



## Department initiated Amendment

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

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<b>Licence Number</b>	L4414/1968/12
<b>Licence Holder</b>	Hanson Construction Materials Pty Ltd
<b>ACN</b>	009 679 734
<b>File Number</b>	DER2017/001316
<b>Premises</b>	Herne Hill / Red Hill Quarry 945 Toodyay Rd Red Hill WA 6056  Being Lot 11 on Plan 3047 as defined by the coordinates in Schedule 1
<b>Date of Report</b>	24 June 2020
<b>Decision</b>	Revised licence granted

## 1. Definitions

In this Amendment Notice, the terms in the table below have the meanings defined.

Term	Definition
ACN	Australian Company Number
Amendment Report	refers to this document
Delegated Officer	an officer under section 20 of the EP Act
Department	means 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
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Amendment Notice
Licence Holder	Hanson Construction Materials Pty Ltd
Prescribed Premises	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.

## 2. Amendment description

Licence L4414/1968/12 is held by Hanson Construction Materials Pty Ltd (Licence Holder) for the Herne Hill / Red Hill Quarry (the Premises), located at Being Lot 11 on Plan 3047, Red Hill.

The Premises relates to category 12 (Screening) and the assessed 2 000 000 tonnes per annual period production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing licence L4414/1968/12.

The Existing licence is due to expire 30 September 2020. DWER has initiated this licence amendment to extend the licence duration by a period of five years. Additional administrative amendments have been made such as adding or amending definitions, to provide better clarity within the licence, amending the premises' address to the correct address than to what was depicted previously, and the removal of the improvements section as these conditions have been complied with and are no longer required to be on the licence.

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The decision report for the Existing licence (L4414/1968/12) will remain on the department's website for future reference and will act as a record of the department's decision making.

### 3. Consultation

The licence holder was provided with the draft Amendment Report on 10 June 2020. Comments received from the licence holder on 16 and 17 June 2020 have been considered by the Delegated Officer as detailed in Appendix 1. Additionally on 17 June 2020, the licence holder waived the comment period.

### 4. Summary of amendments

This amendment is to extend the expiry date from 30 September 2020 to 30 September 2025.

In amending the licence, the CEO has:

- updated the format and appearance of the licence;
- updated the premises' address to reflect its correct address than to what was previously described;
- deleted the redundant AACR form set out in Schedule 2 of the previous licence and advises the licence holder to obtain the form from the department's website;
- removal of Section 4: Improvement conditions; and
- corrected clerical mistakes and unintentional errors.

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

**Table 1: Summary of licence amendments**

Condition no.	Proposed amendments
<i>Cover page</i>	<i>Restructured to clearly indicate what prescribed activities have been previously risk assessed.</i>
<i>Definitions</i>	<i>Definitions table updated, with the meanings to the terms listed (see updated Table 6 of licence).</i>
	<i>Definitions updated: 'ACN', 'AACR', 'Amendment Report', 'CEO', 'Department', 'Discharge', 'DWER', 'Emission', 'EP Act', 'EP Regulations', 'Existing licence', 'Fugitive emissions', 'Licence Holder', '(Prescribed) Premises', and 'Revised Licence'</i>
<i>Duration of licence</i>	<i>Extended to 30 September 2023.</i>
<i>Interpretation (conditions 1.1.1 and 1.1.2)</i>	<i>Deleted and updated based on departmental legal advice now to include definitions and interpretation now incorporated in licence Table 6.</i>
<i>Introduction</i>	<i>The introduction has been updated to include the description of the licence and incorporate changes in the instrument log.</i>
<i>Licence Holder</i>	<i>Changed throughout licence from licensee to licence holder.</i>

<b>Condition no.</b>	<b>Proposed amendments</b>
<i>Premises details</i>	<i>The correct address for the Premises' is now depicted within the licence.</i>
<i>Section 4: Improvement conditions</i>	<i>Section 4 has been removed from the licence as the improvement conditions contained in this section have been complied with and the condition is no longer required to be on the licence. Former Section 5: Information, has been renumbered as 4 to reflect this.</i>
<i>Schedule 2</i>	<i>AACR form deleted. Licence holder advised to use the format approved by the CEO, as per the department's website and approved guidelines and templates.</i>

## **5. Conclusion**

The Delegated Officer has determined to make amendments to licence L4414/1968/12. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This amendment does not propose any alteration to the production, design capacity, prescribed activity or discharge locations approved under the existing licence. Administrative amendments have been made in the Revised Licence, such as adding or amending definitions, to provide better clarity within the licence, and the removal of the improvements section as these conditions have been complied with and are no longer required.

The amendment will extend the expiry date of the licence by five years. The licence now expires on 30 September 2025.

**Lauren Fox**  
**A/MANAGER RESOURCE INDUSTRIES**

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

## Appendix 1: Summary of Licence Holder's comments on draft amendment

Condition	Summary of Licence Holder's comment	Department's response
Expiry date of the Revised licence	The licence holder queried the extension date of expiry of the Revised licence and preferred the licence be amended for a longer timeframe.	<p>The Delegated Officer reviewed the query of the licence holder and assessed the associated risks in increasing the licence for a further two years. A response was provided to the licence holder that a five year duration could be granted based on the assessment of the administrative amendment.</p> <p>The expiry of the revised licence is now 30 September 2025.</p>
Premises details	The licence holder requested that the Premises' details be updated to reflect the correct address of 945 Toodyay Rd Red Hill WA 6056, as the address in the existing licence is incorrect.	<p>The Delegated Officer notes the certificate title of land (Lot 11 on Plan 3047) remains the same, it is just the physical address of the Premises' has been updated to reflect this change.</p> <p>The Revised licence now reflects this update of the Premises' address.</p>