



Application for Licence

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

Licence Number	L9312/2021/1
Applicant	DGL Warehousing and Distribution Pty Ltd
ACN	625 569 922
File number	DER2018/001042-6
Premises	DGL 105 Sheffield Road WELSHPOOL 6106 Legal description - Lot 1/ Deposited Plan 60288 Certificate of Title Volume 158 Folio 898
Date of report	22 April 2022
Proposed Decision	Licence granted

Marko Pasalich

**A/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the premises. As a result of this assessment, licence L9312/2021/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

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

2.2 Application summary and overview of premises

On 28 September 2021, 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 storage and transfer of used lead acid batteries at the premises, which operates as a warehouse storage facility that accepts and stores various hazardous products and dangerous goods. The storage area designated as the 'S store' within the premises is designated for the prescribed activity described within this authorisation. The premises is approximately 500m northwest of Wattle Grove residences within the Town of Victoria Park.

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 L9312/2021/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9312/2021/1.

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 *Guideline: Risk Assessments* (DWER 2020).

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

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the 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			
Lead-acid battery fluid (sulfuric acid, heavy metals)	Leaks and spills of waste from damaged or broken batteries during the storage, process and handling of batteries.	Overland runoff / migration into stormwater. Localised impacts to underlying soil	Battery pallets stacked a maximum of 2 pallets high. All staff are trained and know the Premises' emergency procedures. Spill kits as specified by Worksafe for Dangerous Goods, UN 2794, Class 8, packing group 3 to be present and accessible on the Premises. Monthly audits to be completed on spill kits. Prevent spilled material from spreading or entering drains by banking sand or earth. If available, consider using water spray to disperse vapour. All captured spilt waste to be removed from the Premises and disposed of by an appropriately licensed third party.
Toxic gases / smoke (fire)	Fire on premises due to battery explosion or short circuit	Air/windborne pathway	All staff are trained and know the Premises' emergency procedures. Each layer of batteries are to be separated by a thick layer of cardboard that encapsulates the battery poles. Firefighting equipment is located at key points throughout the Premises. The Premises has security measures to prevent unauthorised access including fencing.
	Fire/explosion/toxic gas through chemical reaction with other dangerous goods stored onsite	Air/windborne pathway	Physical and geographical segregation of incompatible substances during storage and transfer. Spill kits as specified by Worksafe for Dangerous Goods, UN 2794, Class 8, packing group 3 to be present and accessible on the Premises. The Premises has security measures to prevent unauthorised access including fencing.

3.1.2 Receptors

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

Table 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 (*Guideline: Environmental Siting* (DWER 2020)).

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

Human receptors	Distance from prescribed activity
Wattle Grove residential dwellings	Approximately 500m south east from site boundary
Environmental receptors	Distance from prescribed activity
TEC: Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region, Priority 3, endangered	80m north east from site boundary
Geomorphic Wetlands - Swan Coastal Plain (Management) – Multiple use wetland	80m north east from site boundary
Bush Forever Site 282	520m east from site boundary
Area proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> – Perth Groundwater Area	Intersects the entire site boundary

3.2 Risk ratings

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

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

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Licence L9312/2021/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e. storage of used lead acid batteries.

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 events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Leaks and spills of hazardous liquid waste from damaged or broken batteries during the storage and transfer of batteries.	Lead-acid battery fluid (sulfuric acid, heavy metals)	Overland runoff / migration into stormwater potentially causing ecosystem disturbance or impacting surface water quality Localised acidification and heavy metal contamination of soils	IBRA threatened woodland (80m north east) Geomorphic multiple use wetland (80m north east) Bush Forever Site 282 (520m east)	Refer to Table 1	C = Minor L = Possible Medium Risk	Y	Conditions 4, 5, 6 and 7	N/A
Fire on premises due to battery explosion or short circuit	Toxic gases / smoke from the combustion of batteries	Air/windborne pathway causing impacts to health and amenity	Residences 500m north west	Refer to Table 1	C = Major L = Rare Medium Risk	N	Conditions 8 and 9 and 11	Conditions 8 and 9 have been included as standard conditions for Prescribed Premises with a fire risk, and will assist in maintaining a medium risk profile.
	Fire/explosion/toxic gas through chemical reaction with other dangerous goods stored onsite		Human receptors in surrounding industrial area			Y	Condition 10 and 11	N/A

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

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

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 on 16 November 2021	None received	N/A
Local Government Authority advised of proposal on 17 December 2021	None received	N/A
Applicant was provided with draft documents on 17 February 2022	Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements. The Licence Holder is obliged to ensure that all other necessary licences and approvals (i.e. dangerous goods licence and controlled waste licence) are in place and adhered to prior to and during operation.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
10	The applicant notes that other Dangerous Goods are proposed to be stored within the S Store, however not with 3 metres and all within the same class of Dangerous Goods (Class 8).	Proposed changes within comments are made within the granted licence, with no change to the risk assessment table, due to comingled storage relating only to chemically non-reactive, packaged compounds.

Appendix 2: Application validation summary

Works approval	<input type="checkbox"/>			
Licence	<input checked="" 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 checked="" 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 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	28 September 2021			
Applicant and Premises details				
Applicant name/s (full legal name/s)	DGL Warehousing and Distribution Pty Ltd			
Premises name	DGL			
Premises location	105 Sheffield Road, Welshpool 6106			
Local Government Authority	City of Canning			
Application documents				
HPCM file reference number:	DWERDT508855			
Key application documents (additional to application form):	DWERDT508855 – CWTS listing corro			
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.	Operation of used lead acid battery storage depot			

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
Category 62: Solid waste depot	Up to 5000 tonnes per year

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"/>	Approval: Expiry date: If N/A explain why? The Applicant has marked N/A for planning approvals in section 7.5 of the application. The applicant has confirmed evidence of planning approval or exemption will be provided subsequently.
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.

<p>Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Application reference No: Licence/permit No: Licence / permit not required.</p>
<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Type:- Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office:-</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 WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>DGL Welshpool is listed as a Controlled Waste Facility (Ref: FA258825); and holds a Dangerous Goods Site Licence (licence number DGS010166)</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>