



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Lirea Pty Ltd

**Licence:** L8704/2012/1

**Registered office:** 18 Cook Street  
 BUSSELTON WA 6280

**ACN** 611 192 486

**Premises Address:** Vasse Bins  
 18 Cook Street  
 BUSSELTON WA 6280  
 Being Lot 51 on Plan 13808, as depicted in Schedule 1.

**Grant date:** Friday, 25 January 2013

**Commencement date:** Monday, 28 January 2013

**Expiry date:** Saturday, 27 January 2029

**Prescribed Premises Category**  
 Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Premises production or design capacity
62	Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use	500 tonnes or more per year	41,600 tonnes per year

**Conditions of Licence**  
 Subject to the conditions of licence set out in the attached pages.

Date signed: 9 November 2016

.....  
 Caron Goodbourn  
 A/ MANAGER LICENSING (WASTE INDUSTRIES)  
 Officer delegated under Section 20  
 of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### **DERs'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* (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 *Environmental Protection Act 1986* you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

**Premises description and Licence summary**

Vasse Bins premises is owned and operated by Lirea Pty Ltd., and located at Lot 51 on Plan 13808, 18 Cook Street, Busselton WA, 6280. The premises ownership was transferred from Trendpark Holdings Pty Ltd who previously owned and operated the premises at the same location, under the existing Licence L8704/2012/1. The premises is licensed under category 62: solid waste depot within Schedule 1 of the *Environmental Protection Regulations 1987*, and has been in operation since 2013.

The premises is located within an industrial zone under Busselton Town Planning Scheme No. 20, zone category 'E', and adjoins other industry activities on its north, east and south boundaries. The western boundary adjoins recreational zoned, 'local authority reserves' area.

The primary activity at the premises includes the sorting and recycling of putrescible waste, inert waste type 1 and 2 (including construction and demolition waste, concrete, steel, plastics, wood, cardboard and green waste) for reuse off site.

This amendment is as a result of a licence transfer application for change of ownership from Trendpark Holdings Pty Ltd to Lirea Pty Ltd, and includes administrative changes and amendment to include asbestos management conditions to ensure that the necessary regulatory requirements are in place for the activities being undertaken at the premises.

The licences and works approvals issued for the Premises prior to transfer of this Licence are:

<b>Instrument Log</b>		
<b>Instrument</b>	<b>Issued</b>	<b>Description</b>
L8704/2012/1	25/01/2013	New licence issued
L8704/2012/1	29 April 2016	Amendment Notice to extend duration of licence to 27 January 2029
L8704/2012/1	10/11/2016	Transfer to new occupier and addition of asbestos management conditions

**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 In the Licence, unless the contrary intention appears:

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

**'annual'** means the period from 1 April until 31 March in the following year;

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

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

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

**'CEO'** for the purposes of correspondence and notification means:

Chief Executive Officer  
Department Div. 3 Pt. V EP Act  
Locked Bag 33 Cloisters Square  
Perth WA 6850  
[info@der.wa.gov.au](mailto:info@der.wa.gov.au)

**'Compliance Report'** means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website;

**'classified load'** means the classification of waste loads during acceptance and post acceptance based on the risk of waste containing Asbestos or ACM and through visual inspection. Classification of wastes loads shall be undertaken in accordance with the provisions outlined in Section 3.3 and 3.4 of DER Asbestos Guidelines (Attachment 1 & 2);

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

**'Department'** means the department established under s.35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V of the *Environmental Protection Act 1986*;

**'DER Asbestos Guidelines'** means the 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);

**'fugitive emissions'** means all emissions not arising from point sources;

**'green waste'** means waste that originates from flora;

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



**'Inert Waste Type 2'** has the meaning defined in the 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 L8704/2012/1 and issued under the Act;

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

**'non-conforming waste types'** means any waste types that are not waste types approved for acceptance by Condition 1.3.1 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;

**'waste'** has the meaning defined in the Act; and

**'w/w'** means weight by weight.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

## **1.2 General conditions**

1.2.1 The Licensee shall operate and maintain:  
(a) all bunds, concrete hard stands, stormwater culverts, diversion channels; and  
(b) sprinkler systems and screens.

1.2.2 The Licensee shall ensure that bunds and diversion channels are maintained to prevent stormwater run-off becoming contaminated by any waste on the Premises.<sup>1</sup>  
Note1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.2.3 The Licensee shall immediately recover, or remove and dispose of spills of any hydrocarbons, acids, alkalis, chemicals and/or waste types associated with the handling and processing of waste at the premises.

## **1.3 Premises operation**

1.3.1 The Licensee shall only accept waste on to the Premises if:  
(a) it is of a waste type listed in Table 1.3.1;  
(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.



<b>Table 1.3.1: Waste acceptance</b>		
<b>Waste type</b>	<b>Quantity Limit</b>	<b>Specification</b>
Construction and demolition waste; Inert waste Type 1; Inert waste Type 2; and Putrescible waste	41,600 tonnes annual period	<ul style="list-style-type: none"> <li>• Acceptance of Construction and demolition waste, plastics, concrete, steel, wood, green waste and cardboard waste types only.</li> <li>• All waste received onto a bunded, concrete hardstand;</li> <li>• Waste containing visible asbestos or ACM must not be accepted;</li> <li>• Acceptance of waste types for sorting and recycling only.</li> </ul>

- 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 segregated storage area or container and removed to an appropriately authorised facility as soon as practicable.
- 1.3.3 The Licensee must advise all source material providers that asbestos or potentially asbestos contaminated material is not accepted at the Premises.
- 1.3.4 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 Section 3.3 of the DER Asbestos Guidelines as per Attachment 1 (Classified Load).
- 1.3.5 Where the inspection required by condition 1.3.4 confirms that the load does contain asbestos or ACM, the Licensee must:
- reject the waste for acceptance;
  - maintain accurate records of all rejected loads on the Premises and the documentation must be made available to the Department upon request; and
  - record the details of the waste source, material carrier, registration number of the vehicle and date of rejection.
- 1.3.6 The Licensee must ensure that where classified loads are accidentally received they are isolated, kept damp and contained.
- 1.3.7 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 section 3.4 of the DER Asbestos Guidelines, as per Attachment 2.
- 1.3.8 The Licensee shall ensure that waste types accepted onto the Premises are only subjected to the processes set out in Table 1.3.2 and in accordance with any process limits described in that Table.

<b>Table 1.3.2: Waste processing</b>		
<b>Waste type</b>	<b>Processes</b>	<b>Process limits</b>
Inert Waste Type 1	Receipt, handling and storage of waste.	<ul style="list-style-type: none"> <li>• Recycling of Construction and demolition waste, plastics, concrete and steel, for reuse offsite;</li> <li>• No shredding or crushing of waste to occur at any time;</li> <li>• Ensure a sprinkler system available for all stockpile and mechanical sorting areas to manage any dust emissions as required.</li> </ul>
Inert Waste Type 2		



Putrescibles	Receipt, handling and storage prior to removal off-site	<ul style="list-style-type: none"> <li>Recycling of green waste, light plastics, wood and cardboard only, for reuse off site;</li> <li>No shredding or chipping/ mulching of waste to occur.</li> </ul>
All wastes types (as defined in Table 1.3.1)	Receipt, handling and storage prior to removal off-site	<ul style="list-style-type: none"> <li>Mechanical treatment consisting only of sorting by hand or excavator/ loader.</li> <li>All waste received or removed from the premises is covered or enclosed.</li> <li>All non-conforming waste types received to be rejected or separated and stored within enclosed bins for disposal to a licenced facility;</li> <li>Ensure that once waste is sorted that the recycled material is loaded directly into covered skip bins/ containment vessels for removal off site;</li> <li>Ensure putrescible waste is not stored at the premises for longer than 5 working days;</li> <li>No burning or burial of waste to occur at the premises.</li> </ul>

1.3.9 The Licensee shall ensure that the asbestos content of any recycled output originating from construction and demolition waste does not exceed the contamination limits specified in Table 1.3.3.

<b>Table 1.3.3: Recycled output contamination limits</b>		
<b>Output</b>	<b>Parameter</b>	<b>Limit<sup>1</sup></b>
Recycled drainage rock	Asbestos (in any form)	0.001% w/w
Recycled sand		
Recycled road base		

Note 1: DER Asbestos Guidelines

- 1.3.10 The Licensee shall implement the following security measures at the site:
- erect and maintain suitable fencing to prevent unauthorised access to the site;
  - ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
  - undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.3.11 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.3.12 The Licensee shall take all reasonable and practical measures to ensure that no windblown litter escapes from the Premises, and that windblown waste is collected on at least a weekly basis and appropriately contained.
- 1.3.13 The Licensee shall ensure that no waste is burnt on the premises.



## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

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

<b>Table 2.1.1 Monitoring of inputs and outputs</b>				
<b>Input/ Output</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging Period</b>	<b>Frequency</b>
Waste Inputs	Waste type as defined in the Landfill Waste Classification and Waste Definitions 1996	tonnes (where a weighbridge is present on the site)  m <sup>3</sup> where no weighbridge is present	N/A	Each load arriving at the Premises
Waste Outputs				Each load leaving or rejected from the Premises

2.1.2 The Licensee shall ensure that recycling outputs originating from construction and demolition waste are sampled and tested in accordance with Table 2.1.2.

<b>Table 2.1.2: Recycled output sampling and testing</b>			
<b>Output</b>	<b>Parameter</b>	<b>Limit</b>	<b>Method</b>
Recycled drainage rock	Asbestos (in any form)	0.001% w/w	In accordance with the DER Asbestos Guidelines (Attachments 1-3).
Recycled sand			
Recycled road base			





### 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 or any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect condition of the land or groundwater.
- 3.1.2 The Licence 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 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.
- 3.2.2 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 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 project operation, any changes or alteration to site boundaries or operation and updated premises map.	None specified
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the year and any action taken.	None specified
1.2.8	Summary of any measures undertaken to suppress and manage fugitive emissions.	None specified
3.1.1	Summary of monitoring of inputs and outputs	None specified
4.1.2	Compliance	Annual Audit Compliance Report (AACR). Form available at the DER website: <a href="http://www.der.wa.gov.au">www.der.wa.gov.au</a> under the 'publication' section.
4.1.3	Complaints summary	None specified



### 3.3 Notification

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

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

Note 1: No notification requirement in the Licence shall negate the requirement to comply with s72 of the Act.

Note 2: Form available within Schedule 2



# Schedule 1: Maps

## Premises map

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



LEGEND		
Local Government Authorities	Priority Area P1 Acid Sulfate Soil Risk Map, Geraldton	Water Bores
Road Centrelines	High to moderate risk of ASS	Water Observation Bores
Public Drinking Water Source Areas (PDWSAs)	Moderate to low risk of ASS	WIN Groundwater Sites
Priority Not Assigned	Water Corporation Production Bores	Hydrography, linear (hierarchy)
Priority Area P1	(cont)	Image Index
Priority Area P2		Bussellton 50cm Orthomosaic - Landgate 2007
(cont)		

Scale 1:943  
 (Approximate when reproduced at A4)  
 Geocentric Datum Australia 1994  
 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.  
 Prepared by: carolinec  
 Prepared for:  
 Date: 5/10/2016 2:07:02 PM  
 Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.  
  
 Government of Western Australia  
 Department of Environment Regulation  
 WA Code Copyright 2002

\* Project Data. This data has not been quality assured. Please contact map author for details.



## Schedule 2: Notification Form

Licence: L8704/2012/1 Licensee:  
 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 Lirea 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 process and 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			
Material Type	Type of load		
	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.

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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





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  $50 \mu\text{g}/\text{m}^3$ .

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 1000m<sup>3</sup> of product.

#### Conveyor sampling

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



#### 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 through 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<sup>3</sup>) 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<sup>2</sup> 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<sup>3</sup> 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.







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## 1 Purpose of this Document

This Decision Document explains how the Chief Executive Officer's (CEO) Delegate has assessed and determined the application and provides a record of the CEO Delegate's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to the CEO Delegate's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	<input type="checkbox"/>
	New Licence <input type="checkbox"/>	<input type="checkbox"/>
	Licence amendment <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Works Approval amendment <input type="checkbox"/>	<input type="checkbox"/>
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	62	41,600 tonnes per year
Application verified	Date: 16/08/2016	
Application fee paid	Date: 16/08/2016	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
		Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
		Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If Yes include details of which EPP(s) here. <i>Environmental Protection (Swan Coastal Plain Lakes) Policy 1992</i> , enacted 18/12/1992.		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
The <i>Environmental Protection (Swan Coastal Plain Lakes) Policy 1992</i> was revoked on 20 November 2015 as EV402.		



### 3 Executive summary of proposal and assessment

This Decision Document is for the amendment and transfer of the Licence L8704/2012/1 for change of ownership from Trendpark Holdings Pty Ltd to Lirea Pty Ltd. Administrative amendments and an amendment to include asbestos management conditions in accordance with the DER asbestos guidelines have been undertaken. The transfer of ownership has not changed/ included any additional practices or activities that have not already been undertaken historically at the premises under previous ownership/ management.

In processing this transfer application, DER has detailed the changes made including a risk assessment of potential asbestos fugitive (dust) emissions from the receipt of construction and demolition (C&D) waste and included conditions as detailed in the decision table.

#### Location and siting

Vasse Bins premises is owned and operated by Lirea Pty Ltd, and located at Lot 51 on Plan 13808, 18 Cook Street, Busselton WA, 6280. The premises ownership has been transferred from Trendpark Holdings Pty Ltd who previously owned and operated the premises at the same location, under the existing Licence L8704/2012/1. The premises is licensed under category 62: solid waste depot within Schedule 1 of the *Environmental Protection Regulations 1987*, and has been in operation since 2013. The premises was not constructed under a Works Approval, with the initial Licence being granted in January 2013.

The premises is located within an industrial zone under Busselton Town Planning Scheme No. 20, zone category 'E', and adjoins other industry activities on its north, east and south boundaries. The western boundary adjoins recreational zoned, 'local authority reserves' area.

The closest sensitive residential zoned area is located approximately 109 m to the west of the premises boundary.

The surrounding hydrology within the vicinity of the premises forms part of the Vasse Wonnerup Estuary Catchment of the Busselton Coast River Basin.

Groundwater at the premises is unknown however a desktop assessment of a groundwater bore (Site Id. 20005411) approximately 251 m east of the premises, identifies standing water level at approximately 2.2 mBGL with a TDS of 1,000 mg/L (brackish), and used for livestock watering. Another groundwater bore (Site Id. 20005573) located approximately 478 m south west identifies depth to ground water at 2.8 m, with a TDS of 450 mg/L (fresh), and used for livestock watering.

The Vasse River is located approximately 721 m east and the 'Vasse Diversion Drain' (New-Buayanyup River) approximately 351 m south west of the premises boundary.

The Busselton Bypass is located approximately 519 m south of the premises boundary.

#### Proposed activities

The primary activity at the premises includes the sorting and recycling of putrescible waste, inert waste type 1 and 2 (including construction and demolition waste) for reuse off site. The waste is collected primarily in 9 m<sup>3</sup> bins by skip trucks and brought back to the premises. Upon arrival at the yard it is tipped onto a bunded, concrete sorting pad (14 m x 10 m surrounded by 900 mm high concrete bollards). The contents of the bins are then sorted by an excavator using a rubbish grab. The waste is sorted into four main categories: steel, concrete, green waste, wood, plastics and cardboard. The individual items are then placed into bins for further transportation. The remaining waste (being mainly sand and small sizes) is then scooped up by a bobcat with a rake bucket and also placed in bins. This semi-sorted waste is then removed off-site for sale or further recycling.



Storage of steel skip bins and machinery is the only other activity that occurs on this site. No other processing or manufacturing occurs on this site.

### **Potential emissions**

The main potential emissions from the operation of the premises include fugitive emissions (dust) and noise.

The Licensee is not proposing any discharges to land, surface water or groundwater as a result of operational activities. The premises is to continue operating under the new ownership of Lirea Pty Ltd for the same purposes, as has been historically undertaken at the premises.

### **Occupation and planning approval**

Consultation with the City of Busselton, Senior Development Planner, confirmed that “the City’s records indicate that the previous application for approval [of] an environmental licence was referred to the City of Busselton by DER and no concerns were raised by the City.” The city could not confirm any record of any past planning approvals however consider that “to generally fit within the use of ‘Industry’ then this [proposed activity] is a ‘P’ (permitted) use under the Scheme for the Industrial zone and as such would not require Development Approval.”

The Delegated Officer therefore considers that no additional planning approval is required for the premises in relation to the transfer of ownership to Lirea Pty Ltd, for the activities proposed.

### **Consultation**

Section 5 of the Decision Document details all consultation undertaken as a result of the Licence amendment process for the transfer of ownership details for the prescribed premises.



## 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 and in accordance with DER *Guidance statements on Regulatory principles, Setting Conditions, Land use planning and Licence and works approval process*. 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 L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Front page	-	<p>An application for a licence transfer under Section 64 of the <i>Environmental Protection Act 1986</i> was received by DER on 04 August 2016, for a transfer of ownership from Trendpark Holdings Pty Ltd to Lirea Pty Ltd.</p> <p>The occupier details have been updated to reflect the new Licence holder</p>	Application supporting documentation
Interpretation	L1.1.1-L1.1.4	<p>Conditions 1.1.1 – 1.1.4 require that terminology used within the Licence is referenced to the appropriate definitions where applicable, and that any reference to a standard or guideline is to the most current version of that standard or guideline.</p> <p>An administrative change has been undertaken to update the definitions within the Licence.</p> <p>Condition 1.1.3 has had an administrative change to update the wording of the condition.</p> <p>Condition 1.1.4 has been included within the Licence as an administrative change which is an explanatory condition to require the use of current versions of all guidance or codes of practice stated within the Licence. This condition was omitted from the previous version of the Licence and refers to the DER Asbestos Guidelines and <i>Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)]</i>.</p>	General provisions of the <i>Environmental Protection Act, 1986</i> .



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.1 – 1.2.4	<p>Previous condition 1.2.1 has been removed from the Licence as it is considered unenforceable and not adequately risked based. The condition is considered an explanatory statement, which is already defined and required under the general provisions of the <i>Environmental Protection Act, 1986</i>:</p> <p><i>'Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:</i></p> <ul style="list-style-type: none"> <li><i>(a) pollution;</i></li> <li><i>(b) unreasonable emission;</i></li> <li><i>(c) discharge of waste in circumstances likely to cause pollution; or</i></li> <li><i>(d) being contrary to any written law.'</i></li> </ul> <p>Condition 1.2.2 has been updated to specify the types of pollution control systems that are relevant to the operation of the premises. The previous condition was not considered sufficiently detailed or appropriately risked based to the activities being undertaken. No monitoring equipment is operated at the premises therefore reference to 'monitoring equipment' has been removed from the condition. This condition will be renumbered to condition 1.2.1 through this amendment process.</p> <p>Previous condition 1.2.3 has been removed from the Licence. This condition is considered unenforceable and is not sufficiently clear or certain in relation to the premises operation:</p> <p><i>'The Licensee, except where storage is prescribed in section 1.3, shall only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if they are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.'</i></p>	<p>General provisions of the <i>Environmental Protection Act, 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions (cont.)		<p>Condition 1.2.3 has been included within the conditions of the Licence to further define the intent of specific pollution control systems and management of stormwater for the premises, and is associated with condition 1.2.2. This condition will be renumbered to condition 1.2.2 on completion of this amendment process.</p> <p>Condition 1.2.4 has been updated to specify the type of spills related to the operation of the premises through the receipt and handling of putrescible waste whereby accidental receipt of non-conforming waste types may occur. This condition will be renumbered to condition 1.2.3 on completion of this amendment process.</p> <p>Previous condition 1.2.5 has been removed from the Licence. The condition is considered unenforceable and is not sufficiently clear as it does not specify what stormwater infrastructure is required. The condition has been adequately addressed by the inclusion of new condition 1.2.3:</p> <p><i>'The Licensee shall ensure that uncontaminated stormwater is kept separate from contaminated or potentially contaminated stormwater. Where stormwater has come into contact with a possible source of contamination, it should be treated as contaminated.'</i></p>	
Premises operation	L1.3.1-L1.3.12	<p>Condition 1.3.1, Table 1.3.1, has been updated to include additional specifications in relation to the operation of the premises. No new waste acceptance is proposed through this amendment process. The specifications column has been updated to more accurately reflect the activities undertaken through operation of the premises.</p> <p>Condition 1.3.3 has had an administrative change and has been renumbered to condition 1.3.8, and has had additional process limits included within the table which is defined further within the 'Emission Description' and 'Risk assessment' below.</p> <p>Condition 1.3.4 has had an administrative change and has been renumbered to condition 1.3.10 within the amended Licence.</p>	<p>Application supporting documentation.</p> <p>General provisions of the <i>Environmental Protection Act, 1986</i>.</p> <p>Landfill Waste Classification and Waste Definitions 1996 (as amended).</p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation (cont.)		<p>Condition 1.3.5 has had an administrative change and has been renumbered to condition 1.3.11 within the amended Licence.</p> <p>Condition 1.3.6 has had an administrative change and has been renumbered to condition 1.3.12 within the amended Licence. In addition, the condition now stipulates collection frequency in the management of windblown waste that may be generated from the receipt of putrescible waste to the premises.</p> <p>Previous condition 1.3.7 has had an administrative change and has been relocated within condition 1.3.8, Table 1.3.2 of the amended Licence.</p> <p><u>Emission Description</u>  <i>Emission:</i> Release of asbestos dust during the acceptance, sorting, storage and transportation of construction and demolition waste that has the potential to contain asbestos waste (ACM).  <i>Impact:</i> Health effects from breathing in fibres, such as mesothelioma, asbestosis and lung cancer. The closest sensitive residential receptors are approximately 109 m west of the premises.  <i>Controls:</i> The Licensee does not propose to accept any asbestos waste to the premises. The bins in which the waste is collected specify that no asbestos is to be placed in the bins.</p> <p><u>Risk Assessment</u>  Consequence: Major  Likelihood: Possible  Risk Rating: High</p> <p><u>Regulatory Controls</u>  Conditions 1.3.3 – 1.3.7 and 1.3.9 have been included within the amended Licence to ensure appropriate regulation and management of potential risks in relation to the receipt, handling and storage of construction and demolition waste to the premises.</p>	





DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation (cont.)		<p>The construction and demolition waste received includes rock, sands and road base from construction and demolition sites (as confirmed by a DER Officer with the Licensee on 6/10/2016). The previous Licence format did not include adequate regulatory controls to ensure that potential asbestos or asbestos dust inadvertently received to the premises is adequately regulated. In addition, Table 1.3.2 has been updated to reflect further 'process limit' requirements necessary for the management of potential asbestos contamination.</p> <p>Monitoring requirements have also been included, as defined within Section 2, 'Monitoring' in relation to asbestos sampling.</p> <p>The Delegated Officer considers that the additional conditions are appropriate to assist in reducing and managing the potential of asbestos dust or fibres being released.</p> <p>Condition 1.3.3 requires the Licensee to ensure that the source material provider is aware that asbestos contaminated material (ACM) is not accepted at the premises.</p> <p>Condition 1.3.4 relates to compulsory visual inspection of all waste loads coming to the premises for asbestos and each load is required to be classified in accordance with DER asbestos Guidelines.</p> <p>Condition 1.3.5 requires that if any load contains asbestos then it must be rejected, and a register maintained to record the source provider, including date and vehicle registration number.</p> <p>Condition 1.3.6 relates to the accidental receipt (post acceptance of a waste load) and identification of asbestos to the premises and outlines the approach to be undertaken by the Licensee. The Licensee is referred to the <i>Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)]</i>. Additional controls are noted to exist in the form of the <i>Health (Asbestos) Regulations 1992</i> administered by the Department of Health and, in particular, Occupational Health and Safety legislation</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation (cont.)		<p>administered by WorkSafe.</p> <p>Condition 1.3.7 requires visual inspection to be carried out at all stages of operation. Any suspected asbestos containing load must be handled in accordance with DER Asbestos Guidelines.</p> <p>Condition 1.3.9 requires the Licensee to ensure that the asbestos content of any recycled output from construction and demolition waste does not exceed the stated contamination limits. The Licensee is understood to, at times, received construction and demolition waste meeting the specifications of drainage rock, sand and road base. It is the responsibility of the Licensee to manage construction and demolition waste accepted at the premises.</p> <p><u>Residual Risk</u> Consequence: Major Likelihood: Rare Risk Rating: Moderate</p>	
Emissions general	-	<p>Section 2 has had an administrative change with the removal of the entire section that includes redundant sections that do not specify any regulatory conditions relevant to the premises operation. Operations at the premises do not emit any point source discharges to air, land, surface water or groundwater as a result of operational processes and the sections are therefore not relevant. Deletions from Section 2 of the previous version of the Licence are as follows and further addressed in the fugitive dust, odour and noise emission sections of this Decision Table:</p> <p><b>2 Emissions</b></p> <p><b>2.1.1</b> <i>The Licensee shall record and investigate the exceedance of any descriptive or numerical limit and/ or target in this section.</i></p>	General provisions of the <i>Environmental Protection Act 1986</i> .



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions general (cont.)		<p><b>'2.2-2.4 Point source emissions to air, surface water and groundwater</b> There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.</p> <p><b>2.5 Emissions to land</b></p> <p>There are no specified conditions relating to emissions to land in this section.'</p>	
Fugitive emissions	-	<p><u>Emission Description</u>  <i>Emission:</i> Dust from vehicle traffic within the premises in the delivery of waste material (as specified within section 1 of the Licence) and front end loader/ excavator operation on the recycled material.  <i>Impact:</i> Reduced local air quality as a result of airborne particulates. Closest residential sensitive receptors are approximately 109 m west of the premises boundary with a recreational use area (local authority reserve area) immediately adjacent to the western boundary of the premises.  <i>Controls:</i> The internal roads are constructed of compacted in-situ soils. All waste received or removed at the premises is covered or enclosed. The Licensee has a sprinkler system available at the Premises to address dust emissions that occur.</p> <p>A complaint was received by the City of Busselton during 2015 for dust from the premises. However, the source of the dust generation was not verified. .</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p>	<p>General provisions of the <i>Environmental Protection Act, 1986</i>.</p> <p><i>Guidelines for managing asbestos at construction and demolition waste recycling facilities, 2012 v1.</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions (cont.)		<p><u>Regulatory Controls</u> The risk of dust emissions is considered moderate risk due to the premises close proximity to sensitive residential receptors and not meeting the recommended separation distance of 200 m for the premises operation for Category 62. The premises is located within an industrially zoned area. The Delegated Officer has determined that potential dust emissions can be adequately regulated under the Premises operation regulatory controls set within the conditions of the Licence, and the provisions of section 49 of the <i>Environmental Protection Act, 1986</i> (Act). Previous conditions 2.6.1 and 2.6.2 have been removed as the conditions were not enforceable as they did not adequately specify regulatory requirements in relation to the premises operation:</p> <p style="padding-left: 40px;"><i>‘The Licensee shall use all reasonable and practical measures to prevent and, where that is not practicable, to minimise dust emissions from the Premises.’</i></p> <p>And</p> <p style="padding-left: 40px;"><i>‘The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.’</i></p> <p>Condition 1.3.8 includes the process limit to use the sprinkler system when dust emissions arise at the premises.</p> <p>The Licensee is required to report all complaints received as per current condition 3.1.3.</p> <p><u>Residual Risk</u> <i>Consequence: Minor</i> <i>Likelihood: Unlikely</i> <i>Residual Risk Rating: Moderate</i></p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour	-	<p><u>Emission Description</u>  <i>Emission:</i> Odour generated from the receipt of putrescible waste to the premises.  <i>Impact:</i> Interference with the health, welfare, convenience, comfort or amenity of sensitive residential receptors from odorous material received or stored at the premises. Distance to sensitive residential receptors is approximately 109 m, west of the premises boundary.  <i>Controls:</i> The Licensee proposes to only receive green waste, wood, cardboard and light plastics as part of the putrescible waste stream used for recycling.</p> <p><u>Risk Assessment</u>            Consequence: Insignificant            Likelihood: Possible            Risk Rating: Low</p> <p><u>Regulatory Controls</u>            Previous condition 2.7.1 has been removed as the condition is not enforceable as it does not adequately specify regulatory requirements in relation to the premises operation. The condition is considered an explanatory statement:</p> <p><i>'2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.'</i></p> <p>The Delegated Officer considers the premises operation adequately regulated through the:</p> <ol style="list-style-type: none"> <li>1. Controls set within the conditions of the Licence, as defined within conditions 1.3.1 'Waste acceptance' and 1.3.8 'Waste processing', which state what waste may be received and how it may be processed at the premises. These limit the type of wastes to be accepted and helps ensure that the potential for</li> </ol>	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour (cont.)		<p>receipt of waste types that the premises is not equipped to manage is limited and that such wastes are not processed at the premises;</p> <p>2. Requirements as outlined within Schedule 1 of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>; and</p> <p>3. Table 1.3.2 includes additional process limits which will assist in managing any non-conforming waste types received to the premises and will reduce the potential for nuisance odour issues occurring by requiring:</p> <ul style="list-style-type: none"> <li>All waste received or removed from the premises is covered or enclosed.</li> <li>All non-conforming waste types received to be rejected or separated and stored within enclosed bins for disposal to a licenced facility;</li> <li>Ensure that once waste is sorted that the recycled material is loaded directly into covered skip bins/ containment vessels for removal off site;</li> <li>Ensure that putrescible waste is not stored at the premises for longer than 5 working days.</li> </ul> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Residual Risk Rating:</i> Low</p>	
Noise	-	<p>Previous section 2.8 has been removed from the amended Licence. The section contained no conditions.</p> <p><b>'2.8 Noise</b> <i>There are no specified conditions relating to noise in this section.'</i></p> <p>A noise complaint was received by the City of Busselton during 2015 for the premises; however the source of the noise generation was not verified.</p> <p>The primary noise emissions from the premises are through the operation of an</p>	<i>Environmental Protection (Noise) Regulations 1997.</i>



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Noise (cont.)		<p>excavator/ loader for the relocation of recycled waste material, and the receipt and removal of waste material via trucks.</p> <p>The Delegated Officer considers noise emissions to be adequately regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>. No further regulatory noise conditions are considered necessary for the premises operation under Licence L8704/2012/1.</p>	
General monitoring	-	<p>Previous conditions 3.1.1 and 3.1.2 have been removed from the Licence as no monitoring equipment that requires calibration is required under the Licence. The conditions are therefore not relevant and not required:</p> <p><i>3.1.1 The Licensee shall have all monitoring equipment referred to in any condition of the Licence calibrated in accordance with the manufacturer's specifications.</i></p> <p><i>3.1.2 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the Director accompanied with a report comprising details of any modifications to the methods.</i></p> <p>Section 3 has had an administrative change with the removal of redundant sections that do not specify any regulatory conditions relevant to the premises operation. The premises does not emit or monitor any point source emissions/ discharges to air, land, surface water, groundwater, process, ambient environmental quality or meteorological monitoring as a result of operational processes. The sections are therefore not relevant and not required:</p> <p><b>'3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater</b></p>	



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General monitoring (cont.)		<p><i>There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.</i></p> <p><b>3.5 Monitoring of emissions to land</b></p> <p><i>There are no specified conditions relating to monitoring of emissions to land in this section.</i></p> <p><b>3.7 Process monitoring</b></p> <p><i>There are no specified conditions relating to process monitoring in this section.</i></p> <p><b>3.8 Ambient environmental quality monitoring</b></p> <p><i>There are no specified conditions relating to ambient environmental quality monitoring in this section.</i></p> <p><b>3.9 Meteorological monitoring</b></p> <p><i>There are no specified conditions relating to meteorological monitoring in this section.'</i></p>	
Monitoring of inputs and outputs	L2.1.1 L2.1.2	<p>Condition 3.6.1 has had an administrative change and has been renumbered condition 2.1.1 as a result of the amendment process. In addition, the parameter details have been amended as 'Special waste type 1' was erroneously listed within the parameter list and has been removed through this amendment process. The Licensee does not currently or historically receive or recycle special waste type 1.</p> <p>Condition 2.1.2 has been included within the Licence through this amendment process for the monitoring of recycled output of sand, drainage rock and road base. This is as a result of the premises receiving construction and demolition waste that may fit these</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004.</i></p>





<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Monitoring of inputs and outputs (cont.)</b>		specifications. The Delegated Officer considers the inclusion of this condition appropriate in the regulation and control of construction and demolition waste processed at the premises which may potentially contain asbestos or ACM. See the Risk Assessment within the 'Premises operation' section of this Decision Table.	<i>Landfill Waste Classification and Waste Definitions 1996 (as amended).</i>  DER Asbestos Guidelines.
<b>Improvements</b>	-	<p>The previous improvement conditions within section 4.1 have been removed from the licence. The requirements of the AMP and DER Asbestos Guidelines have been added as conditions to mitigate the risk of asbestos waste or ACM being accepted and handled within the construction and demolition waste received, and potentially discharged to the environment.</p> <p>The bins in which the waste is collected specify that no asbestos is to be placed in the bins, however there is still a risk that asbestos will form part of the waste received. The closest residential sensitive receptors are approximately 109 m west of the premises with other industrial sites adjacent to the premises boundaries to the north, south and east (separated by a road only).</p> <p>The Delegated Officer considers the inclusion of the additional conditions (as stated above) appropriate to ensuring adequate regulation of potential risk from asbestos waste or ACM at the premises.</p> <p>See the Risk Assessment within the 'Premises operation' section of this Decision Table.</p>	Application supporting documentation.



DECISION TABLE			
Works Approval / Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information	L3.1 L3.2 L3.3	<p>An administrative change has been undertaken to previous Section 5 to renumber it to Section 3.</p> <p>Previous condition 5.1.2 has been removed from the Licence. This condition is considered unenforceable as it is not clear, and is not a defence to offences under the Act for the Licensee or its agents to claim they were unaware of licence conditions:</p> <p><i>'5.1.2 The Licensee shall ensure that:</i></p> <p style="margin-left: 40px;"><i>(a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and</i></p> <p style="margin-left: 40px;"><i>(b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.'</i></p> <p>Condition 5.1.3 has had an administrative change and been updated to current wording of the same condition. The last two words of the condition have been changed from 'previous year' to 'annual period'. This condition is now numbered 3.2.1.</p> <p>Condition 5.1.4 has had an administrative change and has been renumbered 3.1.3.</p> <p>Previous condition 5.1.5 has been removed from the Licence as a result of this amendment process. The condition is considered a duplication of monitoring condition 2.1.1 and reporting condition 3.2.2 of the amended Licence.</p> <p><i>'5.1.5 The Licensee shall ensure that:</i></p> <p style="margin-left: 40px;"><i>(a) implement and maintain a system which ensures that a record is made of:</i></p> <p style="margin-left: 80px;"><i>(i) the waste types and quantities accepted at the Premises;</i></p> <p style="margin-left: 80px;"><i>(ii) the waste types and quantities removed from the Premises</i></p> <p style="margin-left: 40px;"><i>and</i></p>	General provisions of the <i>Environmental Protection Act 1986</i> .



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Information (cont.)</b>		<p>(iii) loads rejected from the Premises including the reason for rejection.</p> <p>Condition 5.2.1 has had an administrative change and has been renumbered 3.2.2, and with a change of wording from 'Director' to 'CEO' within the text of the condition.</p> <p>Table 5.2.1 and been has had an administrative change and been renumbered to 3.2.2. The table has been updated to reflect the additional reporting requirements as per the changes undertaken within the conditions of the Licence. The accurate recording and reporting of emissions and monitoring, as stated within the conditions of the Licence, are a requirement within the Annual Environmental Report submission to DER.</p> <p>Condition 5.3.1 has had an administrative change and has been renumbered 3.3.1, and with a change of wording from 'Director' to 'CEO' within the text of the condition.</p>	
<b>Schedule 1 and 2: Maps and notification form</b>	N/A	<p>Schedule 1: The map section has been updated with the inclusion of a new premises map.</p> <p>The Annual Audit Compliance Report template has been removed as a result of DER procedural changes. The requirements of the template are considered adequately captured within condition 3.1.2 of the amended Licence, which reflects the requirements of reporting non-compliances within the reporting period.</p> <p>The notification of a Licence limit breach template has been updated to new format and left within Schedule 2 and defined within condition 3.3.1 of the Licence through the Licence amendment process for use of the template.</p>	
<b>Attachments</b>	N/A	<p>The amended Licence includes Attachments 1-3 which are excerpts from DER Asbestos Guidelines, as relevant to the operation of the premises, and as mentioned within specified conditions within Section 1 of the amended Licence.</p>	DER Asbestos Guidelines



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Licence Duration</b>	N/A	<p>The Licence duration was extended by amendment undertaken on 29 April 2016 to 27 January 2029.</p> <p>No planning approval is required for the premises, as per consultation undertaken with the City of Busselton (see Section 5 of the Decision Document).</p> <p>A copy of the signed purchase agreement was received from Lirea Pty Ltd on 14 October 2016.</p> <p>No other statutory approvals have been identified as potentially limiting the proposed licence amendment process.</p> <p>There are no current issues or concerns that would require an amendment to the current Licence duration.</p>	<p>DER's <i>Guidance Statement: Licence Duration</i>.</p>



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
<p>8/09/2016 6/10/2016</p>	<p>Consultation with interested parties</p> <p>City of Busselton – email sent from Delegated Officer requesting confirmation of planning approval.</p>	<p>Response received from Senior Development Planner, Andrew Watts, via email on 29/09/2016, stating: “Please be advised that 18 Cook Street, Busselton is zoned ‘Industrial’ under Local Planning Scheme No.21. There is no record of any past planning approvals for the subject property, however if the use of the site has been considered to generally fit within the use of ‘Industry’ then this is a ‘P’ (permitted) use under the Scheme for the Industrial zone and as such would not require Development Approval.</p> <p>Further a search of the City’s records indicate that the previous application for approval an environmental licence was referred to the City of Busselton by DER and no concerns were raised by the City. Whilst there has been some history of general complaints and compliance issues in respect to this site there are no significant issues of concern in respect to the transfer of the licence from one party to another.”</p> <p>Further correspondence received from Development Planner, Andrew Watts, via email on 06/10/2016 stated: [The City of Busselton] “received a dust complaint in February 2015 and a noise complaint in March 2015. General letters advising the proprietors that a complaint had been received and advising of their legislative requirements were sent however there have been no further complaints and no further action has been necessary.</p> <p>The City considers that the current operations fit within the definition of industry under the Scheme and therefore is a permitted use which does not require Development Approval, should the</p>	<p>Details of the response documented within the Decision Document. No further action required.</p> <p>City of Busselton, Senior Development Planner, was requested to submit any additional information in relation to complaints received for the premises under Trendpark Holdings Pty Ltd period of ownership, for consideration within the Licence.</p> <p>Consideration of dust and noise regulation within the amended Licence will be undertaken through a risk assessment within the Decision Document, as per DER procedural requirements.</p>



Date	Event	Comments received/Notes	How comments were taken into consideration
		<p>operators wish to undertake any activities that would fall under the land uses of either 'Offensive or Hazardous Industry' or 'Salvage Yard' then Development Approval will be required to be issued by the City.</p> <p><i>"Offensive or Hazardous Industry" means an industry which, by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.</i></p> <p><i>"Salvage Yard" means any land or buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures, including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats."</i></p>	
20/10/2016	Proponent sent a copy of draft instrument	Signed waiver was received from Naomi Mclean on 31/10/2016. Nil changes requested.	N/A



## 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