



Application for licence

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

Licence number	L9232/2020/1
Applicant	Hanson Construction Materials Pty Ltd
ACN	009 679 734
DWER file number	DER2019/000669
Premises	Cane River project Mining Lease M08/69 Miscellaneous Licence L08/125 55 km south-east of Onslow, WA Shire of Ashburton
Date of report	21 April 2020
Decision	Licence granted

1. Definitions

Key terms relevant to this decision report and their associated definitions are listed in Table 1.

Table 1: Definitions

Term	Definition
Applicant	Hanson Construction Materials Pty Ltd
Category / categories	Categories of prescribed premises as set out in Schedule 1 of the EP Regulations.
Decision Report	refers to this document.
Delegated Officer	An officer delegated under section 20 of the EP Act.
Department	The department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
Emission	has the same meaning given to that term under the EP Act.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
Prescribed premises	This has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report
Risk Event	As described in <i>Guidance Statement: Risk Assessment</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

2. Overview of premises

2.1 Classification of Premises

Table 2: Classification of premises and assessed design capacity

Category	Description	Assessed production or design capacity or throughput
Category 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 per annum

2.2 Description of proposed activity

The applicant submitted a licence application to the department on 11 December 2019 to operate a sand and river shingle quarry where up to 50 000 tonnes per year of material will be screened from the riverbed of the Cane River. This facility was constructed under works approval W6278/2019/1.

The proposed activities will be undertaken on a campaign basis by a fully mobile screening plant which will be brought to site only during screening. Sand and river shingle will be extracted, screened and transported off site. Activities will be performed during daylight hours in dry season, with minimal material stockpiled on-site. Any oversized material will be returned to mined sections of the riverbed.

The infrastructure and equipment are outlined in the table below and the site layout is shown in Figure 1.

Table 3: Infrastructure and equipment

Ref	Infrastructure or Equipment	Site Layout Plan reference (Figure 1)
1	Mobile screening plant (2 decks, deck size 10'x5', 3 stockpiling conveyors) Sound power level: < 98dB	Figure 1
2	Stockpiling and screening area	
Other activities		
3	Front end loader	N/A
4	40 tonne articulated dump truck	
5	25 kVA generator Set and fuel supply housed in a sea container situated on a 1000 L bund tray, 1 m above natural ground level	
6	Office crib/hut	

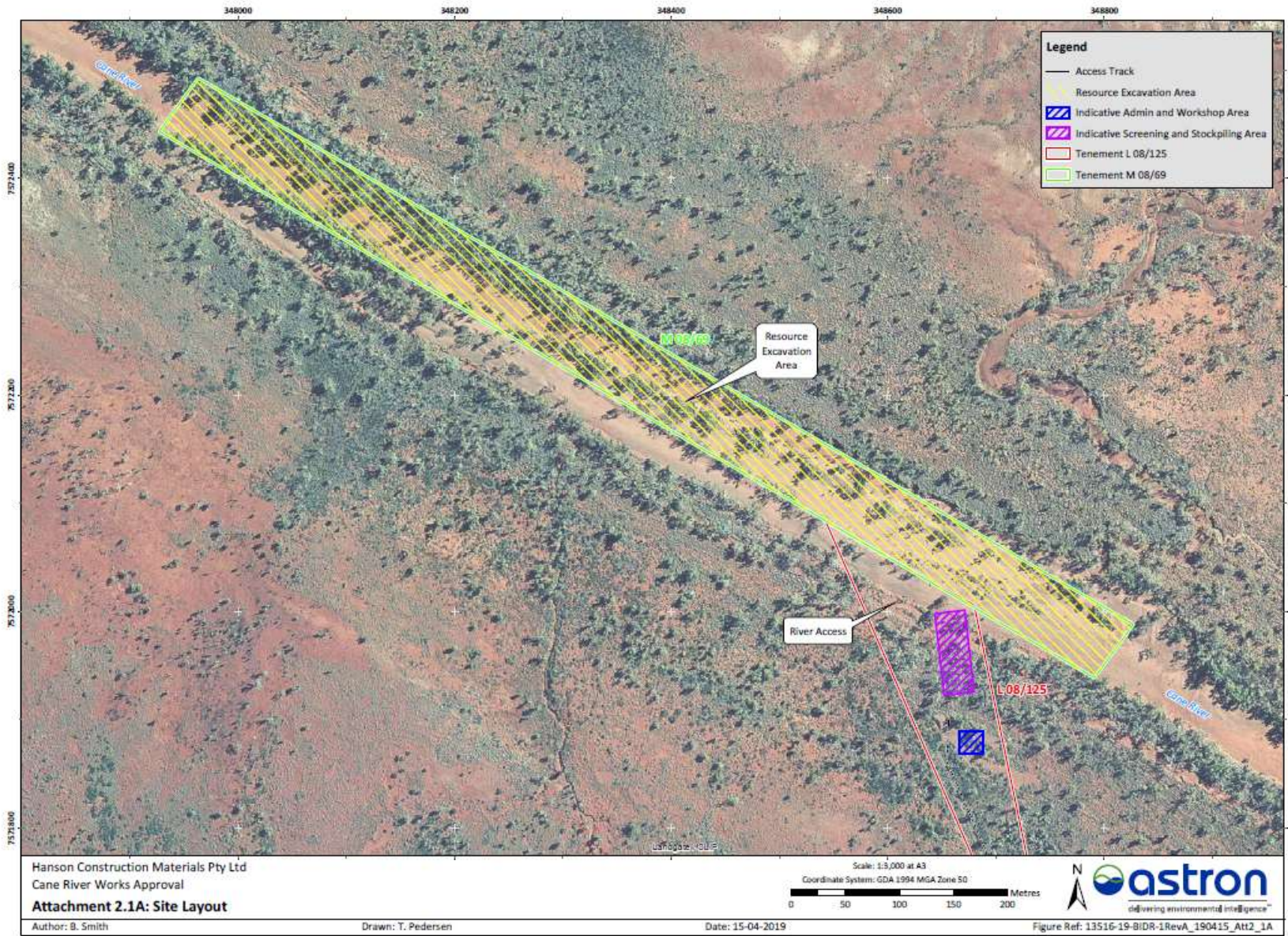


Figure 1: Site Layout Plan

3. Legislative context and other approvals

The legislative framework for this assessment is the *Environmental Protection Act 1986* (EP Act) and *Environmental Protection Regulations 1987* (EP Regulations).

Relevant guidance documents are outlined in Appendix 1.

Approvals relevant to the premises are outlined in the table below.

Legislation	Number	Approval
<i>Mining Act 1978</i>	Mining Lease M08/69 Miscellaneous Licence L08/125	Approved for development and operation of mining
<i>Environmental Protection Act 1986</i>	CPS 7068/1 (DMIRS)	<ul style="list-style-type: none">• Applies to M08/69 & L08/125• 3.5 hectares within 7.2 ha boundary• Expired July 2019
	CPS 7068/2 (DMIRS)	Extension of above approval until 31 July 2024

3.1 Works approval history

Works Approval W6278/2019/1 was issued to the applicant on 13 November 2019 for a Category 12 premises. Time limited operations for 90 days was permitted under the works approval.

Compliance documentation was received on 8 April 2020 and indicated that time limited operations commenced on 2 December 2019.

All aspects of the Works Approval have been complied with and DWER is in a position to grant a licence as per section 57(2)(a) of the EP Act.

Instrument	Issued	Nature and extent of works approval
W6278/2019/1	13 November 2019	Category 12- Construction of mobile screening plant at Cane River project

4. Location and Siting

4.1 Siting context

The premises is located approximately 55 km south-east of Onslow, WA, in the Shire of Ashburton (Figure 2). Material will be screened directly from the river bed of the Cane River within Mining Lease M08/69 (Geocortex coordinates: Lat: 21.94747° S; Lon: 115.53121° E).

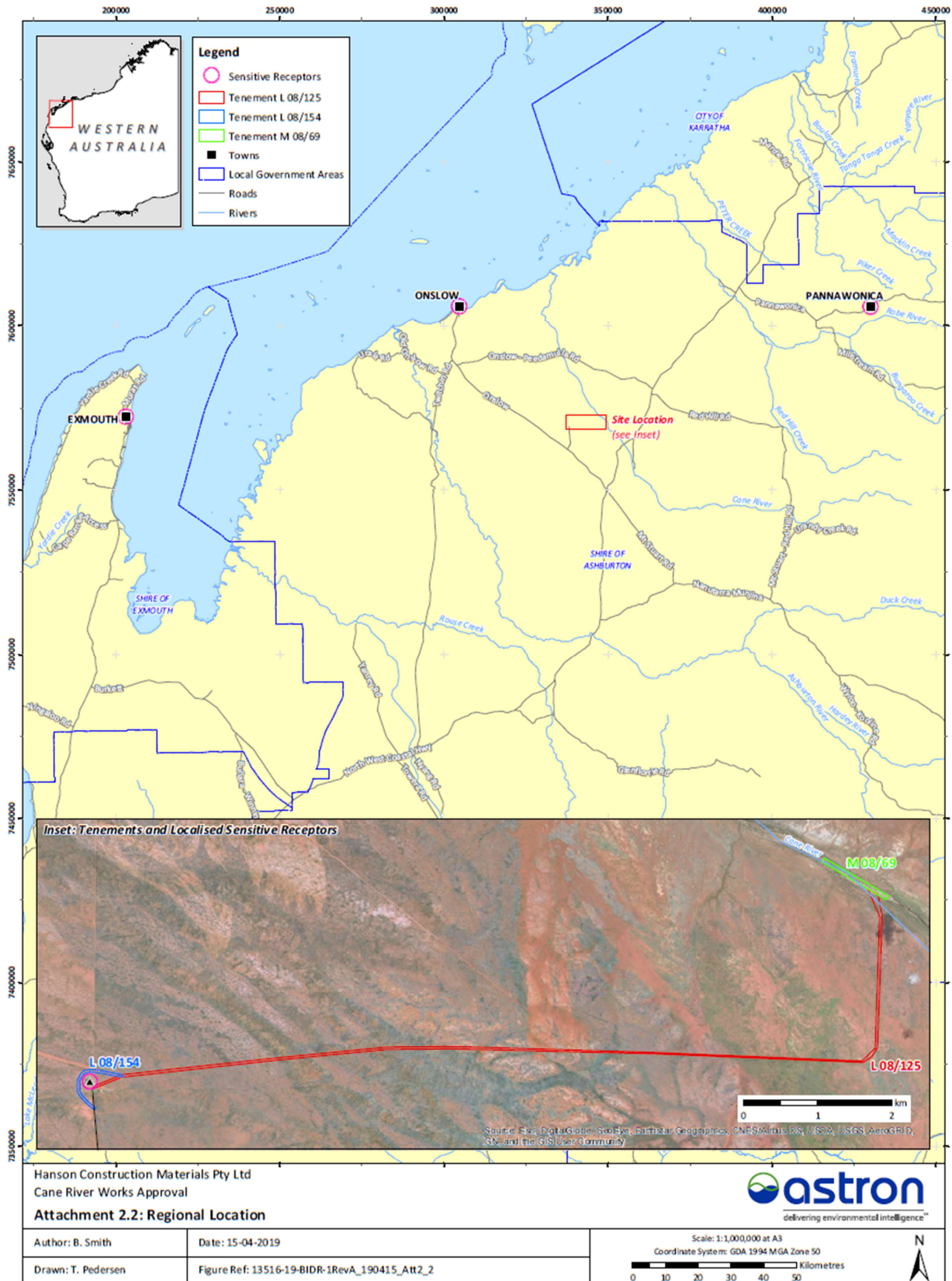


Figure 2: Location of premises

4.2 Receptors

Risk is assessed as a combination of emission sources, the proximity and sensitivity of receptors to those emission sources and any pathways that can allow the emission to reach and potentially harm the receptor. Figure 2 and the table below provides a summary of human and environmental receptors in proximity to the premises, and the risk assessment in Section 5 considers these receptors in the context of emissions and potential pathways.

Table 4: Receptors and distance from activity boundary

Human receptors	Distance from activity	Pathway Assessment
Mt Minnie Homestead	10.8 km west of proposed activities (Figure 2) Geocortex coordinates: Lat: 21.97150° S Lon: 115.43212° E	The Delegated Officer considers it unlikely a Risk Event for dust or noise emissions will occur as a source pathway receptor linkage does not exist based on the distance from proposed activities. Given this fact, Mt Minnie Homestead was not included in Table 5 below.
Environmental receptors	Distance from activity / prescribed premises	Pathway Assessment
Threatened/Priority Fauna	Several recordings of <i>Dasyurus hallucatus</i> (Northern quoll) have been found approx. 5.5 km SE from proposed activities. <i>Dasyurus hallucatus</i> is listed as 'endangered' species under the <i>Environmental and Biodiversity Conservation Act 1999</i> .	The Delegated Officer considers it unlikely a Risk Event for dust or noise emissions will occur as a source pathway receptor linkage does not exist based on the distance from proposed activities. Given this fact, threatened or priority fauna are not included in Table 5 below.
Groundwater and water sources	Distance from premises	Environmental value
Public Drinking Water Source Areas (PDWSA): Priority 11	Approximately 24 km downstream (NW of M8/69) - PDWSA as well as PDWSA Protection Zones	The Cane River Water Reserve is classified as a PDWSA under the <i>County Areas Water Supply Act 1947</i> .
Major watercourses/waterbodies: Cane River	Within premises boundary. Material will be screened directly from the river bed of Cane River (when not flowing)	Major non-perennial river, flowing north-westerly through the Cane River Conservation Park.
Groundwater: Pilbara Groundwater Area RIWI Act	The inferred groundwater flow is WNW and depth is unknown. Groundwater is not predicted to be affected by	Unknown use

	<p>proposed activities and is therefore not considered a receptor.</p> <p>No bores located within 1km of premises (based on available GIS dataset –WIN Groundwater Sites).</p> <p>Closest groundwater bore: 1.9 km east of premises - Cane River Drilling Project, CRP5 (DWER) which is considered to be up-hydraulic gradient</p>	<p>Application indicates no Water licence or permit to be required</p> <p>Groundwater is not predicted to be affected by proposed activities and is therefore not considered in Table 5.</p>
Pilbara Surface Water Area RIWI Act	The premises is situated within this area.	Application indicates no Water licence or permit to be required

5. Risk assessment

The identification of the sources, pathways and receptors to determine Risk Events are set out in Table 5 below, consistent with the *Guidance Statement: Risk Assessments*. Risk ratings have been assessed for each key emission source and takes into account potential source-pathway-receptor linkages.

The mitigation measures / controls proposed by the applicant have been considered in determining the risk rating. Emissions during construction and operation have been assessed separately to allow clear delineation of activity phases.

The conditions in the issued licence, have been determined in accordance with the *Guidance Statement: Setting Conditions*

Table 5 Identification of emissions, pathway and receptors during operations

Risk Event					Continue to detailed risk assessment	Reasoning
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
Category 12 Screening plant and associated equipment Vehicle movements	Dust	Cane River	Air / wind dispersion	Impacts to surface water quality	No	Dust emissions are expected to be minimal and only occurring during equipment operation. Applicant controls for dust: a) visual monitoring of dust levels; b) cease of activities during weather conditions that create excessive dust; and c) investigation of dust complaints. The Delegated Officer considers it unlikely a risk event for dust emissions to occur, as such, the Delegated Officer does not consider the risk to be significant enough to warrant further assessment
Excavation/loading of material	Hydrocarbon/ process fluid runoff	Surrounding ground	Infiltration	Impacts to the health of flora and fauna; Contamination of land	No	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> regulate discharges into the environment from business or commercial activities. Hydrocarbons stored in accordance with AS1940:2017 <i>The storage and handling of flammable and combustible liquids</i> . There is expected to be a minor consequence, only occurring under rare circumstances. The Delegated Officer considers it low risk.

Risk Event					Continue to detailed risk assessment	Reasoning
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
Material stockpiles	Contaminated stormwater and sediment	Surface water – Cane River	Overland flow	Direct discharge via overland flow, impacts on ecosystem	No	<p>The applicant proposes:</p> <ul style="list-style-type: none"> a) minimal stockpiling b) screening in the non-perennial Cane River only during dry season on a campaign basis <p>Dry season generally lasts from August to December, with less than 20.6 mm of rain during that period.</p>

**Consequence ratings, likelihood ratings and risk descriptions are detailed in the Department's Guidance Statement: Risk Assessments (February 2017)*

6. Consultation

The licence application was advertised on the website 24 February 2020 to seek public comment.

On 28 February 2020, the department notified the following identified direct interest stakeholders:

- Department of Mines, Industry Regulation and Safety
- Department of Biodiversity, Conservations and Attractions
- Shire of Ashburton

No comments were received.

7. Conclusion

This assessment of the risks of activities on the Premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this Decision Report (summarised in Appendix 1).

Based on this assessment, it has been determined that the Issued Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Terrel MacGregor
A/MANAGER RESOURCE INDUSTRIES
INDUSTRY REGULATION

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

Document title	Availability
Licence (L9232/2020/1) application form and supporting documentation (December, 2020)	DWER records (DWERDT234941)
Works approval (W6278/2019/1) application form and supporting documentation (May, 2019) Works approval (W6278/2019/1) (November 2019)	DWER records (A1792747)
Works approval W6278/2019/1 compliance	DWER records (FA249579)
DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	
DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	
DER, February 2017 <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
DWER, June 2019 <i>Guideline: Decision Making</i> Department of Water and Environmental Regulation	