



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Delta Corporation Limited

**Licence:** L7779/1978/6

**Registered office:** 1305 Hay Street  
WEST PERTH WA 6005

**ACN:** 009 225 567

**Premises address:** Delta Corporation Limited  
218 Campersic Road  
HERNE HILL WA 6056  
Being Lot 3 on Diagram 36851 as depicted in Schedule 1.

**Issue date:** Friday, 24 June 2011

**Commencement date:** Friday, 22 July 2011

**Expiry date:** Monday, 21 July 2031

**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	20,000 tonnes per annual period

**Conditions**

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

Date signed: 27 April 2015

.....  
Alan Kietzmann  
Manager – Licensing (Waste Industries)  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

### **Premises description and Licence summary**

Delta Corporation Ltd. is a wholly owned subsidiary of Schaffer Corporation Ltd., a public listed company based in Perth, Western Australia. Delta commenced operation as a family company in 1966 at its current location in Herne Hill, Western Australia, an outer eastern suburb of Perth.

The premises is located within the City of Swan within an area zoned Swan Valley Rural. Immediately east to the premises is an area zoned Rural Living. The closest sensitive receptors, being residences, are located approximately 150m south-west and 325m north-west of the crusher location. The proposal does not meet the recommended separation distance in the Environmental Protection Authority's Guidance Statement No. 3: *Separation Distances between Industrial and Sensitive Land Uses*, which is 1,000m.

The occupier holds registration R138/1978/1 for prescribed premises category 77, concrete batching or cement products manufacturing. These activities are undertaken at the premises and can produce up to 200 tonnes per day of concrete products.

The waste products generated during the concrete batching process are crushed at the premises under licence L7779/1978/6 for prescribed premises category 13, crushing of building material. The premises crushes approximately 20,000 tonnes per year of waste concrete produced on the premises. Given that the premises only crushes its own waste concrete, there is little to no risk of asbestos contamination.

The main waste product produced from this operation is offcuts of Deltacore floor and wall panel product. These are crushed and recycled into products made by the company. Crushed material unsuitable for recycling will be used in road construction. The process involves crushing of material in a Jaw Crusher, discharging onto conveyors and screens. Water and washed fines are pumped into a slurry sump and settling pond, from which water is extracted for use on the premises for dust suppression.

The main emissions from the site are noise and dust. The production of bridge beams requires an agitator to ensure the concrete sets properly. This agitator has the potential to emit unreasonable noise. Other works on site such as cranes, on site traffics and general works also have the potential for unreasonable noise emissions. A noise wall is constructed on the northern boundary between the site and the sensitive receptor. Noise complaints have been historically received by DER in regards to the premises operations. A new mould was installed at the premises which would assist in reducing noise from site operations. No noise complaints have been received since the new mould was installed.

Dust on site is controlled using a water cart as required, containing feed materials in 3 sided bins and covers on bins that high potential for prevailing winds to cause lift off.

This Licence is the result of an amendment sought by DER to include the requirement to provide monitoring data for inputs and outputs in the Annual Environmental Report. Additional changes have been implemented, as required, to be aligned with DER's current licence format. This amendment also includes an extension of the licence expiry date to 21/07/2031 in accordance with DER's Guidance Statement, *Licence Duration* (Revised May 2015).



The licences and works approvals issued for the Premises since 24/06/2011 are:

Instrument log		
Instrument	Issued	Description
L7779/1978/6	24/06/2011	Licence re-issue
L7779/1978/6	25/01/2013	Licence amendment to include improvement conditions related to the Asbestos Guidelines
L7779/1978/6	16/04/2015	Licence amendment to remove asbestos conditions and conversion into new licence format
L7779/1978/6	27/04/2016	Licence amendment to require submission of monitoring data and extension to licence expiry date

**Severance**

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

**END OF INTRODUCTION**



## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

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

**'annual period'** means the inclusive period from 1 January until 31 December that same 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;

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

**'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;

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

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

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

**'Licence'** means this Licence numbered L7779/1978/6 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 Premises operation**

- 1.2.1 The Licensee shall only accept waste on to the Premises if:
- (a) it is of a type listed in Table 1.2.1;
  - (b) the quantity accepted is below any quantity limit listed in Table 1.2.1; and
  - (c) it meets any specification listed in Table 1.2.1;

<b>Table 1.2.1: Waste acceptance</b>		
<b>Waste type</b>	<b>Quantity Limit</b>	<b>Specification<sup>1</sup></b>
Inert Waste Type 1	20,000 tpa	Limited to waste generated by Delta Corporation Limited concrete batching operations.  Waste containing visible asbestos or asbestos containing material shall not be accepted.

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

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

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

<b>Table 1.2.2: Waste processing</b>		
<b>Waste type</b>	<b>Process(es)</b>	<b>Process limits</b>
Inert Waste Type 1	Receipt, handling and storage of waste prior to treatment.	Waste shall only be stored within designated storage bays provided with dust control measures.
	Mechanical treatment consisting only of screening and crushing	Treated materials shall only be stored within designated storage bays provided with dust control measures.
	Storage of treated materials	

**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	Frequency
Waste Inputs	Inert Waste Type 1	m <sup>3</sup>	Each load arriving at Premises
Waste Outputs	Waste type as defined in the Landfill Definitions.	m <sup>3</sup>	Each load leaving or rejected from the Premises

### 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 <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
2.1.1	Monitoring data of inputs and outputs	None specified
3.1.2	Compliance	Annual Audit Compliance Report (AACR)
3.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2



### 3.3 Notification

3.3 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 limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day.  Part B: As soon as practicable	N1

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

Note 2: Forms are in Schedule 2





# Schedule 1: Maps

## Premises map

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





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

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### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



## SECTION B

### DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

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

a) Licence condition not complied with:	
b) Date(s) when the non-compliance occurred, if applicable:	
c) Was this non-compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non-compliance?:	
e) Summary of particulars of the non-compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non-compliance occurred (attach map or diagram):	
g) Cause of non-compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non-compliance:	
i) Action taken or that will be taken to prevent recurrence of the non-compliance:	

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

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



Licence: L7779/1978/6  
 Form: N1

Licensee: Delta Corporation Limited  
 Date of breach:

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

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

**Part A**

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

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



## Part B

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

Name	
Post	
Signature on behalf of Delta Corporation Limited	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** **Delta Corporation Limited**

**Licence:** **L7779/1978/6**

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**Registered office:** 1305 Hay Street  
WEST PERTH WA 6005

**ACN:** 009 225 567

**Premises address:** Delta Corporation Limited  
218 Campersic Road  
HERNE HILL WA 6056  
Being Lot 3 on Diagram 36851 as depicted in Schedule 1.

**Issue date:** Friday, 24 June 2011

**Commencement date:** Friday, 22 July 2011

**Expiry date:** Monday, 21 July 2031

### **Decision**

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

Decision Document prepared by:

Lauren Fox  
Licensing Officer

Decision Document authorised by:

Alan Kietzmann  
Delegated Officer



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### 1 Purpose of this Document

This decision document explains how DER delegated officer 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 <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>
	13	20,000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
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	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



### 3 Executive summary of proposal and assessment

Delta Corporation Ltd. is a wholly owned subsidiary of Schaffer Corporation Ltd., a public listed company based in Perth, Western Australia. Delta commenced operation as a family company in 1966 at its current location in Herne Hill, Western Australia, an outer eastern suburb of Perth.

The premises is located within the City of Swan within an area zoned Swan Valley Rural. Immediately east to the premises is an area zoned Rural Living. The closest sensitive receptors, being residences, are located approximately 150m south-west and 325m north-west of the crusher location. The proposal does not meet the recommended separation distance in the Environmental Protection Authority's Guidance Statement No. 3: *Separation Distances between Industrial and Sensitive Land Uses*, which is 1,000m.

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The main waste product produced from this operation is offcuts of Deltacore floor and wall panel product. These are crushed and recycled into products made by the company. Crushed material unsuitable for recycling will be used in road construction. The process involves crushing of material in a Jaw Crusher, discharging onto conveyors and screens. Water and washed fines are pumped into a slurry sump and settling pond, from which water is extracted for use on the premises for dust suppression.

The main emissions from the site are noise and dust. The production of bridge beams requires an agitator to ensure the concrete sets properly. This agitator has the potential to emit unreasonable noise. Other works on site such as cranes, on site traffics and general works also have the potential for unreasonable noise emissions. A noise wall is constructed on the northern boundary between the site and the sensitive receptor. Noise complaints have been historically received by DER in regards to the premises operations. A new mould was installed at the premises which would assist in reducing noise from site operations. No noise complaints have been received since the new mould was installed.

Dust on site is controlled using a water cart as required, wetting down concrete prior to crushing, water systems on crusher conveyor belts, containing feed materials in 3-sided bins and maintaining covers on bins.

This amendment has been initiated to DER, following a review of the licence, to include the requirement to submit as part of the Annual Environmental Report, the input and output monitoring data required under the licence.

This Licence is the result of an amendment sought by DER to include the requirement to provide monitoring data for inputs and outputs in the Annual Environmental Report. Additional changes have been implemented, as required, to be aligned with DER's current licence format. These changes are documented in the table below. This amendment also includes an extension of the licence expiry date to 21/07/2031 in accordance with DER's Guidance Statement, *Licence Duration* (Revised May 2015).



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L = Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Interpretation</b>	N/A	<p>The definition of 'CEO' has been updated in the interpretation section to reflect the correct contact details.</p> <p>The following definitions have been removed from this section as the conditions which they related to have been removed under this amendment and therefore, these definitions are no longer applicable:</p> <ul style="list-style-type: none"> <li>• 'code of practice for the storage and handling of dangerous goods';</li> <li>• 'dangerous goods';</li> <li>• 'environmentally hazardous material'; and</li> <li>• 'fugitive emissions'.</li> </ul> <p>The definition of 'usual working day' has been included into this section as this reference is used within the licence conditions and required defining.</p>	N/A
<b>General conditions</b>	N/A	<p>Condition 1.2.1 of the previous licence, which specified that the Licence did not authorise pollution and unreasonable emissions, has been removed as the condition is not valid or enforceable and is addressed under the general provisions of the <i>Environmental Protection Act 1986</i>.</p> <p>Condition 1.2.2, related to pollution control and monitoring equipment, has been removed from this licence as it is unclear as to which monitoring or pollution control equipment it relates to and as the site has no specific pollution control or monitoring equipment, this condition is not applicable to the site.</p> <p>The previous licence included conditions 1.2.3 and 1.2.4 which related to specified</p>	<p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p>
<b>General</b>			



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>conditions continued</b>		storage and clean-up requirements for environmentally hazardous materials. These conditions have been removed from the licence as they are unclear and not enforceable. It is the Licensee's responsibility that environmentally hazardous materials are stored appropriately in a manner which prevents discharge to the environment. Any discharges to the environment may be subject to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	
<b>Premises operation</b>	L1.2.1 – L1.2.3	With the removal of the 'General conditions' section, this section has been renumbered to 1.2. There have been no other changes to this section.	
<b>Emissions general</b>	N/A	As there are no longer any conditions within the 'Emissions' section of the licence, condition 2.1.1 of the previous licence, which required any investigation into any exceedance in the 'Emissions' section, has been removed.  The whole 'Emissions' section has been removed from the licence as there are no specific emission conditions on the licence.	N/A
<b>Fugitive emissions</b>	N/A	<u>Emission Description</u> <i>Emission:</i> Dust emissions from stockpiling and general handling of waste, waste loading/unloading, dust emissions from crushing and screening activities <i>Impact:</i> Reduced local air quality. Nuisance impacts to sensitive receptors (residents) located adjacent to the Premises. Respiratory impacts to human health. <i>Controls:</i> The following controls are used by the Licensee: <ul style="list-style-type: none"> <li>• Concrete is wet down prior to being crushed;</li> <li>• The crusher conveyor belts have been fitted with water sprays to suppress dust during the crushing process;</li> <li>• A water cart is used around the Premises as required;</li> <li>• Feed material is contained in a 3-sided bins with cover;</li> <li>• Only waste concrete generated onsite is crushed which eliminates the risk of asbestos fibres being released during crushing.</li> </ul>	<i>Environmental Protection Act 1986</i>
<b>Fugitive</b>		<u>Risk Assessment</u>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
emissions continued		<p><i>Consequence:</i> Moderate (with dust suppression) <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> It is possible that dust emissions will impact on residents to a moderate degree given the Premises' close proximity to sensitive receptors. The overall moderate risk rating without regulatory controls has been deemed acceptable for this Premises.</p> <p>The licence previously included conditions 2.6.1 and 2.6.2 requiring measures to be implemented to reduce dust emissions and prevent visible dust emissions from crossing the premises boundary. It has been assessed that dust emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> (EP Act) therefore these conditions have been removed from the licence.</p> <p>If dust emissions start to impact on the adjacent receptors, regulatory controls to manage dust emissions can be considered.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p>	
Monitoring general		<p>The previous licence included conditions 3.1.1 and 3.1.2 which required all monitoring equipment to be calibrated in accordance with the manufacturer's specifications, and where calibration could not be met, notify the CEO as required. These conditions did not clearly state the outcome that must be achieved and are therefore unenforceable. There is also no monitoring equipment present on the site. As a result, these conditions have been removed from the licence.</p>	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Monitoring of inputs and outputs</b>	2.1.1	This section has been renumbered to 2.1 to reflect the removal of sections that did not contain any conditions. There have been no other changes.	N/A
<b>Improvements</b>	N/A	As there are no improvement conditions on this licence, this section has been removed.	N/A
<b>Information</b>	L3.1.1 – L3.1.3, L3.2.1 and L3.3.1	<p>Condition 5.1.2 of the previous licence has been removed. This condition required any person who was left in charge of the Premises, to be aware of the licence conditions. This condition is not clear or enforceable as knowledge of licence conditions does not prevent breaches from occurring, and it is not a defence to offences under the <i>Environmental Protection Act 1986</i> if the Licensee or its agents claim they are unaware of the conditions.</p> <p>As the 'Emissions' and 'Improvement' sections of the licence have been removed, the 'Information' section has been re-numbered as 3.1.</p> <p>Table 3.2.1 (formerly table 5.2.1) has been amended to include the requirement for the monitoring data of inputs and outputs, as required by licence condition 3.1.1, to be provided with the annual environmental report. This data will be used to monitor compliance with condition 1.2.1 which relates to the volumes of waste that have been assessed and authorised by the CEO's Delegated Officer. .</p> <p>Table 3.3.1 of condition 3.3.1 (formerly condition and table 5.3.1) has been updated to remove the requirement to report on any incidents that have caused, or are likely to have caused pollution or an unreasonable emission. This requirement is already specified under section 72 of the <i>Environmental Protection Act 1986</i>. This table has also been amended to remove the notification required for the submission of a calibration report as the condition this related to, condition 3.1.2, has been removed. This table now only requires notification if any limit of the licence (i.e. waste acceptance limits) is breached.</p>	



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Licence Duration</b>	N/A	Planning approval has no specific expiry date. The licence duration has been extended to 21/07/2031 in accordance with DER's Guidance Statement, <i>Licence duration</i> (Revised May 2015); section 59(1)(k) under the EP Act allows the CEO to extend the duration of the licence.	DER's Guidance Statement, <i>Licence duration</i> (Revised May 2015)



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
6/04/2016	Proponent sent a copy of draft instrument	No comments received	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