



Licence Number	L9028/2017/1
Licence Holder	GMF Contractors Pty Ltd
Licence Holder ACN	061 809 318
Registered business address	813 Wellington Street WEST PERTH WA 6005
Address for notifications	306 Victoria Road MALAGA WA 6090
File Number	DER2016/002211
Duration	12 October 2018 to 11 October 2038
Prescribed Premises	Category 13 – Crushing of building material Category 62 – Solid waste depot
Premises	Part Lot 508 Pederick Road NEERABUP WA 6031

This Licence is granted to the Licence Holder, subject to the following conditions, on 12 October 2018 by:

Steve Checker

Manager Waste Industries

an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)

Explanatory notes

These explanatory notes do not form part of this Licence.

Defined terms

Definition of terms used in this Licence can be found at the end of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Environment Regulation

The Department of Water and Environmental Regulation (DWER) is established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the *Environmental Protection Act 1986 (WA)* (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

Licence

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987 (WA)* (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007*;
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

Responsibilities of a Licence Holder

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- 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 (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)*.
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA)*.

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been Conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

Amendment of licence

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made.

Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

Duration of Licence

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

Fees

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

Definitions and interpretation

Definitions

In this Licence, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
Books	has the same meaning given to that term under the EP Act.
ACM	means asbestos containing material
ACN	Australian Company Number
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info-der@dwer.wa.gov.au
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Amendment Notice	means an amendment granted under s.59 of the EP Act in accordance with the procedure set out in s.59B of the EP Act.
Annual Period	means a 12 month period from 1 September of the previous year to 31 August of that year
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Department	means the department established under s.35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: (a) compliance with the EP Act or this Licence; (b) the Books or other sources of information maintained in accordance with this Licence; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the <i>Environmental Protection Act 1986 (WA)</i> .
EP Regulations	means the <i>Environmental Protection Regulations 1987 (WA)</i> .
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.

Licence Holder	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.
Material Environmental Harm	has the same meaning given to that term under the EP Act.
Pollution	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the map in Schedule 1 to this Licence.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.

Interpretation

In this Licence:

- (a) the words ‘including’, ‘includes’ and ‘include’ will be read as if followed by the words ‘without limitation’;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a Condition, each row in a table constitutes a separate Condition;
- (d) any reference to an Australian or other standard, guideline or code of practice in this Licence means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence; and
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Premises Operation

1. The Licence Holder shall only accept waste on to the Premises if:
 - (a) it is of a type listed in Table 2;
 - (b) the quantity accepted is at or below any quantity limit listed in Table 2; and
 - (c) it meets any specification listed in Table 2.

Table 2: Waste Acceptance Table

Waste type	Quantity Limit	Specification
Inert Waste Type 1	100 000 tonnes per year	<ul style="list-style-type: none">• Residential, Construction and Demolition, Commercial and Industrial waste only.• Waste containing visible asbestos or ACM shall not be accepted

2. The Licence Holder is only permitted to undertake crushing and screening activities between the hours of 07:00 to 19:00 Monday to Saturday, excluding Public Holidays.
3. The Licence Holder is to install signage limiting vehicle speeds within the Premises to 20 kilometres per hour or less.
4. Stockpiles of crushed product are to be limited to:
 - (a) 30m in diameter; and
 - (b) 5m in height.
5. The Licence Holder is to ensure a sprinkler system is routinely operated on each stockpile with sufficient throw to cover the diameter of each stockpile and sufficient volume to maintain stockpiles in a damp state at all times sufficient to prevent visible dust lift off.
6. Where the sprinkler system is ineffective or likely to be ineffective at preventing visible dust lift off exiting the Premises boundary, 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.

Management of Asbestos and ACM

7. The Licence Holder is to maintain signage advising 'No Asbestos' is accepted.
8. The Licence Holder is to ensure a sprinkler system is routinely operated on each load to ensure all loads are wetted prior to unloading, and maintained in a wet state throughout the inspection process.
9. The Licensee must maintain all loads of Inert Waste Type 1 material on the Premises in at least three separate stockpiles areas for:
 - (a) unprocessed material;
 - (b) processed material awaiting testing for ACM; and
 - (c) processed material tested for ACM.

10. The licensee must ensure adequate separation of the three separate stockpiles whereby:
 - (a) unprocessed materials and processed materials must be clearly separated at a minimum 3m distance;
 - (b) processed material tested for ACM and processed material awaiting testing for ACM must be clearly separated by a minimum 3m distance or clearly delineated and separated with impermeable barriers; and
 - (c) clearly visible and legible signage must be erected at or on individual stockpiles to clearly identify and delineate unprocessed material, untested processed material and tested processed material.
11. The Licence Holder is to visually inspect all loads of Inert Waste Type 1 material when they arrive at the Premises prior to unloading and during unloading to determine the risk of a load containing asbestos or ACM.
12. Where the inspection confirms asbestos or ACM, the Licence Holder must reject the waste material.
13. The Licence Holder is to maintain accurate records of all rejected loads including:
 - (a) the material source;
 - (b) the material carrier;
 - (c) registration number of the vehicle; and
 - (d) date of rejection.
14. The Licence Holder is to manage classified loads identified as “high risk” in accordance with the high risk procedure as outlined in section 3.4 of the DWER Asbestos Guidelines (Attachment 1).
15. The Licence Holder is to maintain accurate records of all accepted load inspections and of any accepted loads which have been determined as “high risk” Classified Loads.
16. The Licence Holder shall continue to visually inspect material on the Premises at all stages of the storage, sorting and crushing process for all loads of Inert Waste Type 1.
17. Finished products used in the construction of infrastructure on the Premises or supplied for re-use are only used or supplied to customers from stockpiles that have been sampled and tested in accordance with section 4.3 of the DWER Asbestos Guidelines (Attachment 2) and shown to conform to the product specification of 0.001% asbestos weight for weight (w/w) for asbestos content (in any form) within any recycled products.
18. The Licence Holder is to ensure all loads found to contain, or suspected of containing, ACM are isolated, kept damp, and appropriately contained.
19. All loads found to contain suspected ACM are to be disposed of by an appropriately licensed waste transporter and to an appropriately licensed landfill premises.
20. The Licence Holder shall retain all asbestos testing records.

Infrastructure and equipment

21. The Licence Holder shall ensure that the infrastructure or equipment specified in Column 1 of Table 3 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 3.

Table 3: Infrastructure/Equipment Requirements

Premises infrastructure and equipment	Operational requirements
Terex Finlay J-1175 Jaw Crusher	<ul style="list-style-type: none"> Maintain the pipes and spray bars of the main conveyor; Maintain the pump, or maintain the connection to mains water supply, to provide water to the main conveyor; Maintain the additional dust cover on the discharge conveyor; and In accordance with the Manufacturer's servicing instructions.
McCloskey R155 heavy duty mobile screener	<ul style="list-style-type: none"> In accordance with the Manufacturer's servicing instructions.
Noise management	<ul style="list-style-type: none"> Maintain the sea container wall on the northern boundary of the Premises (as depicted in Schedule 1 Maps: Premises Map) to a length of 74m and a height of 2.4m during all crushing and screening activities.
Stormwater drainage infrastructure	<ul style="list-style-type: none"> Maintain contouring of the Premises so that the ground slopes towards the swales and/or the stormwater drainage basin; and Maintain the swales and stormwater drainage basin as per the locations and specifications shown in Schedule 1: Map of Stormwater Infrastructure.
Dust and asbestos fibre management	<ul style="list-style-type: none"> Maintain the ring road with asphalt; Maintain a 6m setback for any stockpiling, materials storage or handling activities from the southern boundary; and Maintain a sprinkler system on each stockpile.

Monitoring

22. The Licence Holder shall undertake the monitoring in Table 4 according to the specifications in that table.

Table 4: Monitoring of inputs and outputs

Input/Output	Parameter	Units	Averaging Period	Frequency
Waste inputs	Inert Waste Type 1	tonnes	Monthly	Each load arriving at the Premises
Waste outputs				Each load leaving or rejected from the Premises

- 23.** The Licence Holder must engage the services of a person competent in Environmental Noise Assessment whose qualifications and experience qualifies them for a membership of the Australian Acoustical Society of the Australian Association of Acoustical Consultants (consultant) to
- (a) investigate and report on the extent and nature of noise emissions generated from all operations under worst case conditions being received at the southern boundary of the Premises;
 - (b) compare the noise emissions required by part (a) of this condition to the prescribed noise emission standard in the *Environmental Protection (Noise) Regulations 1997* to determine if the noise emissions meet or exceed the standards;
 - (c) where noise emissions exceed the noise emissions standard, identify where improvements can be made in order to abate the noise emission to meet the standard and prepare an improvement plan; and
 - (d) implement the improvement plan where required by part (c) of this condition; and
 - (e) monitor and report on the effectiveness of the improvement plan.
- 24.** The Licence Holder must submit to the CEO by 31 January 2019 a copy of the report prepared by the Consultant setting out the Consultant's activities and demonstrating compliance with Condition 23.

Record-keeping

- 25.** The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- (a) the calculation of fees payable in respect of this Licence;
 - (b) the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 21 of this Licence;
 - (c) monitoring undertaken in accordance with Conditions 17 and 22 of this Licence; and
 - (d) complaints received under Condition 26 of this Licence;
- In addition, the Books must:
- (e) be legible;
 - (f) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - (g) be retained for at least 3 years from the date the Books were made; and
 - (h) be available to be produced to an Inspector or the CEO.
- 26.** The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises, and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:
- (a) an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;
 - (b) the name and contact details of the complainant, if provided by the complainant;
 - (c) the date of the complaint; and

- (d) the details and dates of the actions taken by the Licence Holder in response to the complaints.
- 27.** The Licence Holder must submit to the CEO, no later than 30 November annually, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.
- 28.** The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

Schedule 1: Maps

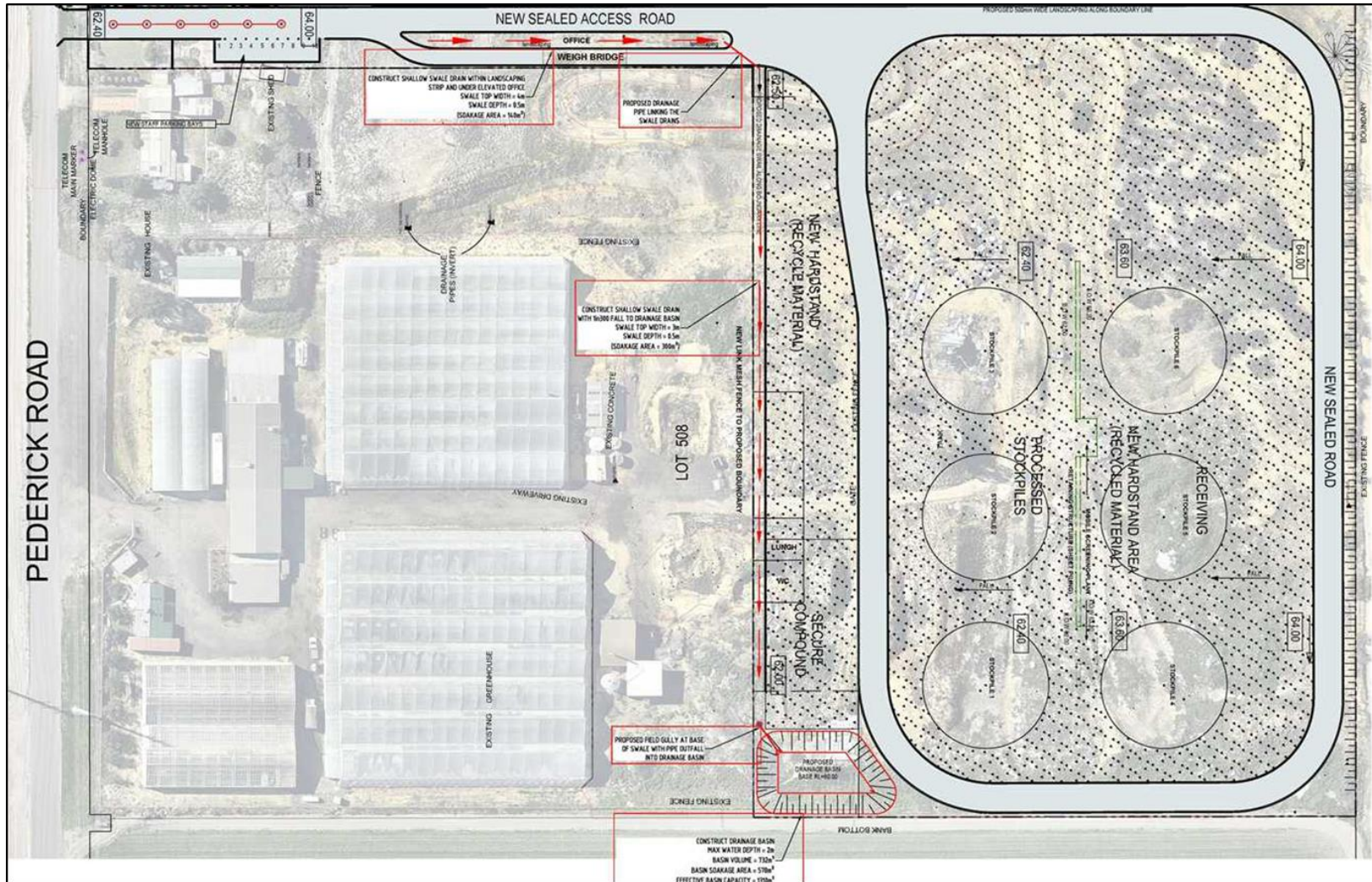
Premises Map

The Premises is shown in the map below. The red line depicts the boundary to the Premises. The yellow rectangle depicts the location of the sea container wall for noise abatement purposes.



Stormwater Infrastructure Map

Stormwater infrastructure is shown in the map below



Schedule 2: General Description

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 5:

Table 5: Primary Activities

Primary Activities	Premises Production or Design Capacity
Category 13 – Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned.	100 000 tonnes per year
Category 62 – Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or reuse.	100 000 tonnes per year

Attachment 1: Section 3.4 of DWER Asbestos Guidelines

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 2: Section 4.3 of DWER Asbestos Guidelines

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 1000m³ of product.

Conveyor sampling

Sampling of road base and screened sand products must occur at a minimum rate of 1 sample per 70m³ of a product output. Suspect asbestos material or areas must be targeted for sampling.