



The Manager
Hampton Transport Services Pty Ltd
PO Box 1660
KALGOORLIE WA 6430

Dear Sir/Madam,

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

Hampton Transport Services Pty Ltd

Premises: Lot 2 on Diagram 65752 Wortley Street, Lot 4 and 5 on Diagram 70557 Great Eastern Highway, Kalgoorlie.

Licence Number: L8597/2011/1

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal, contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Sarah Collins on (08) 9080 5520.

Yours sincerely

Ruth Dowd
Officer delegated under section 20
of the *Environmental Protection Act 1986*

7 August 2014



Licence

Environmental Protection Act 1986, Part V

Licensee: Hampton Transport Services Pty Ltd

Licence: L8597/2011/2

Registered office: 64 Great Eastern Highway
WEST KALGOORLIE WA 6430

ACN: 008 733 060

Premises address: Lot 2 on Diagram 65752 Wortley St and Lots 4 and 5 on Diagram 70557
64 Great Eastern Highway
WEST KALGOORLIE WA 6430
As depicted in Schedule 1.

Issue date: 7 August 2014

Commencement date: 21 September 2014

Expiry date: 20 September 2019

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
57	Used tyre storage (general); premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more	1000 tyres

Conditions

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

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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 works with the business owners, community, consultants, industry and other representatives 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

The Hampton tyre storage area is located in the Kalgoorlie area and stores various tyres of different sizes. The Premises has potential to create emissions if the tyres catch fire, such as fire water and air emissions.

Hampton Transport Pty Ltd's licence L8214/2008/1 was ceased in May 2011 due to non-payment of annual licence fees. This was a nil condition licence. On 23 September 2011 Licence L8597/2011/1 was issued with 12 conditions. This Licence is the successor to licence L8597/2011/1 and has been converted to the REFIRE format.

The licences and works approvals issued for the Premises since 18/07/2014 are:

Instrument log		
Instrument	Issued	Description
L8597/2011/2	6/08/2014	Licence re-issue to REFIRE format

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 September until 31 August in the following year;

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

'CEO' for the purpose of correspondence means;

Manager Licensing (Goldfields)
Department of Environment Regulation
PO Box 10173
KALGOORLIE WA 6433
Telephone: (08) 9080 5555
Facsimile: (08) 9021 7831
Email: goldfields@der.wa.gov.au;

'code of practice for the storage and handling of dangerous goods' means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

'combustible material' means any material that is capable of readily catching fire if heated or otherwise exposed to an external flame and which is further capable of burning easily.

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

'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. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fire water' means water that, in the event of a fire, has been used to extinguish a fire and all materials and combustion products dissolved or suspended within such water and includes other fire suppressant substances such as foam;

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;



'level ground' means ground or any finished surface that is not inclined at a grade of more than 1 to 20;

'Licence' means this Licence numbered L8597/2011/2 and issued under the Act;

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

'non-combustible material' means material that is not combustible material;

'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;

'tyre storage catchment area' means an area of the licensed Premises that is large enough to fully and effectively contain no less than 162, 000 litres (10 litres per second for 3 hydrants for 90 minutes of fire water).

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of 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.

1.2 General conditions

1.2.1 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.

1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note 1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.



1.3 Premises operation

- 1.3.1 The licensee shall ensure that tyre stacks do not obscure fire protection equipment (including hydrants and fire hoses) or any related signage.
- 1.3.2 The licensee shall ensure that all tyres are stacked on their sides or if stored upright on their treads, are stored within a bunded area.
- 1.3.3 The licensee shall ensure any fire water is captured within a sump within the Premises to prevent fire water discharge beyond the boundary of the Premises.
- 1.3.4 The licensee shall without any undue delay following the extinguishing of a fire, ensure that fire water is removed from the Premises by a carrier licensed under the *Environmental Protection (Controlled Waste) Regulations 2004*.
- 1.3.5 The licensee shall ensure that the Premises boundary is completely enclosed by a fence or wall which:
- (i) is at least 2 metres high;
 - (ii) is constructed wholly from non-combustible material; and
 - (iii) has at least two entrances that:
 - (a) are at least 4 metres wide; and
 - (b) allow for the emergency access of fire and rescue services equipment.
- 1.3.6 The licensee shall ensure that tyres are only stored on level ground.
- 1.3.7 The licensee shall ensure that any tyres or tyre storage area is located at least 6 metres from any combustible material, wall, building or fence.
- 1.3.8 The licensee shall ensure that individual tyre stacks are separated at least 6 metres from each other and do not exceed:
- (i) 100 square metres (100m³) in area; and
 - (ii) 3 metres in height.



2 Emissions

There are no specified conditions relating to emissions in this section

3 Monitoring

There are no specified conditions relating to monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.



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 the condition of the land or waters.
- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 5.1.3 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.
- 5.1.4 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 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 5.2.1 in the format or form specified in that table.

Condition or table (if relevant)	Parameter	Format or form ¹
-	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
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

5.3 Notification

- 5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.



Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form
2.1.1	Any fire on the Premises	As soon as practicable but no later than 5pm of the next usual working day.	None specified
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		

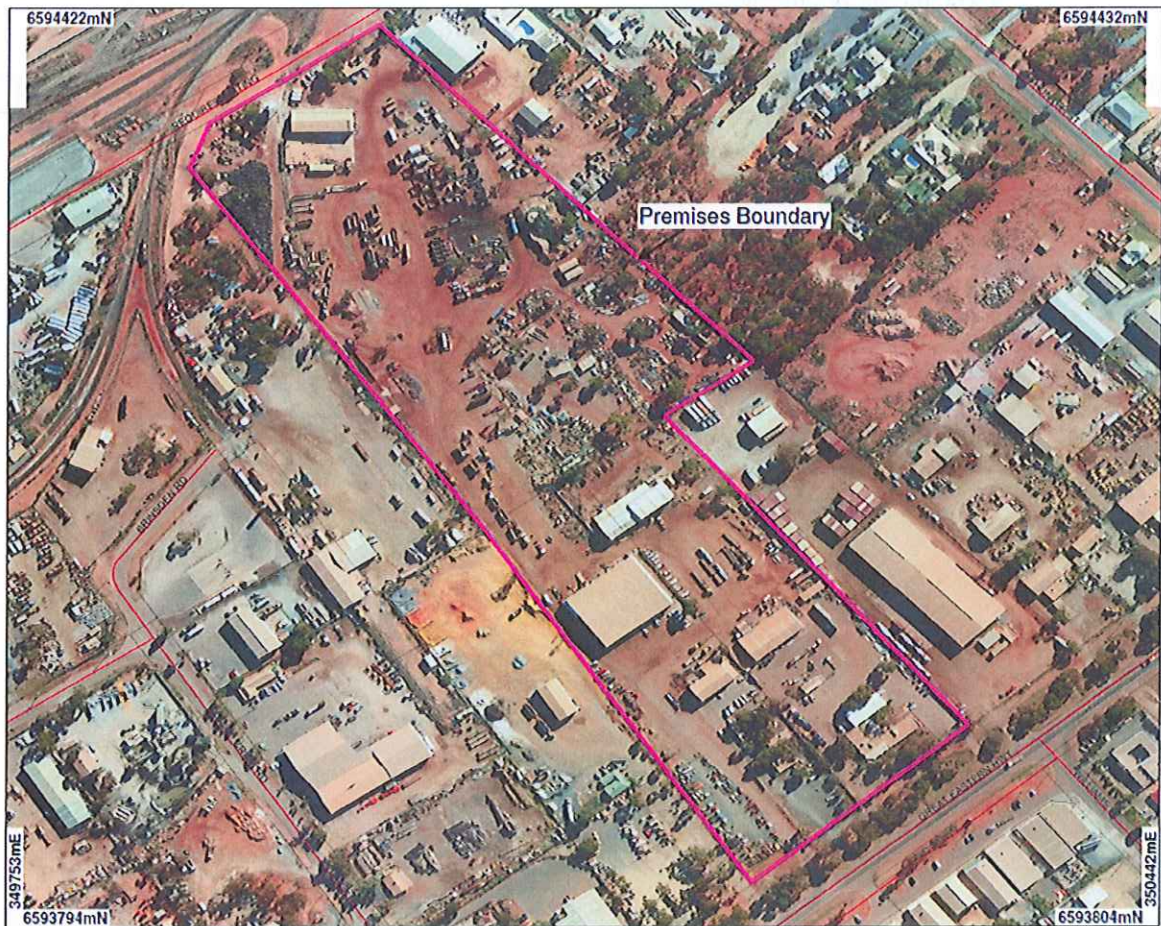
Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act



Schedule 1: Maps

Premises map

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



LEGEND		Kalgoorlie Townsite ZUM Orthomosaic - Landgate 2007	 Scale 1:3896 <i>(Approximate when reproduced at A4)</i> Geocentric Datum Australia 1994 <i>Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.</i> Prepared by: Iionaco Prepared for: Date: 20/09/2011 3:47:49 PM
Cadastra <input type="checkbox"/> Freehold <input type="checkbox"/> Crown Reserve <input type="checkbox"/> State Forest / Timber Reserve <input type="checkbox"/> Marine Park <input type="checkbox"/> Crown Lease (cont)	<input type="checkbox"/> Lease / Reserve <input type="checkbox"/> Lease on State Forest / Timber Reserve <input type="checkbox"/> Public Roads <input type="checkbox"/> Unallocated Crown Land <input type="checkbox"/> Water <input checked="" type="checkbox"/> Road Centrelines		

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Department of Environment and Conservation
Our environment, our future
 WA Govt. Copyright 2002



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: Trading as:	ABN:
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 B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____
	<input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the 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:	

Each page must be initialled by the person(s) who signs Section C of this 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)