



Application for Licence

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L9305/2021/1
Applicant	Farfield Holdings Pty Ltd
ACN	104 086 320
File number	DER2021/000548
Premises	Capital Recycling 119 McLaughlan Road POSTANS WA 6167 Legal description - Lot 2129 on Deposited Plan 173137 Certificate of Title Volume LR3121 Folio 701 As defined by the coordinates in Schedule 1
Date of report	21/12/2021
Proposed Decision	Intent to grant licence

MANAGER WASTE INDUSTRIES REGULATORY SERVICES

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

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the Premises. As a result of this assessment, licence L9305/2021/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of premises

On 13 September 2021, Farfield Holdings Pty Ltd (Applicant) trading as Capital Recycling applied for a licence to operate a Construction and Demolition Waste (C&D waste) recycling facility (Application) at 119 McLaughlan Road, being part of Lot 2129 on Plan 173137, Postans (premises).

The premises relates to Category 13 and 62 and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L9305/2021/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9305/2021/1.

2.2.1 Background

The Applicant has previously held a Category 13 and Category 62 licence for the receipt, storage, crushing and screening of up and including 200,000 tonnes per annual year of C&D waste (reference: L8962/2016/2). Licence L8962 ceased to have effect on 25 June 2021 as the Applicant did not seek to renew the licence (admin failure on their end).

The new application seeks to replace the previous licence to operate a facility that accepts up to 200,000 tonnes per year of Inert Waste Type 1, primarily C&D Waste for crushing and screening to produce a range of products including crushed concrete road-base, track and drainage material and sand fill to be sold to third parties for reuse.

The premises is located within the City of Kwinana in an area zoned under the Metropolitan Region Scheme for public purposes. The Applicant leases part of Lot 2129 on Lot 173137 from Water Corporation and sub-leases parts of its lease to Appala Holdings Pty Ltd and Craneswest (WA) Pty Ltd. Appala Holdings Pty Ltd and Craneswest (WA) Pty Ltd are located immediately adjacently to the premises on the eastern and western sides and hold separate licences for the operation of Category 61A Solid Waste Facilities (reference: L8966/2016/1 and L8996/2016/1 respectively).

Table 1 lists the prescribed premises categories that have been applied for.

Table 1: Prescribed Premises Categories

Classification of Premises	Description	Approved production or throughput	Premises capacity or
Category 13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned.	200,000 tonnes per annual year	

Classification of Premises	Description	Approved production throughput	Premises capacity or
Category 62	Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.		

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 2 below. Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Dust	<ul style="list-style-type: none"> • Movement of construction and demolition waste material on to and within the premises. • Crushing and screening of material. • Lift-off from waste and final product stockpiles. • Vehicle movements. 	Air/windborne pathway causing health and amenity impacts to human and ecological receptors.	<ul style="list-style-type: none"> • Automated water gantry for dampening material prior to unloading. • On site access to groundwater for dust suppression through a fast fill standpipe, storage tank and bore. • Haulage vehicles to cover loads when transporting material to site. • Processing and Maintenance Manager to proactively monitor that dust does not cross the premises boundary. • Loads to be tipped as moderately as possible, minimising dust generation. • Material being processed is dampened via mobile sprinkler system prior to processing. • Fixed water sprays are fitted to crushing plant.
Asbestos	<ul style="list-style-type: none"> • Crushing and screening of demolition material contaminated with asbestos containing materials and/or 	Air/windborne pathway causing health and amenity impacts to human receptors.	<ul style="list-style-type: none"> • Dust controls as listed above. • Signage located at the entrance to the facility outlines that asbestos will not be accepted at the facility. • Visual inspection of material for the presence of asbestos containing material.

Emission	Sources	Potential pathways	Proposed controls
	asbestos fibres. <ul style="list-style-type: none"> Lift-off from demolition waste and final product stockpiles contaminated with asbestos containing materials and/or asbestos. 		<ul style="list-style-type: none"> Loads suspected or confirmed to contain asbestos will not be accepted onto the Premises. Identified or suspected asbestos that is identified on site is sorted and placed into enclosed waste receptacles for disposal to an appropriately licensed waste facility for disposal. Sampling and testing of final product for asbestos content. Asbestos Management Plan created in accordance with the guideline titled: <i>Managing asbestos at construction and demolition waste recycling facilities, Perth, Western Australia</i> (Department of Water and Environmental Regulation (DWER), 2021). (DWER Asbestos Guidelines).
Noise	<ul style="list-style-type: none"> Crushing and screening operation. Unloading and loading of material. Vehicle movements. 	Air/windborne pathway causing health and amenity impacts to human receptors.	<ul style="list-style-type: none"> Receipt of waste material and operation of crusher and screener between 'daytime' hours as per the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations). Plant and equipment to be regularly maintained. "Croakers" fitted to mobile plant including loaders. Presence of a noise bund on the southern (5 m) and western (2.5 m) edge of the Premises. Use of a C&D waste material stockpile on the north edge of the Premises as a noise bund. Speed limit of <15 km/hr be implemented on internal roads.
Contaminated stormwater	Stormwater run-off containing sediment from waste and product stockpiles.	Overland run-off increasing sediment load within surface water of the Cockburn Sound catchment.	<ul style="list-style-type: none"> Hardstand infrastructure present across 85% of the facility and all material is stockpiled on the hardstand area. Network of HDPE lined spoon drains across the site, draining stormwater to a 110 kL HDPE lined stormwater sump. Wheel wash infrastructure fitted with silt traps.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises – Orelia Residential area	810 m south of the premises boundary
Industrial Receptors ¹ – Adjacent industrial premises	135 m north and 125 m west of the premises boundary.
Environmental receptors	Distance from prescribed activity
Wetlands – The Spectacles Wetlands: Important Wetland and Geomorphic Wetlands	450 m east and potentially hydraulically downgradient of the premises during periods of high groundwater level.
Bush Forever Site – Bush Forever Site 269, associated with The Spectacles Wetlands	40 m east of the premises boundary
Regional Park - Beeliar Regional Park	
Peel Harvey Environmental Protection Policy	Within the Peel Harvey Environmental Protection Policy area.
State Environment Policy Cockburn Sound Policy Boundary 2005	Within the State Environment Policy Cockburn Sound Policy Boundary 2005.
Threatened Ecological Community – Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region (BC Act Priority 3) / Banksia Woodlands of the Swan Coastal Plain (EPBC Act Endangered)	Remnant vegetation immediately surrounding the premises.
Threatened and Priority Fauna - Potential presence of <i>Isodon fusciventer</i> (Priority 4), <i>Oxyura australis</i> (Priority 4), <i>Calyptorhynchus latirostris</i> (Endangered), <i>Lerista lineata</i> (Priority 3) and various migratory bird species determined through survey and observational records within Bush Forever site 269 and associated with the Spectacles wetland.	60 m east of the premises boundary
Groundwater - Regional groundwater flow is described generally as west to north-westerly. Groundwater salinity is in the marginal range of 500-1000 mg/L TDS. The area is serviced by the reticulated water network, with beneficial use of groundwater being for non-potable purposes.	Depth to groundwater across the premises ranges from approximately 9-14.5 mBGL, with shallower depths experienced on the eastern boundary of the premises.

Note 1: The industrial sites immediately adjacent to the east and west of the premises are not considered receptors in the context of this assessment due to their operational association with the Applicant's premises.



Figure 1: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

Licence L9305/2021/1 that accompanies this decision report authorises emissions associated with the operation of the premises a C&D recycling facility.

The conditions in the issued licence, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
<p>Movement of construction and demolition waste material on to and within the premise.</p> <p>Crushing and screening of material.</p> <p>Lift-off from waste and final product stockpiles.</p> <p>Vehicle movements.</p>	Dust	Air/windborne pathway causing health and amenity impacts to human and ecological receptors.	<p>Human:</p> <ul style="list-style-type: none"> Residential area located approximately 810 m to the south Adjacent industrial premises Recreational uses of The Spectacles Wetlands <p>Ecological:</p> <ul style="list-style-type: none"> Flora and fauna associated with Bush Forever Site 269 / The Spectacles Wetlands footprint approximately 40 m to the east of the site (190 m east of operational screening area). 	Refer to Section 8	<p>Medium Risk</p> <p>C = Minor – low level impact to amenity</p> <p>L = <u>Unlikely</u></p>	Y	<p>Conditions 1, 8, 18, 19, 20 (a, c)</p> <p><u>Condition 16, 17, 20 (b), 21, 22</u></p>	<p>Additional control measures have been added to the licence to limit product and waste stockpile heights, limit traffic speed on site and wetting of product and waste stockpiles, unsealed roads and products prior to loading for removal off site.</p> <p>These controls are considered necessary to limit dust generation on site and potential impacts to Bush Forever Site 269 / Spectacles Wetlands. These controls align with the controls of the previous licence (L8962/2016/2).</p> <p>As part of the previous licence, a dust assessment (including the use of dust monitoring equipment – to monitor for PM₁₀ and asbestos fibres) was conducted to verify the adequacy of dust management controls at the premises. Several limitations are noted in relation to the assessment, including the absence of baseline data to compare operational dust levels with pre-operational levels. The Delegated Officer also notes that there are multiple fugitive sources of dust in the area that could contribute to cumulative impacts at receptors.</p> <p>Notwithstanding the limitations outlined above, the existing dust management controls are consistent with commonly used controls at similar facilities. The Delegated officer also notes that no dust complaints have been received by DWER in relation to this facility. Should complaints occur then the need for dust monitoring and related controls will be reviewed.</p>

Risk events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Crushing and screening of demolition material contaminated with asbestos containing materials and/or asbestos fibres. Lift-off from demolition waste and final product stockpiles contaminated with asbestos containing materials and/or asbestos.	Asbestos fibres	Air/windborne pathway causing health and amenity impacts to human receptors.	Human: <ul style="list-style-type: none"> Residential area located approximately 810 m to the south Adjacent industrial premises Recreational uses of The Spectacles Wetlands 	Refer to Section 8	High Risk C = Severe – ongoing medical treatment or loss of life L = Unlikely		Conditions 2, 3, 4, 6, 8, 9, 11, 12, 18, 27, 28 <u>Condition 5, 10, 13, 15, 29, 30, 37</u>	Additional conditions (5, 10, 13, 29 and 30) have been added to the licence in accordance with the DWER Asbestos Guidelines. Condition 15 has been added to ensure adequate separation of stockpiles and lower the risk of cross contamination between unprocessed, processed and tested stockpiles. Condition 37 has been added to outline the reporting requirements relating to condition 29.
Crushing and screening operation. Unloading and loading of material. Vehicle movements.	Noise			Refer to Section 8	Medium Risk C = Minor – low level impact to amenity L = Unlikely	Condition 24, 25, 26 <u>Condition 20(b)</u>	The applicant proposed a speed limit of 15 km/hr on site, the condition has been reduced to 10 km/hr to align with previous licence (L8962/2016/2). A noise assessment was completed as part of the previous licence conditions which found the site to be compliant with the Noise Regulations.	
Stormwater run-off containing sediment from waste and product stockpiles.	Contaminated stormwater	Overland run-off increasing sediment load within surface water of the Cockburn Sound catchment.	Ecological: <ul style="list-style-type: none"> Flora and fauna associated with Bush Forever Site 269 / The Spectacles Wetlands footprint approximately 40 m to the east of the site Flora and fauna within the Cockburn Sound catchment 	Refer to Section 8	Medium Risk C = Minor – Cockburn Sound SEP criteria likely to be met L = Unlikely	Y	Condition 18, 23	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

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4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 29 October 2021	None received	N/A
Local Government Authority advised of proposal on 29 October 2021	The City of Kwinana did not provide a response within the comment period.	N/A
Western Australian Planning Commission advised of proposal on 29 October 2021	Comments were received via email from WAPC on 22/11/2021. WAPC advised that a development application (WAPC ref: 26-50104-12) for the Premises had been received and was currently being assessed. WAPC noted that a preliminary review of the development application raises no in-principle issues. A determination letter will be provided to the DWER upon completion of the assessment.	N/A
Applicant was provided with draft documents on 13 December 2021	<p>Comments were received via email from the applicant on 20 December 2021. The applicant provided two comments:</p> <ul style="list-style-type: none"> The applicant nominated the annual period to be a 12-month calendar year (1 January to 31 December). Table 3 should be amended as the residential receptor Orelia Residential Area being located 810 m south of the premises (as per the risk assessment). 	The Delegated Officer has specified the nominated annual period in the licence to reflect a calendar year period and has amended Table 3.

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements. The delegated officer acknowledges that planning approval is currently under assessment with the WAPC. It is up to the Licence Holder to ensure that all necessary planning approvals and licences are in place before commencing operations at the site.

References

1. Department of Water and Environment Regulation (DWER) 2021, *Managing asbestos at construction and demolition waste recycling facilities*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)				
Application type				
Works approval	<input type="checkbox"/>			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:	W5964/2016/1	None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		Environmental Compliance Report submitted?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Date report received:	N/A	
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received		13/09/2021		
Applicant and premises details				
Applicant name/s (full legal name/s)		Farfield Holdings Pty Ltd ATFT R Gullotto Family Trust		
Premises name		Capital Recycling		
Premises location		Lot 2129, Deposited Plan 173137, Certificate of Title LR 3121 Folio 701		
Local Government Authority		City of Kwinana		
Application documents				
HPCM file reference number:		DER2018/001042-6-27		
Key application documents (additional to application form):		Noise Assessment Dust Assessment Environmental Aspects Management Plan Asbestos Management Plan Material Acceptance Procedure Bushfire Management Plan		
Scope of application/assessment				

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)

Summary of proposed activities or changes to existing operations.	Operation of a solid waste depot and construction and demolition waste recycling facility (62 and 13) including the receipt, storage, sorting crushing and screening of up to and including 200,000 tonnes per annum of inert type 1 waste materials. Products from processing operations will be sold to third parties.
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Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the 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.	Proposed – up to and including 200,000 tonnes per annum	N/A
Category 62: Solid waste depot - premises on which waste is stored, or sorted, pending final disposal or re-use.		

Legislative context and other approvals

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input checked="" type="checkbox"/> Expiry: 01/03/2026 Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)

<p>Has the applicant obtained all relevant planning approvals?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	<p>Approval: N/A Expiry date: N/A If N/A explain why? Planning approval has been submitted to the City of Kwinana. Reference number will be supplied to DWER upon receipt. No evidence that the Western Australian Planning Commission has been contacted.</p>
<p>Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Application reference No: N/A Licence/permit No: N/A No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Application reference No: N/A Licence/permit No: GWL200502</p>
<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Type: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: N/A</p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)

<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>If Yes include details of which EPP(s) here.</p>
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>State Environmental (Cockburn Sound) Policy 2015 Environmental Protection (Kwinana) (Atmospheric Waste) Policy 1999 Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992</p>
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Classification: possibly contaminated – investigation required (PC–IR) Date of classification: 01/06/2016</p>