



Licence Number	L9201/2019/1
Licence Holder	Hastie Waste Pty Ltd
ACN	114 505 485
Registered business address	23 Ramsay Tce DONNYBROOK WA 6239
File Number	DER2017/002090-1
Duration	7 June 2019 to 6 June 2039
Date of issue	7 June 2019
Prescribed Premises	Category 62
Premises	Hastie Waste Pty Ltd 22 Pedretti Road PICTON EAST, WA 6229 Lot 509 on Plan 59719

This Licence is granted to the Licence Holder, subject to the following conditions by:

STEVE CHECKER
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES

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 start of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Water and Environmental 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.

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
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 commencing from 1 June until 31 May the following year.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Books	has the same meaning given to that term under the EP Act.
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 10 Joondalup DC WA 6919 info@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).
Department	means the department established under section 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: <ul style="list-style-type: none">(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.

Term	Definition
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation.
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.
Reportable Event	means an exceedance above the target limit specified in Column 4 of Table 6, in Schedule 3.
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.

Term	Definition
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

Emissions

1. The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for specified Emissions and general Emissions described in Column 1 of Table 2 subject to the exclusions, limitations or requirements specified in Column 2 of Table 2.

Table 2: Authorised Emissions table

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
Specified Emissions	
Dust Emissions	Subject to compliance with Conditions 2, 3, 5, 6, 7 8, 9 and 10
General Emissions (excluding Specified Emissions)	
Emissions which: <ul style="list-style-type: none"> • arise from the Primary Activities set out in Schedule 2; or • arise from a Material Change (except where Condition Error! Reference source not found. applies). 	Emissions excluded from General Emissions are: <ul style="list-style-type: none"> • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with a prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject of offences under regulations

Column 1	Column 2
Emission type	Exclusions/Limitations/Requirements
	prescribed under the EP Act, including materials discharged under the Environmental Protection (Unauthorised Discharges) Regulations 2004.

Throughput and waste restrictions

2. The Licence Holder is restricted to the operation of Categories specified in Column 1 of Table 3 and limited to the approved design production or capacity as specified in Column 2 of Table 3.

Table 3: Category and approved throughput capacity

Column 1	Column 2
Category	Approved Premises production or design capacity
<p>62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.</p> <ul style="list-style-type: none"> Inert waste – type 1: Inert waste – type 2: Putrescible 	30,000 tonnes per annual period

Infrastructure and equipment

3. The Licence Holder must ensure that the infrastructure and 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 4: Infrastructure and equipment controls table

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
<ul style="list-style-type: none"> Storage bunker (10m x 39.6m reinforced concrete floor x 3.0m high concrete tilt walls); compacted aggregated pavement within Waste Depot yard (outside Storage Bunker and buildings); 	<ul style="list-style-type: none"> waste material accepted at the facility will be unloaded and bulk sorted on a concrete Storage Bunker using an excavator with a sorting grab; Scrap metals will be collected by a metal recycler when sufficient quantity has been stockpiled; Minor quantities of other waste will be separated and temporarily stored in designated bin storage areas and removed from the Premises for recycling

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
	or disposal at an appropriate facility.
<ul style="list-style-type: none"> Water spray system 	<ul style="list-style-type: none"> All roadways and waste stockpiles must remain in a Damp state at all operating times to prevent dust lift off. Targeted wetting must occur when material handling such as reclaiming from the stockpiles has the potential to generate fugitive dust.

Dust management

4. The Licence Holder must ensure that:
 - (a) all waste stockpiles; and
 - (b) all unsealed access roads
 are maintained in a damp state at all times during operation.
5. The Licence Holder must ensure that all Products to be removed from the Premises are wetted down prior to loading.
6. All vehicles must operate at speeds of less than 8km/h throughout the Premises.

Asbestos management

7. If Asbestos and/or ACM is identified during screening operations, the material is to be isolated, contained and disposed of to an appropriately licensed facility in a manner that prevents the emission of asbestos fibres.
8. The Licence Holder must maintain a clearly visible sign specifying “no **Asbestos**” at the entry to the Premises.

Stockpile management

9. The Licence Holder must ensure that the height of any stockpile does not to exceed the height of the storage bunker walls at all times.
10. Stockpiling of materials must only occur in the Stockpile Area as depicted in the Site Plan set out in Schedule 1.

Fire controls

11. The Licence Holder must actively manage the risk of fire and fire hazards at the Premises. Minimum management controls include:
 - (a) maintaining an emergency response plan with respect to fire, in accordance with AS 3745;
 - (b) minimising the size of stockpiles of waste materials that could cause a fire hazard, e.g. cardboard, paper and plastics;
 - (c) maintaining at least one 30 m long, 20 mm fire hose reel and one powder ABE fire extinguisher onsite in good working order; and

- (d) maintaining a mobile fire-fighting unit of at least 600-litre capacity onsite in good working order and able to be engaged immediately at any time.

Noise management

- 12.** The Premises must only operate between the hours of 07:00 to 19:00 Monday to Saturday, not including public holidays.

Record-keeping

- 13.** 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 3 of this Licence; and
 - (c) complaints received under Condition 14 of this Licence.

In addition, the Books must:

- (d) be legible;
 - (e) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - (f) be retained for at least 3 years from the date the Books were made; and
 - (g) be available to be produced to an Inspector or the CEO.
- 14.** 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.
 - 15.** The Licence Holder must submit to the CEO, no later than 1 July, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.
 - 16.** 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 are shown in the map below. Premises boundary

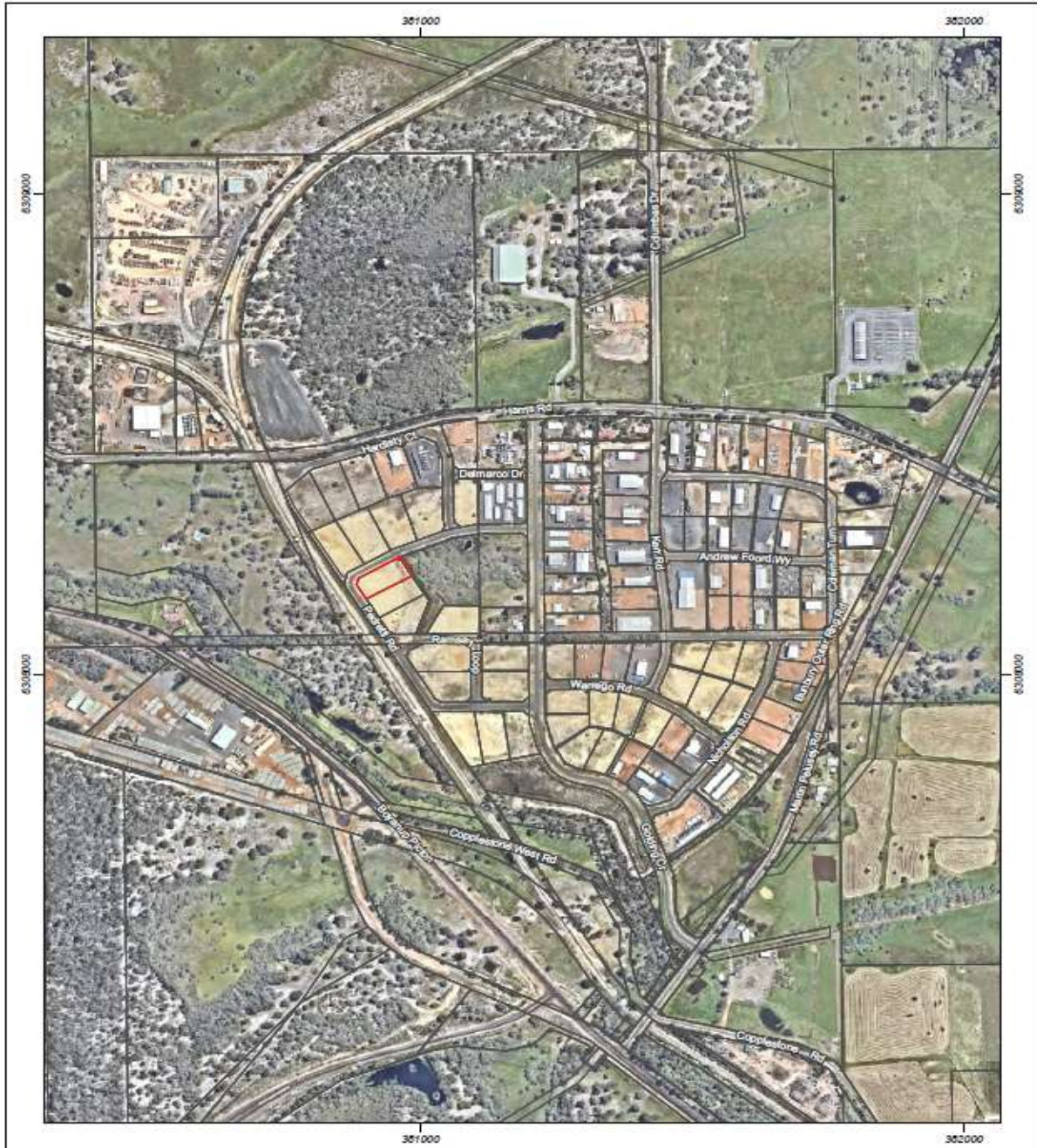


Figure 2: Prescribed premises boundary of Picton East Waste Depot

Scale 1:10,000 at A4
0 100 200 300 m
Coordinate System: GDA 1994 MGA Zone 50
Note that positional errors may occur in some areas
Date: 5/1/2017
Author: J Crute
Source: Nearmap; Aerial Imagery 2017.

Legend
[Red Outline] Lot 22 Pedretti Road, Picton East
[Black Outline] Cadastre



Schedule 2: Primary Activities

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 Activity	Premises production or design capacity
Category 62 – Solid waste depot: premises on which waste is stored or sorted, pending final disposal or re-use	<i>30,000 tonnes per year</i>

Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 3.

Attachment 1

Site layout

The Primary Activity infrastructure and equipment is set out on the Premises in accordance with the site layout specified on the Premises map in Schedule 1.

