



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Hanson Construction Materials Pty Ltd

**Licence:** L8467/2010/1

**Registered office:** Level 10  
35 Clarence Street  
SYDNEY  
NSW 2000

**ACN:** 009 679 734

**Premises address:** Hanson Johnston Road Operations  
Waroona  
WA 6215  
Being Lot 2 on Diagram 29974 as depicted in Schedule 1.

**Issue date:** Wednesday, 24 April 2013

**Commencement date:** Monday 29 April 2013

**Expiry date:** Wednesday, 28 April 2021

**Prescribed Premises Category**  
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
12	Screening etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	More than 100,000 but not more than 500,000 tonnes per annum	400,000 tonnes per annual period

**Conditions of Licence**

Subject to the conditions of licence set out in the attached pages.

Date signed: 25 August 2016

.....  
Tim Gentle  
Officer delegated under Section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### Who we are

The Department of Environment and Conservation (DEC) 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

DEC has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) 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 Act. 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 Act and any other statutory instrument. These can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

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. Additional guidance on pollution prevention can be



found in the Department of Water's Water Quality Protection Guidelines and Codes of Practice accessed through:  
<http://www.water.wa.gov.au/Managing+water/Water+quality/Water+quality+protection+guidelines/default.aspx>

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

### **Licence Fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act 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**

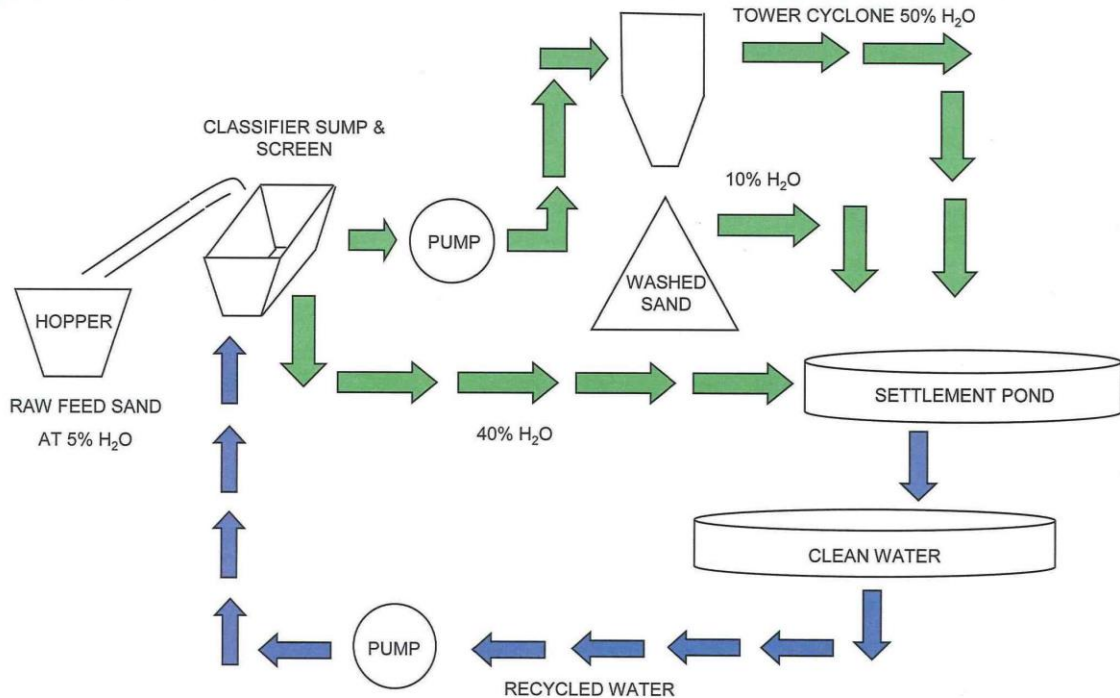
Hanson's Johnston Road site is located approximately 14 kilometres west of Yarloop town site, with the closest residence being 2km to the Northwest. The site was historically used for pine plantation and covers an area of approximately 292 hectares of which 40 hectares will be quarried. Given the distance to sensitive receptors and low level industrial process the significance of any emissions were assessed as low.

In undertaking the proposed sand washing and screening activities, unprocessed sand will be fed into the screening plant. Material is then passed through a screen to remove impurities (ie. organic matter, gravel), and is then washed. Stockpiling of washed sand will occur via a conveyor, to allow for drying and storage pending export. Excess water from the processing will be pumped to a settlement pond to settle out the silt fraction and clean water from the settlement pond pumped to a clean water pond for recycling back into the process (Figure 3). No additives or chemicals are used in the washing process and the settlement pond and clean water pond will consist of excavated pits. Accumulated silt in the settlement pond will be removed as necessary and stockpiled. The stockpiled silt is combined with a topsoil mix and used on site as part of its rehabilitation. Excess silt is sent to other sites i.e. landfill, where it can be wither disposed of or used in cell rehabilitation. The silt and water from the washing process are not contaminated products and therefore ponds do not require a protective barrier to protect groundwater as infiltration will not pose an environmental risk.

In January 2016, the site was bought by Hanson Construction Materials Pty Ltd from Rocla Pty Ltd.



Figure 3: Process flow diagram



The premises will operate from 0600 hours to 1800 hours Monday through Saturday, and as such the proposed washing and screening plant may operate for the entirety of this period.

This licence is the result of an amendment sought by the licensee to transfer the licence into the new owner's name.

The licences and works approvals issued for the Premises are:

Instrument log		
Instrument	Issued	Description
W4672/2010/1	01/07/2010	Works approval for new application
L8467/2010/1	27/04/2013	Licence issue
L8467/2010/1	25/08/2016	Licence amendment to transfer owner

### 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.

### END OF INTRODUCTION



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* 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*;

“**annual**” means the period from 1 July to 30 June in the following year;

“**CEO**” for the purpose of correspondence means;  
Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: [info@der.wa.gov.au](mailto:info@der.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, Department of Mines and Petroleum, Government of Western Australia;

“**controlled waste**” has the definition in Regulation 2 of the Environmental Protection (Controlled Waste) Regulations 2004;

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

“**Director**” means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

“**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 identified in Sections 2.2, 2.3, 2.4 and 2.5;

“**Licence**” means this licence numbered L8467/2010/1 and issued under the *Environmental Protection Act 1986*;

“**Licensee**” means the person or organisation named as Licensee on page 1 of the Licence;

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



“Premises” means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

“waste” has the meaning defined in the *Environmental Protection Act 1986*;

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.

## 5 Information

### 5.1 Records

5.1.1 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 5.1.1(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.

5.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the annual period.

5.1.3 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.

### 5.2 Reporting

5.2.1 The Licensee shall submit to the Director at the Contact Address an annual environmental report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual environmental report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken	None specified
5.1.2	Compliance	AACR
5.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2



### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director at the Contact Address and in accordance with the notification requirements of the table.

<b>Table 5.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
1.2.2	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

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

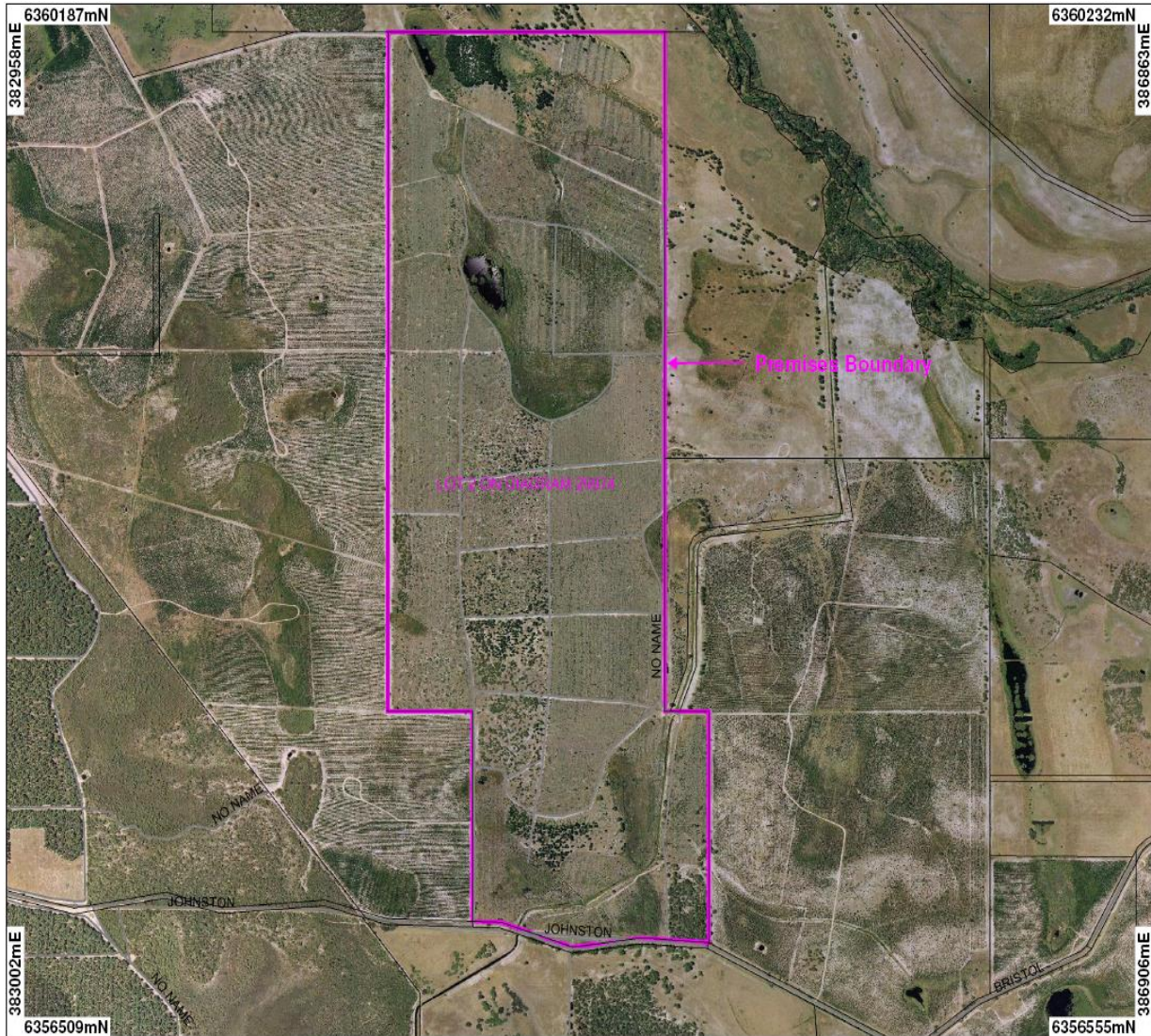
Note 2: Forms are in Schedule 2.



## Schedule 1: Maps

### Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.





## 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: L8467/2010/1 Licensee: Hanson Construction Materials Pty Ltd  
 Form: AACR Period :  
 Name: Annual audit compliance report

### Annual audit compliance report

#### Section A: Statement of compliance with licence conditions

Were all conditions of licence complied with within the reporting period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report (AACR).

Initial:



**Section B: Details of non-compliance with licence condition**

a) Licence condition not complied with?	
b) Date(s) and time(s) the non compliance occurred, if applicable?	
c) Was this non compliance reported to DEC?	
<input type="checkbox"/> Yes, and <input type="checkbox"/> Reported to DEC verbally    Date <input type="checkbox"/> Reported to DEC in writing    Date	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Please use a separate page for each licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



**Section C: Signature and certification**

This AACR may only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is	The AACR must be signed and certified:
an individual	<input type="checkbox"/> by the individual licence holder, or <input type="checkbox"/> by a person approved in writing by the Chief Executive Officer (CEO) of DEC to sign on the Licensee's behalf.
a corporation	<input type="checkbox"/> by affixing the common seal of the Licensee in accordance with the Corporations Act 2001; or <input type="checkbox"/> by two directors of the Licensee; or <input type="checkbox"/> by a director and a company secretary of the Licensee, or <input type="checkbox"/> if the Licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
A public authority (other than a local government)	<input type="checkbox"/> by the principal executive officer of the Licensee; or <input type="checkbox"/> by a person with authority to sign on the Licensee's behalf who is approved in writing by the CEO of DEC.
a local government	<input type="checkbox"/> by the CEO of the Licensee; or <input type="checkbox"/> by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this AACR is correct and not false or misleading in a material particular.

Signature:

Signature:

Name: (printed)

Name: (printed)

Position:

Position:

Date:

Date:

Seal (if signing under seal)



Licence: L8467/2010/1  
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	L8467/2010/1
Name of operator	Hanson Construction Materials Pty Ltd
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
<b>To be notified as soon as practicable and no later than 5PM of the next working day</b>	
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	

<b>Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution</b>	
<b>To be notified as soon as practicable and no later than 5PM of the next working day</b>	
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	



# Partial Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** **Hanson Construction Materials Pty Ltd**

**Licence:** **L8467/2010/1**

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**Registered office:** Level 10  
35 Clarence Street  
SYDNEY  
NSW 2000

**ACN:** 009 679 734

**Premises address:** Hanson Johnston Road Operations  
Waroona  
WA 6215  
Being Lot 2 on Diagram 29974 as depicted in Schedule 1.

**Issue date:** Wednesday, 24 April 2013

**Commencement date:** Monday 29 April 2013

**Expiry date:** Wednesday, 28 April 2021

### **Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: **Jamie Piotrowski**  
Licensing Officer

Decision Document authorised by: **Tim Gentle**  
Delegated Officer



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## 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	12: Screening etc. of material	400,000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	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"/>



Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		

### 3 Executive summary of proposal and assessment

Hanson’s Johnston Road Operations are located approximately 14 kilometres west of Yarloop town site, within Lot 2 Johnston Road, Waroona (Figure 1). This site covers an area of approximately 292 hectares, and was historically used for pine plantation.

The Johnston Road site has been operating since 2007. The current operations are being undertaken in the central western portion of the site in an area that extends over approximately 40 hectares. It is estimated that the site will support mining for approximately ten years (from the commencement of excavation works in 2008).

The Johnston Road Operations include sand excavation, screening (currently through a mobile plant), temporary stockpiling, and loading onto transport trucks. Facilities currently on the site include a limestone access road, transportable site office, chemical toilet, refuelling facility (5000 litre above ground diesel storage tank), lockable machinery and fuel storage area, groundwater abstraction bore, groundwater monitoring bore and two 40m x 40m ponds (one settling pond and one freshwater pond).

In January 2016, the site was bought by Hanson Construction Materials Pty Ltd from Rocla Pty Ltd. This decision document assesses the changes made to the licence in changing the owner and updating the licence conditions.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L = Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>General conditions</b>	L1.2.1 – 1.2.5	Conditions 1.2.1 to 1.2.5 are considered to be redundant under DER's Guidance Statement and have been removed accordingly.	N/A
<b>Premises operation</b>	L1.3	Section 1.3 Premises operation has been removed as it contains no licence conditions.	N/A
<b>Emissions general</b>	L2.1.1	Condition 2.1.1 has been removed from the licence as there are no longer any descriptive limits set in the instrument.	N/A
<b>Point source emissions to air including monitoring</b>	L2.2	Section 2.2 Point source emissions to air has been removed as it contains no licence conditions.	N/A
<b>Point source emissions to surface water including monitoring</b>	L2.3	Section 2.3 Point source emissions to surface water has been removed as it contains no licence conditions.	N/A
<b>Point source emissions to groundwater including monitoring</b>	L2.4	Section 2.4 Point source emissions to ground water has been removed as it contains no licence conditions.	N/A
<b>Emissions to land including monitoring</b>	L2.5	Section 2.5 Emissions to land has been removed as it contains no licence conditions.	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Fugitive emissions</b>	L2.6.1 – 2.6.3	Conditions 2.6.1 to 2.6.3 are considered to be redundant under DER's Guidance Statement and have been removed accordingly.	N/A
<b>Odour</b>	L2.7	Section 2.7 Odour has been removed as it contains no licence conditions.	N/A
<b>Noise</b>	L2.8	Section 2.8 noise has been removed as it contains no licence conditions.	N/A
<b>Information</b>	L5.1.2  Table 5.3.1	Condition 5.2.1 is considered to be redundant under DER's Guidance Statement and has been removed accordingly.  Table 5.3.1 have been modified to remove reference to condition 2.1.1, as the condition has been removed from the licence.	N/A
<b>Licence Duration</b>	N/A	The licence expiry date has been amended to 28 April 2021 to align with the expiry date of the mining tenement/extractive industry licence (EIL) on the operations.	N/A



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
18/08/2016	Proponent sent a copy of draft instrument	No changes requested	N/A



## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High