



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Hovey Property Pty Ltd

**Licence:** L8819/2014/1

**Registered office:** 5 Fairbairn Road  
BUSSELTON WA 6280

**ACN:** 088 296 155

**Premises address:** Lot 122 Old Coast Road, Parkfield  
7477 Old Coast Road  
Parkfield WA 6233  
Being Lot 122 on Diagram 59922 as depicted in Schedule 1.

**Issue date:** Thursday, 3 December 2015

**Commencement date:** Monday, 7 December 2015

**Expiry date:** Thursday, 6 December 2035

**Prescribed premises category**  
Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production
13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones, or concrete) is crushed or cleaned.	1000 tonnes or more per year	5000 tonnes per annual period
62	Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes or more per year	5000 tonnes per annual period

**Conditions**

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

.....  
MANAGER LICENSING (WASTE INDUSTRIES)  
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**

Hovey Property Pty Ltd (the proponent) proposes to undertake crushing and screening of concrete and road bitumen at this premises, however the proponent has advised DER that crushing and screening will not occur for 3-5 years until sufficient material is stockpiled. In order to crush and screen the concrete and bitumen the proponent will require storage of the material at the premises. Accordingly the proponent has applied for a Category 62 and 13 licences to allow these operations.

A summary of the process activities at the premises is as follows:

1. Crushing and screening concrete and bitumen. Up to 5000 tonnes per year using a mobile plant that has a capacity to process up to 45,500 tonnes per year.
2. Storage and off-site disposal of construction and demolition waste including concrete and bitumen.

The crushing and screening plant is to be located centrally within the sand pit, but on the eastern edge of the existing sand pit. The closest residence is approximately 450m to the south east. Other residences occur approximately 1000m to the south, 1790m to the south west and the outskirts of Binningup Township are approximately 2.4km to the west. The prevailing winds are from the east in the morning and the south west in the afternoons. The stockpiles of material for crushing and screening will be in the southern end of the pit (refer to premises map). Other sensitive receptors are surface water and groundwater. Groundwater is shallow at approximately 4m AHD beneath the pit. Nearest surface water is approximately 300 m from the north-east corner of the Lot and is a conservation category wetland. The DER draft Guidance Statement – Separation Distances recommends a separation distance of 1000m for category 13, and 200 m for category 62.

The main emissions from the premises posed by this proposal are noise and dust generated by crushing and screening and other machinery (loader, excavator, water cart, trucks, trailers, light vehicles, graders and bobcats) and asbestos management at the premises.

This Licence is for the operation of a new facility established under works approval W5527/2013/1. This works approval was issued on 19 December 2013 (amended on 27 March 2014 to slightly change the premises map) and authorised the establishment of the site. A compliance certificate was submitted on 18 June 2014 to say that the premises had been constructed according to the works approval. The works approval authorises the establishment of a crushing and screening operation on the premises (up to 1000 tonnes per year). The proponent formally withdrew the category 63 inert landfill aspect of the application on 10 November 2015.

The licences and works approvals issued for the Premises since 03/04/2014:

Instrument log		
Instrument	Issued	Description
W5527/2013/1	3/04/2014	New works approval for establishment of a crushing and screening of building materials plant and an inert landfill
L8819/2014/1	3/12/2015	New licence for a solid waste depot for the receipt and offsite disposal of construction and demolition waste, including the crushing and screening of concrete and bitumen.

**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;

**'AS 4964'** means the Australian Standard AS 4964 *Methods for the qualitative identification of asbestos in bulk samples*;

**'asbestos'** means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysolite, crocidolite, tremolite and any mixture containing 2 or more of those;

**'asbestos containing material'** has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'asbestos fibres'** has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'asbestos fines'** has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'clean fill'** has the meaning defined in the Department of Environment Regulation Material guideline: Clean Fill (December 2014);

**'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  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: info@der.wa.gov.au;

**'construction and demolition waste'** has the meaning defined in Landfill Definitions;



**'Department of Health Asbestos Guidelines'** means the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

**'DER Asbestos Guidelines'** means document titled "Guidelines for managing asbestos at construction and demolition waste recycling facilities", published by the Department of Environment and Conservation, as amended from time to time;

**'Inert Waste Type 1'** has the meaning defined in Landfill Definitions;

**'Landfill Definitions'** means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time.

**'Licence'** means this Licence numbered L8819/2014/1 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

**'w/w'** means weight for weight.

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 Premises operation

1.2.1 The Licensee shall only accept waste on to the Premises if:

- (a) it is of a type listed in Table 1.2.1;
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
- (c) it meets any specification listed in Table 1.3.1;

**Table 1.2.1: Waste acceptance**

Waste type	Quantity Limit	Specification
Inert Waste Type 1	5000 tonnes per annual period	Waste containing visible asbestos or ACM shall not be accepted.

1.2.2 The Licensee shall visually inspect all waste before it enters any stockpile or treatment process to ensure that it complies with the waste acceptance criteria in Table 1.2.1.

1.2.3 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, stored in a segregated storage area or container and removed as soon as practicable.

1.2.4 The Licensee shall ensure that any waste that does not conform to the waste acceptance criteria in Table 1.2.1 due to asbestos content, is bagged and kept within a clearly identified, labelled, segregated and secure container prior to being removed off site to an appropriate authorised facility.



1.2.5 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.2.2 and in accordance with any process limits described in that Table.

Table 1.2.2: Waste processing		
Waste type	Process(es)	Process Limits
Inert Waste Type 1	Receipt, handling and storage of waste prior to mechanical treatment and offsite disposal/reuse.	<p>Construction and demolition waste only.</p> <p>No waste shall be stored within 35 m of the boundary of the premises.</p> <p>All waste shall be stored within the area designated in Schedule 1 Premises map.</p> <p>No burial of waste is permitted.</p> <p>A minimum 2m separation is maintained between the highest seasonal groundwater level and any waste stored.</p>
Inert Waste Type 1	Mechanical treatment consisting only of screening and crushing.	<p>Maximum of 5000 tonnes per year.</p> <p>Concrete and road bitumen only.</p> <p>Only between the hours of 7 am to 5pm Monday to Friday and 7am to 12pm Saturday and not on public holidays.</p> <p>Crushing and screening to occur only in the area designated in Schedule 1 Premises map.</p>

1.2.6 The Licensee shall ensure that the asbestos content of any recycled output originating from construction and demolition waste does not exceed the contamination limits specified in Table 1.2.3.

Table 1.2.3: Recycled output contamination limits		
Output	Parameter	Limit
Recycled drainage rock	Asbestos (in any form)	0.001%w/w
Recycled sand		
Recycled road base		

1.2.7 The Licensee shall ensure that recycled outputs originating from construction and demolition waste are sampled and tested in accordance with Table 1.2.4.

Table 1.2.4: Recycled output sampling and testing			
Output	Parameter	Limit	Method
Recycled drainage rock	Asbestos (in any form)	0.001%w/w	In accordance with the DER Asbestos Guidelines.
Recycled sand			
Recycled road base			



- 1.2.8 The Licensee shall undertake activities on the Premises and manage asbestos and asbestos contaminated material in accordance with the Asbestos Management Plan Hovey Management Pty Ltd – Rubble Pit – Lot 122 Old Coast Road, Parkfield, Binningup – Asbestos Disposal and Management Plan – 04/08/2014.

## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

- 2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

<b>Table 2.1.1: Monitoring of inputs and outputs</b>				
<b>Input/Output</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
Waste Inputs	Inert Waste Type 1	m <sup>3</sup>	Each load arriving at Premises	Each load arriving at Premises
Waste Outputs	Waste type as defined in the Landfill Definitions.	m <sup>3</sup>	Each load leaving or rejected from the Premises	Each load leaving or rejected from the Premises



### 3 Information

#### 3.1 Records

3.1.1 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 3.1.1(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.

3.1.2 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.

3.1.3 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.

3.1.4 The Licensee shall:

- (a) implement and maintain a system which ensures that a record is made of:
  - (i) the waste type, quantity and date of arrival of each load accepted at the Premises;
  - (ii) the waste type, quantity, date of removal and destination (recycled material/recycling site/landfill etc) of each load removed from the site; and
  - (iii) rejected loads including details of the waste producer, waste carrier, registration number of the vehicle and the date and reason for rejection.

#### 3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 62 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

<b>Table 3.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	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
2.1.1	Summary of inputs and outputs Tonnages of waste crushed per month	None specified
3.1.2	Compliance	Annual Audit Compliance Report (AACR)
3.1.3	Complaints summary	None specified
3.1.4	Summary of waste types and quantities accepted and removed from the Premises in the reporting year	None specified
	Summary of rejected loads	

Note 1: Forms are in Schedule 2





### 3.3 Notification

3.3.1 The Licensee shall ensure that the parameters listed in Table 3.3.1 are notified to the CEO in accordance with the notification requirements of the table.

<b>Table 3.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
1.2.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.  Part B: As soon as practicable	N1

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

Note 2: Forms are in Schedule 2



# Schedule 1: Maps

## Premises map

The Premises is shown in the maps below. The red line depicts the Premises boundary.





### Crushing and Screening and storage Area Map

The crushing and screening and waste storage areas referred to in Table 1.3.2 is shown in the map below.





## 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.

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### 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 Corporations Act 2001; 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)



Licence: L8819/2014/1  
 Form: N1

Licensee: Hovey Property Pty Ltd  
 Date of breach:

**Notification of detection of the breach of a limit.**

These pages outline the information that the operator must provide.  
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

**Part A**

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

<b>Notification requirements for the breach of a limit</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



## Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Hovey Property Pty Ltd	
Date	





# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Hovey Property Pty Ltd

**Licence:** L8819/2014/1

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**Registered office:** 5 Fairbairn Road  
BUSSELTON WA 6280

**ACN:** 088 296 155

**Premises address:** Lot 122 Old Coast Road, Parkfield  
7477 Old Coast Road  
Parkfield WA 6233  
Being Lot 122 on Diagram 59922

**Issue date:** Thursday, 3 December 2015

**Commencement date:** Monday, 7 December 2015

**Expiry date:** Thursday, 6 December 2035

### 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 and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Damian Thomas  
Licensing Officer

Decision Document authorised by: Caron Goodbourn  
Delegated Officer



## Contents

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### 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application for a works approval or licence, 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	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	13: Crushing of building material	5000 tonnes per annual period
	62: Solid waste facility	5000 tonnes per annual period
Application verified	Date: 23/04/2014	
Application fee paid	Date: 01/05/2014	
Works Approval has been complied with	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Compliance Certificate received	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input 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 type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>
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"/>



### **3 Executive summary of proposal and assessment**

Hovey Property Pty Ltd (the proponent) proposes to undertake crushing and screening of concrete and road bitumen at this premises, however the proponent has advised DER that crushing and screening may not occur for 3-5 years until sufficient material is stockpiled. In order to crush and screen the concrete and bitumen the proponent will require storing the material at the premises. Construction and demolition (C&D) waste not suitable for crushing will be sorted and disposed off site. Clean fill (soil and clay) received will be used to rehabilitate the existing sand extraction area. The burial of C&D waste (landfilling) is not authorised through this Licence. Accordingly the proponent has applied for a Category 62 and 13 licence to allow these operations.

A summary of the process activities at the premises is as follows:

1. Crushing and screening concrete and bitumen. Up to 5000 tonnes per year using a mobile plant that has a capacity to process up to 45,500 tonnes per year.
2. Storage and off-site disposal of concrete and bitumen.

The crushing and screening plant is to be located centrally, but on the eastern edge of the existing sand pit. The closest residence is approximately 450m to the south east. Other residences occur approximately 1000m to the south, 1790m to the south west and the outskirts of Binningup Township are approximately 2.4km to the west. The prevailing winds are from the east in the morning and the south west in the afternoons. The stockpiles of material for crushing and screening will be in the southern end of the pit (refer to premises map). Other sensitive receptors are surface water and groundwater. Groundwater is shallow at approximately 4m AHD beneath the pit. Nearest surface water is approximately 300 m from the north-east corner of the Lot and is a conservation category wetland. The DER draft Guidance Statement – Separation Distances recommends a separation distance of 1000m for category 13, and 200 m for category 62.

Planning Approval for the premises has been granted by the Shire of Harvey (20 October 2015).

The main emissions from the premises posed by this proposal are noise and dust generated by crushing and screening and other machinery (loader, excavator, water cart, trucks, trailers, light vehicles, graders and bobcats) and asbestos management at the premises.

This Licence is for the operation of a new facility established under works approval W5527/2013/1. This works approval was issued on 19 December 2013 (amended on 27 March 2014 to slightly change the premises map) and authorised the establishment of the site. A compliance certificate was submitted on 18 June 2014 to say that the premises had been constructed according to the works approval. The works approval authorises the establishment of a crushing and screening operation on the premises (up to 1000 tonnes per year). The proponent formally withdrew the category 63 inert landfill application on 10 November 2015.



## 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
Premises Operation	L1.2.1– L1.2.8	<p><b>Operation</b></p> <p>Licence condition 1.2.1 is to be included on the licence to specify the two types of waste accepted at the premises; road bitumen and concrete.</p> <p>Licence conditions 1.2.2, 1.2.3 and 1.2.4 outlines procedures for non-conforming waste. By specifying the types of waste to be brought on to the site (Inert Waste Type 1), this will reduce the environmental risk of the premises. Also, this will ensure that material containing asbestos is not brought on to the site, or if it is, that it is dealt with appropriately so that asbestos dust is not generated and asbestos material is transferred off-site appropriately.</p> <p>Licence condition 1.2.5 relates to waste processing at the premises:</p> <ul style="list-style-type: none"> <li>In relation to storage of waste, Inert Waste Type 1 has the requirement that it is not to be stored within 35 m of the premises boundary, waste will only be stored within the defined area on the premises map and no waste will be buried on site.</li> <li>In relation to crushing and screening of Inert Waste Type 1 a maximum of 1000 tonnes is permitted to be crushed and screened each year and the premises map identifies where crushing and screening will occur.</li> </ul>	<p>Application supporting documentation.</p> <p>Asbestos Management Plan Hovey Management Pty Ltd – Rubble Pit – Lot 122 Old Coast Road, Parkfield, Binningup – Asbestos Disposal and Management Plan – 04/08/2014</p> <p>General provisions of the <i>Environmental Protection Act 1986</i>.</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		Licence conditions 1.2.6 and 1.2.7 are included in the licence to ensure that products taken off-site do not contain asbestos (above the licence limit). The management of asbestos on the site is also detailed in the Asbestos Management Plan, required to be implemented by condition L1.2.8.	
<b>Fugitive emissions</b>	N/A	<p><b>Operation</b></p> <p><u>Emission Description</u>  <i>Emission:</i> The activities have the potential to generate dust through the movement of machinery on site and the operation of the crushing and screening plant, particularly during dry and high wind conditions. Dust could also be generated by product stockpiles and the movement and deposition of inert waste on the site. Potential dust from the storage of asbestos materials as a contingency if they are accepted and/or accidentally processed through machinery.  <i>Impact:</i> This dust could move off-site and affect the health of people in nearby residences (nearest is 450m away to the south east from proposed location of crusher and screener and prevailing winds are easterly in the morning and south westerly in the afternoon). Potential human health impacts, particularly affecting staff if they are exposed to any asbestos waste. There is native vegetation on the uncleared areas of the premises and also to the north of the premises. The other surrounding land use is farmland.  <i>Controls:</i> This will be managed through proponent commitments such as use of a water cart to wet down materials prior to crushing and screening and roads. Additionally trafficable areas will be</p>	<p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p>“Guidelines for managing asbestos at construction and demolition waste recycling facilities” (DEC 2012)</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>maintained to minimise dust and vehicles leaving or entering the site will be required to have covered loads. All incoming waste loads will be inspected for contaminants (such as asbestos) and any asbestos accepted inadvertently will be transferred to a dedicated plastic-lined skip bin for disposal at an offsite disposal facility. All C&amp;D wastes will be accessed from Hovey's own earthworking activities-no access to the public nor is the facility intended to process waste from other sources, thus it is limited to 5000 tonnes per year.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate (due to asbestos risk) <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> Crushing and screening is restricted to concrete and bitumen (road base) 5000 tonnes per year which will result in reduced dust emissions from this activity. No other materials can be mechanically sorted. Fugitive emissions of dust can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>. In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate (due to asbestos risk) <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Noise	N/A	<p><b>Operation</b></p> <p><u>Emission Description</u>  <i>Emission:</i> Noise emissions will be generated by the operation of the crushing and screening plant and other machinery such as Loader, Excavator, Water Cart, Heavy and Light vehicles, Graders and Bobcats on site.  <i>Impact:</i> Noise generated, if significant could exceed assigned levels in the Noise Regulations at sensitive premises (nearest is 550 m away).  <i>Controls:</i> Measures taken to reduce noise will be that the equipment operated on the premises will be operating in a pit below ground level, they will only be operating during designated hours and up to 4 hours per day, will be well maintained and complaints will be acted upon. The crushing and screening plant will be located towards the north of the premises and the southern end of the premises has a buffer of native vegetation which should reduce noise levels for the closest sensitive receptor (located 450m to the south east).</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Moderate  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u>  Crushing and screening is restricted to 5000 tonnes per year which will result in reduced noise emissions from this activity.  The Licensee is required to comply with the statutory requirements of the <i>Environmental Protection (Noise) Regulations 1997</i>. No additional regulatory controls are required in the licence.</p>	<p>Application supporting documentation</p> <p><i>Environmental Protection (Noise) Regulations 1997.</i></p>





DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Residual Risk</u>  <i>Consequence:</i> Moderate  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p>	
<b>Monitoring of inputs and outputs</b>	L2.1.1	<p><b>Operation</b>            Licence condition 2.1.1 has been drafted onto the licence to monitor waste inputs and outputs to ensure that waste inputs and outputs are meeting quantity and quality requirements as specified by the licence.</p>	Application supporting documentation
<b>Information</b>	L3.1 L3.2 L3.3	<p><b>Operation</b>            Conditions are required in relation to information in the licence in relation to keeping of records, recording of complaints, and submission of an Annual Environmental Report and Annual Audit Compliance Report.            Condition 3.3.1 has been drafted onto the licence requiring the proponent to notify DER if any acceptance limits are breached at the premises.</p>	Application supporting documentation.
<b>Licence Duration</b>	N/A	There are no Planning matters that restrict the granting of this licence. The premises risk rating is Low as there are no emissions of significance expected at the premises. Accordingly the licence will be granted for 20 years in line with DER's new Licence Duration Guidance Statement.	Department of Environment Regulation – Guidance Statement – Licence Duration – Part V <i>Environmental Protection Act 1986</i> – November 2014



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
12/05/2014	Application advertised in West Australian (or other relevant newspaper)	None	N/A
27/08/2014	Proponent sent a copy of draft instrument	None – the proponent was happy with the drafts and recommended no changes.	27/08/2014
30/10/2014 8/12/2014 23/2/2015	Application referred to Department of Water (DoW) for advice.	<p>DoW noted that it was not consulted with regards to the original works approval for the premises W5527/2013/1.</p> <p>DoW provided advice regarding groundwater and monitoring but all this advice referred to the Category 63 inert landfill licence category.</p> <p>The proponents consultant has identified that the maximum groundwater levels in the sand pit are 3.9m AHD in the West and 4.1m AHD in the East; accordingly the base of the landfill would need to be set at approximately 6m AHD to achieve the recommended separation</p> <p>DoW is of the view that the use of C&amp;D waste to achieving separation between the base of the landfill and the maximum seasonal groundwater level is not acceptable.</p>	Proponent formally withdrew the category 63 inert landfill application on 10 November 2015.



Date	Event	Comments received/Notes	How comments were taken into consideration
		<p>DoW recommended that any material used to achieve groundwater separation should meet the definition of "clean fill". The landfill should be restricted to the area of historic sand extraction.</p> <p>Concerned about the potential for leaching from the storage and burial of C&amp;D waste (concrete and bitumen) considering the unlined sand pit and depth to groundwater.</p> <p>The base of the landfill pit and waste storage area would need to be set at 6m AHD to achieve the recommended 2m separation from waste to groundwater.</p>	
23/11/2015	Draft licence and Decision Document (with the inert landfill removed) referred to DoW for comment	<p>Likely that any leaching from crushing of concrete material(s) and the storage of the same could have an impact on groundwater. Recommended groundwater monitoring and a condition requiring a 2m separation between the base of the storage area and groundwater.</p> <p>DoW indicated support for the category 13 and 62 activities if suitably managed and a groundwater separation of at least 2m between the base of the C&amp;D waste storage area and the maximum seasonal groundwater level were to be maintained.</p> <p>Landfilling of C&amp;D waste should be subject of a separate application.</p>	<p>2m groundwater separation condition included. Limited to the acceptance of 5000 tons per year of inert waste and the waste (concrete/bitumen) storage area conditioned to only be stored in a designated area that has a groundwater separation of &gt;2m.</p>



Date	Event	Comments received/Notes	How comments were taken into consideration
23/11/2015	Proponent sent a copy of draft instrument	Requested that the crushing and screening throughput limit be changed to 5000 tonnes per year	Agreed-the increased throughput from 1000 to 5000 t/pa put does not significantly increase the overall risk of noise and dust emissions.



## 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