



Application for Licence

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

Licence Number	L8827/2014/2
Applicant	Nateis Contracting Pty Ltd
ACN	23120017978
File Number	DER2020/000356
Premises	Nateis Salvage Yard 113 Dalison Avenue WATTELUP WA 6166 Legal description Being Lot 304 on Plan 79292 Certificate of Title Volume 1901 Folio 629
Date of Report	11/11/2020
Proposed Decision	Licence granted

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 conversion of the conditions within the Existing Licence (L8827/2014/1) to the current licensing format and includes a limited scope of 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 L8827/2014/2 (Renewal Licence) has been granted.

The decision report for the existing Licence will remain on the Department's website as a record of the decision making regarding the conditions of the Existing Licence that have been carried over to the Renewal Licence.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the department 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 17 August 2020, the applicant submitted an application to the department for the renewal of an existing licence under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek the renewal of a licence relating to the operation of a solid waste depot (salvage yard) at the Premises.

In accordance with the position taken by the Department in administering Part V, Division 3 of the EP Act during the COVID-19 response period, this renewal is restricted in scope to being primarily administrative (conversion of the Existing Licence conditions to the current licensing format) with a very limited scope of assessment undertaken. A risk assessment has only been completed for the new information received within the renewal application and proposed changes to the operation of the Premises.

The Premises relates to the category and assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L8827/2014/2.

2.2.1 Premises operation

The hours of operation of the Premises are between 7am to 4pm on Monday through to Friday, and occasionally between 7:30am and 1pm on Saturdays.

All incoming wastes are sourced from demolition/salvage work undertaken by the Applicant and delivered to the Premises by the Applicant's vehicles.

The Premises is divided into three tiers based on the ground elevation which decreases from North to South within the Premises, due to previous quarrying of the site (see the Tiered Sections Map in Schedule 1 of the Renewed Licence).

The existing licence conditions restrict the unloading and sorting of construction and demolition waste materials (using an excavator) to occur only within Tier 3 due to the potential noise emissions and proximity of nearby residential receptors. A small pneumatic hammer chisel is used to clean bricks (removal of mortar) and may be completed within Tier 2 or Tier 3.

2.2.2 New information and proposed changes

The infrastructure within the Premises for the storage of fuel/oil has changed since the

application for the Existing Licence was submitted to the Department in 2015. The fuel stored within the Premises is for use within the Applicant's vehicles and machinery, and the waste oil is generated within the Premises from the maintenance of this equipment. The Applicant has also proposed to store tins of paint within the Premises which are sourced from the demolition work completed by the Applicant (as paint tins are often left on the properties in sheds and garages).

There are now two bunded areas for the storage of fuel, waste oil and paint. Up to approximately 2000 litres (L) of waste oil (within a 1000 L container and 44 gallon drums) and approximately 200 L of paint tins are stored within Bund 1. Up to 4000 L of fuel is stored within two diesel fuel tanks within Bund 2.

The Applicant has proposed to accept wrapped asbestos onto the Premises for temporary storage where it cannot be directly delivered to a disposal facility on the same day that it is removed from the demolition site by the Applicant, due to the disposal facility being closed by the end of the shift.

The Applicant has also proposed to undertake unloading and sorting of some construction and demolition waste materials (those that are sorted manually rather than with an excavator) within Tier 2, in addition to Tier 3.

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 *Guidance Statement: Risk Assessments* (DER 2017).

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 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Noise	Unloading and sorting of demolition waste within Tier 2	Air/windborne pathway	Activity is limited to operational hours. The ground level of Tier 2 is approximately 4 m below the surrounding ground level.
Asbestos fibres	Receipt of wrapped asbestos/ACM for short term storage	Air/windborne pathway	ACM is wrapped in heavy duty plastic prior to entering the Premises and is stored in a fully tarped vehicle. ACM is transported to a disposal facility at earliest convenience, typically within 24 hours.

Emission	Sources	Potential pathways	Proposed controls
Fuel/oil/paint spills/leaks and contaminated stormwater	Fuel/oil/paint storage	Direct deposit on soil Flow through the soil profile to groundwater	Bund 1 has a storage capacity of 8.75 m ³ (8750 L) (3.5 m wide, 5 m long and 0.5 m high). Bund 2 has a storage capacity of 7.3 m ³ (7300 L) (3.5 m wide, 4.2 m long and 0.5 m high). Bunds are constructed of a concrete base and walls, additionally enclosed by a wall made of limestone blocks (blocks also concreted together).

3.1.2 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 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 (*Guidance Statement: Environmental Siting* (DER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential premises	Approximately 30 m north of the northern Premises boundary.
Industrial premises	Immediately adjacent to the eastern and western Premises boundaries.
Plant Nursery	Immediately adjacent to the southern Premises boundary.
Environmental receptors	Distance from prescribed activity
Threatened ecological community boundary – Tuart woodlands and forests of the Swan Coastal Plain (Priority 3 – Critically Endangered)	110 m south-east of the south-eastern corner of the Premises boundary.
Underlying groundwater (non-potable purposes)	Approximately 23 m below ground level at the lowest ground elevation point in the Premises. Groundwater flows in westerly direction towards the coast (and towards Beeliar Regional Park) (sourced from Perth Groundwater Map https://maps.water.wa.gov.au/#/webmap/gwm)
Beeliar Regional Park (contains surface water body)	Approximately 1.1 km west of the western Premises boundary (and down hydraulic gradient of the premises – i.e. in the direction of local groundwater flow)

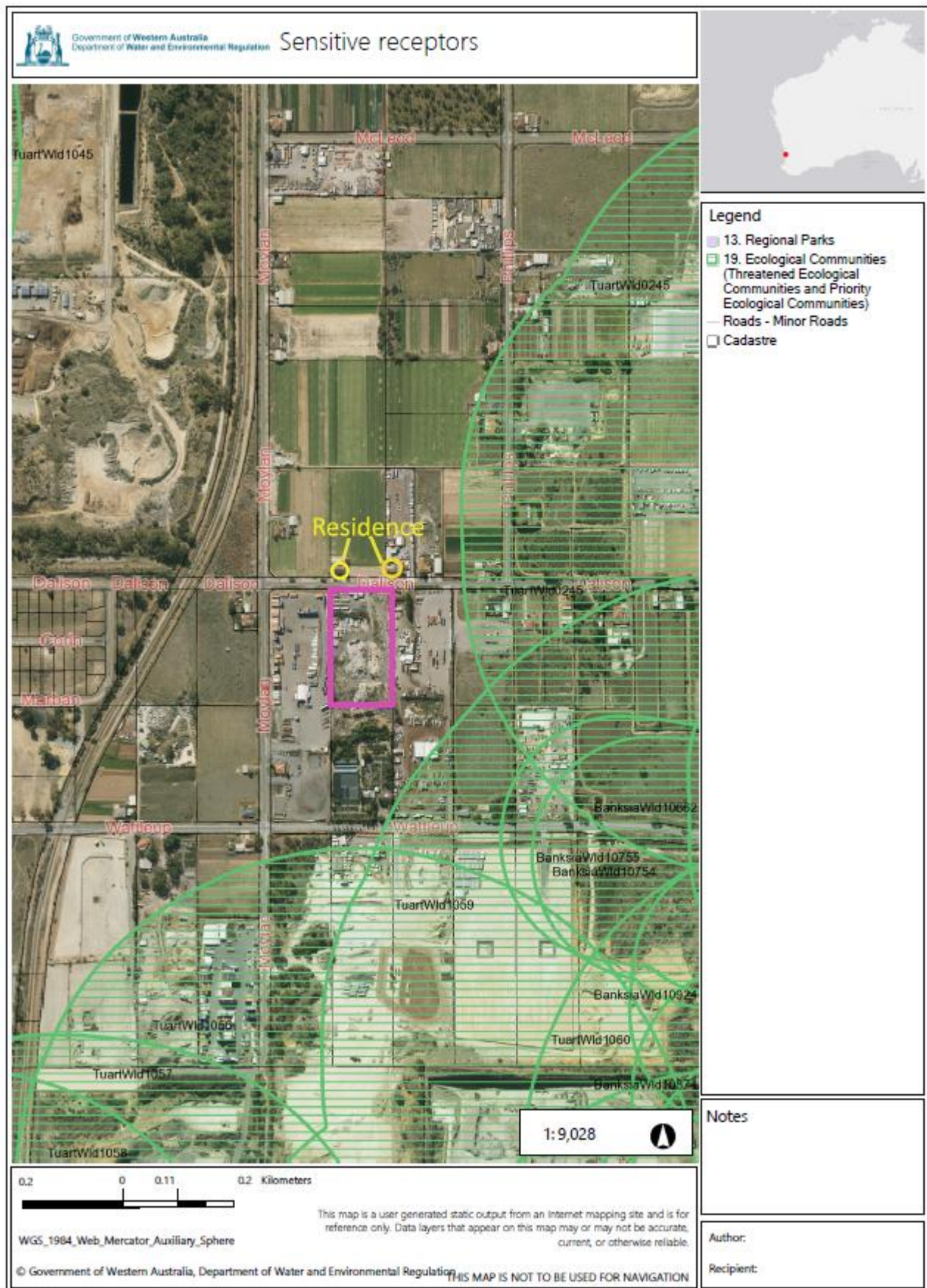


Figure 1: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) 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 3.

Licence L8827/2014/2 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. Category 62: solid waste depot activities.

The conditions in the issued Licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Unloading and sorting of construction and demolition waste within Tier 2	Noise	Air/windborne pathway causing impacts to amenity	Residential premises Approximately 10 m east and 30 m north	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	N	Condition 3	<p>The Existing Licence condition requiring that the unloading and sorting of Inert Waste Type 1 construction and demolition waste is undertaken only within Tier 3 has been carried over into the Renewed Licence.</p> <p>The inclusion of this condition within the Existing Licence was based on an Acoustic Assessment that was completed at the time of the previous licence assessment. A revised Acoustic Assessment is necessary for the Department's reassessment of this aspect of the operation, however this was not provided within the renewal application.</p> <p>The application therefore contained insufficient supporting information to indicate that the proposed activity will not cause an unacceptable impact at adjacent sensitive receptors.</p> <p>The Department did not request this additional information from the Applicant due to the limited time available for the preparation of the Renewed Licence (due to the approaching licence expiry date), The Applicant may submit a licence amendment application providing the necessary supporting information for consideration within a separate assessment process.</p>
Receipt of wrapped asbestos/ACM for short term storage	Asbestos fibres	Air/windborne pathway causing impacts to health	Residential premises Approximately 10 m east and 30 m north	Refer to Section 3.1	C = Severe L = Rare High Risk	Y	Condition 1, 3, 13, 14	<p>Condition 3 allows the storage of each load of wrapped asbestos for up to 48 hours to allow for periods of closure of waste disposal facilities. Condition 3 also specifies that all waste is to be sotred in the fully tarped vehicle and that no unloading of waste shall occur.</p> <p>In addition to the applicant's controls, this waste type has been added to waste acceptance criteria specified in Condition 1 and the corresponding monitoring requirements for waste acceptance (and</p>

Licence: L8827/2014/2

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								removal from the Premises) – see Condition 13/14. This is a standard requirement for all wastes accepted at solid waste depot premises. A sub-limit of the waste acceptance rate for this waste type has also been specified in Condition 1 at 250 tonnes per annum. This volume was selected by DWER as a low volume that should be sufficient for the infrequent storage proposed by the Applicant.
Fuel/oil/paint storage	Fuel/oil/paint spills/leaks and contaminated stormwater	Flow through the soil profile to groundwater causing soil contamination and impacting groundwater quality. Lateral flow through the groundwater – local flow direction is generally west towards the coast.	Underlying groundwater approximately 23 m below ground level. Beeliar Regional Park (contains surface water body). Approx. 1.1 km west of the western Premises boundary (and down hydraulic gradient)	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1, 3, 5, 13, 14	Note - paint has been added as a waste type that may be accepted if it is sourced from the applicant's construction and demolition operations (Condition 1). The fuel is not a waste type, and the waste oil is generated within the Premises therefore these are not captured within Condition 1. In addition to the applicant's controls, the waste paint has been added to the monitoring requirements for waste acceptance and removal from the Premises – see Condition 13/14. This is a standard requirement for all wastes accepted at solid waste depot premises.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

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

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (28/9/2020)	None	N/A
Local Government Authority (City of Cockburn) advised of proposal (25/09/2020)	The City of Cockburn replied on 05/10/2020 confirming that a development application for a Storage Yard at the premises address, and that no determination has been made at this time.	N/A
Applicant was provided with draft documents on 20/10/2020	Applicant waived the remaining comment period on 11/11/2020.	N/A

5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that the application to renew licence L8827/2014/2 will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of conversion of licence conditions

Table 5 provides a summary of the conversion of the Existing Licence conditions into the new format of the Renewal Licence.

Table 5: Conversion of licence conditions in this renewal

Existing Licence condition	Condition summary	Renewal Licence condition	Conversion notes
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.
1.1.3	Australian or other standard	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A Interpretation section and Definitions	Redundant condition. Revised to current licensing format.
1.1.5	Licence not to be taken to authorise any emission	N/A	Redundant condition. Not carried over into the Renewal Licence.

Existing Licence condition	Condition summary	Renewal Licence condition	Conversion notes
	that is not mentioned in the licence		
1.2.1	Pollution control and monitoring equipment	N/A	Redundant condition. Adequately covered by alternative existing conditions. Not included in Renewal Licence.
1.2.2	Recovery and removal of spills	Condition 5	Revised to current licensing format.
1.3.1	Waste acceptance	Condition 1	Revised to current licensing format.
1.3.2	Removal of waste that does not meet acceptance criteria	Condition 2	Revised to current licensing format.
1.3.3	Waste processing	Condition 3	Revised to current licensing format.
1.3.4	Security measures	Condition 6	Revised to current licensing format.
1.3.5	Windblown waste	Condition 8	Revised to current licensing format.
1.3.6	Burning of waste	Condition 7	Revised to current licensing format.
1.3.7	Asbestos Management Plan	Conditions 9, 10, 11 and 12	Update to current condition set. Asbestos Management Plans are no longer directly referred to within licence conditions. Instead the key controls are specified within the licence conditions. The conditions included within the Renewal Licence are the standard asbestos management requirements for Category 62 facilities that accept construction and demolition waste, with the exception that requirements relating to crushing and screening have not been included in the Renewal Licence.
2.1.1	Monitoring of inputs and outputs	Conditions 13 and Condition 14	New numbering and update to wording format
3.1.1 and 3.1.2	Improvements program	N/A	Redundant condition as the improvement has been completed. Not carried over into the Renewal Licence.
4.1.1	Records	Conditions 18 and 19	New numbering and update to wording format
4.1.2	Persons to be aware of licence conditions	N/A	Redundant condition. Not included in Renewal Licence.
4.1.3	Annual Audit Compliance Report	Condition 16	New numbering and update to wording format
4.1.4	Complaints management system	Condition 17	New numbering and update to wording format

Existing Licence condition	Condition summary	Renewal Licence condition	Conversion notes
4.2.1	Annual Environmental Report	Condition 15	New numbering and update to wording format
4.3.1	Notification requirements	N/A	Redundant condition. There are no limits included within the Licence that require notification. Not included in Renewal Licence. The requirement to comply with s72 of the Act still applies.
Schedule 1: Maps	Premises map	Schedule 1: Maps	New map with more recent aerial imagery. No change to the Premises boundary.
	Tiered sections map	Schedule 1: Maps	No change has been made to this map
Schedule 2 Reporting & notifications	Annual Audit Compliance Report	N/A	Redundant attachment. Not carried over into the Renewal Licence.
	Form N1 Notification		Forms accessed at www.dwer.wa.gov.au

References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY					
Application type					
Works approval	<input type="checkbox"/>				
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>
		Has the works approval been complied with?			Yes <input 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 type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:			
Renewal	<input checked="" type="checkbox"/>	Current licence number:	L8827/2014/1		
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		17/08/2020			
Applicant and Premises details					
Applicant name/s (full legal name/s)		Nateis Contracting Pty Ltd			
Premises name		Nateis Salvage Yard			
Premises location		113 Dalison Avenue WATTELUP WA 6166 Being Lot 304 on Plan 79292 Volume 1901 Folio 629			
Local Government Authority		City of Cockburn			
Application documents					
HPCM file reference number:		ILS2013/004004-1			
Key application documents (additional to application form):		Attachment 1A - Lease Agreement and Certificate of Title Attachment 2 – Tiered sections map			

	<p>Attachment 3B – Nateis Company Overview</p> <p>Attachment 6A – Emissions & Discharges</p> <p>Attachment 6B – Waste Acceptance</p> <p>Attachment 7 – Siting and Location</p> <p>Provided separately on 24/8/3020 (A1926435):</p> <p>Form of Application for Development approval – City of Cockburn</p> <p>Schedule 6 – Form of Application for planning approval – Hope Valley Wattleup Redevelopment Project</p>	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Operation of a solid waste depot. Have proposed including asbestos acceptance on the licence, to allow storage of wrapped asbestos from demolition jobs for short periods. No other changes have been proposed.	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 62: Solid Waste Depot	15,500 tonnes per annum	N/A
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 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: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:

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 type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Planning approval has been applied for – application provided.
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Licence/permit No: GWL179786(1)
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Environmental Protection (Controlled Waste) Regulations 2004

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"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Classification: contaminated – restricted use (C–RU)</p> <p>Date of classification: 14/4/2015</p>