



Application for Licence

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

Licence Number	L9333/2022/1
Applicant	DRAINFLOW SERVICES PTY LTD
ACN	101 546 918
File number	DER2022/000224
Premises	Drainflow Services 43 and 47 Crocker Drive MALAGA WA 6090 Legal description Lot 6 and Lot 7 on Plan 13931 Certificate of Title Volume 1631 Folio 409 Certificate of Title Volume 4631 Folio 410 As defined by the premises map attached to the issued licence
Date of report	27 September 2022
Decision	Licence granted

Abbie Crawford
A/Manager, Waste Industries

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 L9333/2022/1 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

Drainflow Services Pty Ltd (the applicant) currently operate their business from 30 Westchester Road, Malaga with a throughput of 495 tonnes per annum. Current activities do not meet the throughput requirements to become a prescribed premises under Part V of the *Environmental Protection Act 1986* (EP Act).

Due to expanding business operations the applicant has acquired 43 and 47 Crocker Drive, which are immediately behind their existing operation and are where the solid waste activities will occur. 30 Westchester Drive will remain as equipment storage, truck and vehicle parking and depot. The applicant was granted Works Approval W6254/2019/1 on 22 November 2019 to construct the solid waste facility.

On 24 May 2022 the applicant submitted an application for a licence to the department under section 57 of the EP Act to operate the premises. The premises relates to the category and assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L9333/2022/1 and outlined in Table 1 below.

Table 1: Assessed production capacity

Category	Assessed production capacity
Category 61A Solid waste facility: premises (other than premises within category 7A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	35 000 tonnes per annum

2.3 Description of proposed activity

The applicant proposes to use a Terex H9 DDVG screener to wash and screen road sweepings, gully education and hydro excavation materials collected from their road sweeping vehicles to divert waste from landfill.

Materials are delivered to the premises via the applicant's trucks, where they are tipped into a storage bay and transferred by front-end loader into the hopper of the screener to start the washing, screening and separation processes (Figure 1).

All processing will be carried out on a concrete hardstand. The hardstand is drained to grated sealed concrete pits via a pump station where water can be collected and recycled through the washing process of the screen.

Washing and screening will occur daily. Fine aggregate will be sold for reintroduction into road building. Sand and organics will be transported to the Drainflow compost facility that is currently under construction via Works Approval W6231/2019/1 in Beermullah, where it will be used to make various grades of soil conditioner and compost. Recyclable materials will be taken to an appropriate facility for disposal. The applicant is currently proposing the following throughputs (Table 2).

Table 2: Proposed waste acceptance quantities

Waste Type	Quantity	Approved premises throughput
Road Sweepings	10 000 tonnes per annum	35 000 tonnes per annum
Gully Eduction	20 000 tonnes per annum	
Hydro Excavation	5 000 tonnes per annum	

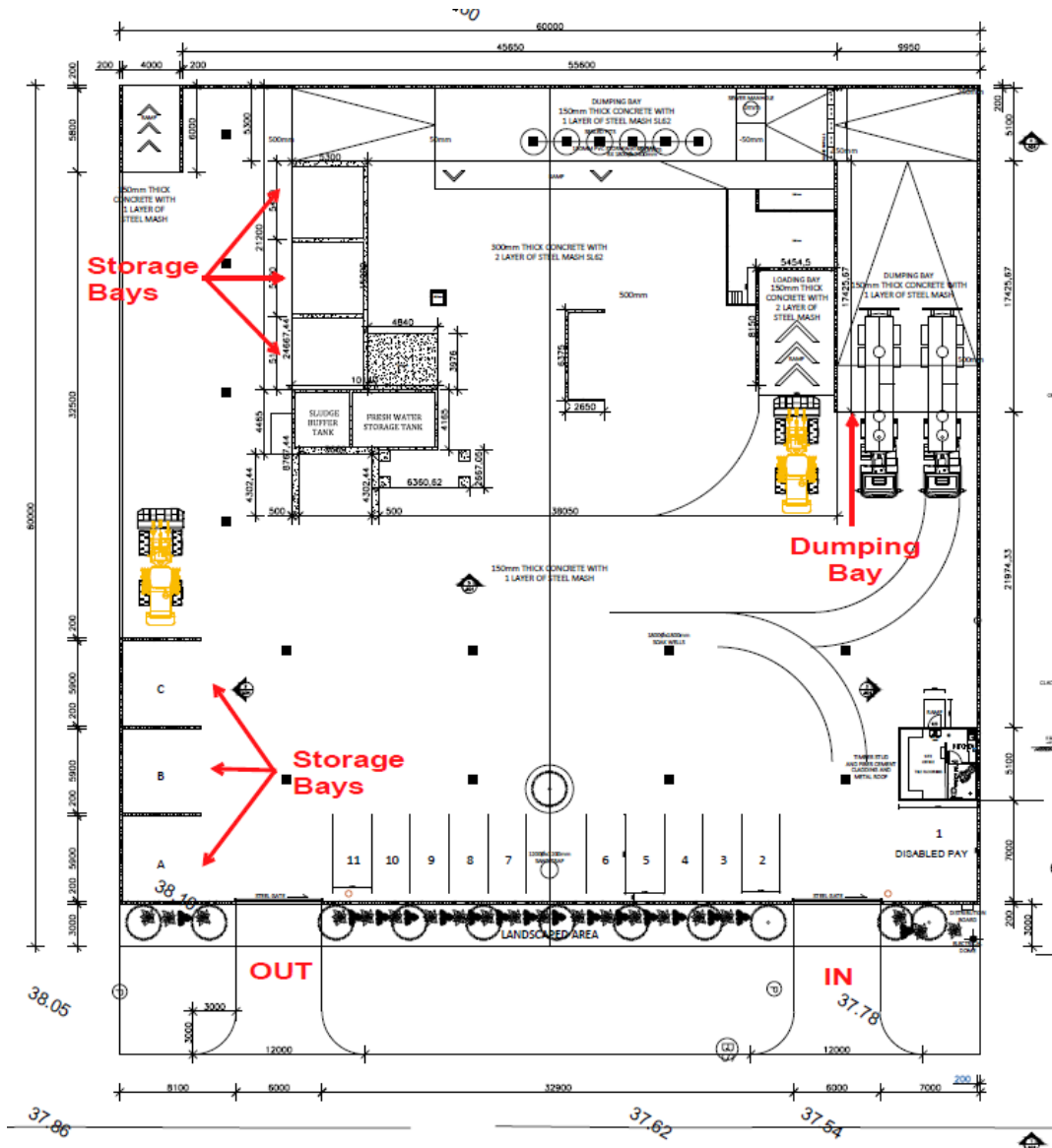


Figure 1: Premises layout

Road sweeping is used in urban areas to reduce the accumulation of litter, leaves and coarse sediment from roads, carparks and footpaths. The composition of road sweepings can include grit, plastic, paper, cardboard, wood, litter and glass. Similarly gully eduction and hyrdo excavation waste can comprise sand, grit, coarse organics and silt/fine organics. As a result of multiple materials being blended together these waste types can be contaminated with trace amounts of chemicals.

Road sweeping and gully eduction materials may contain elevated levels of total petroleum hydrocarbons, polycyclic aromatic hydrocarbons and heavy metals. Levels of these contaminants can vary based on the method of road sweeper, frequency of sweeping and volume of traffic.

The Terex H9 DDVG screener combines several processes including a size separator for oversize materials, density separator, shaker screen, centrifuge and washing unit to help clean and sort materials into sand and three sizes of rocks.

Any heavy metals and hydrocarbons collected in the sludge tank are passed through the centrifuge to separate out the water, which is returned to the processing system for reuse, before eventually being discharged to sewer. The heavy metals and hydrocarbons are combined into a cake form and discharged from the centrifuge into a sealed container for disposal at an approved facility. The centrifuge has no filter system to be replaced or maintained, the centrifuge consists of a stainless-steel screen spinning at high velocity within another chamber.

Materials that pass through the screen are certified as free of heavy metal contamination through chemical coagulation treatment and samples are taken and tested to ensure that the heavy metals are removed. A solids arrestor is installed on the sludge tank to catch any solids during maintenance cleaning.

3. Legislative context and other approvals

3.1 Local government approval

The existing facility at 30 Westchester Road, Malaga has approval to operate from the City of Swan. It does not meet the throughput requirements to become a prescribed premises under the EP Act. The City of Swan granted development approval on 1 February 2022 for Lot 6 and Lot 7 Crocker Drive, classified as 'Industry – General' and subject to conditions. Conditions of the approval relevant to this Licence include:

- The carrying on of the operation including the storage of incoming wastes, storage of recycled wastes, the recycling process & associated activities are to be carried on in such a manner & such dust mitigation measures used, so that no visible dust escapes from the lot.
- Prior to a building permit being issued, a detailed Dust Management Plan for the operation is to be prepared by a suitably qualified consultant and submitted to the City of Swan for approval and must be complied with thereafter.
- All storage and stacking of waste or materials are to be limited to the storage bays and to a maximum height of 2.1m from the finished floor level.
- All effluent & sewage drainage to be connected to the Water Corporation sewer.
- No contaminated stormwater is permitted to enter stormwater drains on-site or stormwater drains off-site.

The City of Swan included advice to the applicant in the development approval. Advice relevant to this Licence includes:

- The approved use shall not commence unless all requirements as stated in the letter dated

19 March 2019 from Department of Water and Environment Regulation (a copy of which is attached to this approval) are complied with.

- Wash down bay/s must be connected to the Water Corporation sewer, with prior approval from the Water Corporation. Mechanical wash down bay/s are required to be assessed & approved by the Water Corporation & constructed in accordance with Water Corporation requirements.
- 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*. Noisy construction work outside the period 7am to 7pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless a Noise Management Plan for the construction site has been approved in writing by the City.

3.2 Water Corporation

The applicant has approval from the Water Corporation to construct trade waste infrastructure under permit number 61168 issued in March 2019, which has been complied with. The applicant has obtained Trade Waste Licence number 12650 issued on 7 June 2019 from the Water Corporation to enable discharges of waste into the sewer system. This will require the applicant to ensure discharges are kept with the trade waste acceptance criteria of 30 mg/L total petroleum hydrocarbons.

Key findings:

1. The Delegated Officer notes the Water Corporation Trade Waste Licence regulates the disposal of treated wastewater into the sewage system.
2. The Delegated Officer notes the sewage system connection is part of a closed system, thereby wastewater is not considered an emission discharged to the environment from the Premises.

4. 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.

4.1 Source-pathways and receptors

4.1.1 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 3 below. Table 3 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 3: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Storage, handling and screening of waste Vehicle movements	Dust	Air / wind dispersion	<ul style="list-style-type: none"> • Hardstand concrete walls and bays • Waste material has a high water content upon arrival due to the collection process and will be maintained in a moist state during pre and post-screening storage and processing. • During windy weather where excessive dust is being generated, works will cease.
	Noise	Air / wind dispersion	<ul style="list-style-type: none"> • Prescribed activities will occur between 7:00 am to 6:00 pm Mondays to Saturdays and from 9:00 am to 1:00 pm Sundays, excluding all public holidays.
Storage and handling of waste	Odour	Air / wind dispersion	<ul style="list-style-type: none"> • Waste is not inherently odorous • Waste will be processed daily and regularly removed from site
	Leachate	Subsurface seepage	<ul style="list-style-type: none"> • All activities will occur on a concrete hardstand pad, with concrete storage bays and a concrete perimeter wall. • Concrete will have a permeability of 1×10^{-9} and a thickness of 105 mm. • Premises is drained to grated, sealed concrete pits via a pump station where water can be collected and recycled through the washing process of the screen. • Testing of final waste product by NATA accredited laboratory to ensure heavy metals are not present, prior to sending for reuse in compost or road construction.
	Windblown wastes	Air / wind dispersion	None
	Hydrocarbons and other contaminants	Overland flow	<ul style="list-style-type: none"> • Wastes with a high hydrocarbon content are not accepted at the premises. • A cleanup after a fuel spill or road accident involves the hydrocarbons being contained with absorbent material, which is then swept up and brought to the premises. As the sweepings will contain excessive levels of hydrocarbons, they will be stored in sealed controlled waste skip bin and transported to an appropriate facility for disposal.
	Contaminated stormwater	Overland flow	<ul style="list-style-type: none"> • Retention of contaminated stormwater within sealed pits, removal by pumping and disposal to a composting facility off-site.

4.1.2 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 4 and Figure 2 below provide 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 4: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential premises	<ul style="list-style-type: none"> 370 m west of the premises boundary
Environmental receptors	Distance from prescribed activity
Public Drinking Water Source Areas	<ul style="list-style-type: none"> Within the Priority 3 zone of the West Mirrabooka Underground Water Pollution Control Area 100 m west of the Priority 3 zone of the Gnangarra Underground Water Pollution Control Area
<i>Rights in Water and Irrigation Act 1914</i> proclaimed groundwater areas	<ul style="list-style-type: none"> Within the Mirrabooka Groundwater Area 280 m east of the Perth Groundwater Area
<i>Rights in Water and Irrigation Act 1914</i> proclaimed surface water areas	<ul style="list-style-type: none"> 370 m west of the Swan River System
Geomorphic wetlands	<ul style="list-style-type: none"> Sumpland basin 490 m east and 950 m north-west of the premises boundary Dampland basin 930 m south-east and 970 m south of the premises boundary
Bush Forever sites	<ul style="list-style-type: none"> Site 385 is 350 m west of the premises boundary Site 201 is 600 m north of the premises boundary
Threatened/priority ecological communities	<ul style="list-style-type: none"> Endangered <i>Banksia attenuata</i> woodlands over species rich dense shrublands 680 m south of the premises boundary Priority 3 <i>Banksia</i> dominated woodlands as close as 350 m west of the premise boundary, and to the north and south
Threatened fauna	<ul style="list-style-type: none"> Endangered <i>Calyptorhynchus latirostris</i> (Carnaby's cockatoo) and the Priority 4 listed <i>Oxyura australis</i> (Blue-billed duck) have been located within 1 km of the premises boundary

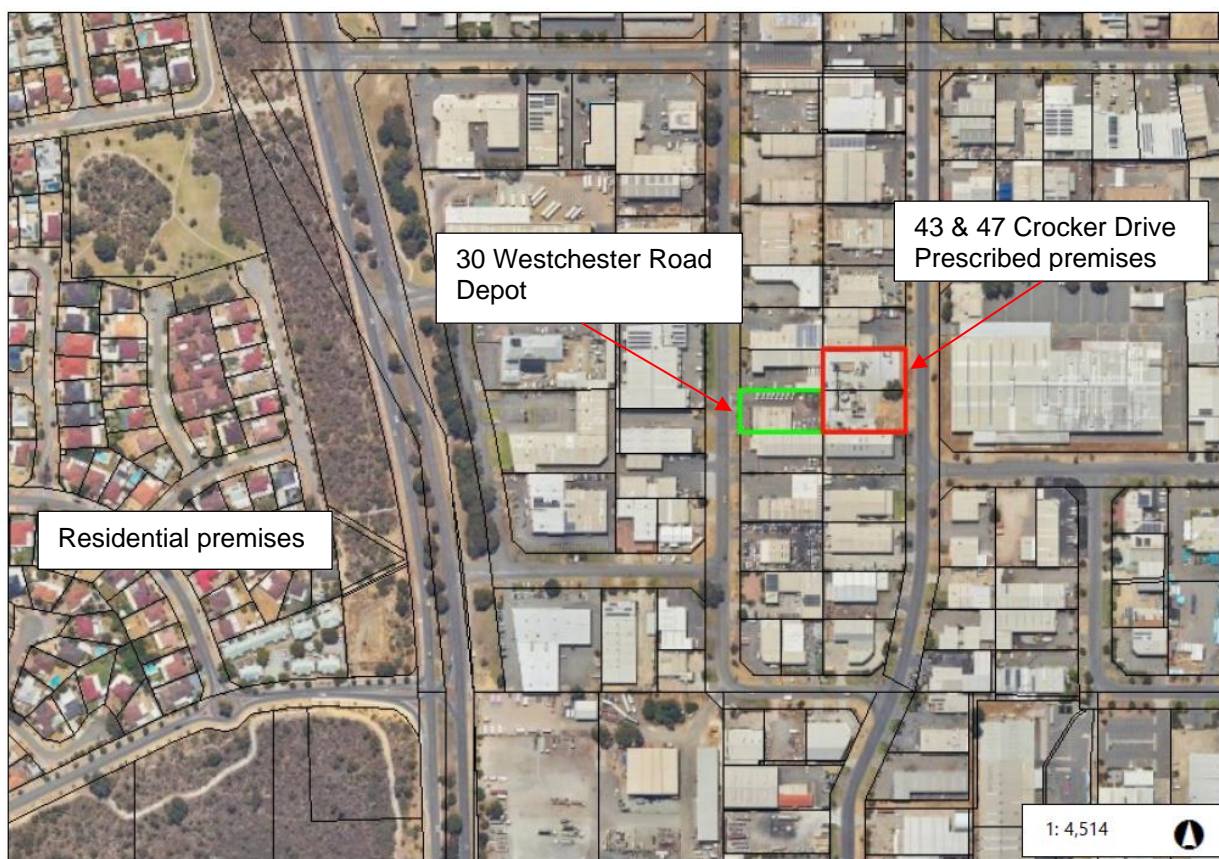


Figure 2: Distance to sensitive receptors

4.2 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 0. 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 0), 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 5.

Licence L9333/2022/1 that accompanies this decision report authorises emissions associated with the operation of the premises.

The conditions in the issued licence, as outlined in Table 5 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 5: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Storage, handling and screening of waste Vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Residential receptors	Refer to Section 4.1	C = Slight L = Unlikely Low Risk	Yes	Condition 4, 10, 11, 19, 20	N/A
	Noise		Residential receptors	Refer to Section 4.1	C = Minor L = Unlikely Medium Risk	Yes	Condition 7	N/A The Licence Holder is required to comply with the EP Noise Regulations during operation.
Storage and handling of waste	Odour	Air / windborne pathway causing impacts to amenity	Residential receptors	Refer to Section 4.1	C = Slight L = Unlikely Low Risk	Yes	Condition 1, 2, 3, 12	N/A
	Leachate	Subsurface seepage causing impacts to groundwater quality	Groundwater sources	Refer to Section 4.1	C = Moderate L = Unlikely Medium Risk	Yes	Conditions 10 and 12 Condition 11	The Delegated Officer has conditioned the testing of the final waste product to ensure processed wastes meet the requirements for uncontaminated fill within the <i>Landfill waste classification and waste definitions (December 2019)</i> .
	Hydrocarbons and other contaminants	Overland flow causing impacts to surface water quality	Surface water sources	Refer to Section 4.1	C = Moderate L = Unlikely Medium Risk	Yes	Conditions 5, 6, 11	N/A

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Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Storage and handling of waste	Contaminated stormwater	Overland flow causing impacts to surface water quality	Surface water sources	Refer to Section 4.1	C = Moderate L = Unlikely Medium Risk	Yes	Condition 9, 10	N/A
	Windblown wastes	Air / windborne pathway causing impacts to amenity	Residential receptors	None	C = Minor L = Possible Medium Risk	No	<u>Conditions 8 and 11</u>	The Delegated Officer notes some likely contaminants in road sweepings are highly mobile by winds and can cause low level impacts in the local area. The requirement to ensure windblown waste does not escape the premises, plus the collection of windblown wastes on a weekly basis will minimise this risk.

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.

5. Consultation

Table 6 provides a summary of the consultation undertaken by the department.

Table 6: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (27/06/2022) and in the West Australian (04/07/2022)	None	N/A
Local Government Authority advised of proposal (27/06/2022)	<p>The City of Swan responded on 03/08/2022 advising the proposal is consistent with the Local Planning Scheme No. 17 and is consistent with the approved use as 'Industry-General (Screening and Sorting Facility)'.</p> <p>The City has no objections to the licence application, subject to the operation being carried out such that noise emissions comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>	Noted
Applicant was provided with draft documents (29/08/2022)	Applicant advised on 20/09/2022 they have no comments or concerns with the draft reports and would like to request that the licence be issued as soon as possible. There is a spelling correction, to read Westchester Road and a weighbridge is no longer proposed.	Corrections made.

6. 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.

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: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input type="checkbox"/>			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:	W6254/2019/1	None <input type="checkbox"/>
		Has the works approval been complied with?	Yes <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/>	
		Date Report received: 24 May 2022		
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	24 May 2022			
Applicant and Premises details				
Applicant name/s (full legal name/s)	DRAINFLOW SERVICES PTY LTD			
Premises name	Drainflow Services			
Premises location	Lot 6 and Lot 7 Crocker Drive 43 & 47 Crocker Drive MALAGA WA			
Local Government Authority	City of Swan			
Application documents				
HPCM file reference number:	DWERDT607410			
Key application documents (additional to application form):	Cover letter and compliance documentation Proof of occupier status ASIC company extract Authorisation to act as representative Premises map Proposed activities Other approvals and consultation Emissions and discharges Waste acceptance Siting and location Proposed fee			

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Licence Operation of solid waste 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	Proposed changes to the production or design capacity (amendments only)
Category 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.	35 000 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"/>	
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Other evidence: Authority to develop
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
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 type="checkbox"/> No <input checked="" type="checkbox"/>	Licence / permit not required.
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"/>	
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <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 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"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	