and associated riparian flora and fauna	<p>Earthen bunds will be constructed on an as needs basis and will direct water flow to the settling pond or base of pit.</p> <p>The settling pond is proposed to be located in the southwest corner of M47/1418 based on the water flow direction as a result of local topography and recent site observations.</p> <p>The settling pond design will have the capacity to capture a large rainfall event (e.g. 200 mm). The design of the pond will be such that an earthen V-shaped bund will be created around the ground level pond. Rock gabion will be used at the tip of the V to allow water to pass but slows it down and captures sediment before exiting the site boundary.</p> <p>A one metre freeboard is proposed to minimise overtopping. The pond will be inspected after large rainfall events and will be cleaned out and maintained regularly. Site inspections and audits (as per Mining Proposal) will record maintenance of the pond.</p>
Spill and/or breaches of containment	Storage and use of hydrocarbons	Spill and/or breaches of containment causing impacts to soil, vegetation, terrestrial fauna, groundwater and surface water	<p>All staff involved in handling of hazardous chemicals and fuels will be suitably trained.</p> <p>The proximity of the project to Karratha makes it unnecessary to store any hydrocarbons on site, fuel will be trucked in by a refuelling/service truck.</p> <p>All hydrocarbon storage will be in accordance with DWER guidelines and standards for storage and according to the MSDS for each product. Any hazardous materials will be contained in bunds. All storage will be in accordance with the Australian Standards AS1940 and AS1692.</p> <p>Waste oils will be removed from vehicles by an E-vac system and stored on the service truck. All used hydrocarbons will be dispensed from the fuel truck at the licensed facility offsite.</p> <p>Any hazardous chemicals and flammable and combustible liquids will be stored in accordance with legislative requirements and Australian Standards AS1940:2004-The storage and handling of Flammable and Combustible liquids.</p> <p>Scheduled maintenance and servicing of equipment and vehicles to be conducted off site as per manufacturer's instructions.</p> <p>Appropriate spill kits, including containment and recovery equipment, personal, protective equipment, and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the activities will be kept and maintained on site.</p> <p>Spill kits will be strategically located throughout the facility.</p>

Emission	Sources	Potential pathways	Proposed controls
Asbestos	Acceptance and crushing of non-conforming wastes	Air / windborne pathway	The Applicant has not proposed specific controls but acknowledged that the Department may implement requirements in line with the DWER Guideline: Managing asbestos at construction and demolition waste recycling facilities (April 2021).

### 5.1.2 Siting context

The site is located along the Northwest Coastal Highway in the Pilbara region. The premise boundary is proposed to be approximately 173.6 ha in size. The activities will be carried out within mining tenements M47/1418 and M47/1484.

### 5.1.3 Residential and sensitive receptors

The distances to residential and sensitive receptors are detailed in Table 6.

**Table 6: Receptors and distance from activity boundary**

Sensitive Land Uses	Distance from Prescribed Activity
Stayover at Ausco	Serviced accommodation for mining and resource workers, approximately 5km east of the Premises
MAC Village Karratha	Serviced accommodation for mining and resource workers, approximately 8.5km north-east
Bayton	Residential suburb, approximately 8.7km north-west
Northwest Coastal Hwy	Adjacent to the Prescribed Premise boundary. Area designated for crushing and screening is within 50m of the highway.

### 5.1.4 Specified ecosystems

Specified ecosystems are areas of high conservation value and special significance that may be impacted as a result of activities at or Emissions and Discharges from the Premises. The distances to specified ecosystems are shown in Table 7.

**Table 7: Environmental values**

Specified ecosystems	Distance from the Premises
Parks and Wildlife Managed Lands and Waters	Murujuga National Park, approximately 13km north of ML47/1484
Threatened Ecological Communities and Priority Ecological Communities	Roebourne Plains coastal grasslands with gilgai microrelief on deep cracking clays, /approximately 2km north and west of ML47/1484
Biological component	Distance from the Premises
Threatened/Priority Flora	Roebourne Plains coastal grasslands with gilgai

	<i>microrelief on deep cracking clays, /approximately 2km north and west of ML47/1484</i>
<i>Threatened/Priority Fauna</i>	<i>The northern quoll (Dasyurus hallucatus) is listed as endangered under the Biodiversity Conservation Act 2016 within the Wildlife Conservation (Specially Protected Fauna) Notice 2018 and has been recorded within 10 kilometres of ML47/1484. In May 2014 Spinifex Crushing and Screening commissioned 360 Environmental to undertake a Level 1 Fauna assessment within M47/1484. This survey identified the northern quoll within the survey area. A second, targeted survey concluded that the site was highly unlikely to contain any denning habitat but could potentially be used as foraging habitat.</i>

## 5.2 Groundwater and water sources

The distances to groundwater and water sources are shown in Table 8.

**Table 8: Groundwater and water sources**

Groundwater and water sources	Distance from Premises
<i>Public drinking water source areas</i>	<i>There are no Public Drinking Water Source Areas (PDSWA) within close proximity.  The nearest PDSWA is the Harding River, which is approximately 36 km southeast of the site.</i>
<i>Major watercourses/waterbodies</i>	<i>No major watercourses occur within the Premises boundary, however numerous minor, non-perennial watercourses intercept the area.</i>

## 5.3 Soil type

Table 9 details soil types and characteristics relevant to the assessment.

**Table 9: Soil and sub-soil characteristics**

Groundwater and water sources	Distance from Premises	Environmental Value
<i>Soil type classification: The site lies within the following mapped soil-landscape units:</i>	<i>• Boolgeeda System (281Bg)</i>	<i>Stony lower slopes and plains below hill systems supporting hard and soft spinifex grasslands or mulga shrublands</i>
	<i>• Horseflat System (281Hf)</i>	<i>Gilgaised clay plains supporting Roebourne Plains grass grasslands and minor grassy snakewood shrublands</i>
	<i>• Ruth System (281Rt)</i>	<i>Hills and ridges of volcanic and other rocks supporting shrubby hard spinifex and occasionally soft spinifex grasslands</i>

## 5.4 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 5.1. Where linkages are incomplete, they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 5.1), 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 10.

Licence L9332/2022/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. categories 12 and 13 activities.

The conditions in the issued licence, as outlined in Table 10 have been determined in accordance with Guidance Statement: Setting Conditions (DER 2015).

**Table 10. Identification of emissions, pathway and receptors during operation**

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
<b>Operation</b>								
Screening, crushing, unloading, loading and storage of material, storm water runoff from washdown area and materials storage area storage of hydrocarbons; and re-fuelling  Vehicle movements	Dust	Air / windborne pathway causing potential suppression of photosynthetic functions	No residences in proximity, vegetation adjacent to the prescribed premises	Refer to Section 5.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1, 10, 19, 20, 21, 22, 23, 26 & 27	N/A
	Noise	Air / windborne pathway causing impacts to health and amenity	No residences or other sensitive receptors in proximity	Refer to Section 5.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 1, 15, 22, 25, 26, & 27	N/A
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Non-perennial watercourse within and around the premises boundary.  Threatened fauna (within 10km of the premises boundary)	Refer to Section 5.1	C = Minor L = Unlikely <b>Low Risk</b>	Y	Condition 1, 26, 27, 28	N/A

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Screening, crushing, unloading, loading and storage of material, storm water runoff from washdown area and materials storage area storage of hydrocarbons; and re-fuelling	Spill and/or breaches of containment	Direct discharge causing impacts to soil, vegetation, terrestrial fauna, and surface water	Surrounding vegetation, terrestrial fauna, and surface water	Refer to Section 5.1	C = Minor L = Possible <b>Low Risk</b>	Y	Condition 1, 23, 26, 27, 28	N/A
	Asbestos	Air / windborne pathway causing impacts to health and amenity	No residences or other sensitive receptors in proximity	Refer to Section 5.1	C = Severe L = Rare <b>High Risk</b>	N	Conditions 1 to 22	Controls implemented in line with DWER Guideline: Managing asbestos at construction and demolition waste recycling facilities (April 2021).

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.



## 6. Consultation

Table 11 provides a summary of the consultation undertaken by the department.

**Table 11: Consultation**

Method	Comments received	DWER response
Application advertised on DWER website (04/07/2022)	<p>Following public submission comments were received:</p> <p>(1) I would assume that the licensee is only allowed to accept concrete sleepers and no other forms of C&amp;D waste, including demolition rubble, footings, footpaths etc. Will this be stipulated in the licence?;</p> <p>(2) shouldn't there be an appropriate AMP in place? At least ensuring that the site is also only allowed to take concrete sleeper, and no other C&amp;D waste, will help reduce the risk of asbestos contaminated materials being brought to site and processed.</p>	<p>Noted. The licence will limit acceptance to concrete sleepers only and no material containing ACM or suspected of containing ACM.</p> <p>Several conditions related to the control of asbestos have been included within the licence including the requirement to develop an AMP in line with the DWER Guideline: Managing asbestos at construction and demolition waste recycling facilities (April 2021), as well as the licence conditions which have been sourced from this guideline.</p>
Direct Interest Stakeholder City of Karratha notified on 28/06/2022	<p>The City of Karratha replied on 12 July 2022 advising that if the proposed additional use/operations is approved under the existing granted mining tenements in accordance with the Mining Act 1978, then the proposal is exempt from planning/development approval in accordance with the City's Local Planning Scheme No.8 (LPS8). If the additional use/operation is not approved under the existing granted mining tenements, then the use would be considered an 'Industry – Noxious' land use which is a use not permitted (X) on the land as per LPS8.</p>	Noted.
Direct Interest Stakeholder Department of Mines Industry Regulation and Safety (DMIRS) notified on 28/06/2022	<p>DMIRS advised that the proposal does not significantly alter current operations and there are no further comments or objections.</p>	Noted.
Applicant notified of draft 15 August 2022	<p>The Applicant responded on 22 August 2022.</p> <p>Applicant requested clarification of the relevant sections of the DWER guidelines.</p> <p>Applicant requested we include acceptance or broken or pre-processed sleepers as they cannot guarantee the sleepers accepted will be whole.</p>	<p>DWER has also included attachments 1 and 2 which are excerpts from sections 3.3. and 3.4 of the asbestos guidelines to clarify the relevant sections and included additional asbestos definitions.</p> <p>DWER has amended Table 2 of the Licence to include broken or pre-processed sleepers in the waste acceptance table. Furthermore, the Delegated Officer is also aware of the vegetation adjacent to the prescribed premises and that dust emissions may cause potential suppression of photosynthetic functions, has therefore</p>

		<i>amended Table 1 to ensure that the mobile crushing and screening plant is fitted with a reticulated sprinkler water system to suppress dust.</i>
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## 7. 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.

## Appendix 2: Application validation summary

Works approval	<input type="checkbox"/>			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> condition 6 only
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Date Report received: 25 May 2022 – DWERDT608688		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
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		25 May 2022		
<b>Applicant and Premises details</b>				
Applicant name/s (full legal name/s)		Spinifex Crushing & Screening Services Pty Ltd		
Premises name		Mt Regal Mine		
Premises location		M47/1418 AND M47/1484		
Local Government Authority		City of Karratha		
<b>Application documents</b>				
HPCM file reference number:		DWERDT608688		
Key application documents (additional to application form):		<i>Application Compliance Certification for W6261/2019/1</i>		
<b>Scope of application/assessment</b>				

<p>Summary of proposed activities or changes to existing operations.</p>	<p>Works Approval W6261/2019/1 was granted to Spinifex Crushing and Screening Services Pty Ltd (the Applicant) on 19 September 2019, to install and operate a mobile crushing and screening plant relating to category 12 activities within Mining Leases M47/1418 and M47/1484 (Mt Regal Mine), Karratha, Western Australia.</p> <p>The rock will be quarried using standard drill and blast techniques, with the resulting quarry product treated in a mobile crushing and screening plant, to produce product according to commercial demand (360 Environmental, 2019). It is anticipated that minimal product will be stockpiled on site as the intent is to only produce significant quantities of material as and when commercial demand required.</p> <p>The applicant is also seeking approval to recycling of obsolete concrete rail sleepers and re-using the crushed material as a roadbase. All equipment for processing the rail sleepers is already on site at the quarry. The rail sleepers will be brought to site and processed initially through a concrete pulveriser and then loaded into a closed loop impact crusher. The end product will be a 40mm all in product. All internal steel will be recovered during the crushing process and collected in skip bins where it will be sent off site to a metal recycler. The impact crusher is fitted with 12 internal and external water sprays that will be used to minimise the release of dust. The moisture conditioned end product will be stockpiled ready for testing. The quantity of sleepers to be processed is estimated to be approximately 35,000-40,000 tonnes and will be received on site over a period of approximately 2 years.</p>
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**Category number/s (activities that cause the premises to become prescribed premises)**

**Table 1: Prescribed premises categories**

Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 12: Screening etc. of material: premises (other than premises within category 5 or 8) on which material extracted from aid the ground is screened, washed, crushed, ground, milled, sized or separated.	500,000 tpa	NA
Category 13: Crushing of building material	40,000 tpa	NA

**Legislative context and other approvals**

<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:          Managed under Part V <input checked="" type="checkbox"/>          Assessed under Part IV <input type="checkbox"/></p>
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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 type="checkbox"/> Expiry: 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: Expiry date: 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 checked="" type="checkbox"/> No <input type="checkbox"/>	CPS No: 6233/1
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Application reference No: 6233/1 Licence/permit No:
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Application reference No: Licence/permit No: GWL174699
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"/>	N/A

Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
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> )	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004,</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	NA
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	NA
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"/>	Date of classification: N/A
<b>Direct interest stakeholders</b>		
<i>City of Karratha</i>	Letter to be sent	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>DMIRS</i>	Letter to be sent	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>