



## Application for Licence

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

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<b>Licence Number</b>	L9257/2020/1
<b>Applicant</b>	Cleanaway Pty Ltd
<b>ACN</b>	000 164 938
<b>File Number</b>	DER2020/000306
<b>Premises</b>	Albany Cleanaway 12 Allerton Street  ROBINSON WA 6330  As defined by the Premises map attached to the issued licence
<b>Date of Report</b>	08 September 2020
<b>Proposed Decision</b>	Intent to grant licence

**Melissa Chamberlain**  
**SENIOR ENVIRONMENTAL OFFICER**  
**INDUSTRY REGULATION**

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

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## 1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the Premises. As a result of this assessment, Licence L9257/2020/1 has been granted.

## 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 16 July 2020, the applicant submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a licence relating to the unloading, loading and storage of solid recyclable waste at the Premises as part of the Container Deposit Scheme (CDS). The Premises is approximately 4.3 km north-west of the Albany central business district.

In accordance with section 53 of the EP Act, alterations to a prescribed premises must be done so in accordance with a works approval, licence, closure notice or environmental protection notice (or amendments thereof). In accordance with DWER's Industry Regulation Guide to Licensing (June 2019), the Delegated Officer has determined that alterations to the premises to permit CDS operations are appropriately facilitated via a licence (which is the subject of this decision report).

The Premises relates to the category and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Licence L9257/2020/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Licence L9257/2020/1.

## 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**

<b>Emission</b>	<b>Sources</b>	<b>Potential pathways</b>	<b>Proposed controls</b>
<b>Operation</b>			
Odour	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Limited hours of operation; Enclosed shed; and Limited machinery use
Dust	Vehicle movements	Air/windborne pathway causing impacts to health and amenity	Enclosed shed; and Hand-sorting of material prior to being brought to the Premises.
Noise	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Limited hours of operation; Enclosed shed; and Limited machinery use
Liquid waste residues and contaminated stormwater	Unloading, loading and storage of waste	Overland runoff and infiltration potentially causing soil and groundwater contamination	As part of the CDS scheme containers are required to be accepted clean. Enclosed shed; Hardstand; Hand-sorting of material prior to being brought to the Premises; and Use of tarp covers on outdoor bins
Smoke	Upset conditions (Fire)	Air/windborne pathway causing impacts to health and amenity	Hand-sorting of material prior to being brought to the Premises; Limitations on volumes of flammable material stored at the Premises. Installation of firefighting infrastructure, including a twin-head hydrant with bollards.

Emission	Sources	Potential pathways	Proposed controls
Firefighting washwater	Firefighting activities	Overland runoff and infiltration potentially causing soil and water contamination	None

### 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 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**

Receptor Number	Human receptors	Distance from prescribed activity
H1	Light industrial premises, Stirling and Allerton Streets, Robinson	Immediately adjacent to Premises Boundary
H2	Licensed groundwater user (plant nursery and stock watering), 197 Lower Denmark road, Robinson W and Stirling Street, Robinson	Approximately 30m southwest of Premises Boundary
H3	Rural residential dwellings, Stirling Street, Robinson WA	Approximately 150m west of Premises Boundary
H4	Rural residential dwellings, Newton Street, Robinson WA	Approximately 300m southwest and southeast of Premises Boundary
	Environmental receptors	Distance from prescribed activity
E1	Manmade perennial, vegetated wetland (no value has been assigned), Stirling Street, Robinson	110m southwest of Premises Boundary
E2	Munster Hill Drain – Significant Stream (drains to Robinson Road Drain - Princess Royal Harbour Foreshore Flat)	Approximately 330m southeast of Premises Boundary
E3	Robinson Road Drain - Significant Stream (drains to Princess Royal Harbour Foreshore Flat)	Approximately 520m southwest of Premises boundary





**Figure 1: Distance to sensitive receptors (Premises shown in pink)**

## 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 L9257/2020/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. solid waste depot.

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 <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
<b>Operation</b>								
Unloading, loading and storage of waste, Vehicle movements	Noise	Air/windborne pathway causing impacts to health and amenity	Sterling and Newton Street residences	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 1 and 7	N/A
	Odour	Air/windborne pathway causing impacts to health and amenity	Sterling and Newton Street residences	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 1 and 5	N/A
	Dust	Air/windborne pathway causing impacts to health and amenity	Sterling and Newton Street residences	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 1 and 6	N/A
	Liquid waste residues and contaminated stormwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Manmade wetland, significant streams, and licensed groundwater user	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	N	Conditions 1,2, <b>8 and 9</b>	While the risk from residual liquids is considered low, conditions 8 and 9 have been included as contingency plans in the event of unlikely spill.
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Sterling and Newton Street residences, neighboring light industrial premises	Refer to Section 3.1	C= Minor L = Unlikely <b>Medium Risk</b>	N	Condition <b>16</b>	The Applicant did not provide proposed control measures to mitigate smoke or fire washwater impacts. Conditions 10 and 16 specify actions to be taken.
	Firefighting washwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Manmade wetland, significant streams, and licensed groundwater user	Refer to Section 3.1	C= Minor L = Unlikely <b>Medium Risk</b>	N	Conditions <b>10 and 16</b>	



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 (19/08/2020)	No responses received	N/A
Local Government Authority advised of proposal (17/08/2020)	No response received	N/A
Draft documents provided to applicant (2/09/2020)	No comments.	N/A

## 5. Conclusion

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

As the current lease for the Premises is valid to 2022, the expiry date for the licence has been set for 2022. Should the Licence Holder provide evidence of an extended lease, the expiry date may be extended.

## 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 (as updated from validation checklist)				
<b>Application type</b>				
Works approval	<input type="checkbox"/>			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:		None <input checked="" 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 checked="" type="checkbox"/>	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received	16 July 2020			
<b>Applicant and Premises details</b>				
Applicant name/s (full legal name/s)	Cleanaway Pty Ltd			
Premises name	Not listed on application			
Premises location	12 Allerton Street, Robinson (Albany) WA 6330			
Local Government Authority	City of Albany			
<b>Application documents</b>				
HPCM file reference number:	DER2020/000306			
Key application documents (additional to application form):	<i>Lease                      ASIC                      Site plan and coordinates                      City of Albany enforcement                      DWER scoping email                      Baler manual                      Photo of baler                      Cage photos                      Baler diagram</i>			

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Processing of CDS waste. An existing structure is to be converted into a CDS processing shed. CDS material will be collected, stored (in cages) and baled.	
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 facility	2,000tpa	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"/>	General lease <input checked="" type="checkbox"/> Expiry: 16/03/2022
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Written confirmation from the City of Albany to advise that "no development approval application is required as this is a permitted use within the zone and under the existing land use"
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"/>	CPS No: N/A 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"/>	Application reference No: N/A Licence/permit No: N/A 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 type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.

<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  Type: Proclaimed Groundwater Area/Surface Water Area  Has Regulatory Services (Water) been consulted?  Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>  Regional office: Swan Avon / Mid-West Gascoyne / Kwinana Peel / North West / South West / Goldfields / South Coast</p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A  Priority: P1 / P2 / P3 / N/A  Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)?  Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Classification: N/A  Date of classification: N/A</p>