



Licence

Environmental Protection Act 1986, Part V

Licensee: Cleanaway Pty Ltd

Licence: L8993/2016/1

Registered office: 441 St Kilda Road
MELBOURNE VIC 3004

ACN: 000 164 938

Premises address: Guildford Materials Recovery Facility
Lot 62 on Diagram 60242
72 Hyne Road
South Guildford WA 6055
as depicted in Schedule 1.

Granted: Thursday, 11 May 2017

Commencement date: Thursday, 11 May 2017

Expiry date: Monday, 10 May 2032

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
61A	Solid waste facility; premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	1,000 tonnes or more per year.	500,000 tonnes per annual period.
62	Solid Waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes per annual period	500,000 tonnes per annual period

Conditions

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

Date signed: 9 May 2017

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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.

Other Guidelines which you should be aware of include:

- *Western Australian Guidelines for Biosolids Management*, Department of Environment and Conservation, December 2012 (as amended from time to time).

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

Cleanaway Pty Ltd (Cleanaway) submitted a concurrent works approval and licence application on 8 August 2016 for the construction and operation of the Guildford Materials Recovery Facility (MRF), which is a Prescribed Premises under the *Environmental Protection Act 1986* (EP Act). The proposal falls within the definition of Prescribed Premises Categories 62: Solid Waste Depot and 61A: Solid Waste Facility in Schedule 1 to the *Environmental Protection Regulations 1987* (EP Regulations).

The Premises is located at 72 Hyne Road (Lot 62 on Diagram 60242) in the Perth suburb of South Guildford.

The MRF will comprise a fully enclosed warehouse with all of the material recovery equipment to be located within the warehouse. The warehouse will comprise a Tipping Area, Production Area and Finished Product Store. Recycling material which includes mixed papers, cardboards, HDPE bottles, PET bottles, mixed plastics, aluminium cans, steel cans, news and pams (magazines and periodicals) and glass will be transported and delivered to site by waste collection vehicles. Collection vehicles will be weighed at one of two weigh-bridges upon entry to the site and then dump their load in the dedicated Tipping Area located within the warehouse. Collection vehicles will then leave the premises via the third weigh-bridge. Approximately 150 collection vehicles will transport recyclable material to the premises each day. Collection vehicles will enter the warehouse via automatic roller doors which will be closed at all times with the exception to allow vehicles to enter/exit the warehouse. The MRF is designed as and will operate as a dual feed system processing 500,000 tonnes of recyclable material per annum with a production and design capacity of 50 tonnes per hour.

The MRF will have the capacity to process glass, soft plastics and plastic bags. The following process will be used to process glass:

- Incoming glass will be broken down to ~60mm cullet via a debris roll screen;
- Unwanted fibre and light material will then be extracted from the glass via air separation;
- The ~60mm glass will then be crushed down to a ~5mm fraction via a glass crusher; and
- The ~5mm end product will then be transported to an end user as a low value construction material substitute.

Plastic bags and soft plastic will be separated manually on a conveyor belt and baled as a finished product.

The main potential emissions from the premises are stormwater, dust, noise and odour.

This Licence is for the operation of an facility constructed under works approval W5983/2013/1.

The licences and works approvals issued for the Premises since 24/11/2016 are:



Instrument log		
Instrument	Issued	Description
W5983/2013/1	24/11/2016	New works approval application
L8993/2016/1	11/05/2017	New Licence

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 a 12 month period commencing 1 January and ending 31 December in each year;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purposes of notification and correspondence means:

Chief Executive Officer
Department Div.3 Pt.V EP Act
Locked Bag 33 Cloisters Square
Perth WA 6850
info@der.wa.gov.au

'Compliance Report' means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website;

'controlled waste' has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

'Department' means the department established under s.35 of the Public Sector Management Act and designated as responsible for the administration of Division 3 Part V of the *Environmental Protection Act 1986*;

'Finished Product Area' means the dedicated area within the enclosed Material Recovery Facility (MRF) that temporally stores recyclable material prior to transport off-site to downstream markets;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

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

'Inert Waste Type 2' has the meaning defined in Landfill Definitions;

'Leachate Collection System' means the dedicate leachate collection system constructed within the Production Area to collect leachate and direct it to a self bunded impervious holding tank;

'Licence' means this Licence numbered L8994/2016/1 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;



‘Production Area’ means the dedicated area within the enclosed MRF that processes recyclable material which will travel through a system of conveyors and equipment in the production area for screening and sorting which includes pre-sorting optical sorting, ferrous magnet, HDPE, aluminium and mixed plastics separation processes prior to transfer to the Finished Product Area;

‘Schedule 1’ means Schedule 1 of this Licence unless otherwise stated;

‘Schedule 2’ means Schedule 2 of this Licence unless otherwise stated; and

‘Tipping Area’ means dedicated area within the enclosed MRF that originally receives recyclable materials.

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 current version of the guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guidelines or code of practice made during the term of this Licence.

1.2 Premises operation

1.2.1 The Licensee shall only allow waste to be accepted on to the Premises if:

- (a) it is of a type listed in Table 1.2.1; and
- (b) the quantity accepted is below any limit listed in Table 1.2.1; and
- (c) it meets any specification listed in Table 1.2.1

Table 1.2.1: Waste acceptance		
Waste Type	Quantity Limit	Specification ¹
Inert waste type 1	Combined total of 500,000 tonnes per annual period	<ul style="list-style-type: none">• Metal and aluminium cans, electrical, light bulbs, gas bottles and ceramics.• Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.
Inert waste type 2		<ul style="list-style-type: none">• Glass, HDPE, V, LDPE, PP, PS and PET plastics, batteries and foam.• Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.
Putrescible waste		<ul style="list-style-type: none">• Papers, magazines and cardboard.• Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.

Note 1: Additional requirements for the acceptance of controlled waste 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 quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.2.3 The Licensee shall ensure that the 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 requirements described in that table.



Table 1.2.2: Waste processing

Waste type	Process	Process requirements
Inert waste type1	Receipt, temporary storage, handling, mechanical sorting, hand sorting and physical storage prior to off-site disposal.	Only to be receipted, consolidated, stored, handled and processed within an enclosed warehouse with a hardstand area capable of preventing surface run-off from entering the hardstand.
Inert waste type 2		
Putrescible waste	Glass crushing to a -5mm fraction via a glass crushing process.	

1.2.4 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.2.3.

Table 1.2.3: Containment infrastructure

Vessel or compound reference (as shown in Schedule 1)	Material	Requirements
T1- Tipping Area	Inert and putrescible recyclable material	Bunded hardstand area lined to achieve a permeability of less than 10^{-9} m/s or equivalent and capable of preventing surface run-off from entering the bunded hardstand.
T2- Production Area		
T3- Finished Product Area		
T4 – Leachate Collection System	Leachate	Bunded hardstand area lined to achieve a permeability of less than 1×10^{-9} m/s or equivalent and self bunded sealed holding tank with a permeability less than 1×10^{-9} m/s or equivalent and capable of preventing surface run-off from entering the bunded hardstand.

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	Averaging period	Frequency
Waste Input	Solid wastes: all solid waste as specified in Table 1.2.1	tonnes	N/A	Each load arriving at the Premises
Waste Output	Solid wastes: all solid waste as specified in Table 1.2.1, and all non-conforming wastes removed from the Premises			Each load leaving the Premises



3 Information

3.1 Records

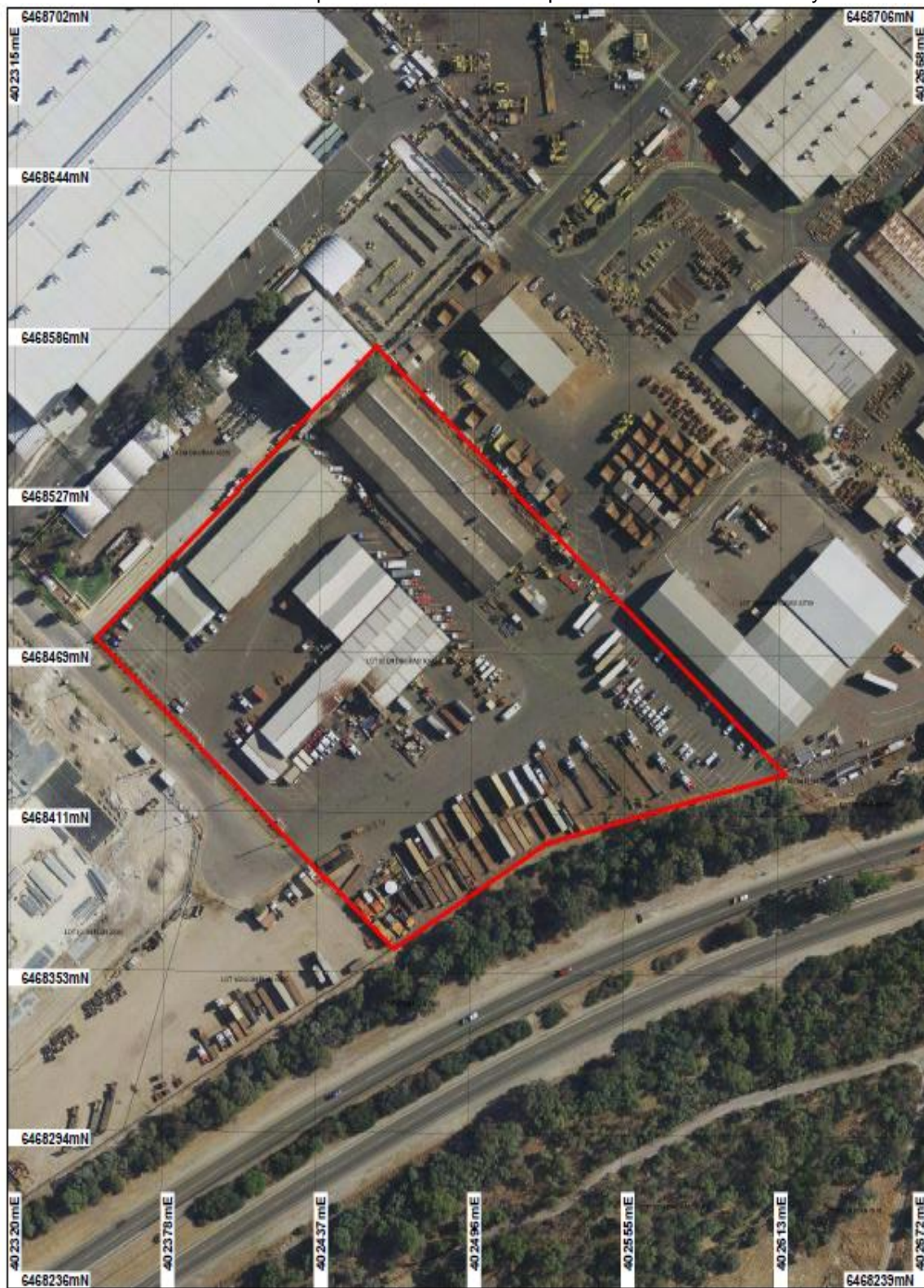
- 3.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 3.1.1(d) be retained for at least 6 years from the 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 must submit to the CEO within 60 days after the end of the annual period, a Compliance Report indicating the extent to which the Licensee has complied with the Conditions in this Licence for the 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.



Schedule 1: Maps

Premises map

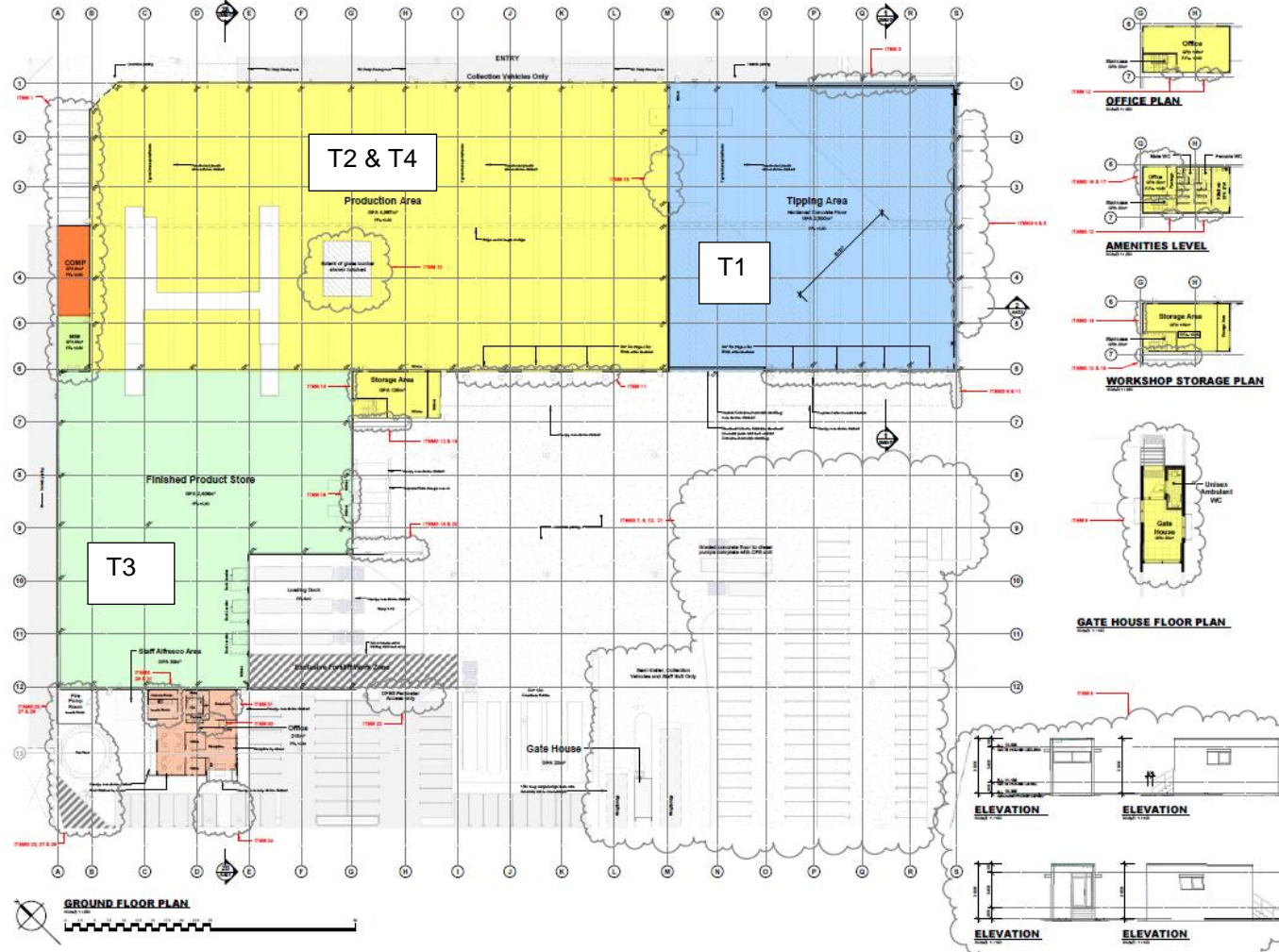
The Premises is shown in the map below. The red line depicts the Premises boundary.





Map of storage locations

The location of the containment infrastructure defined in Table 1.2.3 is shown below.



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Cleanaway Pty Ltd

Works Approval: L8993/2016/1

Registered office: 441 St Kilda Road
MELBOURNE VIC 3004

ACN: 000 164 938

Premises address: Guildford Materials Recovery Facility
Lot 62 on Diagram 60242
72 Hyne Road
SOUTH GUILDFORD
WA 6055

Granted: Thursday, 11 May 2017

Commencement date: Thursday, 11 May 2017

Expiry date: Monday, 10 May 2032

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) CEOs Delegated Officer has decided to grant a licence. The Delegated Officer considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Melissa Chamberlain
Licensing Officer

Decision Document authorised by: Alan Kietzmann
Delegated Officer



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1 Purpose of this Document

This decision document explains how the DER Delegated has assessed and determined the application and provides a record of DER's 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 checked="" type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	62	500 000 tonnes per annual period
	61A	500 000 tonnes per annual period
Application verified	Date: 26/08/2016	
Application fee paid	Date: 29/09/2016	
Works Approval has been complied with	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Compliance Certificate received	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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"/>	Referral decision No: N/A Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No: N/A
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"/> Department of Water consulted 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 checked="" 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

Cleanaway Pty Ltd (Cleanaway) (the Applicant) submitted a concurrent works approval and licence application on 8 August 2016 for the construction and operation of the Guildford Materials Recovery Facility (MRF), which is a Prescribed Premises under the *Environmental Protection Act 1986* (EP Act). The proposal falls within the definition of Prescribed Premises Categories 62: Solid Waste Depot and 61A: Solid Waste Facility in Schedule 1 to the *Environmental Protection Regulations 1987* (EP Regulations).

The Premises is located at 72 Hyne Road (Lot 62 on Diagram 60242) in South Guildford in the City of Swan. Appendix A provides an overview of the premises and MRF.

Information submitted in the Application advises that the MRF will comprise a fully enclosed warehouse with all of the material recovery equipment to be located within the warehouse. The warehouse will comprise a Tipping Area, Production Area and Finished Product Store. Recycling material which includes mixed papers, cardboards, HDPE bottles, PET bottles, mixed plastics, aluminium cans, steel cans, news and pams (magazines and periodicals) and glass will be transported and delivered to site by waste collection vehicles. Collection vehicles will be weighed at one of two weigh-bridges upon entry to the site and then dump their load in the dedicated Tipping Area located within the warehouse. Collection vehicles will then leave the premises via the third weigh-bridge. Approximately 150 collection vehicles will transport recyclable material to the premises each day. Collection vehicles will enter the warehouse via automatic roller doors which will be closed at all times with the exception to allow vehicles to enter/exit the warehouse. The MRF will operate as a dual feed system processing 500,000 tonnes of recyclable material per annum with a production and design capacity of 50 tonnes per hour. Table 1 below provides an overview of the recyclable materials accepted and processed at the MRF and is drafted from information submitted by Cleanaway in Attachment 6 of the Application.

Table 1: Recyclable materials proposed to be accepted at the MRF

Recyclable material description	Maximum quantity (tonnes/annum)
Paper, news and PAMS (periodicals and newspaper)	60,000 (30%)
Glass	60,000 (30%)
Plastics or ferrous material	40,000 (20%)
Cardboard	20,000 (10%)
Residue e.g. labels	16,000 to 20,000 (8-10%)

Recyclable material stockpiled in the Tipping Area will be transferred to the Production Area via conveyors. All recyclable material will then travel through a system of conveyors and equipment in the Production Area for screening and sorting. Sorting will include pre-sorting optical sorting, ferrous magnet, HDPE, aluminium and mixed plastics separation processes. Post sorting, recovered materials will be baled/bagged and transferred to the Finished Product Area for temporary storage before material is transported off-site for downstream markets. The Applicant indicates that 89-92% of material will be recovered. Approximately 38 semi-trailer and rear lift trucks per day will collect the finished product.

The MRF will have the capacity to process glass, soft plastics and plastic bags. Cleanaway have advised DER in the Application that the following process will be used to process glass:

- Incoming glass will be broken down to ~60mm cullet via a debris roll screen;
- Unwanted fibre and light material will then be extracted from the glass via air separation;
- The ~60mm glass will then be crushed down to a ~5mm fraction via a glass crusher; and
- The ~5mm end product will then be transported to an end user as a low value construction material substitute.



Plastic bags and soft plastic will be separated manually on a conveyor belt and baled as a finished product.

The entire MRF process will occur within the enclosed warehouse and the automatic rollers will only open to allow entry/exit of collection vehicles. The premises has been designed to incorporate catchment point for leachate originating from any waste product and this leachate will be directed to internal sumps which will report to a holding tank. Leachate within the holding tank will be pumped into trucks and removed from the premises; it will not be discharged to the environment at the premises. Appendix A provides further details for the Premises.

The MRF will operate two shifts for 310 days per year between the hours of 6am to 2am Monday to Friday and 6am to 1pm Saturday.

The maximum production and design capacity for the MRF will be 500,000 tonnes per annual period for both the Category 61A and 62 activities.

This Decision Document is based on an assessment of the Cleanaway application for DER Works Approval and Licence dated 8 August 2016, revised Works Approval and Licence Application submitted 2 September 2016, and compliance documentation submitted on 8 May 2017.

This Decision Document identifies the risks of the operation of the premises the proposed controls for these risks. In Summary:

- The Licence will be granted subject to the controls described in Section 4 of this draft Decision Document for the operation of the MRF.

Location and siting

The Premises is located in a light industrial area, surrounded by commercial businesses to the north, west and east. The Great Eastern Highway by-pass and Perth airport is located to the south.

The premises location current features are:

- Geology: DER's Geographic Information System (GIS) mapping system identifies the surface geology as Bassendean Sands. Bassendean Sands are characterised by pale grey to white quartz sand which is predominately medium-grained.
- Topography: The premises is predominately flat with a slight fall (<1m) to the north-west. The premises is covered in either bitumen or concrete and directs surface water flow to in-situ stormwater management system.
- Zoning: The site is located in the City of Swan and the site is zoned as 'Industry – General and Transport Depot'.

Potential sensitive receptors in the vicinity of the MRF premises are:

- Groundwater: Department of Water's Perth Groundwater Atlas indicates that groundwater in the area is located approximately 4m below ground level (mbgl). DER's GIS mapping system similarly indicates a bore within 500m of the premises detected water at 3.6mbgl.
- Surface water: The closest surface water is the Swan River located 800m to the north west.
- Vegetation: The Bush Forever site 386 is located 100m south of the premises across a road reserve, the Bush Forever site 311 is located approximately 700m to the north east and the Bush Forever site 491 is located approximately 800m North West (adjacent to the Swan River).
- Existing residences and landowners: The nearest residential premises are located approximately 325m north east and 400m north west of the MRF Premises boundary. There are approximately 100 residential premises within 500m of the MRF Premises boundary.
- Perth Airport: The airport is located approximately 650m south of the MRF facility and a flight path from the north is in close proximity to the MRF facility.

The Delegated Officer considers sensitive receptors within 200m of solid waste depots to potentially experience increased risk of impacts from noise, dust and odour emissions, while adequate



separation distances for solid waste facilities are determined on a case-by case basis. The Delegated Officer considers that the separation distance to sensitive receptors of 325m is adequate for the proposed operation.

Potential emissions

Potential emissions as a result of the operation of the MRF are contaminated stormwater emissions, leakage of liquid waste, dust, odour, noise and smoke emissions in even of a fire.

Further details of emissions and regulatory controls for the MRF are detailed within section 4 of the Decision Table.

Occupation and planning approval

The premises are owned by Wonteco Pty Ltd and the applicant has provided evidence of a lease agreement for a period of 15 years.

Planning Approval for the premises was submitted to City of Swan (the City) on 3 December 2015 for the development of the MRF. The City of Swan Metro East Joint Development Assessment Panel granted planning approval for the premises on the 29 February 2016 for 'Industry General' and 'Transport depot' as defined in the City of Swan Local Planning Scheme No. 17. Condition 1 states *'This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, approval shall lapse and be of no further effect.'*

The City of Swan Planning Approval is provided in Appendix B.

Consultation

DER referred the Application to the City on 26 September 2016 and then a copy of the Application upon request via email on 6 October 2016. A response was received Monday 17 October 2016; refer to section 5 Consultation Table below.

Approval of works

This Decision Document and Licence specify the assessment of the Application and regulatory requirements for the construction and operation of the Category 61A and 62 premises to proceed.



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.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Interpretation	L1.1.1- 1.1.4	Operation is subject to the general provisions of the <i>Environmental Protection Act 1986</i> . Category 61A and 62 activities fall under Schedule 1 Part 2 of the <i>Environmental Protection Regulation 1987</i> and are subject to licence. Conditions 1.1.1 – 1.1.4 explains that terminology used within the Licence is referenced where applicable and that any reference to a standard or guideline is to the most current version of that standard or guideline.	General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation
General conditions		<u>Emission Description</u> <i>Emission:</i> Contaminated stormwater discharge from the Premises where stormwater is not appropriately managed, encounters contaminants, or leachate from received wastes (e.g. hydrocarbons or leachate from received wastes). <i>Impact:</i> Contaminated stormwater and leachate leaving the Premises may infiltrate to the groundwater, or runoff to onto adjacent properties or stormwater drainage system which may potentially impact the health, welfare, convenience, comfort or amenity of sensitive receptors, or increase contaminant loads in surface water and/ or groundwater that may influence beneficial use of the resource. The nearest residential premises are located approximately 325m north east and 400m north west of the MRF Premises boundary. Groundwater is located approximately 4m below ground level and the premises consists of sandy soils. The nearest surface water is the Swan River located 800m north west. <i>Controls:</i> The applicant has advised that the facility will not be receiving highly	Application supporting documentation <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> General provisions of the <i>Environmental Protection Act 1986</i> .



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>putrescible wastes (i.e food waste) and will be predominately dry recyclable papers and cardboards. The application details that the site is fully sealed (bitumen or concrete) to achieve a permeability of no greater than 1×10^{-9} m/s. Stormwater is directed to dedicated internal pre-existing sumps on-site and away from the infrastructure to avoid contamination external to the MRF warehouse. The MRF is totally enclosed by a warehouse building with no ingress of stormwater. Any leachate that is generated within the MRF is captured in in-situ drainage systems which report to a dedicated holding tank. Leachate if present is then pumped out of the holding tank and disposed off-site. City of Swan Planning Approval conditions 14, 15, 16, 17 and 18 stipulate stormwater management on the Premises.</p> <p><u>Risk assessment:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory controls:</u> Based on the nature of the waste types received (recyclables and limited highly putrescible wastes), the Delegated Officer has determined that no specific leachate controls are required for the management of leachate beyond the maintenance of constructed infrastructure. The Delegated Officer notes that the requirements specified by condition 1.2.4 relating to containment infrastructure will also manage contaminated stormwater risk at the Premises.</p> <p><u>Residual risk:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p>	City of Swan Planning Approval.



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation	L1.2.1 – 1.2.4	<p><u>Emission Description</u> <i>Emission:</i> Potential leakage of liquid waste hydrocarbons (diesel storage and refuelling area) and leachate generated from the MRF processing plant.</p> <p><i>Impact:</i> Potential reduced groundwater and surface water quality in the local area. Groundwater is located approximately 4 meters below ground level and the premises consists of sandy soils. The nearest surface water is the Swan River located 800m north west.</p> <p><i>Controls:</i> The entire site, including the MRF and all external area at the premises with the exception of a small landscaped area adjacent to the office, is sealed with impervious bitumen or concrete surfacing ($<1 \times 10^{-9}$ m/s). The MRF has a dedicated leachate collection system in which leachate is directed to a dedicated impervious holding tank. If leachate is generated it is pumped out of the holding tank and disposed off-site by a licensed Controlled Waste Carrier; it is a closed system with no discharge to the environment. The 70,000L fuel service tank is a double skinned self bunded tank with a 110% capacity (77,000L). The refuelling area will be bunded and located on an impervious (1×10^{-9} m/s) hardstand, designed to divert spills to a holding tank. Any spill material captured in the holding tank will be pumped out and collected by a licensed Controlled Waste Carrier and disposed off-site. Refuelling activities will incorporate drip trays and spill kits as required. City of Swan Planning Approval condition 20 outlines management of fuel dispensers etc.; refer to Appendix B.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Medium</p> <p><u>Regulatory Controls</u> The Delegated Officer has determined that due to the medium risk rating regulatory controls will be placed on the licence. Condition 1.2.1 in the licence will authorise</p>	<p>Application supporting documentation</p> <p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p>DER's <i>Guidance Statement: Regulatory Principles</i></p> <p>DER's <i>Guidance Statement: Setting Conditions</i></p> <p>DER's <i>Guidance Statement: Licence and works approval process</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>maximum quantity limits of waste types accepted at the premises. Condition 1.2.2 stipulates that if waste does not meet acceptance criteria it must be removed from site and not accepted for storage or processing. Condition 1.2.3 stipulates that the waste types are only to be processed within the enclosed warehouse with a hardstand, and condition 1.2.4 stipulates waste containment infrastructure required for storage of materials. These conditions generally replicate the activities that the applicant described in their application, and are considered by the Delegated Officer to be necessary in maintaining a medium risk rating for hydrocarbon emissions.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Medium</p> <p><u>Emission Description</u> <i>Emission:</i> Wastes stored at the Premises provide a source of flammable material. In the event of a fire at the Premises smoke may be emitted. <i>Impact:</i> Smoke may cause amenity and public health impacts for workers in nearby industrial properties, and the inhalation of particulate matter can cause respiratory distress. Due to the proximity of the Premises to Perth Airport and flight paths, smoke emissions may also cause disruption to flights, which is considered to be an amenity impact. <i>Controls:</i> The applicant has implemented security measures at the premises (fencing and vehicle recognition) to prevent unauthorised access. The Premises contains fire hydrants, hose reels and extinguishers at multiple points within the building, and fire extinguishers are carried on mobile equipment. All waste acceptance and handling occurs with large enclosed warehouses.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><i>Risk Rating: Low</i></p> <p><u>Regulatory Controls</u> Conditions relating to fire and resulting smoke emissions will not be included in the licence as the risk rating is 'Low' and the Delegated Officer has determined that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate smoke emissions during operation of the MRF.</p> <p><u>Residual Risk</u> <i>Consequence: Minor</i> <i>Likelihood: Rare</i> <i>Risk Rating: Low</i></p>	
Fugitive emissions	N/A	<p><u>Emission description:</u> <i>Emission:</i> Dust arising from MRF processing equipment operations and vehicle movements such as trucks and loaders during the operation of the MRF.</p> <p><i>Impact:</i> Reduced local air quality from airborne particulates is possible. The nearest residential premises are located approximately 325m north east and 400m north west of the MRF Premises boundary. Additional receptors adjacent and nearby the Premises include light industrial businesses.</p> <p><i>Controls:</i> According to the application, the MRF warehouse is fully enclosed and sealed and the four automatic doors only open when vehicles enter/exit the MRF warehouse. Internal/external floor areas on the site are fully sealed and the proponent will manage dust emissions through the implementation of the following measures:</p> <ul style="list-style-type: none">• All roadways within the site will be regularly checked and maintained to avoid any dust build-up.• Site speed limit is restricted for safety reasons.• A dust collector is fitted to the drum separator used for glass clean-up. The dust collector will be operated within the enclosed warehouse and no dust emissions	<p>Section 49 of the <i>Environmental Protection Act 1986</i></p> <p>Application supporting documentation</p> <p>DER's <i>Guidance Statement: Regulatory Principles</i></p> <p>DER's <i>Guidance Statement: Setting Conditions</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>will enter the environment.</p> <p><u>Risk assessment:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory controls:</u> Fugitive dust conditions will not be included in the licence as the risk rating is 'Low' and the Delegated Officer has determined that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate dust emissions during operation of the MRF.</p> <p><u>Residual risk:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	DER's <i>Guidance Statement: Licence and works approval process</i>
Odour	N/A	<p><u>Emission Description</u> <i>Emission:</i> Odour emissions from operations at the MRF due to storage and processing of waste. Waste types received are not generally expected to be odorous.</p> <p><i>Impact:</i> Amenity impacts on nearest receptors. The nearest residential premises are located approximately 325m north east and 400m north west of the MRF Premises boundary. Additional receptors adjacent and nearby the Premises include light industrial businesses.</p> <p><i>Controls:</i> According to the application, the MRF warehouse is fully enclosed and sealed and the four automatic doors only open when vehicles enter/exit the MRF warehouse. The majority of recyclable material destined for the MRF is inert waste or dry putrescible wastes such as papers and cardboard that does not readily generate odour.</p>	<p>Section 49 of the <i>Environmental Protection Act 1986</i></p> <p>Application supporting documentation</p> <p>Environmental Protection, Authority Guidance for the</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Odour conditions will not be included in the licence as the risk rating is 'Low' and the Delegated Officer has determined that the provisions of Section 49 of the <i>Environmental Protection Act 1986</i> are sufficient to regulate odour emissions during operation of the MRF.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	Assessment of Environmental Factors, Separation Distances between Industrial and Sensitive Land Uses No.3 June 2005
Noise	N/A	<p>Operation <u>Emission description:</u> <i>Emission:</i> Noise arising from the operation of the MRF and associated vehicles such as tankers and trucks.</p> <p><i>Impact:</i> Interference with the health, welfare, convenience, comfort or amenity of sensitive residential receptors. The nearest residential premises are located approximately 325m north east and 400m north west of the MRF Premises boundary. Additional receptors adjacent and nearby the Premises include light industrial businesses; these building will attenuate any noise emissions.</p> <p><i>Controls:</i> The entire MRF operation is conducted within a fully enclosed warehouse. Automatic doors only open when a vehicle enters/exits the warehouse. Traffic speed is restricted due to the size of the premises. Hours of operation for waste handling operations are 6am to 2am Monday to Friday and 6am to 1pm Saturday.</p>	<p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p>DER's Guidance Statement: <i>Regulatory Principles</i></p> <p>DER's Guidance Statement: <i>Setting Conditions</i></p> <p>DER's Guidance Statement:</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Cleanaway engaged Consultants Herring Storer Acoustics to undertake a Noise Emissions Assessment (NEA) of the MRF. The NEA was submitted to DER as part of the works approval and licence application as Attachment 9. In reviewing the documentation the Delegated Officer considers that the facility is likely to be able to comply with the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i></p> <p><u>Risk assessment:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p> <p><u>Regulatory controls:</u> Conditions relating to noise emissions will not be included in the licence as the risk rating is determined to be 'Low'. The Delegated Officer considers that the provisions of <i>Environmental Protection (Noise) Regulations 1997</i> will be sufficient to regulate potential noise emissions during operations at the MRF.</p> <p><u>Residual risk:</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible <i>Risk Rating:</i> Low</p>	<i>Licence and works approval process</i>
Monitoring of inputs and outputs	L2.2.1	<p>Operation Monitoring of waste inputs and outputs will be required to determine compliance with waste volumes accepted at the premises. Monitoring of inputs and outputs is specified under condition 2.2.1 and annual reporting of inputs and outputs will be required under condition 3.2.1 of the licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p>Application supporting documentation</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Information	L3.1.2-L3.3.1	<p>Condition 3.1.1 specifies the records that must be kept in regards to the operation of the premises.</p> <p>Condition 3.1.2 requires the Licence Holder to submit compliance report indicating the extent to which the licence has been complied with for the reporting period.</p> <p>Condition 3.1.3 requires the implementation of a complaints management system.</p> <p>The Delegated Officer considers these recording requirements are necessary for determining compliance with the licence conditions.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p>Application supporting documentation</p> <p>DER's <i>Guidance Statement: Regulatory Principles</i></p> <p>DER's <i>Guidance Statement: Setting Conditions</i></p> <p>DER's <i>Guidance Statement: Licence and works approval process</i></p>
Licence Duration	N/A	<p>The Metro East Joint Development Assessment Panel has issued planning approval on the 29 February 2016 for 'Industry General' and 'Transport depot' as defined in the City of Swan Local Planning Scheme No. 17.</p> <p>The applicant has provided evidence of a lease agreement in place for 15 years.</p>	<p>Department of Environment Regulation 2015, <i>Guidance statement: Licence duration</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		In accordance with DER's <i>Guidance Statement: Licence Duration</i> (August 2016) the Delegated Officer has determined that a licence duration of 15 years is appropriate to align with the lease agreement.	General provisions of the <i>Environmental Protection Act 1986</i> City of Swan Planning Approval



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
10/10/2016	Licence Application advertised in West Australian	Submission due 31 October 2016. No submissions were submitted.	N/A
26/09/2016	Application sent to City of Swan via email on 6/10/2016 upon request from City of Swan Planning Approval is provided as Appendix B.	Response received Monday 17 October 2016: <i>I refer to the above application which has been referred to the City's Planning Services department.</i> <i>From what I can gather, the application was approved subject to conditions by the Metro East JDAP in 2015.</i> <i>Provided the development is in accordance with this approval, Statutory Planning services will not need to see this again for consideration.</i> <i>There was an amendment to the application approved in August of this year, which did change some faucets of the application.</i> <i>I have included this as attached</i>	Amended wording in Decision Document to acknowledge City of Swan Planning Approval.
15/11/2016	Proponent sent a copy of draft works approval and draft decision document containing operational risk assessment and proposed licence conditions	Proponent submitted a response on 17 November 2016 stating that <i>"the document appears in order. Please progress the application."</i>	N/A
09/05/2017	Proponent sent a copy of draft licence and revised draft decision report.	Proponent requested Table 1.2.2 specify the glass crushing under the process column, and provided updated maps which show minor changes to gas storage and diesel fuel tank location.	The Delegated Officer has determined that the new location of the gas storage and fuel tank does not affect the risk assessment profile.



Date	Event	Comments received/Notes	How comments were taken into consideration
		Proponent advised that otherwise documents are accurate and acceptable.	The documents have been updated to reflect the new site maps and include additional wording to Table 1.2.2. A description of the glass crushing from the decision report is included in the Premises description of the licence.



6 Risk Assessment

Note: This matrix is taken from the DER Guidance Statement Risk Assessment (February 2017)

Table 2: Risk Rating Matrix

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost Certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High



Appendix A Premises Summary

Cleanaway submitted a concurrent works approval and licence application on 8 August 2016 for the construction and operation of the MRF, which will be a Prescribed Premises under the *Environmental Protection Act 1986* (EP Act). The proposal falls within the definition of Prescribed Premises Categories 62: Solid Waste Depot and 61A: Solid Waste Facility in Schedule 1 to the EP Regulations. Category 62 is required for the construction and operation of the MRF while Category 61A is required for the construction and operation of the Glass crushing process.

Cleanaway advise in the Application that material will be delivered to the premises via a range of vehicles including side lift vehicles, rear lift vehicles, and front lift vehicles, hook lift or skip bins and walking floors. The compaction rate of feed material can range from 180-220 kg/m³. Table 3 below shows the typical range of individual components of the feed material that will report to the MRF for processing. Currently 90% of recyclable material received by Cleanaway is from municipal comingled sources and the remaining 10% is from commercial sources.

Table 3 Recyclable material type and average composition processed at the MRF

Material type	Typical average composition (%)	Typical Ranges	
		High (%)	Low (%)
Glass-Clear	9.83	10.16	7.74
Glass-Green	8.79	13.42	5.65
Glass-Amber	7.56	12.27	4.45
Glass-Mixed	1.82	3.58	1.03
All Glass	28.00	39.43	18.87
Plastic –PET	2.72	2.50	1.78
Plastic- HDPE	2.29	2.80	2.01
Plastic-V	0.19	0.29	0.09
Plastic- LDPE	0.09	0.26	0.01
Plastic- PP	0.43	0.65	0.21
Plastic-PS	0.16	0.37	0.04
Plastic-Other	1.11	1.64	1.05
All Plastics	6.99	8.51	5.19
Paper- Newspaper	34.42	39.70	26.99
Paper-Magazines/advert	10	15.3	8.35
Paper-Office/Computer	1.42	1.85	0.89
Paper-Mixed	2.15	4.16	1.25
All Paper	47.99	61.01	37.48
Cardboard-Flat	3.04	5.13	2.34
Cardboard-Corrugated	4.01	7.02	3.79
Cardboard-Wetpacks	0.54	2.07	1.18
Cardboard-LBP	0.41	0.51	0.29
All Cardboard	8	14.73	7.60
Aluminium-Cans	0.88	1.17	0.69
Aluminium-Other	0.12	0.11	0.01
All Aluminium	1	1.28	0.70
Steel- Cans	1.09	1.51	0.77
Steel- Aerosol	0.16	0.22	0.09
Steel- Coffee/Oil	0.32	0.65	0.24
Steel-Other	0.43	1.71	0.13
All Steel	2	4.09	1.23
Batteries	0.06	0.07	0.01



Textiles/Clothing	2.22	1.62	0.86
Organics/Food	0.61	1.32	0.15
Ceramics	0.61	1.85	0.06
Gas Bottles	0	0	0
Green waste	0.53	2.18	0
Dust/Dirt/Rocks	0.31	0.95	0
Foam	0.24	0.48	0.09
Medical/clinical	0.01	0.02	0
Plastic Bags	0.66	0.81	0.56
Light bulbs	0.02	0.08	0
Electrical	0.65	1.69	0.02
Cork	0	0.01	0
Unclassified	0.10	0.38	0
All Non-Recyclables	5.96	11.39	1.74
Total	100	N/A	N/A

Cleanaway have advised in the Application that in the event that any hazardous waste is identified in the waste stream during MRF processing operations the sorter will immediately notify the respective Manager. A risk assessment will then be undertaken and if the waste can be handled it will be moved to a dedicated location separate to all other MRF operations prior to removal off premises. All care will be taken to ensure no cross-contamination of waste materials occurs.



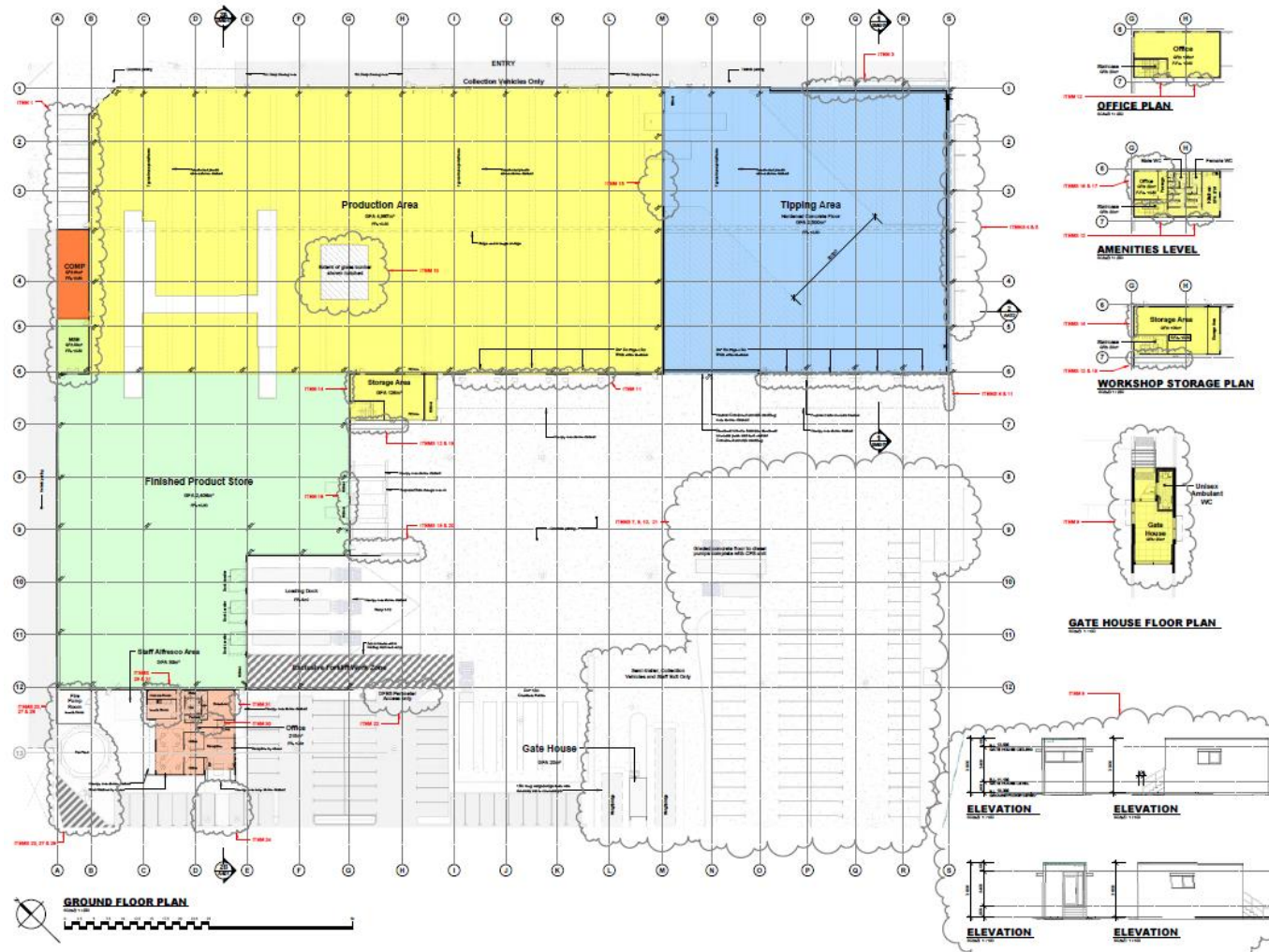


Figure 2 overview of MRF



Appendix B Planning Approval



Government of Western Australia
Development Assessment Panels

LG Ref: DA934-15
DoP Ref: DAP/15/ 00947
Enquiries: Development Assessment Panels
Telephone: (08) 6551 9919

Mr Stephen Shircore
Meyer Shircore & Associates
PO Box 1294
Subiaco WA 6904

Dear Mr Shircore

Metro East JDAP – City of Swan – DAP Application DA934-15
Lot 62 Hyne Road, South Guildford
Industry - General' and 'Transport Depot'

Thank you for your application and plans submitted to the City of Swan on 3 December 2015 for the above development at the abovementioned site.

This application was considered by the Metro East Joint Development Assessment Panel at its meeting held on 29 February 2016, where in accordance with the provisions of the City of Swan Local Planning Scheme No.17, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval please contact Ms Asha Logan at the City of Swan on (08) 9267 9368.

Yours sincerely

Zoe Hendry

DAP Secretariat

10/03/2016

Encl. DAP Determination Notice
Approved plans

Cc: Ms Asha Logan
City of Swan



Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 9919 Fax: (08) 6551 9961 TTY: 6551 9007 Infoline: 1800 626 477
daps@planning.wa.gov.au www.planning.wa.gov.au
ABN 35 482 341 493



Planning and Development Act 2005

City of Swan Local Planning Scheme No.17

Metro East Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Location: Lot 62 Hyne Road, South Guildford

Description of proposed Development: 'Industry - General' and 'Transport Depot'

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was granted on 29 February 2016, subject to the following:

Approve DAP Application reference DAP/15/00947 and accompanying attached plans prepared by Meyer Shircore and Associates (SK009 Sheet No. 2; SK009A Sheet No. 3; SK009 Sheet No. 4; SK009A Sheet No. 5; SK009 Sheet No. 6; SK009 Sheet No. 7; SK009 Sheet No. 8; SK009 Sheet No. 10; SK009 Sheet No. 11) in accordance with Part 4.2.24 and Part 10.3 of the City of Swan Local Planning Scheme No.17, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. This approval is for an "Industry - General" and "Transport Depot" as defined in the City of Swan Local Planning Scheme No. 17 and the subject land may not be used for any other use without the prior approval of the City.
3. In order to comply with the City of Swan Provision of Public Art Policy POL-LP-1.10, the owner(s) or applicant on behalf of the owner(s) shall within 28 days of the grant of this approval elect to either;
 - (a) pay to the City the sum of \$85,000, which equates to 1% of the Construction Cost of the development, in lieu of providing on-site Public Art (option 1); or
 - (b) seek approval from the City for an artist to provide Public Art on the development site to a minimum value of \$85,000 (option 2).

If the elected option is Option 1, then the cash-in-lieu amount must be paid to the City on the earlier of the date specified in an invoice issued by the City, or prior to the issuance of the building permit for the development the subject of the approval.



If the elected option is Option 2:

- (a) the owner(s) or applicant on behalf of the owner(s) within a further 28 days following the election (or such longer period agreed by the City) must seek approval from the City for a specific Public Art work including the artist proposed to undertake the work. The City may apply further conditions regarding the proposed Public Art;
 - (b) no part of the development may be occupied or used unless the Public Art has been installed in accordance with an approval granted by the City;
 - (c) the Public Art approved must be maintained during the continuation of the development; and
 - (d) prior to the lodgement of a building permit application a Notification pursuant to section 70A of the *Transfer of Land Act* must be lodged against the certificate of title to the land on which the development is to be carried out, to make the proprietors and prospective purchasers aware of the preceding condition.
4. Use of the site for the purpose approved shall not commence until an Occupancy Permit is issued.
5. Provision must be made for access and facilities for use by people with disabilities in accordance with the provisions of the Building Code of Australia and AS 1428.1.
6. The maximum intensity of light sources measured at 3 degrees above the horizontal shall be limited to 50cd. External lighting shall otherwise comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.
7. A minimum of 189 vehicle parking bays, inclusive of 22 commercial vehicle parking bays, shall be provided in accordance with the approved site plan. Vehicle parking bays, access and circulation areas shall be clearly line-marked on the pavement and designed in accordance with the Australian Standard AS 2890.1 (as amended). Disabled bays are to comply with Australian Standard AS 2890.6 (as amended).
8. The parking area and pavement shown on the approved plan must have appropriate signs and line-marking installed to give clear direction to motorists in accordance with Australian Standards.
9. Vehicle access to the site shall be restricted to that shown on the approved site plan. No vehicle access shall be permitted onto the Great Eastern Highway Bypass road reserve.
10. Redundant vehicle crossovers are to be removed and the kerbing and verge reinstated with grass or landscaping to the satisfaction of the City of Swan.



11. All construction works within the road reserve including crossovers, drainage infrastructure, service adjustment and landscaping placement or reinstatement, must be built and maintained in accordance with the City's specifications. Failure to do so may result in these works being removed and reinstated by the City at the applicant's expense.

At occupancy, the owner is responsible for the maintenance of the crossover, landscaping and reticulation in the verge.

12. Vehicle parking, access, and circulation areas must be sealed, kerbed and drained in accordance with the approved plans, and maintained to the satisfaction of the City.
13. As the development is within the South Guildford District Drainage Contribution Area, a drainage contribution of \$174,726.6 is required. This fee is to contribute towards the upgrade and supply of an adequate drainage service within the area. Payment shall be made prior to the issue of an Occupancy Certificate.
14. All stormwater produced from this property including subsoil drainage is to be collected and disposed on-site via interconnected gully grates with overflow to the City's drainage system to the satisfaction of the City. All earthworks, finished pavement levels and associated stormwater drainage details shall otherwise be in accordance with the approved stormwater plan and the City's requirements.
15. The drainage system of the site must be designed to accommodate a 10 year 12 minute storm event (minimum) with provision of an overland flow path to the City's satisfaction in the event of internal system failure. The system shall have capacity to detain runoff from a 1 year 1 hour storm event prior to discharge into the City's drainage system.
16. A gross pollutant trap must be incorporated as part of the internal drainage system.
17. No fluid, other than uncontaminated stormwater is to enter any stormwater drain without prior approval from the City and the Environmental Protection Authority.
18. No stormwater drainage shall be discharged onto the Great Eastern Highway Bypass road reserve.
19. Earthworks, footings and/or structures are not to extend over any lot boundaries. No earthworks shall encroach onto the Great Eastern Highway Bypass road reserve.
20. An approved effluent disposal system must be installed prior to the occupation of any building the subject of this approval.
21. Fuel dispenser areas and any other areas where petrol, other hydrocarbons or similar matter is likely to be stored and/or discharged shall be constructed in accordance with Department of Water guidelines. In particular, fuel dispenser areas, work bays and wash-down areas shall be covered, paved and bunded/graded to contain trap all waste, which will then pass through an approved petrol and oil separator before being disposed of on-site in a manner outlined in the Department of Water's *Water Quality Protection Note WQPN 68 (Mechanical equipment wash down)* dated September 2013.



22. Refuse bin areas adequate to service the development and in compliance with the City of Swan Health Local Law 2002 (Part 4) shall be provided to the satisfaction of the City's Principal Environmental Health Officer before the development is occupied or used.
23. Potentially unsightly areas (e.g refuse / storage yards) must be screened from view from any public street and/or surrounding development by an opaque wall of at least 1.8m or as otherwise approved by the City.
24. No goods, materials, products, or by-products or wastes of processing are to be stored outside of the building unless in a designated area approved for that purpose.
25. Vehicle parking bays and areas designated for landscaping shall not be used for the storage, display, or sale of any goods, products, materials or equipment whatsoever.
26. All landscaping must be completed in accordance with the approved landscape plan prior to the occupation of any building and all landscaping is to be maintained onsite to the satisfaction of the City.
27. No wall, fence or landscaping greater than 0.75 metres in height measured from the natural ground level at the boundary, shall be constructed within 1.5 metres of a vehicular accessway unless such wall, fence or landscaping is constructed with a 1.5 metre truncation.
28. No street tree on the verge is to be removed or relocated without the prior approval of the City. The cost of removal or relocation is to be paid by the owner prior to the lodgement of a Building Permit application.
29. A plan or description of all pylon signs for the proposed development shall be submitted and approved by the City of Swan as a separate development application.
30. The applicant is to ascertain the location and depth of any services that may interfere with this development. Any adjustment to these services required as part of this approval, must be arranged by the applicant prior to works commencing on the site. Any adjustment must be approved by the relevant service authorities and will be at the applicant's expense.
31. Any additional development, which is not in accordance with the application (the subject of this approval) or any condition of approval, will require further development approval.

Advice Notes

1. This is a Development Approval of the City of Swan under its Local Planning Scheme No. 17. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.



2. Development may be carried out only in accordance with the terms of the application as approved herein and any approved plan.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
4. A Development Approval and a Building Permit from the City will be required prior to the construction of mezzanine floors within the subject building.
5. Take notice that it is the responsibility of the applicant to advise the landowner(s) and/or builder(s) of the need to satisfy the requirements of the conditions of the planning approval for the subject lot, prior to or on lodgement of Building Applications. The City will not issue a Building Permit until all the conditions of planning approval and any other requirements pertaining to this planning approval have been met (including payment of fees and charges).
6. In accordance with the Building Act 2011 and Building Regulations 2012, a Building Permit application must be submitted to, and approved by the City's Principal Building Surveyor prior to any construction or earthworks commencing on site.
7. A Demolition Permit must be issued before any demolition work commences on the site.
8. The proposed development is required to comply in all respects with the Building Code of Australia and Health (Public Buildings) Regulations 1992. Plans and specifications which reflect these requirements are required to be submitted with the Building Permit application.
9. To enable your Building Permit application to be assessed promptly, please ensure a complete application is submitted to the City.

To assist in preparing a complete Building Permit application refer to the City of Swan Website (www.swan.wa.gov.au) and follow the links to **Building Services - Applicant Checklists**.

If you require assistance, please contact Customer Services on 9267 9267.

10. The Developer must ensure that compliance with the access and facilities for disabled requirements of the Building Code of Australia and all other relevant Australian Standards in respect of access and facilities for the disabled are met.



11. The noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.

All development works are to be carried out in accordance with control of noise practices set out in Section 6 of AS 2436-1981 or the equivalent current Australian Standard.

No works shall commence prior to 7.00 am without the City's approval.

12. Fuel or hazardous chemical storage may require a licence from the Department of Mines and Petroleum, see online information at dmp.wa.gov.au select Resources safety > Dangerous goods.
13. In accordance with the Health Act 1911 and the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, an application to construct an on-site effluent disposal system must be submitted to and approved by the City's Principal Environmental Health Officer, prior to the construction of such a system.
14. The proposed development is not to be within 1.2 metres of any sewerage septic tank or 1.8 metres of any effluent leach drain without the City's approval.
15. The carrying on of the development must not cause a dust nuisance to neighbours. Site operators must not carry on salvage yard operations unless they are to be carried on in such a manner that no visible dust escapes from the premises (or if there are no defined boundaries to the premises, no such dust escapes into any place to which the public has access).

Where appropriate such measures as installation of sprinklers, use of water tanks, mulching or other land management systems should be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and in the manner directed by the City's Principal Environmental Health Officer if it is considered that a dust nuisance exists.

16. The applicant/owner shall obtain a Building Permit for pylon sign/s prior to the construction of any pylon sign/s onsite.
17. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and nature strips must be adequately protected during the construction of the development.
18. The City of Swan is authorised and liable for the maintenance and repair of roads under its control within its boundary and pursuant to Section 84 of the Road Traffic Act. The City is authorised to recover costs from the applicant, for the repair and maintenance of these roads if any damage is caused as part of this development to the kerb, footpath, drainage pits, stormwater system, landscaping or signs located within the road reserve.



Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.



LG Ref: DA-934/2015
DoP Ref: DAP/15/00947
Enquiries: Development Assessment Panels
Telephone: (08) 8551 9919

Mr Stephen Shircore
Meyer Shircore & Associates
PO Box 1294
Subiaco WA 6904

Dear Mr Shircore

Metro East JDAP – City of Swan – DAP Application DA-934/2015
Lot 62 (72) Hyne Road, South Guildford
Proposed Material Processing Plant, Warehouse and Truck Depot

Thank you for your application and plans submitted to the City of Swan on 4 July 2016 for the above development at the abovementioned site.

This application was considered by the Metro East Joint Development Assessment Panel at its meeting held on 26 August 2016, where in accordance with the provisions of the City of Swan Local Planning Scheme No. 17, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Hannah Thornton at the City of Swan on (08) 92679267.

Yours sincerely,

R Osborne

DAP Secretariat

29/08/2016

Encl. DAP Determination Notice
Approved plans

Cc: Ms Hannah Thornton
City of Swan



City of Swan Local Planning Scheme No. 17

Metro East Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Location: Lot 62 (72) Hyne Road, South Guildford

Description of proposed Development: Proposed Material Processing Plant, Warehouse and Truck Depot

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 26 August 2016, subject to the following:

1. **Accept** that the DAP Application reference DAP15/00947 as detailed on the DAP Form 2 dated 1 July 2016 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. Modify the approval dated 29 February by:
 - a. substitution of the following plans:
 - i. Revised site plan (SK013 – DA.03) date June 2016.
 - ii. Revised ground floor plan (SK013 – DA.05) date June 2016.
 - iii. Revised elevation plan (SK013 – DA.06) date June 2016.
 - iv. Revised section plan (SK013 – DA.07) date June 2016.
 - v. Revised elevations images (SK013 – DA.08) date June 2016.
 - vi. Revised artist Impressions (SK013 – DA.09) date June 2016.
 - vii. Revised stormwater plan (SK013 – DA.10) date June 2016.
 - viii. Revised landscape plan (SK013 – DA.11) date June 2016.
 - b. Amending condition 7 to read as follows:

A minimum of 204 vehicle parking bays, inclusive of 22 commercial vehicle parking bays, shall be provided in accordance with the approved site plan. Vehicle parking bays, access and circulation areas shall be clearly line-marked on the pavement and designed in accordance with the Australian Standard AS (as amended). Disabled bays are to comply with Australian Standard AS2890.6 (as amended).

All other conditions, footnotes and advice notes remain as per the DAPs' original decision dated 10 March 2016.

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.