



Department initiated Amendment

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

Licence Number	L9004/2016/1
Licence Holder	Asphaltech Pty Ltd
ACN	064 520 869
File Number	DER2016/002036-1
Premises	Asphaltech Road Pavement Recycling Operation 69 Mather Drive, NEERABUP, WA, 6031 Lot 2004 on Deposited Plan 70103 Certificate of Title Volume 2765 Folio 588
Date of Report	22/07/2020
Proposed Decision	Revised licence granted

Chris Malley
A/ Manager, Process Industries

An officer delegated by the CEO under section 20 of the EP Act

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Amendment summary	3
3. Consultation	3
4. Conclusion	3
4.1 Summary of amendments.....	4
References	4

1. Decision summary

The Delegated Officer initiated amendments to Licence L9004/2016/1 to correct a misdescription and an error identified by Asphaltech Pty Ltd (the Licence Holder) in condition 15 after the licence was granted on 5 September 2019. The amendments are administrative in nature therefore do not alter the risk profile of the Premises and no risk assessment has been undertaken.

The Delegated Officer agreed that the items were either a misdescription or error by DWER in granting the licence and therefore granted an amended licence to address these two items.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

2. Scope of assessment

2.1 Regulatory framework

In amending the licence L9004/2016/1, the Delegated Officer considered and had regard to the department's Regulatory Framework and relevant policy documents which are available at <https://www.dwer.wa.gov.au>.

2.2 Amendment summary

Licence L9004/2016/1 is held by Asphaltech Pty Ltd (the Licence Holder) for the Premises, located on Mather Drive, Neerabup.

The licence was granted on 5 September 2019 and the Licence Holder subsequently bought a misdescription and an error to the attention of DWER. This included:

1. Condition 15 – The premises has a “wet mixer and mobile crusher and screener” which is misdescribed as a “wet scrubber and screener.” There is no wet scrubber and it was not mentioned in the licence application.

The Delegated Officer accepted this as a misdescription and corrected the licence.

2. Condition 15(c) – Part (c) of the condition requires a report to be submitted before 1 November 2019, which contradicts the first part of condition 14 which allows for retention of a noise professional and noise investigations within 14 days of commencing specified equipment operation.

The Delegated Officer accepted this as an error causing a conflict between specified dates within condition 15. Part (c) was corrected to require that the report to the Licence Holder was required within 60 calendar days of commencement of specified equipment operation.

3. Consultation

The Licence Holder was provided with the draft Amendment Report on 16 June 2020 and responded on 31 July 2020 to confirm the proposed amendments addressed the errors.

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

4.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Condition 15 Noise Assessment	<p>Within 14 days of the commencement of operation of the wet mixer and mobile crusher and screener and at such a time that both are in operation, the Licence Holder must retain the services of a person qualified and experienced in environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:</p> <ul style="list-style-type: none">(a) investigate the extent and nature of the noise emissions from Premises;(b) assess in accordance with the methodology required in the <i>Environmental Protection (Noise) Regulations 1997</i>, the compliance of the noise emissions from the premises, against the relevant assigned levels specified in those Regulations; and(c) compile and submit to the Licence Holder within 60 calendar days of the commencement of operation of the wet mixer and mobile crusher and screener, a report in accordance with condition 16.

References

1. Department of Water and Environmental Regulation (DWER), issued Licence L9004/2016/1, Perth, Western Australia.