Government of Western Australia
Department of Environment Regulation

# Licence

## *Environmental Protection Act 1986,* Part V

## Licensee: Allday Construction WA Pty Ltd

## Licence: L8969/2016/1

**Registered office:** Nexia Perth
Level 3
38 William Street
PERTH WA 6000

**ACN:** 125 470 162

**Premises address:** Allday Construction
Lease areas 3 and 5
190 Flynn Drive
NEERABUP WA 6031
Being Part Lot 5 on Diagram 91435 as depicted in Schedule 1 and as defined by the Global Positioning System coordinates:

| Position No. | Latitude | Longitude |
|---|---|---|
| 1 | 115° 79' 73.50" E | 31° 68' 32.58" S |
| 2 | 115° 79' 89.89" E | 31° 68' 32.45" S |
| 3 | 115° 79' 73.47 E | 31° 68' 42.15" S |
| 4 | 115° 79' 89.68" E | 31° 68' 42.17" S |

**Granted:** Thursday, 1 September 2016

**Commencement date:** Monday, 5 September 2016

**Expiry date:** Tuesday, 11 October 2016

**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 |
|---|---|---|---|
| 13 | Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned. | 1,000 tonnes or more per year | 50,000 tonnes per annual period |
| 61A | Solid waste facility: premises (other than premises within category 67A) on which solid waste is produced on other premises is stored, reprocessed, treated, or discharged onto land. | 1,000 tonnes or more per year | 50,000 tonnes per annual period |

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

Date signed: 1 September 2016
.....
**Alan Kietzmann**
MANAGER – LICENSING (WASTE INDUSTRIES)
Officer delegated under section 20
of the *Environmental Protection Act 1986*

# Contents



# 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**

Allday Construction Pty Ltd (Allday Construction) has applied to DER for a Category 13 (crushing of building material) and 62 (solid waste depot) licence for the operation of a solid waste recycling and crushing facility at Lease Areas 3 and 5, Lot 5 on Diagram 91435 Flynn Drive, Neerabup, with an annual throughput of 50,000 tonnes.

The licensee receives construction and demolition (C&D) waste, commercial and industrial (C&I) waste, and green waste where it is sorted on site and stored in designated areas (depicted in Schedule 1). The C&D waste is screened and crushed onsite prior to offsite disposal or reuse. Scrap metal and plastics are taken offsite for recycling, reuse or disposal. Green waste is processed through a grinder and turned into mulch for removal offsite or reuse.

The application was originally submitted for prescribed premises categories 13 and 62 however the occupier submitted additional information to request that a greenwaste shredder be included in the application. As a result of this inclusion, the prescribed premises category 62 is no longer relevant and 61A (solid waste facility) which incorporates the reprocessing of waste, has been included on the licence instead. The annual throughput will not change as a result of this inclusion.

Lot 5 on Diagram 91435 is owned by Alvito Pty Ltd and is divided into a number of smaller lease areas which are leased out to various companies including Allday Construction.

The premises is located within the City of Wanneroo and is currently zoned ‘Rural’ with ‘Residential Urban Development’ zoning on the southern side of Flynn Drive. The site is located within the Neerabup Industrial estate, however, in an area of the estate that is yet to be formally developed. The City of Wanneroo has issued planning approval for Industry – General (Storage and Sorting Activity) that expires on 2 December 2020. Alvito Pty Ltd is intending on reviewing the site utilisation and amending site approvals to be in line with the surrounding activities.

The proponent currently has a lease with the landowner until 11 October 2016 however DER has been advised that it is the intent of the proponent to renew the lease for a period of three years. To be consistent with DER’s Guidance Statement: *Licence Duration* (revised May 2015), the expiry date of this licence has been granted up to the current ease period. Once DER has received a copy of the signed new lease agreement, the expiry date can be amended, subject to this date not being beyond the current planning approval.

The premises is located approximately 1.4km west and 1.8km south-west of Carnaby's Cockatoo confirmed breeding areas however as the premises is not proposing any clearing, it is unlikely that site operations will impact on these roosting areas. Threatened Ecological Community (TEC) 'Banksia attenuata woodland over species rich dense shrublands' (SCP20a) is located adjacent to the west of the application area. The premises is located within the buffer zone of this TEC. Bush Forever areas, as classified under State Planning Policy 2.8 *Bushland Policy for the Perth Metropolitan Region*, June 2010, surround the premises and are located immediately adjacent to the south of Lot 5, 250m west, 1.1km east and 1.8km north of the premises. Public Drinking Water Source Areas (PDWSA) are also located within the vicinity of the premises. A Priority 1 PDWSA is located 2km east, and a Priority 3 PDWSA is located 1.8km south-west of the site.

The closest surface water bodies are Lake Pinjar, located 2.2km north-east, Lake Adams, located 2.5km south-east and Neerabup Lake located 3.4km west of the site. Several other surface water bodies (lakes) are located within a 5km radius of Lot 5. Using the Department of Water's *Perth Groundwater Atlas (PGA),* groundwater is estimated to be located at between 25 to 26.5m below ground level, with an inferred local groundwater flow from east to west. The width of the aquifer is 46m. *PGA* details that groundwater is considered as marginal (Total dissolved solids between 500 – 1000 mg/L), low risk of iron staining, and no known risk of acid sulfate soils. *PGA* describes the surface geology as tamala limestone (Aeolian calcernite, variably lithified, leached quartz sand).

The nearest residential premises are located 480m south of the site in a built up residential area. The Delegated Officer has determined that because the crushing facility is within 1,000m of sensitive receptors, there is an elevated risk to the environment, and may require greater regulatory controls.

The main emissions associated with this premises include noise, dust, odour and leachate. In accordance with DER's *Guidance Statement: Setting Conditions* (October 2015), this decision document has considered the risks to the environment and public health in regards to the impacts of emissions and discharges from the premises operations.

This Licence is for the operation of a facility that is already being operated by the occupier and was not constructed under a works approval.

| **Instrument log** | | |
|---|---|---|
| **Instrument** | **Granted** | **Description** |
| L8969/2016/1 | 01/09/2016 | New application |

**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:

**'Acceptance Criteria'** has the meaning defined in Landfill Definitions;

**'ACM'** means Asbestos Containing Material;

**'Act'** means the *Environmental Protection Act 1986;*

**'annual period'** means the inclusive period from 1 July in the previous year until 30 June;

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

**'Attachment 1'** means Attachment 1 of this Licence unless otherwise stated;

**'Attachment 2'** means Attachment 2 of this Licence unless otherwise stated;

**'Attachment 3'** means Attachment 3 of this Licence unless otherwise stated;

**'averaging period**' means the time over which a limit is measured or a monitoring result is obtained;

**'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
Email: info@der.wa.gov.au

**'classified load'** means the classification of waste loads during acceptance and post acceptance based on the risk of waste material containing asbestos or ACM and through visual inspection. Classification of waste loads shall be undertaken in accordance with the provisions outlined in Section 3.3 and 3.4 DER Asbestos Guidelines;

**'clean fill'** has the meaning defined in Landfill Definitions;

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

**'controlled waste'** has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

**'damp'** means moist to the touch;

**'DER'** means the Department of Environment Regulation;

**'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;

**'green waste'** means waste that originates from untreated trees or plants;

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

**'Inert Waste Type 2'** 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 L8969/2016/1 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

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

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 The Licensee shall construct the infrastructure detailed in Table 1.2.1, in accordance with the construction specifications listed in that Table:

**Table 1.2.1: Infrastructure requirements**

| Infrastructure | Requirements (Design and Construction) |
|---|---|
| Construction of bund | - Construction of a bund around the whole of the greenwaste storage and processing area(s); and<br>- Bund shall be constructed to ensure any stormwater entering the greenwaste storage and processing area(s) is contained within that area;<br>- Be constructed to prevent overflow of any stormwater in the greenwaste storage and processing area(s); and<br>- Be constructed to prevent seepage of stormwater through the bund. |

1.2.2 The Licensee shall submit a compliance document to the CEO, following the construction of the works specified in Table 1.2.1 and prior to green waste being accepted onto the Premises, which shall:

(a) certify that the works were constructed in accordance with the conditions of licence;

(b) be signed by a person authorised to represent the Licensee and contain the printed name and position of that person within the company.

### 1.3 Premises operation

1.3.1 The Licensee shall only accept waste on to the Premises if:
(a) it is of a type listed in Table 1.31;
(b) the quantity accepted is below any quantity limit listed in Table 1.3.1;
(c) it meets any specification listed in Table 1.3.1.

**Table 1.3.1: Waste acceptance**

| Waste | Quantity Limit | Specification |
|---|---|---|
| Clean fill | N/A | None |
| Inert Waste Type 1 | Combined total of 50,000 tonnes per annual period | • Residential, Construction and Demolition, Commercial and Industrial waste only.<br>• Waste containing visible asbestos or asbestos containing material (ACM) shall not be accepted |
| Inert Waste Type 2 | | • Limited to plastics |
| Scrap metal | | • Limited to steel |
| Putrescible Waste | | • No greenwaste authorised to be accepted until the infrastructure specified in Table 1.2.1 has been constructed in accordance with the requirements of that table.<br>• Green waste, timber, pallets and cardboard only.<br>• Excludes putrescible waste from municipal collections |

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.3 The Licensee shall ensure that any waste that does not conform to the waste acceptance criteria in Table 1.3.1 due to asbestos content, is covered or bagged and kept within a clearly identified, labelled, segregated and secure container prior to being removed off site to an appropriate authorised facility within 48 hours.

1.3.4 The Licensee must advise all source material providers that asbestos or potentially asbestos contaminated material is not accepted at the Premises.

1.3.5 The Licensee must include a ‘no asbestos’ clause in all contracts with all source material providers.

1.3.6 The Licensee must maintain a clearly visible sign saying ‘No Asbestos’ at the entry to the Premises.

1.3.7 The Licensee must visually inspect all loads of waste when they arrive at the Premises prior to unloading to determine the risk of a load containing asbestos or ACM and each load shall be classified in accordance with the risk classification procedure outlined in Attachment 1.

1.3.8 Where the inspection required by condition 1.3.7 confirms that the load does contain asbestos or ACM, the Licensee must:
(a) reject the waste for acceptance;

(b) maintain accurate records of all rejected loads on the Premises and the documentation must be made available to DER officers upon request; and
(c) record the details of the waste source, material carrier, registration number of the vehicle and date of rejection.

1.3.9 The Licensee shall direct each accepted and Classified Load to an unloading area at the site for further inspection. The unloading area shall be appropriately designed and constructed to ensure the waste will not mix with other waste.

1.3.10 The Licensee shall dampen all Classified Loads prior to unloading and maintain the waste in a damp state throughout the inspection process using appropriate dust suppression measures.

1.3.11 The Licensee must inspect and maintain records for all unloaded waste in accordance with the low risk and high risk load procedure as outlined in Attachment 2.

1.3.12 The Licensee must continue to visually inspect waste on the Premises at all stages of the storage, sorting and screening process. Suspect asbestos identified at any stage of the process must be handled in accordance with the high risk load procedure outlined in Attachment 2.

1.3.13 The Licensee must maintain waste and processed waste on the Premises in at least two separate stockpile areas for unprocessed waste, processed waste tested for ACM and:
(a) unprocessed waste and processed waste areas must be kept clearly separated at a minimum 3 m distance;
(b) processed waste tested for ACM and processed waste awaiting testing for ACM must be clearly separated by a minimum 3 m distance OR clearly delineated and separated with impermeable barriers; and
(c) clearly visible and legible signage must be erected on individual stockpiles to clearly identify and delineate tested processed waste, untested processed waste and unprocessed waste.

1.3.14 The Licensee shall ensure that the asbestos content of any recycled output originating from Inert Waste Type 1 does not exceed the contamination limit of 0.001% w/w for asbestos (in any form).

1.3.15 The Licensee shall ensure that recycling outputs originating from Inert Waste Type 1 are sampled and tested in accordance with Attachment 3.

1.3.16 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.3.2, in accordance with any process limits described in that Table.

**Table 1.3.2: Waste processing**

| Waste type | Process | Process limits |
|---|---|---|
| Clean Fill | Acceptance, screening and storage prior to removal offsite | • No waste material to be landfilled (buried) on site<br>• Stockpiles must not exceed 5m in height from the base of the stockpile.<br>• All loads to be wet down prior to unloading |
| Inert Waste Type 1 | Acceptance, crushing, screening and storage prior removal offsite | |
| Inert Waste Type 2 | Acceptance, screening and storage prior to removal offsite | • No waste material to be landfilled (buried) on site |

| Table 1.3.2: Waste processing | | |
|---|---|---|
| **Waste type** | **Process** | **Process limits** |
| Scrap metal | Acceptance, onsite re-use and storage prior to removal offsite | • No waste material to be landfilled (buried) on site |
| Green waste | Acceptance, mulching and storage prior to removal offsite | • A 5m firebreak must be maintained around the green waste storage area at all times.<br>• Processed green waste shall be removed within 7 days of being received on-site.<br>• Only damp greenwaste shall be mulched.<br>• Composting of green waste is not authorised. |
| Putrescible Waste (excluding green waste) | Acceptance and storage prior to removal offsite | • No waste material to be landfilled (buried) on site |

1.3.17 The Licensee shall ensure that waste for mulching or soil blending is stored and/or contained within infrastructure in accordance with Table 1.3.3 and that the integrity of the containment infrastructure is maintained.

| Table 1.3.3: Containment infrastructure | | |
|---|---|---|
| **Containment area/infrastructure** | **Material** | **Infrastructure requirements** |
| Crushing and screening area | Inert Waste Type 1 | • Compacted limestone base that has a minimum thickness of 200mm; and<br>• The integrity of the compacted limestone base must be maintained. |
| Waste storage area | | |
| Waste storage area | Inert Waste Type 2 (plastics) | • To be stored in a dedicated storage bin. |
| Waste storage area | Scrap metal | • Offcuts and steel unable to be re-used to be stored in a dedicated storage bin. |
| Mulching area | Green waste | • Compacted bunded limestone pad that has a minimum thickness of 200mm;<br>• The base must be provided with a bund as specified in Table 1.2.1; and<br>• The integrity of the bunded limestone pad must be maintained. |
| Waste storage area | | |
| Waste storage area | Wooden pallets and cardboard | • None specified |

1.3.18 The Licensee shall maintain and operate sprinklers and a water truck on all stockpiles and unsealed trafficable roads as required to suppress dust.

1.3.19 The Licensee shall use inbuilt water spray systems on the crusher and screener at all times when the equipment is operational.

1.3.20 The licensee shall restrict all vehicle movements at the premises to 8 km/hour or less.

1.3.21 The Licensee shall maintain the integrity of the shade cloth installed along the boundary.

1.3.22 The Licensee shall ensure that the crusher and screener are located in the area depicted as 'Screening Area' as depicted in the 'Map of premises planned storage areas' in Schedule 1.

1.3.23 The Licensee is limited to operating the crusher, screener and mulcher between the hours of 0700 to 1700, Monday to Saturday.

1.3.24 The Licensee shall ensure that no waste is burnt at the Premises.

1.3.25 The Licensee shall collect all windblown waste from the boundary fences as required to prevent windblown waste from escaping the Premises.

# 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.

**Table 2.1.1: Monitoring of inputs and outputs**

| Input/Output | Parameter | Units | Averaging period | Frequency |
|---|---|---|---|---|
| Waste inputs | Clean fill, Inert Waste Type 1, Putrescible Waste (green waste) | $m^3$ | N/A | Each load arriving at premises |
| Waste outputs | Waste type as defined in the Landfill Definitions | | | Each load leaving or rejected from the Premises |
| Processed waste | Mulched, crushed and screened products | | | Each load leaving 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.

### 3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 32 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.

**Table 3.2.1: Annual Environmental Report**

| Condition or table (if relevant) | Parameter | Format or form |
|---|---|---|
| - | 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 |
| 1.3.15 | Recycled outputs sampling and testing data | None specified |
| Table 2.1.1 | Summary of inputs and outputs data | None specified |
| 3.1.2 | Compliance | Annual Audit Compliance Report (AACR). Form available at the DER website: www.der.wa.gov.au under the publication section. |
| 3.1.2 | Complaints summary | None specified |

### 3.3 Notification

3.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

**Table 4.3.1: Notification requirements**

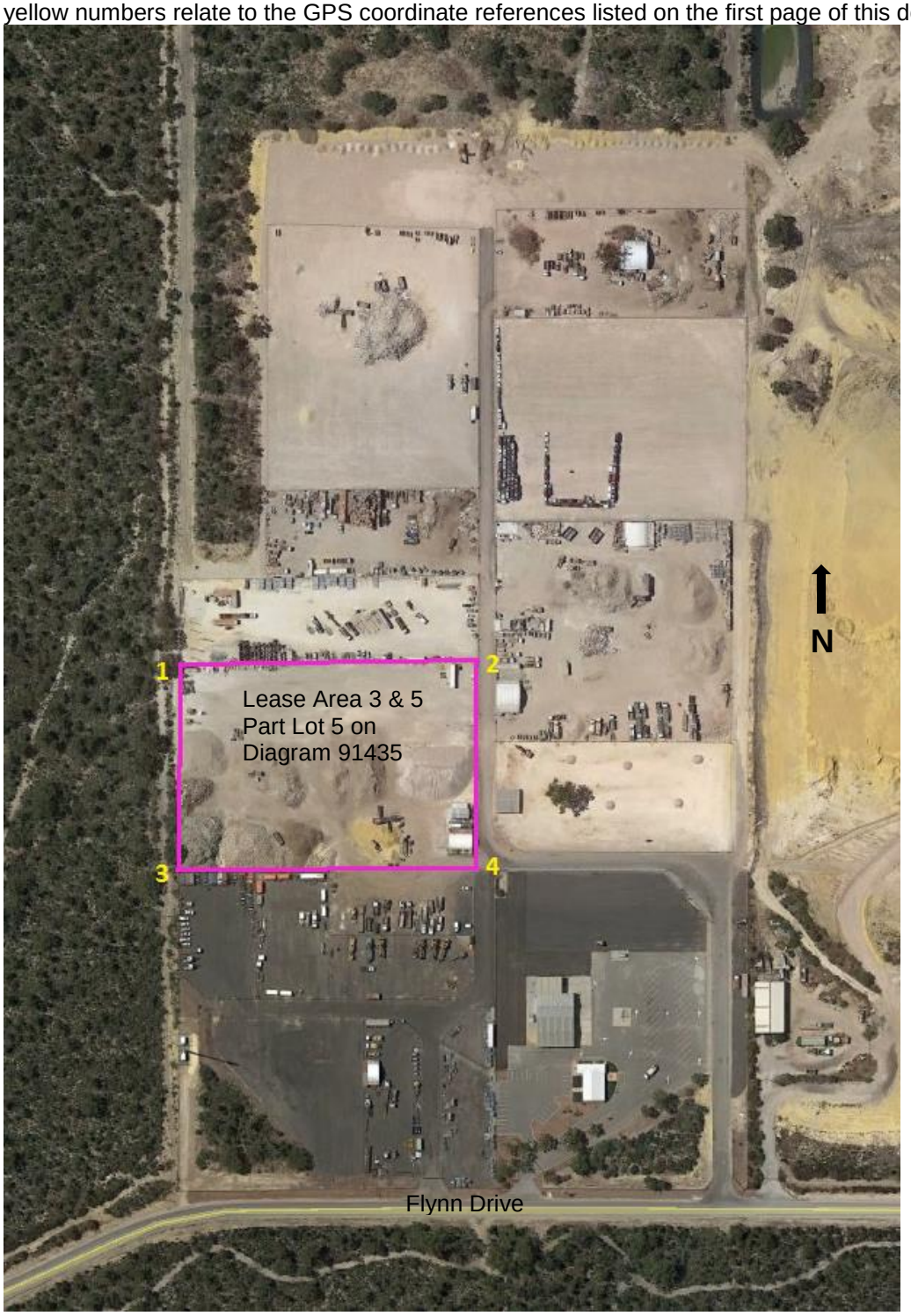
| Condition or table (if relevant) | Parameter | Notification requirement[1] | Format or form[2] |
|---|---|---|---|
| - | Breach of any limit specified in the Licence | Part A: As soon as practicable but no later than 5pm of the next usual working day.<br><br>Part B: As soon as practicable | N1 |

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

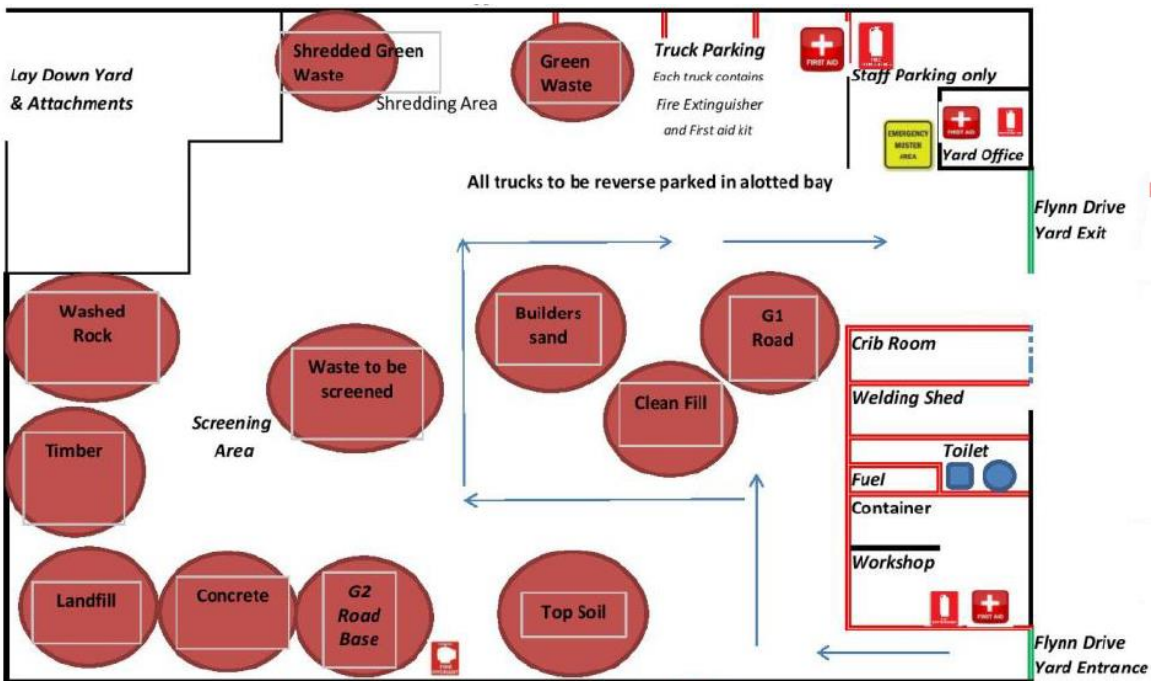
# Schedule 1: Maps

**Premises map**

The Premises is shown in the map below. The pink line depicts the Premises boundary and the yellow numbers relate to the GPS coordinate references listed on the first page of this document.



**Map of premises planned storage areas**



# Schedule 2: Reporting & notification forms

This form is provided for the proponent to report monitoring and other data required by the Licence. It can be requested in an electronic format.

Licence: L8969/2016/1 Licensee: Allday Construction Pty Ltd
Form: N1 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 | |

| **Notification requirements for the breach of a limit** | |
|---|---|
| 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 Allday Construction Pty Ltd | |
| Date | |

# Attachment 1: Section 3.3 of the DER Asbestos Guidelines (page 10 - 11)

- Ensuring a "no asbestos" clause is included in any contracts with C&D waste suppliers;
- Installing a clearly visible sign saying "No Asbestos" is present at the entry to the facility;
- Establishing a system to record the details of loads arriving/received at the site which have been found to contain asbestos.

DEC has a supply of brochures that outline the rules on disposal of asbestos loads that can be handed to customers. Please contact DEC's Waste Management Branch on (08) 6467 5323 for copies.

### 3.3 Acceptance procedures

When waste arrives at the recycling facility, acceptance procedures must serve to confirm that the characteristics of the waste are consistent with the waste types permitted by the Part V licence and to determine the risk of the load containing asbestos.

To follow on from the pre-acceptance procedures, all persons bringing waste onto the premises must be asked to sign a declaration or provide a 'customer warranty' on a vehicle load specific basis confirming that their load is free from asbestos. The associated documentation should be retained on the premises and be available for DEC to inspect Where an individual is not prepared to sign this disclaimer or provide such a warranty the load shall be refused entry.

All loads must be visually inspected when they arrive at the recycling site. Where the inspection identifies that the wastes are not permitted by the licence and/or asbestos is visually identified in the load it shall be rejected for acceptance. A record of all rejected loads must be maintained on the premises and be available for DEC to inspect. As a minimum, a record must be made of the waste producer, waste carrier, registration number of the vehicle and the date of rejection.

The risk of a load containing asbestos is related to the type and source of the waste. In general, buildings and structures constructed after 1990 are unlikely to have asbestos containing materials within them, whereas buildings and structures constructed before this date may have been built using asbestos containing materials.

Because large buildings and structures undergo regulated asbestos removal programs and inspections before they are demolished the probability of asbestos being present in the demolition debris should be low. However, a risk of contamination can remain from asbestos formwork embedded or attached to concrete columns that cannot be readily identified through the asbestos clearance certification processand from asbestos piping from reclaimed road, car park areas and water supply systems.

It is also common for mixed waste from unknown sources, particularly those in skip bins or from small-scale demolition or refurbishment activities to contain amounts of asbestos waste. These sources must be considered high risk.

To determine the risk of an incoming load containing asbestos the gatehouse operator shall establish:

- The source of the load including the site location and if possible the age of any building or structure from which the C&D waste originated;

- The content/waste types within the load; and
- The type of load.

Where the source of the load can clearly be determined to be a building or structure constructed after 1990 then the load can be considered to represent a low risk of asbestos contamination and managed as outlined in the following section. Where the waste originates from a building constructed before 1990 or there is uncertainty over this issue, the risks associated with asbestos in the load must be established in line with the Risk Classification Matrix below.

Once classified, each load must be directed to the appropriate area for unloading and further inspection in line with the following sections.

| Risk Classification Matrix | | | |
|---|---|---|---|
| | Type of load | | |
| **Material Type** | **Commercial** | **Public, utes, cars and trailers*** | **Skip bins** |
| **Clean Concrete (without formwork)** | Low | High | High |
| **Clean Brick** | Low | High | High |
| **Clean Bitumen / Asphalt** | Low | High | High |
| **Mixed Construction waste** | High | High | High |
| **Mixed Demolition waste** | High | High | High |

* if it is possible to view the entire load of incoming C & D material (eg a small trailer with a shallow load, then consideration may be given to classifying these loads as low risk
(Risk Matrix Classification *adapted from WorkSafe Victoria 2006 and WMAA 2009*)

## 3.4 Load inspection after acceptance

Each accepted and classified load shall be directed to an unloading area at the site which is appropriately designed and constructed to ensure the waste will not mix with other waste. Where feasible, separate unloading areas shall be provided for low risk and high risk wastes.

All loads shall be dampened prior to unloading and maintained in a dampened state throughout the inspection process. Operators will need to ensure there are adequate facilities on the premises to achieve this.

**Low risk load procedure**

Loads classified as "low risk", must be visually inspected while the material is being unloaded to determine whether any asbestos can be identified.

If suspect fibrous asbestos (FA) or asbestos fines/fibres (AF) are detected, the load must be isolated, kept wet and once appropriately contained in accordance with the Asbestos Factsheet in Appendix A, redirected to an appropriately authorised disposal facility. If suspect ACM is identified, the load must be reclassified as "high risk" and continue to be processed in accordance with the high risk procedure below. Where the visual inspection confirms that the

# Attachment 2: Section 3.4 of the DER Asbestos Guidelines (page 11 and page 12)

- The content/waste types within the load; and
- The type of load.

Where the source of the load can clearly be determined to be a building or structure constructed after 1990 then the load can be considered to represent a low risk of asbestos contamination and managed as outlined in the following section. Where the waste originates from a building constructed before 1990 or there is uncertainty over this issue, the risks associated with asbestos in the load must be established in line with the Risk Classification Matrix below.

Once classified, each load must be directed to the appropriate area for unloading and further inspection in line with the following sections.

| Risk Classification Matrix | | | |
|---|---|---|---|
| | Type of load | | |
| **Material Type** | **Commercial** | **Public, utes, cars and trailers*** | **Skip bins** |
| **Clean Concrete (without formwork)** | Low | High | High |
| **Clean Brick** | Low | High | High |
| **Clean Bitumen / Asphalt** | Low | High | High |
| **Mixed Construction waste** | High | High | High |
| **Mixed Demolition waste** | High | High | High |

* if it is possible to view the entire load of incoming C & D material (eg a small trailer with a shallow load, then consideration may be given to classifying these loads as low risk
(Risk Matrix Classification *adapted from WorkSafe Victoria 2006 and WMAA 2009*)

## 3.4 Load inspection after acceptance

Each accepted and classified load shall be directed to an unloading area at the site which is appropriately designed and constructed to ensure the waste will not mix with other waste. Where feasible, separate unloading areas shall be provided for low risk and high risk wastes.

All loads shall be dampened prior to unloading and maintained in a dampened state throughout the inspection process. Operators will need to ensure there are adequate facilities on the premises to achieve this.

**Low risk load procedure**

Loads classified as "low risk", must be visually inspected while the material is being unloaded to determine whether any asbestos can be identified.

If suspect fibrous asbestos (FA) or asbestos fines/fibres (AF) are detected, the load must be isolated, kept wet and once appropriately contained in accordance with the Asbestos Factsheet in Appendix A, redirected to an appropriately authorised disposal facility. If suspect ACM is identified, the load must be reclassified as "high risk" and continue to be processed in accordance with the high risk procedure below. Where the visual inspection confirms that the

11

load is clear of suspect ACM, FA and AF, the load may then be added to the waste stockpiles awaiting further processing eg crushing and screening.

**High risk load procedure**

Loads classified as "high risk" must be unloaded and spread over a sufficiently large area to enable a comprehensive visual inspection of all sides of the material to be undertaken. One method of achieving this is to spread the material to a depth of less than 30cm and to turn over the material with the use of an excavator or similar. Where appropriate, larger sections of concrete should be inverted to permit a visual check for embedded or underlying asbestos product debris.

If suspect FA or AF are detected, the load must be isolated, kept wet and once appropriately contained in accordance with the Asbestos Factsheet in Appendix A, and redirected to an appropriately authorised disposal facility.

Where suspect ACM is identified within a load and is not capable of being easily removed by hand, the load must be rejected and should be isolated, kept wet and once appropriately contained in accordance with the Asbestos Factsheet in Appendix A, and redirected to an appropriately authorised disposal facility.

Where suspected ACM fragments capable of being easily removed by hand are identified in a load, the suspect ACM must be removed from the load and either:

1. Appropriately isolated and covered for asbestos testing. If testing of representative samples confirms the material is ACM it must be redirected to an appropriately authorised disposal facility. If testing confirms the material is not ACM the waste can be added to the stockpile awaiting further processing; or

2. Assumed to be ACM and redirected to an appropriately authorised disposal facility.

All suspected or assumed ACM must be segregated. Material must be clearly labelled, kept secure and sufficiently contained to prevent the release of asbestos including wind blown fibres.

Once all suspected or assumed ACM has been removed from a load in line with the above procedure the residual waste can be added to the stockpile awaiting further processing.

Records must be kept to ensure that the process from receipt of C&D material to the completion of the unloading procedure is auditable and that any loads found to contain suspect asbestos can be traced back to the customer and originating site. Through Part V licence conditions, DEC will require records of loads found to contain asbestos and action taken by the C&D recycler to address this issue with the customer, to be submitted on a regular basis. DEC will take follow up action with customers delivering asbestos containing waste to the premises as necessary.

# Attachment 3: Section 4.3 of the DER Asbestos Guidelines (pages 15 - 20)

## 4 Monitoring and Testing

Monitoring must be undertaken to confirm that risk management measures are effectively meeting their objectives. This shall include qualitative and quantitative monitoring and product testing.

### 4.1 Qualitative monitoring

Site operatives must undertake visual inspections whilst the facility is operational to ensure that fugitive emissions of dust are being adequately controlled and are not being carried outside of the premises. Where fugitive dust releases are identified their source must be investigated and all reasonable and practicable measures implemented to prevent or minimise the release.

Where risk management measures are ineffective or likely to be ineffective at preventing visible dust crossing the site boundary, for example during adverse weather conditions, waste processing activities must cease until additional measures have been put in place to prevent the discharge or until the adverse weather conditions have passed.

### 4.2 Quantitative environmental monitoring

On some sites it may be necessary for ambient dust or asbestos fibre air monitoring to be undertaken to provide further confidence in risk management measures. Such monitoring may be required where recycling sites are located in close proximity to sensitive receptors, are within a relevant Environmental Protection Policy area or have a poor compliance history relating to fugitive dust control. Where quantitative dust monitoring is not proposed, the proponent/operator must provide a risk based justification as to why it is not considered necessary at their premises.

Dust monitoring provides a useful surrogate measure to evaluate the potential generation and distribution of airborne dust and asbestos fibres and will normally be sufficient on most sites. Dust monitoring equipment must demonstrate that dust levels are kept as low as reasonably possible. Tapered Element Oscillating Microbalance (TEOM) (or equivalent) equipment is preferred to provide continuous and accurate perimeter air monitoring for community protection. Any site perimeter monitoring for this purpose should be conducted to ensure compliance with the National Environmental Protection Measure (NEPM) ambient air 24 hour $PM_{10}$ goal of 50 $ug/m^3$.

Where air quality monitoring is required, an air quality monitoring and reporting strategy must be developed by a person suitably experienced in dust/asbestos sampling and exposure assessment and any associated analysis be undertaken by a laboratory accredited by NATA for this purpose.

### 4.3 Product testing and supply

To ensure that recycled products have been produced to the required specification in relation to asbestos content it is necessary for product testing to be undertaken. The testing procedures detailed in this section have application for the three main recycled products:

1. Recycled drainage rock 20-27mm;

2. Recycled sand, screened to <10mm; and
3. Recycled road-base, <19mm.

The testing must be documented as outlined under Section 5.3.

**Product specification**

To ensure the health of those using or coming into contact with recycled C&D products is protected, the asbestos content (in any form) of any recycled products must not exceed 0.001% asbestos weight for weight (w/w).

**Inspection and sampling requirements**

All types of recycled product must be inspected and/or sampled and tested for ACM, FA and AF, as outlined below. Inspections and sampling may be undertaken by staff employed by the licensee as long as they have received the required asbestos training for operational staff set out in section 5.2.

ACM and FA are subject to visual inspection and sampling procedures since they are larger in size (>7mm) and AF (<7mm) is assessed by submitting samples for laboratory analysis.

Recycled products may be sampled from conveyors or stockpiles. Whichever approach is adopted, the operator will need to ensure that they have appropriate systems in place to allow them to identify where in the product stockpiles each sample is from to allow further testing or separation to occur if required.

Stockpile inspection and sampling

In the case of recycled drainage rock and recycled road-base a visual inspection should be undertaken in a systematic grid fashion over the any new stockpile material to identify any suspect asbestos material.

No sampling is required for recycled drainage rock, other than to determine by laboratory analysis if necessary whether a suspect fragment is asbestos.

For recycled road-base and screened sand, sampling is necessary and must be spread evenly over the whole stockpile surface or samples may be taken at regular intervals (as per conveyor sampling) during construction of the stockpile. Suspect asbestos material or areas must be targeted for sampling.

Sampling of road base and screened sand products must occur at a minimum rate of 40 locations per 4000 tonnes or 14 samples per 1000$m^3$ of product.

Conveyor sampling

Sampling of road base and screened sand products must occur at a minimum rate of 1 sample per 70$m^3$ of a product output. Suspect asbestos material or areas must be targeted for sampling.

16

Sample treatment

Each sample collected must be at least 10 litres in volume and then be divided into 2 size fractions (>7mm and <7mm) in the field by sieving though a 7mm screen or spread out for inspection on a contrasting colour fabric. The >7mm fraction should be examined for any suspect asbestos material and this be retained to calculate the level of contamination.

The <7mm fraction will need to be a minimum 500 ml, be wetted, and submitted for laboratory analysis. This sample size is considered necessary to improve the limit of detection for asbestos in the analysis procedure.

**Reduced Sampling Criteria**

Once premises have demonstrated that their procedures are able to consistently produce recycled product that meets the product specification and undertake their activities to a high standard, DEC may authorise a reduced product testing rate including down to 5 locations per 4000 tonnes (1 sample per 600m$^3$) of product.

The criteria that DEC will use to consider and determine a reduction in product sampling frequency are:

1. Activities at the premises have been validated through a DEC inspection or audit to comply with these guidelines;
2. DEC has confirmed through an inspection or audit that the conditions of the Part V licence are being met;
3. DEC has not undertaken any enforcement action in relation to the activities at the premises in the last 6 months;
4. Product testing has demonstrated that the product specification has been consistently achieved at the premises for a continuous 6 month period;
5. The presence of mitigating factors such as best practice management measures, high control of source material or use of the product for low risk purposes;
6. The quantity of waste processed in the last 6 months and the different sources/types of material processed at the premises; and
7. DoH has agreed to the reduction in product sampling rate at the premises.

All requests for a reduced product sampling rate must be submitted in writing to the relevant DEC Industry Regulation Regional Leader for the Premises, details of which can be found in the interpretation section of the Part V licence for the Premises.

DEC will refer all requests to the DoH and operators must ensure that all requests include sufficient evidence, particularly in relation to product testing, to support compliance with the above criteria.

Proponents should note however, that despite a premises meeting the above reduced sampling criteria, there may be occasions where a reduced sampling rate is not approved by DEC. This

may occur for example where the site is close to sensitive receptors, contentious and/or there is a need to provide public confidence in the activities at the site.

Where a reduced sampling rate is approved at a premises, DEC will provide written notification of the approval and will continue to closely monitor that premises to ensure it remains compliant with the reduced sampling criteria. DEC's monitoring of the premises will be further supported by the annual process audits required by section 5.1 and the results of the product sampling.

DEC will withdraw the approval to implement a reduced sampling frequency where the reduced sampling criteria are not being met on an on-going basis. Where DEC withdraws approval for a reduced sampling frequency, proponents will be provided with the reasons for the withdrawal.

In the event that approval for a reduced sampling rate is withdrawn by DEC, proponents will be required to make a new reduced sampling frequency request and demonstrate that they have:

1. Implemented appropriate measures to prevent a re-occurrence of the non-compliance that caused the previous agreement for a reduced sampling frequency to be withdrawn; and that
2. The product specification (sampled at the 40 samples per 4000 tonnes rate) has been consistently met for a 6 month period following the implementation of the measures identified in 1. above.

**Sample Analysis Method**

>7mm sample fractions

Asbestos concentrations (ACM and FA) should be calculated in accordance with the methods detailed in section 4.1.7 of Department of Health (DoH), 2009, *Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia.* As detailed in the DoH Guidelines, averaging asbestos levels across the stockpile is not appropriate and asbestos levels within each sample should be reported.

<7mm sample fractions

Each <7mm sample fraction must be analysed for FA and AF.

Asbestos analysis must be undertaken by an independent NATA certified laboratory and comply with Australian *Standard Method for the Qualitative Identification of asbestos in bulk samples* (AS4964–2004) or be demonstrated to be able to achieve the equivalent level of results to this Australian Standard.

AS4964-2004 is currently the only method in Australia that has NATA certification, however the practicable level of detection for this standard polarized light microscopy method (PLM) and dispersion staining (DS) is 0.01%w/w. It is possible however, to measure asbestos contamination at or lower than 0.001%w/w where an increased sample size used, however DEC recognises that any reporting of concentrations below 0.01%w/w will be outside the conditions set by NATA.

Therefore, to determine whether recycled products meet the product specification for asbestos content, samples must be a minimum of 500mL in size. Proponents must adopt one of the following analytical approaches:

1. Detected/non-detected – where any quantity of asbestos is detected by the PLM method it must be assumed, without further analysis, to be in concentrations above the product specification limit of 0.001%w/w. A weight of evidence approach may be adopted i.e. the frequency and occurrence of other positive results in the stockpile can be taken into account, to determine whether the stockpile being assessed is considered to meet the product specification or not; or

2. Where any quantity of asbestos is detected by the PLM method, the sample is subject to further testing in the form of a semi-quantitative method with a lower level of detection for asbestos. A number of laboratories have developed such semi-quantitative methods for the analysis of low levels of asbestos. Techniques include:
   - The extraction and weighing of fibre bundles or fibre cement material from the total sample; and
   - Measuring the width and length (ie volume) of individual fibre by Phase Contrast Microscopy (PCM) and calculating the weight of fibres in the extracted sub-sample.

The use of either of these methods is considered acceptable to DEC.

Whatever analysis methods are adopted by an operator, DEC expects a number of assessment based statements to be included in all laboratory analytical reports. These include:

- Details of the sample size;
- A Statement of Limit of Detection of the analysis;
- Results in relation to asbestos detected or not – note that AS4964-2004 allows for a nil detection if the asbestos is less than a certain concentration and is non-respirable however DEC would consider a positive result to exceed the 0.001% w/w limit;
- Description of any asbestos detected; and
- Estimate of the concentration of asbestos detected if practical to do so.

**Interpreting Inspection and Sampling Results**

If the visual inspection, sieve sample or analytical results identify asbestos above or possibly above the 0.001%w/w criteria then that stockpile or product process should be deemed potentially contaminated and considered for off-site disposal as asbestos waste, or subject to further actions to remediate it or to demonstrate its acceptability by further assessment. A record should be made of the decision making and action taken eg off-site disposal, further assessment undertaken etc, in relation to that stockpile.

In addition to the above, where asbestos is identified above or possibly above the 0.001%w/w criteria, an investigation into the likely cause for the presence of asbestos in the product should be undertaken and measures implemented to prevent a reoccurrence. A record of the

investigation and its findings together with the details of any preventative measures implemented at the site should be made.

As a guide, in the case of recycled drainage rock identification of a piece of ACM or FA per $10m^2$ of surface would be deemed to exceed the specification for that area, and for the whole stockpile if repeated in 2 or more other separate areas. A single fragment exceedance can be considered an isolated occurrence in the absence of other contamination evidence and the stockpile allowed for beneficial use. If there is multiple contamination only of a localised area then that area can be excavated to the extent of any visible asbestos and then the remainder of the stockpile considered to be suitable for use.

For laboratory analysis it is important that each result be considered on its own merits in regard to the asbestos control specification and that there is no averaging across samples. In the case of a single exceedance at a level less than 0.01% w/w, the stockpile (nominally 4000 tonnes) may not be deemed contaminated if repeat samples of immediately adjacent areas do not demonstrate specification exceedances.

The same approach as indicated in the preceding paragraph can be applied to the results of the >7mm sieve sampling in regard to the recycled sand material and roadbase. In this case a $1cm^3$ fragment of ACM or FA would be deemed to exceed the specification for a 10L sample.

It should be noted that specification exceedances in regard to different assessment methods for the same type of stockpile should not be viewed in isolation from each other.

**Product Supply**

Recycled products should only be supplied to customers from stockpiles that have been sampled and tested in accordance with section 4.3 and shown to conform to the product specification.

Government of Western Australia
Department of Environment Regulation

# Decision Document

## *Environmental Protection Act 1986*, Part V

## Proponent: Allday Construction WA Pty Ltd

## Licence: L8969/2016/1

**Registered office:** Nexia Perth
Level 3
38 William Street
PERTH WA 6000

**ACN:** 125 470 162

**Premises address:** Allday Construction
Lease areas 3 and 5
190 Flynn Drive
NEERABUP WA 6031
Being Part Lot 5 on Diagram 91435 as depicted in Schedule 1 and as defined by the Global Positioning System coordinates:

| Position No. | Latitude | Longitude |
|---|---|---|
| 1 | 31° 68' 32.58" S | 115° 79' 73.50" E |
| 2 | 31° 68' 32.45" S | 115° 79' 89.89" E |
| 3 | 31° 68' 42.15" S | 115° 79' 73.47 E |
| 4 | 31° 68' 42.17" S | 115° 79' 89.68" E |

**Granted:** Thursday, 1 September 2016

**Commencement date:** Monday, 5 September 2016

**Expiry date:** Tuesday, 11 October 2016

**Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER) CEO's delegated officer has decided to grant a licence. DER considers that in reaching this decision, he has taken into account all relevant considerations.

Decision Document prepared by: Lauren Fox
A/Senior Licensing Officer

Decision Document authorised by: Alan Kietzmann
Delegated Officer

# Contents



# 1 Purpose of this Document

This decision document explains how DER delegated has assessed and determined the application and provides a record of the 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 ☐<br>New Licence ☒<br>Licence amendment ☐<br>Works Approval amendment ☐ | |
| Activities that cause the premises to become prescribed premises | **Category number(s)** | **Assessed design capacity** |
| | 13 | 50,000 tonnes per annual period |
| | 61A | 50,000 tonnes per annual period |
| Application verified<br>Application fee paid | Date: 10/05/2016<br>Date: 17/05/2016 | |
| Works Approval has been complied with<br>Compliance Certificate received | Yes☐ No☐ N/A☒<br>Yes☐ No☐ N/A☒ | |
| Commercial-in-confidence claim | Yes☐ No☒ | |
| Commercial-in-confidence claim outcome | N/A | |
| Is the proposal a Major Resource Project? | Yes☐ No☒ | |
| Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act 1986*? | Yes☐ No☒ | Referral decision No:<br>Managed under Part V ☐<br>Assessed under Part IV ☐ |
| Is the proposal subject to Ministerial Conditions? | Yes☐ No☒ | Ministerial statement No:<br>EPA Report No: |
| Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the *Environmental Protection Act 1986*)? | Yes☐ No☒<br>Department of Water consulted Yes ☐ No ☒ | |
| Is the Premises within an Environmental Protection Policy (EPP) Area Yes☐ No☒ | | |
| Is the Premises subject to any EPP requirements? Yes☐ No☒ | | |

# 3 Executive summary of proposal and assessment

Allday Construction Pty Ltd (Allday Construction) has applied to DER for a Category 13 (crushing of building material) and 62 (solid waste depot) licence for the operation of a solid waste recycling and crushing facility at Lease Areas 3 and 5, Lot 5 on Diagram 91435 Flynn Drive, Neerabup, with an annual throughput of 50,000 tonnes.

The licensee receives construction and demolition (C&D) waste, commercial and industrial (C&I) waste, and green waste where it is sorted on site and stored in designated areas. The C&D waste is screened and crushed onsite prior to offsite disposal or reuse. Scrap metal and plastics are taken offsite for recycling, reuse or disposal. Green waste is processed through a grinder and turned into mulch for removal offsite or reuse.

The application was originally submitted for prescribed premises categories 13 and 62 however the occupier submitted additional information to request that a greenwaste shredder be included in the application. As a result of this inclusion, the prescribed premises category 62 is no longer relevant and 61A (solid waste facility) which incorporates the reprocessing of waste, has been included on the licence instead. The annual throughput will not change as a result of this inclusion.

Lot 5 on Diagram 91435 is owned by Alvito Pty Ltd and is divided into a number of smaller lease areas which are leased out to various companies including Allday Construction.

The premises is located within the City of Wanneroo and is currently zoned 'Rural' with 'Residential Urban Development' zoning on the southern side of Flynn Drive. The site is located within the Neerabup Industrial estate, however, in an area of the estate that is yet to be formally developed. The City of Wanneroo has issued planning approval for Industry – General (Storage and Sorting Activity) that expires on 2 December 2020. Alvito Pty Ltd is intending on reviewing the site utilisation and amending site approvals to be in line with the surrounding activities.

The proponent currently has a lease with the landowner until 11 October 2016 however DER has been advised that it is the intent of the proponent to renew the lease for a period of three years. To be consistent with DER's Guidance Statement: *Licence Duration* (revised May 2015), the expiry date of this licence will align with the lease period; this will be amended once DER has received a copy of the signed agreement subject to this date not being beyond the current planning approval.

The premises is located approximately 1.4km west and 1.8km south-west of Carnaby's Cockatoo confirmed breeding areas however as the premises is not proposing any clearing, it is unlikely that site operations will impact on these roosting areas. Threatened Ecological Community (TEC) 'Banksia attenuata woodland over species rich dense shrublands' (SCP20a) is located adjacent to the west of the Premises. The premises is located within the buffer zone of this TEC. Bush Forever areas, as classified under State Planning Policy 2.8 *Bushland Policy for the Perth Metropolitan Region*, June 2010, surround the premises and are located immediately adjacent to the south of Lot 5, 250m west, 1.1km east and 1.8km north of the premises. Public Drinking Water Source Areas (PDWSA) are also located within the vicinity of the premises. A Priority 1 PDWSA is located 2km east, and a Priority 3 PDWSA is located 1.8km south-west of the site.

The closest surface water bodies are Lake Pinjar, located 2.2km north-east, Lake Adams, located 2.5km south-east and Neerabup Lake located 3.4km west of the site. Several other surface water bodies (lakes) are located within a 5km radius of Lot 5. Using the Department of Water's *Perth Groundwater Atlas (PGA),* groundwater is estimated to be located at between 25 to 26.5m below ground level, with an inferred local groundwater flow from east to west. The width of the aquifer is 46m. *PGA* details that groundwater is considered as marginal (Total dissolved solids between 500 – 1000 mg/L), low risk of iron staining, and no known risk of acid sulfate soils. *PGA* describes the surface geology as tamala limestone (Aeolian calcernite, variably lithified, leached quartz sand).

The nearest residential premises are located 480m south of the site in a built up industrial area. The Delegated Officer has determined that because the crushing facility is within 1,000m of sensitive receptors, there is an elevated risk to the environment, and may require greater regulatory controls.

The main emissions associated with this premises include noise, dust, odour and leachate. In accordance with DER's *Guidance Statement: Setting Conditions* (October 2015), this decision document has considered the risks to the environment and public health in regards to the impacts of emissions and discharges from the premises operations.

This Licence is for the operation of a facility that is already being operated by the occupier and was not constructed under a works approval.

# 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** |
| **General conditions** | L1.2.1 – L1.2.3 | **Please refer to Appendix A** | Application supporting documentation |
| **Premises operation** | L1.3.1 – L1.3.23 | **Please refer to Appendix A** | Application supporting documentation |
| **Fugitive emissions** | N/A | **Please refer to Appendix A** | Application supporting documentation |
| **Odour** | L1.2.1 and L1.3.16 | Emission Description<br>*Emission:* No municipal (odour generating) putrescible wastes are proposed to the received or stored on site. Crushing and screening of inert material and the storage and mulching of greenwaste are not expected to generate odour emissions. Odour may be generated from the pooling of mulch leachate if mulch stored for extended periods and allowed to become anaerobic.<br>*Impact:* Potential for nuisance odour complaints. The nearest odour sensitive receptors (residential area) are located approximately 480 m from the Premises. Odour impacts are anticipated to be localised.<br>*Controls:* No specific odour controls have been proposed by the occupier however only greenwaste or inert wastes are to be received which are unlikely to generate odour. No odorous feedstocks are proposed to be accepted. | Application supporting documentation |

| DECISION TABLE | | | |
|---|---|---|---|
| **Works Approval / Licence section** | **Condition number W = Works Approval L= Licence** | **Justification (including risk description & decision methodology where relevant)** | **Reference documents** |
| **Odour continued** | | Risk Assessment<br>*Consequence*: Insignificant<br>*Likelihood:* Unlikely<br>*Risk Rating:* Low<br><br>Regulatory Controls<br>Condition 1.2.1 limits authorised waste types accepted onsite and assists in restricting the acceptance of odorous wastes onto the site. Condition 1.3.16 (Table 1.3.2) requires processed green waste to be removed within seven days of being on-site to reduce likelihood of decomposition and leachate generation that could give rise to odour. .<br><br>Residual Risk<br>*Consequence*: Minor<br>*Likelihood:* Unlikely<br>*Risk Rating:* Moderate | |
| **Noise** | L1.3.23 | **Please refer to Appendix A** | Application supporting documentation |
| **Monitoring of inputs and outputs** | L2.1.1 | Condition L1.2.1 specifies the types and volumes of materials permitted to be accepted at the premises. To allow DER to regulate the volume of wastes in compliance with this condition, condition L2.1.1 has been included on the licence to monitor the inputs and outputs of the premises. This condition also assists in assessing that the wastes accepted and processed at the site are at a throughput that can be sufficiently managed by the premises infrastructure and controls. | N/A |
| **Information** | L3.1.1 – L3.1.3, L3.2.1 and L3.3.1 | Condition L3.1.1 sets out the requirements for any records that are required under this licence, such as ensuring they are legible and retained for 6 years which assists DER | N/A |

| DECISION TABLE | | | |
|---|---|---|---|
| **Works Approval / Licence section** | **Condition number W = Works Approval L= Licence** | **Justification (including risk description & decision methodology where relevant)** | **Reference documents** |
| | | in regulating the conditions of this licence.<br><br>Condition L3.1.2 requires the occupier to undertake an audit of their operations against the conditions of the licence and to report on this compliance in an Annual Audit Compliance Report (AACR). This condition assists DER in regulating the occupier's compliance with licence conditions and allows an opportunity for DER to review the occupier's environmental performance.<br><br>L3.1.3 requires a complaints management system to be implemented where the occupier can internally address any issues that arise from premises operations. DER will review these complaints as reported in the Annual Environmental Report (AER) and can consider the requirement for reassessment of any regulatory controls to address the complaints.<br><br>L3.2.1 requires the occupier to submit an AER. The AER is required to include the AACR and a summary of the complaints required under condition L3.1.3. The AER is also required to provide the results for the monitoring of inputs/outputs and recycled outputs sampling and testing results in regards to asbestos content. The occupier is also required to provide a summary of any malfunction of pollution control equipment or any environmental incidents. DER reviews all of the data provided in the AER to assess compliance with the licence conditions and to monitor the environmental impacts from the premises.<br><br>Condition L3.3.1 requires the occupier to notify the CEO if there is a breach of any licence limit (i.e. processing limits). This condition also requires the occupier to advise of any fires at the premises. The notifications required under this condition give DER sufficient notice of any environmental impacts at the premises so that DER can determine if any further action is required to address the incident. | |

| DECISION TABLE | | | |
|---|---|---|---|
| **Works Approval / Licence section** | **Condition number W = Works Approval L= Licence** | **Justification (including risk description & decision methodology where relevant)** | **Reference documents** |
| **Licence Duration** | | The occupier only has a lease with the landowner until 11 October 2016 however DER has been advised that it is the intent of both the occupier and landowner that the lease is extended for a period of three years. In accordance with DER's *Guidance Statement: Licence Duration*, the licence has been issued up to the current lease date. Once DER has received a signed copy of the new lease agreements, a licence amendment can be sought to extend the licence duration. Planning approval is valid up to 2 December 2020. | DER's *Guidance Statement: Licence Duration (revised May 2015)*. |

# 5 Advertisement and consultation table

| Date | Event | Comments received/Notes | How comments were taken into consideration |
|---|---|---|---|
| 23/05/2016 | Application advertised in *The West Australian* | No comments received | N/A |
| 23/05/2016 | Application referred to City of Wanneroo (the City) | DER received comments from the City on 20 June 2016.<br><br>The City confirmed that Development Approval was granted for the whole of Lot 5, subject to conditions including the requirement to minimise the impacts of dust and sand drift from the Premises.<br><br>The approval is valid until 2 December 2020. | N/A |
| 18/8/2016 | Proponent sent a copy of draft instrument | The occupier advised that they wished to proceed with the licence being granted up to the current lease duration. | Licence granted. |

# 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 |

# Appendix A

**Hydrocarbon storage**

The occupier has stated in the application that a diesel fuel tank is stored in a concrete area surrounded by spill absorbent material, with its separate enclosed housing. Waste oils and hydrocarbons, generated onsite, are also stored onsite in the mechanical workshop. These are removed offsite by a licensed contractor. Although the storage of fuels is not regulated by DER as it is not a prescribed activity, any discharges or spills of fuel, oil or other chemicals may be subject to the *Environmental Protection (Unauthorised Discharges) Regulations 2004.*

**Emission Description (Leachate)**

*Emission: S*tormwater contaminated with leachate from storage and processing of greenwaste and mulch. Stormwater contaminated from the storage of non-conforming wastes.

*Impact:* Contamination of surrounding land and surface water drainage systems. Potential impacts on ecology of surface water and groundwater from the addition of nutrients. Adverse impacts to the Threatened Ecological Community (TEC) located adjacent to the west of the Premises.

*Controls:* Only greenwaste and inert wastes are proposed to be stored and processed onsite by the occupier. Greenwaste storage and mulching poses a lower risk than those associated with composting activities. Inert wastes have a very low risk of leaching contaminants to the environment when they come in contact with stormwater.

The proponent has constructed the premises with a 200 mm compacted limestone base. The ground level is higher where the greenwaste is stored. Bunding, by way of sand bags, is used as required to prevent offsite discharges. Stormwater infiltrates onsite via soak wells. The permeability of the limestone base is unknown.

Risk Assessment
*Consequence*: Moderate
*Likelihood:* Possible
*Risk Rating:* Moderate

Regulatory Controls
*General Conditions*
The greenwaste storage and mulching areas have been proposed to be undertaken on a compacted limestone pad. The permeability of this greenwaste area has not been provided to DER however given that groundwater is estimated to be a minimum 25m below ground level and the surface topography is tamala limestone, leachate in this area is expected to be naturally treated if it passes through the limestone, having a minimal impact on the receiving groundwater.

As the greenwaste storage area does not have a specified bund, there is the potential that stormwater contaminated with leachate will discharge offsite and may impact the TEC west of the premises. Condition and Table 1.2.1 have been included to specify that a bund is constructed around this area to contain any leachate within that area to prevent offsite discharges. Condition 1.2.2 has been included to require that a compliance document be submitted to the CEO following completion of the bund and is required prior to greenwaste being accepted onsite.

*Premises Operation*
Condition 1.3.1 has been included on the licence to limit the types and quantities of waste that can be accepted at the premises to those that have been assessed as suitable and can be sufficiently managed through the premises infrastructure and controls. Condition 1.3.2 requires the occupier to remove any wastes from the Premises that are not authorised by condition 1.3.1 to assist in mitigating the potential leachate risk of runoff from stockpiling non-conforming waste. Table 1.3.1 also specifies

that no greenwaste is authorised to be accepted for storage or mulching onsite until the bund required in condition 1.2.1 has been constructed.

Table 1.3.2 of condition 1.3.16 has been included to specify the authorised waste processes. This table specifies that composting is not authorised and that processed green waste must be removed within 7 days. These requirements assist in limiting the amount of leachate being generated.

Table 1.3.3 (condition 1.3.17) has been included on the licence to specify the infrastructure for the storage and processing of wastes accepted at the site. This condition reflects the existing site infrastructure and controls, as well as the requirement for the bund to be included on the green waste storage area as required by condition 1.2.1. Other waste types accepted onsite are inert and by nature, generate little to no leachate.

Residual Risk
*Consequence*: Moderate
*Likelihood:* Unlikely
*Risk Rating:* Moderate

## Fugitive Emissions

This application included a Dust Management Plan (DMP), revised 6 June 2016, which has been reviewed by DER's Air Quality Services (AQS). The DMP has stated that the prevailing wind is from a south-west direction. A residential community is located approximately 480m south of the premises. The Delegated Officer has determined that because the crushing facility is within 1,000m of sensitive receptors, there is an elevated risk to the environment, and may require greater regulatory controls.

AQS's finding on the DMP are summarised below:

- Given that there are other similar facilities within Lot 5 and a sand mine in the vicinity, there is the potential for cumulative dust impacts which have not been addressed;
- No dust monitoring has been proposed and the lack of monitoring has not been justified by the occupier;
- Monitoring of total suspended particulates, depositional dust and PM10 (particulate matter 10 micrometres or less in diameter) should be considered south of Lot 5 to assess any amenity and health impacts on the residential community, given that the recommended separation distance has not been met. However, due to the number of dust generating activities occurring in the area it would be difficult to identify an individual source. In this instance, boundary monitoring at each site would assist in identifying any problematic sources;
- A dust complaints system should be included as part of the DMP;
- There is a risk of asbestos-contaminated waste being received at the site;
- If asbestos checks are only undertaken after unloading, the risk of asbestos fibres being released is increased;
- Impacts on sensitive receptors (residences) have not been considered;
- Limiting stockpile height will assist in reducing windblown dust; and
- Dust emissions pose a moderate level of risk.

Incorporating the findings of the AQS review, the following risk assessment has been undertaken.

Emission Description
*Emission:* Fugitive dust emissions from the crushing and screening of C&D waste which have the potential to contain asbestos, dust lift-off from trafficked roads, lift-off from stockpiles, and handling of C&D wastes and screened products. Fugitive dust from mulching of green waste.

*Impact:* Degradation of local air quality. Dust emissions blocking photosynthesis of vegetation in the Threatened Ecological Community (TEC) located immediately adjacent to the west of the Premises and the Bush Forever site south of Lot 5.

Nuisance impacts on the comfort and amenity and health and wellbeing impacts on sensitive receptors located 480m south of the site, especially when northerly winds are experienced. Potential human health impacts from any asbestos fibres in dust emissions.

Impacts to human receptors include:

- Health
  - Asbestosis;
  - Irritation of eyes;
  - Coughing;
  - Sneezing;
  - Hayfever;
  - Increasing symptoms of existing respiratory conditions such as:
    - Asthma;
    - Emphysema; and
    - Chronic obstructive airways disease.
- Nuisance
  - Dust covering people's homes and property;
  - Impacting of people's amenities; and
  - Impacting on people's comfort.

*Controls (dust):* The application has proposed the following dust control measures:

- Stockpiles on the southern boundary assist in creating a wind barrier;
- Dust generating crushing and screening activities will be undertaken within the centre of the premises;
- Greenwaste mulching operations will be undertaken on the northern boundary and only damp green waste will be mulched;
- Slade cloth has been installed along the boundary fence;
- Onsite speed limits are limited to 8km/hour or less to reduce dust lift-off from vehicle movements;
- Unsealed trafficable areas and sand stockpiles are wet down as required;
- Loads will be wet down as required during unloading and loading activities;
- All loads are wet down prior to crushing and screening;
- The screener and crusher have inbuilt water sprays;
- The site is equipped with:
  - Perimeter sprinkler system;
  - Three freestanding sprinklers and hoses;
  - Water truck with 8,000L capacity;
  - Water tank with pump connected to sprinklers near the road.
- Dust generating activities will cease during strong wind conditions.

Risk Assessment (**Dust**)
*Consequence:* Moderate (when dust abatement is operational)
*Likelihood*: Unlikely
*Risk Rating:* Moderate

Although it is unlikely to occur, there is the potential that the residential community may be impacted to a moderate degree by dust during normal operations given the existing separation distance and there are cumulative impacts from multiple dust sources in the area. This results in an overall moderate level of risk to the environment and public health from dust emissions.

Regulatory Controls

Conditions 1.3.18 to 1.3.22 (in the 'Premises operation' section) have been included on the licence to assist in reducing dust emissions. These conditions mirror the dust abatement measures proposed in the licence application (as detailed above in the 'Emissions description' section).

Table 1.3.2 (in condition 1.3.16) requires stockpiles heights to be limited to 5m, and required all loads to be wet down prior to unloading. This table also requires only damp green waste to be mulched. These requirements also assist in reducing dust emissions.

Should dust emissions be identified as causing an impact to the TEC or sensitive residential receptors, additional regulatory controls, such as the requirement to undertake dust monitoring, may be considered.

Residual Risk

*Consequence:* Moderate
*Likelihood*: Unlikely
*Risk Rating:* Moderate

**Dust containing asbestos**

The proponent provided an *Asbestos Handling* (March 2016) document as part of the application. The document outlines the following controls:

- All loads to be inspected for asbestos and risk rated from low to high;
- All loads are sorted prior to crushing or screening;
- If asbestos is identified, work is to cease, areas to be sectioned off with sprinklers to be placed in the area immediately.
    - If identified when load first tipped, the waste will be reloaded into the customer's truck;
    - If identified in the main sorting pile, whole area will be wet down, removed offsite and taken to authorised disposal facility;
    - If identified as asbestos sheets or large identified pieces, asbestos will be wrapped in plastic and stored in an isolated area prior to being taken offsite to an authorised disposal facility.

The proposed controls for fugitive dust assist in reducing the likelihood of asbestos fibres being released.

Risk Assessment (**Asbestos fibres**)

*Consequence:* Severe
*Likelihood*: Unlikely
*Risk Rating:* High

The controls proposed by the proponent should control asbestos such that it is unlikely that asbestos fibres will be released from the activities. However, due to the severe consequences of asbestos fibres reaching a receptor the risk rating is high.

Regulatory Controls

It is noted that the *Asbestos handling* document does not sufficiently address the requirements for managing and sampling of asbestos as specified in the Department of Environment and Conservation's published *Guidelines for managing asbestos at construction and demolition waste recycling facilities* (2012) (DER Asbestos Guidelines). Further controls are required to reduce the risk of asbestos at this facility.

Condition (and table) 1.3.1 specifies that waste containing visible asbestos or Asbestos Containing Material (ACM) shall not be accepted onsite. This condition assists in reducing the risk of asbestos or ACM being accepted which also reduces the risk that this type of waste will be crushed or screened.

Condition 1.3.2 requires non-conforming waste to be removed offsite which assists in the separation and removal of any asbestos material that may be received in mixed waste streams.

Conditions 1.3.3 to 1.3.15 have been included specifically in regards to asbestos management. These conditions have been included to assist in reducing the risk of asbestos fibres being released during crushing and screening operations, as well as reducing the risk to public health when the processed material is re-used. These conditions are representative of the requirements for asbestos management as specified in the DER Asbestos Guidelines.

The regulatory controls included for general fugitive dust emissions also assist in reducing the likelihood of asbestos being released.

Risk Assessment (Asbestos fibres)
*Consequence:* Severe
*Likelihood*: Rare
*Risk Rating:* High

While impacts from releases of asbestos fibres is considered to be severe, the risk of fibres being released with regulatory controls in place is rare and therefore despite the residual risk being high, this is considered to be acceptable.

**Emission Description (Fires)**
*Emission:* Smoke and emissions to air in the event of a fire. Contaminated fire wastewaters generated from firefighting activities.

*Impact:* Contamination of surrounding land and surface water drainage systems from the addition of contaminated fire wastewater and ash fallout. There are potential impacts on ecology of surface water. Potentially adverse impacts to the Threatened Ecological Community (TEC) located adjacent to the west of the Premises. The TEC can potentially be destroyed by fire.

*Controls:* Although the occupier has not specified any controls for managing fire risk, a sprinkler system and water truck are present onsite which allow for an increased response time in the event of a fire.

Risk Assessment
*Consequence*: Severe
*Likelihood:* Rare
*Risk Rating:* High

Although the likelihood of fires is rare, the severity of the risk gives the overall rating as high.

Regulatory Controls

Table 1.3.2 of condition 1.3.16 requires the occupier to maintain a 5m firebreak around the green waste storage area to reduce the risk of fires. The storage time prior to processing is limited to 7 days in this Table which also assists in minimising the material drying out or spontaneously combusting through decomposition.

Condition 1.3.24 has been included on the licence to specify that waste is not authorised to be burnt at the premises.

Residual Risk
*Consequence*: Severe
*Likelihood:* Rare
*Risk Rating:* High

**Emission Description (Windblown waste)**
*Emission:* Windblown waste from Premises generating offsite litter, particularly from the storage of plastics.

*Impact:* Contamination of surrounding land and surface water drainage systems from the addition of litter. Adverse impacts to the Threatened Ecological Community (TEC) located adjacent to the west of the Premises.

*Controls:* No specified controls have been proposed by the occupier for windblown waste however the occupier has shade cloth installed on the boundary fence which assist in containing waste within the Premises.

Risk Assessment
*Consequence*: Minor
*Likelihood:* Possible
*Risk Rating:* Moderate

Regulatory Controls
Given the moderate risk rating of windblown waste and the proximity to the TEC, condition 1.3.21 requires the integrity of the boundary shade cloth to be maintained and condition 1.3.25 has been included to require windblown waste to be collected from boundary fences when required to prevent litter escaping the premises. These conditions assist in preserving the integrity of the TEC.

Residual Risk
*Consequence*: Minor
*Likelihood:* Unlikely
*Risk Rating:* Moderate

## Noise Emissions

A noise assessment has been undertaken for the whole of Lot 5. This assessment, *Noise Emissions Assessment Neerabup,* was undertaken by Herring Storer Acoustics (HSA). This document was not provided as part of the licence application however it was previously provided with other applications within Lot 5 and is relevant for the whole of the Lot. DER's Noise Regulation (NR) undertook a review of the whole of site noise assessment. NR made the following comments in relation to the noise assessment:

- The report has not provided sufficient information in regards to noise modelling and the noise impact assessment therefore it could not be determined if the SoundPlan modelling was sufficiently robust and fit for purpose.

- The report did not propose any noise controls given that HSA stated that cumulative noise emissions from the whole of Lot 5 is compliant with the *Environmental Protection (Noise) Regulations 1997* (EP Noise Regulations).
- There is not enough sufficiently detailed information to assess whether the noise emissions can be managed to comply with the EP Noise Regulations;
- NR noted that each proponent within Lot 5 committed to:
    - Using croaker or low frequency reversing beepers should the noise emissions from standard reversing beepers become an issue;
    - Crushing and screening operations to occur behind stockpiles or other infrastructure;
    - Operations to be staggered amongst proponents within Lot 5 to reduce levels of cumulative noise being generated.

NR also reviewed the updated application documents to include the grinding/shredding of greenwaste and considered the sound power levels of each piece of machinery provided by the occupier. It is noted that the actual machinery used onsite has higher sound power levels than modelled by HSA. NR suggested that a specific noise assessment detailed for the occupier' operations may be required to demonstrate compliance with the EP Noise Regulations.

Based on the comments from NR, the following risk assessment for noise emissions has been completed.

Emission Description

*Emission:* Unreasonable noise emissions from the crushing, screening and mulching of waste as well as noise emitted from vehicle movements (including reversing beepers) and the general handling of waste.

*Impact:* Reduced wellbeing, amenity and comfort of highly sensitive noise receptors located immediately adjacent to the Premises.

*Controls*: The proponent provided a Noise Management Plan (NMP) which was updated in June 2016 to address noise emissions generated from crushing, screening and mulching operations. The NMP advises that noise generating operations (crushing, screening and mulching) will be restricted to 0700 to 1700 Monday to Saturday, which are within the 'day time' hours prescribed in the EP Noise Regulations. The 'day time' hours prescribe a higher level of authorised noise to be emitted from premises.

Internal speed limits are restricted to 8km/hour or less to assist in mitigating noise. It is noted that the whole of Lot 5's commitments to reducing noise emissions, such as staggering onsite operations, changing reversing beepers, will be implemented in the event that noise emissions impact on noise sensitive receptors.

Risk Assessment

*Consequence:* Moderate
*Likelihood*: Possible
*Risk Rating:* Moderate

Regulatory controls

Condition 1.3.20 has been included to restrict the internal speed limit as proposed by the occupier, to assist in noise mitigation. Condition 1.3.23 has been included to limit operating hours to operations of the crusher, screener and mulcher to the proposed 0700 to 1700 hours Monday to Saturday. This limits the noise generation to 'day time' hours as prescribed in the EP Noise Regulations.

Given that cumulative noise emissions are anticipated to comply with the assigned levels in the EP Noise Regulations, the proposed regulatory controls are expected to be sufficient for noise emissions. Should noise emissions impact on sensitive receptors, additional regulatory controls, such as the requirement to implement low tonal reversing beepers, staggering crushing operations throughout Lot 5 or a requirement for whole of Lot 5 noise emissions monitoring, may be considered.

Residual Risk
*Consequence:* Moderate
*Likelihood*: Possible
*Risk Rating:* Moderate