



Licence number	L4593/1983/13
Licensee	Hanson Construction Materials Pty Ltd
ACN	009 679 734
Registered business address	Level 10, 35 Clarence Street SYDNEY NSW 2000
DWER file number	2011/001311-1
Expiry date	30 September 2028
Date of Last Amendment	13 February 2023
Premises details	Hanson Gelorup Quarry 27 Allenville Road GELORUP WA 6230 Legal description - Lot 27 on Diagram 71466 Certificate of Title Volume 1757 Folio 991

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 12: Screening etc. of material	Maximum 250,000 tonnes per annum

This Amended Licence is granted to the Licensee, subject to the attached conditions, on 13 February 2023, by:

ALANA KIDD

MANAGER, RESOURCE INDUSTRIES

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

Introduction

This Introduction is not part of the Licence conditions.

Who we are

The Department of Water and Environment Regulation (DWER) is a Government Department in the portfolio of the Minister for the Environment. Our purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

Our industry licensing role

DWER has responsibilities under Part V of the *Environmental Protection Act 1986* for the licensing of prescribed premises. We also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the *Environmental Protection Act 1986*. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the *Environmental Protection Act 1986* and any other statutory instrument. These can be accessed through the Department of Justice's website using the following link: <http://www.legislation.wa.gov.au>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You should comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Ministerial conditions

If your Premises has been assessed under Part IV of the *Environmental Protection Act 1986* you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The Hanson Gelorup Quarry (the quarry) is located on a regional basalt deposit which is restricted to one ancient valley fill on the outskirts of Bunbury. The quarry was commissioned in 1981 and is one of two quarries owned by Hanson on this deposit (the adjoining Giacci quarry was purchased in May 2003). The premises is predominantly surrounded by private rural land owners, except for special residential areas to the west (Gelorup). The quarry also co-exists with another hardrock quarry operated by Holcim Australia Pty Ltd to the west.

In June 2003, all operations were transferred to the Giacci quarry and the Gelorup quarry was placed on a care and maintenance basis, which it has remained to date. Hanson wishes to continue with the licence for the quarry, and should production recommence under the term of this licence, the primary concerns are noise and dust emissions and management of water.

The Licence Holder applied on 15 November 2019 for a licence amendment to remove Lot 3 from the Premises.

This amendment has not altered any conditions relating to emissions or discharges from the premises.

The licences and works approvals issued for the Premises since 21/02/1984, prior to the issue of this licence are:

Instrument log		
Instrument	Issued	Description
462	21/02/1984	Licence granted under the <i>Clean Air Act 1964</i> for the construction of a grinding and milling works. Issued to Pioneer Concrete (WA) Pty. Ltd. Issued by the Public Health Department.
462	06/02/1985	Licence reissue.
462	18/02/1986	Licence reissue.
462	16/01/1987	Licence reissue.
L421	20/02/1987	First licence issued under the EP Act following its proclamation in 1986. First licence issued by the EPA.
L421	01/02/1988	Licence reissue.
L1009	19/01/1989	Licence reissue.
W325	14/06/1989	Works Approval issued for an extension of the quarry.
L1009	17/07/1989	Licence amendment to standardise licence conditions for hardrock quarries operating in the proximity of residential areas. These conditions were appealed by the proponent.
L1905	26/04/1990	Licence reissue.
L2614	14/06/1991	Licence reissue.
L2614	28/08/1991	Licence amendment to include the quarry extension within the Premises.
L2614	10/10/1991	Licence amendment to correct a typo. Issued for 2 years.
L4593	08/10/1993	Licence reissue. Issued for 3 years.
L4593/1	06/02/1997	Licence reissue. First licence issued by DEP. Issued for 1 year.
L4593/2	07/10/1997	Licence reissue. Issued for 1 year.
L4593/3	27/10/1998	Licence reissue. Issued for 1 year.
L4593/3	24/11/1998	Licence amendment to change annual reporting requirements.
L4593/4	31/08/1999	Licence reissue. Issued for 1 year.
L4593/4	20/03/2000	Licence amendment to change annual reporting date.
L4593/5	06/09/2000	Licence reissue. Issued to Pioneer Construction Materials Pty Ltd. Issued for 1 year.
L4593/6	19/09/2001	Licence reissue. Issued for 1 year.
L4593/7	25/09/2002	Licence reissue. Issued for 1 year.
L4593/8	30/09/2003	Licence reissue. Issued for 1 year.
L4593/9	31/08/2004	Licence reissue. Issued to Hanson Construction Materials Pty Ltd. Issued for 1 year.
L4593/10	29/08/2005	Licence reissue. Issued for 1 year.
L4593/11	07/09/2006	Licence reissue. Issued for 5 years.
L4593/1983/12	25/09/2009	Licence reissued due to licence ceasing to have effect (non-payment of 2009 annual fees).
L4593/1983/13	27/09/2012	Licence reissue. Converted to REFIRE format.
L4593/1983/13	29/04/2016	Notice of amendment of licence expiry dates to change the expiry date to 30 September 2023.
L4593/1983/13	20/01/2020	Licence amendment to remove Lot 3 from the premises and make administrative changes.
L4593/1983/13	13/02/2023	Extension to expiry date only

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

1.2 END OF INTRODUCTION

Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the Act apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

“the Act” means the *Environmental Protection Act 1986*;

“AACR” means Annual Audit Compliance Report;

“annual” means the period from 1 January until 31 December in the same year;

“approved form” means the AACR Form template approved by the CEO for use and available via DWER’s external website;

“AS/NZS 5667.1” means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

“AS/NZS 5667.10” means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

“CEO” means the Chief Executive Officer of the Department of Water and Environment Regulation;

“CEO” for the purposes of notification and correspondence means:

Director General
Department Administering the *Environmental Protection Act 1986*
Locked Bag 10
JOONDALUP DC WA 6919
Telephone: (08) 6364 7000
Email: info@dwer.wa.gov.au

“Code of Practice for the Storage and handling of dangerous goods” means the Storage and handling of dangerous goods, Code of Practice, Dept of Mines and Petroleum, Government of Western Australia;

“dangerous goods” has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

“environmentally hazardous material” means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste)) which if discharged into the environment from or within the premises may cause pollution or environmental harm;

“fugitive emissions” means all emissions not arising from point sources;

“Licence” means this licence numbered L7421/1995/13 and issued under the *Environmental Protection Act 1986*;

“Licensee or Licence Holder” means Hanson Construction Materials Pty Ltd;

“NATA” means the National Association of Testing Authorities, Australia;

“NATA accredited” means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

“placard quantity” has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

“Premises” is as defined by Condition 1.2.3 of the Licence;

“spot sample” means a discrete sample representative at the time and place at which the sample is taken; and

“usual working day” means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.2 General conditions

1.2.1 Nothing in this Licence shall be taken to authorise any emission that is not mentioned in this licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The Licensee shall provide to the CEO prior written notice of any works it intends to undertake on the Premises that may:

- (a) cause any emission;
- (b) alter the volume, nature, location or source of any emission;
- (c) alter the method of detecting, monitoring or measuring any emission; or
- (d) involve the installation, alteration or replacement of any emission causing process equipment or industrial plant.

1.2.3 The Premises is the area defined in Table 1.2.1 and depicted visually in the Premises Map in Schedule 1.

Table 1.2.1: Premises location & description			
Location	Premises definition	All or part	Record of cadastral definition
Allenville Rd, Gelorup	Lot number 27	All	Diagram 71466

1.2.4 The Licensee shall maintain all pollution control and monitoring equipment to the manufacturer's specification and any internal management system.

1.2.5 The Licensee, except where storage is prescribed in section 1.3, shall only store more than 250 kg or 250 litres of any substance that is classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if:

- (a) they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods; and
- (b) if secondary containment is required by 1.2.5(a), it is constructed and maintained to:
 - (i) contain not less than 110% of the volume of the largest storage vessel or inter-connected system; and
 - (ii) contain at least 25% of the total volume of vessels stored in the compound; and
 - (iii) have a low permeability (10^{-9} m/s or less).

1.2.6 The Licensee shall immediately recover, or remove and dispose of spills or leaks of environmentally hazardous materials outside its storage vessel.

Stormwater control

- 1.2.7 The Licensee shall ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater. Where stormwater has come into contact with a possible source of contamination it should be treated as contaminated.

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit in this section.

2.2 Emissions to land

- 2.2.1 The Licensee is permitted, subject to conditions in the Licence, to emit waste to land through the emissions points listed in Table 2.2.1.

Table 2.2.1: Emission points to land		
Emission point reference and location on Map of emission points	Description	Source
L1 (as depicted on the Monitoring Points Map in Schedule 1)	Overflow from water recycling ponds	Stormwater, contaminated stormwater, dewatering effluent and water residue from product washing operations

- 2.2.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to land			
Emission point	Parameter	Limit (including units)	Averaging period
L1 (as depicted on the Monitoring Points Map in Schedule 1)	total suspended solids	<80 mg/l	Spot sample
	oil & grease (hexane soluble)	<5 mg/l	Spot sample

2.3 Fugitive emissions

- 2.3.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.
- 2.3.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.

2.4 Noise and vibration

- 2.4.1 The Licensee shall manage noise and vibration emissions such that they do not cause an exceedance of the limits in Table 2.4.1.

Table 2.4.1: Noise emission limits			
Monitoring point reference	Parameter	Limit (including units)	Reference period
N1, N2, N3, N4 (as depicted on the Monitoring Points Map in Schedule 1)	Peak particle velocity	10 mm/sec	Any single blast
		Not more than one blast exceeding 5 mm/sec	Any 10 consecutive blasts (regardless of interval between blasts)

3 Monitoring

3.1 General monitoring

- 3.1.1 The Licensee shall ensure that:
- (a) all water samples are collected in accordance with AS/NZS 5667.1;
 - (b) all wastewater samples are collected in accordance with AS/NZS 5667.10;
 - (c) all water samples are analysed in accordance with "Standard Methods for Examination of Water and Wastewater APHA-AWWA-WEF"; and
 - (d) all samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.
- 3.1.2 The Licensee shall record production or throughput data.
- 3.1.3 The Licensee shall have all monitoring equipment referred to in any condition of the Licence calibrated in accordance with the manufacturer's specifications and any relevant Australian standard.
- 3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to land

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to land			
Emission point reference	Parameter	Units	Frequency ¹
L1 (as depicted on the Monitoring Points Map in Schedule 1)	total dissolved solids, total suspended solids, oil & grease (hexane soluble)	mg/l	Monthly

Note 1: Monthly monitoring shall be undertaken after flows first commence and at least 15 days apart.

3.3 Noise and vibration

- 3.3.1 The Licensee shall undertake the monitoring specified in Table 3.3.1.

3.3.2

Table 3.3.1 Monitoring of noise and vibration					
Monitoring point reference	Parameter	Target	Units	Averaging Period	Frequency ¹
N1, N2, N3, N4 (as depicted on the Monitoring Points Map in Schedule 1)	Air blast	None specified	dB	For each blast	
	Peak particle velocity		mm/sec		

Note 1: Minimum of one measurement at N1 and one other measurement at N2, N3 or N4 for each blast.

4 Information

4.1 Records

- 4.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and

- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect condition of the land or groundwater.
- 4.1.2 The Licensee shall ensure that:
 - (a) any person left in charge of the Premises is aware of the conditions of this Licence and has access at all times to this Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of this Licence that relate to the tasks which that person is performing.
- 4.1.3 The Licensee must:
 - (a) undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
 - (b) prepare and submit to the CEO by no later than 28 February following preceding annual period an Annual Audit Compliance Report in the approved form.
- 4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an annual environmental report by 28 February in each year. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual environmental report		
Condition or table (if relevant)	Parameter	Format or form ¹
Table 3.2.1	Total dissolved solids, total suspended solids, oil & grease (hexane soluble)	LR1
Table 3.3.1	Air blast, peak particle velocity	NR1
4.1.4	Complaints summary	None specified
-	A brief overview of the project for the reporting period, a plan of the premises	
-	Measures taken to suppress dust	
-	Measures taken to minimise noise	
3.1.2	Monthly quantity of raw material crushed (in tonnes)	

Note 1: Forms are in Schedule 2

- 4.2.2 The annual environmental report shall also contain:
 - (a) any relevant process, production or operational data recorded under Condition 3.1.2;
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and
 - (c) any original monitoring reports submitted to the Licensee from third parties.

4.3 Notification

4.3.1 Parameters listed in Table 4.3.1 shall be notified to the CEO and in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
1.2.4	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	Part A: As soon as practicable, but no later than 5PM of the next usual working day. Part B: As soon as practicable	N1
2.2.2	Breach of any limit specified in the Licence		
2.2.2, 2.4.12	Limit exceedance	Notification: As soon as practicable but no later than 5PM of the next usual working day. Report outlining reason for exceedance: within 7 days of the level being recorded.	
3.3.1	Air-blast levels in excess of the <i>Environmental Protection (Noise) Regulations 1997</i>		

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

Note 2: Forms are in Schedule 2.

Schedule 1: Maps

Premises map

The Premises is shown in the figure 1 below. The yellow line depicts the Premises boundary, but it is defined in Table 1.2.1 which should prevail if any discrepancy exists.



Map of monitoring locations

The locations of the emission and monitoring points defined in Tables 2.2.1, 2.2.2, 2.4.1, 3.2.1 and 3.3.1 are shown below.



Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by this licence. They can be requested in an electronic format.

Copies of the original monitoring reports must also be submitted.

Licence: L4593/1983/13

Form: LR1

Name: Monitoring of point source emissions to land

Licensee: Hanson Construction Materials Pty Ltd

Period :

Form LR1: Monitoring of point source emissions to land						
Emission point	Parameter	Result (mg/L)	Result (g/s)	Averaging period	Method	Sample date & times
L1	total dissolved solids			Spot sample		
L1	total suspended solids			Spot sample		
L1	oil & grease (hexane soluble)			Spot sample		

Signed on behalf of Hanson Construction Materials Pty Ltd: Date:

Licence: L4593/1983/13
Form: NR1
Name: Monitoring of noise and vibration emissions

Licensee: Hanson Construction Materials Pty Ltd
Period :

Form NR1: Monitoring of noise and vibration emissions							
Emission point	Parameter	Limit	Result (mm/s)	Result (g/s)	Averaging period	Method	Sample date & times
N1, N2, N3, N4	Air blast	None specified			Each blast		
N1, N2, N3, N4	Peak particle velocity	10 mm/s			Each blast		

Signed on behalf of Hanson Construction Materials Pty Ltd: Date:

Licence: L4593/1983/13
Form: N1

Licensee: Hanson Construction Materials Pty Ltd
Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	L4593/1983/13
Name of operator	Hanson Construction Materials Pty Ltd
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
To be notified as soon as practicable and no later than 5PM of the next working day	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
To be notified as soon as practicable and no later than 5PM of the next working day	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	

Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the installation in the preceding 24 months.	

Name:	
Post:	
Signature on behalf of: Hanson Construction Materials Pty Ltd	
Date:	