



## Application for Licence Amendment

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

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<b>Licence Number</b>	L9217/2019/1
<b>Licence Holder</b>	Hanson Construction Materials Pty Ltd
<b>ACN</b>	009 679 734
<b>File Number</b>	DER2019/000438
<b>Premises</b>	Turner River Bridge Sands Project Great Northern Highway BOODARIE 6722 TOWN OF PORT HEDLAND  Legal description - Mining Lease M45/1193  As defined by the Premises maps attached to the Revised Licence
<b>Date of Report</b>	5/10/2023
<b>Decision</b>	Revised licence granted

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# 1. Decision summary

Licence L9217/2019/1 is held by Hanson Construction Material Pty Ltd (Licence Holder) for the Turner River Bridge Sands Project (the Premises), located at Mining Tenement M45/1193 on Great Northern Highway, Boodarie 3722.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Revised Licence L9217/2019/1 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

On 27 June 2023, the Licence Holder submitted an application to the department to amend Licence L9217/2019/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- increase of assessed throughput from 160,000 tonnes per annum (tpa) to 800,000 tpa; and
- authorisation for the installation (construction) and operation of a new additional screening plant. The Licence Holder has advised that it will be the same model that is already being used – Terex Finlay 883 screening plant.

The department notes that there will be no changes to the current generator operation or storage of hydrocarbons on site.

## 3. Risk assessment

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

### 3.1 Source-pathways and receptors

#### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Amendment Report are detailed in Table 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 1: Licence Holder controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Construction</b>			
Dust	Placement of additional mobile screen	Air / windborne pathway	<i>Existing Licence conditions:</i>
Noise			N/A.
<b>Operation</b>			
Dust	<ul style="list-style-type: none"> <li>increase to throughput;</li> <li>screening, unloading, loading and storage of material; and</li> <li>vehicle movements</li> </ul>	Air / windborne pathway	<ul style="list-style-type: none"> <li>dust management including: inspection, dust suppression (water sprays), mitigation strategies such as sheeting areas with river shingle to prevent dust lift off;</li> <li>ensure hardstand area and roads contain adequate moisture to minimise dust impacts;</li> <li>visual monitoring of dust levels, and halting activities under extreme dust generation conditions; and</li> <li>complaints management and implementation of mitigation measures</li> </ul>
Noise			<ul style="list-style-type: none"> <li>vehicles, plant and machinery will be serviced and maintained to avoid unnecessary noise; and</li> <li>complaints management and implementation of mitigation measures.</li> </ul>
Sediment laden stormwater	Product stockpiles	Contaminated stormwater	N/A.
Hydrocarbon leaks and spills	Refueling and storage of hydrocarbons	Contaminated stormwater or direct seepage to groundwater	<i>Existing Licence conditions:</i> <ul style="list-style-type: none"> <li>current hydrocarbon storage located within sea containers; and</li> <li>waste hydrocarbon storage in earthen bund.</li> </ul>

### 3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

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

Human receptors	Distance from prescribed activity
Turner River Lodge	230m west from the prescribed premises boundary. 1.9km south-west from the approved location of the screening operations.
Aboriginal Heritage Sites and Place	Within prescribed premises: <ul style="list-style-type: none"> <li>• Turner River (Tjirrilil) – ID 6653 (Stored Data); and</li> </ul> Within 2km north-east from prescribed premises boundary: <ul style="list-style-type: none"> <li>• Karratha-South Hedland 12 – ID 16029 (Stored Data).</li> <li>• Moorambine Pool – ID 7833 (Registered Site).</li> </ul>
Environmental receptors	Distance from prescribed activity
<i>Rights in Water and Irrigation Act 1914</i> Pilbara Proclaimed Groundwater Area.	Located about 15 metres below ground level (mbgl).
Threatened / Priority flora	Within prescribed premises: <i>Abutilon sp. Pritzelianum</i> (P3) – noting that the clearing permit (4034/6) requires the 10m buffer around documented locations.
Surface Water receptors	Prescribed premises is located within the bed and banks of the Turner River. <ul style="list-style-type: none"> <li>• Ephemeral water line which only flows during wet season and after sufficient rainfall.</li> </ul> Location of mobile screening unit is about 60m from the mapped extent of the river.
Acid Sulfate Soils	Soils associated with Turner River have <b>moderate</b> to <b>low risk</b> of ASS occurring within 3m of soil surface, and a <b>high</b> to <b>moderate risk</b> beyond 3m of the natural soil surface.

### 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder'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 Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The Revised Licence L9217/2019/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. screening sand activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

**Table 3. Risk assessment of potential emissions and discharges from the Premises during construction and operation**

Risk Event					Risk rating <sup>1</sup>	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood			
<b>Construction</b>								
Placement of additional mobile screen	Dust	<b>Pathway:</b> air/windborne pathway <b>Impact:</b> smothering of nearby vegetation	Nearby vegetation Turner River (60m from activities)	See section 3.1.1	C = Minor L = Rare <b>Low Risk</b>	Y	Condition 2: dust suppression	Due to the nature of the construction stage and the duration required to move the additional screening plant onto site, the Delegated Officer considers the risks associated to be low, and no additional regulatory controls are required. Additionally, there are existing licence controls to prevent dust lift off from mobile activities.
	Noise	<b>Pathway:</b> air/windborne pathway <b>Impact:</b> impact to health and amenities of human receptors	Turner River Estate (1.9km SW of activities)	N/A	C = Slight L = Rare <b>Low Risk</b>	N/A	N/A	
<b>Operation</b>								
Increase to throughput & Screening, unloading, loading and storage of material Vehicle movements	Dust	<b>Pathway:</b> air/windborne pathway <b>Impact:</b> smothering of nearby vegetation	Nearby vegetation Turner River (60m from activities)	See section 3.1.1	C = Minor L = Unlikely <b>Medium Risk</b>	N	Condition 1: infrastructure requirements Condition 2: dust suppression <b>Condition 7: second screening plant fitted with dust skirts and covers</b>	The Delegated Officer notes that there are existing licence conditions that require dust suppression at the premises. The Licence Holder noted that the additional screen will be the same model as the existing plant. The Delegated Officer will impose an additional regulatory control for the new screen to have the same dust controls as the existing screen to minimise dust emissions.
	Noise	<b>Pathway:</b> air/windborne pathway <b>Impact:</b> impact to health and amenities of human receptors	Turner River Estate (1.9km SW of activities)	See section 3.1.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	N/A	The operation of an additional screening unit and the increase to throughput may increase noise emission and frequency from the premises. Given the distance to nearest sensitive receptors and the nature of the operations, the Delegated Officer has determined that no additional regulatory controls are required. The additional screen will be conditioned to be operated only when located in the processing area on the current licence.  The department has not received any complaints regarding noise from this premises.
Increase to throughput - Product stockpiles	Sediment laden stormwater	<b>Pathway:</b> direct discharge to land <b>Impact:</b> contamination of surface water and nearby vegetation	Nearby vegetation Turner River (60m from activities)	N/A	C = Slight L = Unlikely <b>Low Risk</b>	N/A	N/A	Increase to throughput may temporarily increase volumes of product stockpiles at the premises. As the material is being excavated during dry season from the riverbed, the impacts of sediment laden stormwater to impact this surface water and nearby vegetation is low.
Refueling of additional plant and storage of hydrocarbons	Leaks and spills	<b>Pathway:</b> contaminated stormwater or direct seepage to groundwater <b>Impact:</b> contamination of surface water and groundwater	Turner River (60m from activities) Pilbara groundwater area (>15mbgl)	See section 3.1.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 1: infrastructure requirements	The Delegated Officer has determined that existing licence conditions are sufficient in managing the risk. The <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> also apply during operations.

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

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Local Government Authority (Town of Port Hedland) advised of proposal 21 August 2023.	<p>Town of Port Hedland provided a response on 8 September 2023 with the following comments:</p> <p>Insufficient information in application form regarding:</p> <ol style="list-style-type: none"> <li>Information about the additional workforce required for the increased operational capacity; and</li> <li>Information about any additional infrastructure to accommodate any increase in workforce.</li> </ol> <p>Town of Port Hedland have stated that due to those reasons it does not support the amendment to the licence.</p>	<p>The department notes the comments raised by the Town of Port Hedland, however the matters regarding workforce are not regulated under Part V and therefore this information is not required as part of their application.</p> <p>The department encourages the licence holder to engage with the Town of Port Hedland on these issues.</p>
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 21 August 2023.	<p>DMIRS provided a response on 30 August 2023 with following comments:</p> <ol style="list-style-type: none"> <li>Noted that the area of disturbance of screening activity is consistent with the most recently approved mining proposed; and</li> <li>Noted that it is unclear where the additional material for the increased throughput will be obtained from.</li> </ol>	<ol style="list-style-type: none"> <li>Noted.</li> <li>The department notes that excavation of material is not assessed under Part V and that the Licence Holder is required to comply with approvals that cover this aspect either through tenement conditions or approved mining proposal.</li> </ol>
Department of Planning, Lands and Heritage (DPLH) advised of proposal 21 August 2023.	None received.	N/A.
Native Title Holder Registered National Title Body Corporation <i>Kariyarra Aboriginal Corporation</i> advised of proposal 21 August 2023.	None received.	N/A.
Licence Holder was provided with draft amendment on 15 September 2023	The Licence Holder confirmed on 26 September 2023 that they had no comments on the draft amended licence.	N/A.

## 5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined

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that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## 5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

**Table 5: Summary of licence amendments**

Condition no.	Proposed amendments
Cover page	Changes to assessed design capacity for Category 12 from 160,000 tpa to 800,000 tpa.
Premises History	Addition of this amendment.
Interpretation section	Revised to current licensing format
Referencing	Updated some errors in condition referencing.
Condition 1, Table 1	Authorisation of additional screening plant to be placed within the current screening location.
Condition 6	Change of reporting date for AACR to be in line with department initiated mass amendment to reporting requirements processed on 16 May 2022.
Condition 7, Table 2	New condition for Installation of additional screening plant.
Condition 8	New condition for Submission of Environmental Compliance Report following installation of additional screening plant.
Condition 9	New condition for Requirements for the Environmental Compliance Report.
Definitions Table	Changed Definitions Table to correct Table 2.



## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

## Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY		
<b>Application type</b>		
Amendment to licence	<input checked="" type="checkbox"/> Current licence number:	L9217/2019/1
Date application received	27 June 2023	
<b>Applicant and Premises details</b>		
Applicant name/s (full legal name/s)	Hanson Construction Materials Pty Ltd (009 679 734)	
Premises name	Turner River Bridge Sands Project	
Premises location	Mining Tenement: M45/1193 – Expiry 2 June 2031	
Local Government Authority	Town of Port Hedland	
<b>Application documents</b>		
HPCM file reference number:	DER2019/000438~2	
Key application documents (additional to application form):	<p><i>Supporting documents:</i></p> <ul style="list-style-type: none"> <li>• Attach 1a – Mining tenement transfer;</li> <li>• Attach 2 – Site Map;</li> <li>• Attach 2b – Distance to nearest sensitive receptors;</li> <li>• Attach 3b – Proposed activities;</li> <li>• Attach 7 – Siting and Location; and</li> <li>• Attach 10 – Fee calculator.</li> </ul>	
<b>Scope of application/assessment</b>		
Summary of proposed activities or changes to existing operations.	<p>Scope:</p> <p>(1) Primary change is for the increase of throughput from 160 ktpa to 800 ktpa (<i>Background: operations are supply driven and the increase of throughput is to support the supply to Roy Hill Port upgrade – this is expected to be completed by 2025</i>); and</p> <p>(2) Hanson have advised that possibly an additional mobile screening plant (same model as on current licence / premises – <i>Terex Finlay 883 Screening Plant</i>) may need to be brought on to keep up with demand.</p> <p>DWER will assess mobilisation (construction) and operation of a second screening plant in addition to increased throughput.</p>	
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>		
<b>Table 1: Prescribed premises categories</b>		
<b>Prescribed premises category and description</b>	<b>Assessed production or design capacity</b>	<b>Proposed changes to the production or design capacity (amendments only)</b>
Category 12: screening etc. of material	160, 000 tonnes per year	800, 000 tonnes per annum
<b>Legislative context and other approvals</b>		
Has the applicant referred, or do they intend to refer, their proposal to the	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

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EPA under Part IV of the EP Act as a significant proposal?		
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	Mining lease / tenement <input checked="" type="checkbox"/> M45/1193 – Expiry: 02/06/2031
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Subject to <i>Mining Act 1978</i> (MP: 52610)
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: 4034/6 Noting: No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A
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"/>	Licence/permit No: GWL 176061(2) – allocation of 750kL/per annum from Pilbara Lower Turner Alluvial.
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"/>	Name: Pilbara Type: Proclaimed Groundwater Area & Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: North West
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Noting: nearest PDWSA is <i>Yule River Water Reserve</i> (P1) located 18.5km west of premises.
Is the Premises subject to any other Acts or subsidiary regulations	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Mining Act 1978</i>

		<i>Mines Safety and Inspection Act 1994</i> <i>Rights in Water and Irrigation Act 1912</i> <i>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"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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"/>	