



Licence

Environmental Protection Act 1986, Part V

Licensee: Hanson Construction Materials Pty Ltd

Licence: L6752/1995/11

Registered office: Level 10
35 Clarence St
SYDNEY
NSW 2000

ACN: 009 679 734

Premises address: Gaskell Ave Operations
Gaskell Ave
GNANGARA WA 6065
Being leases ML 70/238 & ML 70/776 as depicted in Schedule 1.

Issue date: Thursday, 25 February 2016

Commencement date: Monday, 29 February 2016

Expiry date: Thursday, 28 February 2030

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved 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.	50 000 tonnes or more per year	1 500 000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 25 February 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.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment 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. Legislation 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 must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



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 Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Hanson's 530 hectare mine site at Gaskell Avenue, 23 kilometres north of Perth CBD is able to produce concrete sand, filling sand and high grade silica sands at an annual capacity in excess of 1,500,000 tonnes, with proven reserves in excess of 50 million tonnes. This site is also in the Bassendean sand belt but has high dunes of deep pure white silica sand overlaying the cream material used in the production of concrete and filling sands. Concrete sand is either dry screened or washed depending on raw material quality. Silica sand is extensively processed into several different grades and either sold in bulk or further processed within the drying and screening plant located on the site.

In January 2016, Hanson Construction Materials Pty Ltd purchased the site from Rocla Pty Ltd.

Processing equipment at Hanson's Gaskell Avenue site is designed to produce highly specified, made to order products with sizes ranging from +1 mm to minus 300 microns with particular grading and chemical requirements. The predominant markets for silica sand are:

- Moulding media in foundries
- Scour sand for cleaning pigment plants
- Adhesive and grout manufacturers
- Rendering systems
- Filtration media
- Top dressing of synthetic sports surfaces
- Glass manufacture
- Chemical production such as sodium silicate and silicon carbide

Bulk supply is available throughout the Perth metropolitan market and for export through the Kwinana bulk loading terminal. Bulk bagged product is being supplied to Victoria, Queensland, South Australia, New South Wales, regional WA, Singapore, Malaysia and Thailand.

This site is located within state forest and the land is being progressively rehabilitated with a view to re-establishing the original woodland that existed prior to clearing and mining.

The main emissions are particulates from general operations, vehical movements on unsealed roads and stockpiles and noise emissions from vehical movements and general operations.

This Licence is the successor to licence L6752/1995/10 and includes updating the conditions into the new licence format and transferring the occupier to Hanson .



The licenses and works approvals issued for the Premises since 05/02/2001 are:

Instrument log		
Instrument	Issued	Description
L6752/1995/3	05/02/2001	Licence re-issue
L6752/1995/4	13/03/2002	Licence re-issue
L6752/1995/5	Not specified	Licence re-issue
L6752/1995/6	24/03/2003	Licence re-issue
L6752/1995/7	23/02/2004	Licence re-issue
L6752/1995/8	24/01/2005	Licence re-issue
L6752/1995/9	23/01/2006	Licence re-issue
L6752/1995/10	24/02/2011	Licence re-issue
L6752/1995/10	31/05/2012	Licence amendment to REFIRE
L6752/1995/11	25/02/2016	Licence amendment to new format and transfer

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 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'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

'Licence' means this Licence numbered L6752/1995/11 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;



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

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated; 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 the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the 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 Premises operation

1.2.1 the licensee shall maintain the water storage ponds such that:

- a) a minimum freeboard of 300 mm is maintained to the top of the embankment;
- b) stormwater runoff is prevented from causing erosion to the outer pond embankments;
- c) overtopping of the water storage pond does not occur except as a result of an extreme rainfall event (1 in 10 year event of 72 hours duration according to WA Bureau of Meteorology readings); and
- d) no overflow leaves the premises.

2 Information

2.1 Records

2.1.1 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 2.1.1(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 the condition of the land or waters.

2.1.2 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 previous annual period.

2.1.3 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.

2.2 Reporting

2.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 2.2.1 in the format or form specified in that table.

Table 2.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
2.1.2	Compliance	Annual Audit Compliance Report (AACR)
2.1.3	Complaints summary	None specified



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 the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A

LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please 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 C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out 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 Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or 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 annual audit compliance report 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)



Decision Document

Environmental Protection Act 1986, Part V

Proponent: **Hanson Construction Materials Pty Ltd**

Licence: **L6752/1995/11**

Registered office: Level 10
35 Clarence St
SYDNEY
NSW 2000

ACN: 009 679 734

Premises address: Gaskell Ave Operations
Gaskell Ave
GNANGARA WA 6065
Being leases ML 70/238 & ML 70/776 as depicted in Schedule 1.

Issue date: Thursday, 25 February 2016

Commencement date: Monday, 29 February 2016

Expiry date: Thursday, 28 February 2030

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a 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 checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	12: Screening, etc. of material	1 500 000 tonnes per annual period
Application verified	Date: 09/12/2015	
Application fee paid	Date: 08/01/2016	
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 checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: #024 Managed under Part V <input type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/>



Is the proposal subject to Ministerial Conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: 024 EPA Report No: 056
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 type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region</i>		

3 Executive summary of proposal and assessment

Hanson's 530 hectare mine site at Gaskell Avenue, 23 kilometres north of Perth CBD is able to produce concrete sand, filling sand and high grade silica sands at an annual capacity in excess of 1,500,000 tonnes, with proven reserves in excess of 50 million tonnes. This site is also in the Bassendean sand belt but has high dunes of deep pure white silica sand overlaying the cream material used in the production of concrete and filling sands. Concrete sand is either dry screened or washed depending on raw material quality. Silica sand is extensively processed into several different grades and either sold in bulk or further processed within the drying and screening plant located on the site.

Processing equipment at Hanson's Gaskell Avenue site is designed to produce highly specified, made to order products with sizes ranging from >1 mm to minus 300 microns with particular grading and chemical requirements. The predominant markets for silica sand are:

- Moulding media in foundries
- Scour sand for cleaning pigment plants
- Adhesive and grout manufacturers
- Rendering systems
- Filtration media
- Top dressing of synthetic sports surfaces
- Glass manufacture
- Chemical production such as sodium silicate and silicon carbide

Bulk supply is available throughout the Perth metropolitan market and for export through the Kwinana bulk loading terminal. Bulk bagged product is being supplied to Victoria, Queensland, South Australia, New South Wales, regional WA, Singapore, Malaysia and Thailand.

This site is located within state forest and the land is being progressively rehabilitated with a view to re-establishing the original woodland that existed prior to clearing and mining.

The main emissions are particulates from general operations, vehical movements on unsealed roads and stockpiles and noise emissions from vehical movements and general operations. The operations are subject to ministerial conditions set out in Ministerial Statement #024. Statement #024 requires the proponent to develop a dust management programme, ensure waste oils and contaminated washdown waters are captured, ensure fuel storage facilities are of a high standard and details a number of proponent commitments that are contained in the management programme.



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.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	N/A	There are no General conditions required for the licence.	N/A
Premises operation	L1.2.1	All stormwater and contaminated process water is required to be collected and treated or disposed of off-site under Part 2 of the EPA Ministerial Statement #024. Condition 1.2.1 has been included in the licence to ensure that all water storage ponds onsite are managed with the intent of complying with EPA Ministerial Statement #024.	EPA Ministerial Statement #024
Emissions general	N/A	There are no emissions general from the premises that require regulation through this section	N/A
Point source emissions to air including monitoring	N/A	There are no point source emissions to air from the premises.	N/A
Point source emissions to surface water including monitoring	N/A	There are no point source emissions to surface water from the premises.	N/A
Point source emissions to groundwater including monitoring	N/A	There are no point source emissions to ground water from the premises.	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions to land including monitoring	N/A	There are no emissions to land from the premises.	N/A
Fugitive emissions	N/A	Fugitive emissions are managed via the company's Dust Management Plan, as required under part 6 of Ministerial Statement #024.	EPA Ministerial Statement #024 <i>Dust Management Plan - Hanson</i>
Odour	N/A	There are no odour emissions expected from the premises.	N/A
Noise	N/A	The nearest sensitive receptor is over 1.2 km to the south east. Operations onsite are not expected to cause an impact and can be adequately managed under the <i>Environmental Protection (Noise) Regulations 1997</i> .	<i>Environmental Protection (Noise) Regulations 1997</i>
Monitoring general	N/A	No Additional conditions are required under Monitoring general.	N/A
Monitoring of inputs and outputs	N/A	No Additional conditions are required under Monitoring of inputs and outputs.	N/A
Process monitoring	N/A	No Additional conditions are required under Process monitoring.	N/A
Ambient quality monitoring	N/A	No Additional conditions are required under Ambient quality monitoring.	N/A
Meteorological monitoring	N/A	No Additional conditions are required under Meteorological monitoring.	N/A
Improvements	N/A	No Improvement conditions are required.	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information	L2.1 and 2.2	Standard record keeping conditions have been included in the licence as well as the requirement to submit an annual AER and AACR.	N/A
Licence Duration	N/A	The mining tenement issued to the licensee for the site expires on 26 May 2030. The licence will be issued to expire on 28 February 2030.	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
18/01/2016	Application advertised in West Australian (or other relevant newspaper)	No comments received.	N/A
11/02/2016	Proponent sent a copy of draft instrument	No comments received.	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