



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L7398/1999/8
Licence holder	Phillip Norman Bario & Robert Michael Bario
ABN	401 281 393 53
File number	DEC9899/1
Premises	Minorba Grazing Co. Timber Treatment Plant 33007 Albany Highway NARRIKUP WA 6326
Date of report	11/05/2021
Status of report	Final

1. Decision summary

This decision report documents the Delegated Officer's decision to grant licence L7398/1999/8 to Minorba Grazing Co. (Minorba / licence holder) for Minorba Timber Treatment Plant located at 33007 Albany Highway, Albany (the premises). This licence replaces licence L7398/1999/7 which expires on 23 May 2021.

In determining to grant this licence, the Delegated Officer noted that no changes to the activities undertaken, or the volumes of material produced, at the Premises have occurred. The Delegated Officer has not undertaken a detailed review and risk assessment of emissions and discharges from the premises. The format of the licence has been updated consistent with the current licence format.

2. Scope of assessment

2.1 Application summary and overview of the Premises

The licence holder submitted an application for the renewal of licence L7398/1999/7 for the premises on 25 September 2020. The licence relates to the operation of a copper chrome arsenate-based timber preservation plant using a vacuum pressure impregnation process. The site is located about 12 km south of Mt Barker, with the nearest rural residence about 1.6 km north east of the treatment plant.

The timber treatment plant processing area consists of:

- A roofed and walled (on its northern and western sides) concreted hardstand area with a bund wall;
- A vacuum pressure treatment cylinder installed within a separate deeper concrete pit/bund, with a sump for solid waste/sludge collection; and
- A mechanical loading/unloading trolley and a drip pad/fixation area where treated timbers are stored on gluts (large wooden blocks) for at least 48 hours post removal from the treatment cylinder, prior to relocation to the outdoor storage area.

There are no point source emissions or discharges from the premises.

The application form and supporting information submitted for the licence renewal indicates that the activities within the premises have not changed since the issue of licence L7398/1999/7 and therefore the risk presented by the premises to environmental and sensitive receptors has not changed. The Delegated Officer has therefore determined that the existing controls at the premises are adequate to manage the risks to environmental and sensitive receptors.

2.2 Regulatory framework

In replacing the licence 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>.

2.3 Complaints and incidents history

There have been no incidents or complaints identified at the Premises, by the department, since the licence was issued in May 2014.

3. Consultation

The draft replacement licence and this decision report were provided to the licence holder on 16/04/2021 for comment. The licence holder's comments, along with DWER's response, have been summarised in Appendix 1.

4. Decision

The Delegated Officer has granted licence L7398/1999/8 with administrative changes only and without conducting any additional risk assessment. In determining to grant this licence the Delegated Officer notes that no changes to the activities undertaken or the volumes of material produced at the premises have occurred. Therefore, the Delegated Officer determined the risks to public health and the environment from activities at the premises, as previously assessed by the Delegated Officer, have not materially changed and are deemed acceptable. The format of the licence and conditions have been updated to be consistent with the current licence format. The updates are administrative in nature and do not alter the risk profile of the premises.

The replacement licence has been issued for a period of 10 years, in which the department proposes to conduct a review of the licence at the next expiry, to ensure the risks to public health and the environment from activities on the premises, as previously assessed by the department, have not materially changed.

In replacing the expiring license, the Delegated Officer has also determined to:

- update the format and appearance of the licence;
- remove redundant conditions and include additional conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- revise licence condition numbers and realign condition numbers for numerical consistency; and
- transfer all existing regulatory controls and conditions to the replacement licence.

Summary of changes

The below table provides a summary of changes to the previous licence and will act as a record of implemented changes. All changes have been incorporated into the replacement licence.

Condition / table	Description
Cover page	Licence version updated. Issue and expiry dates updated.
Introduction	Previous 'introduction' section removed, consistent with current DWER licence template. This guidance is now available in DWER's <i>Guide to Licensing</i> (June 2019).
Interpretation	Updated, consistent with current DWER template. Replaces previous conditions 1.1.3 and 1.1.4.
6	Updated to be consistent with current DWER licence template (replaces previous condition 2.6.1).
9	Updated to be consistent with current DWER licence template (replaces previous condition 5.1.3).
11	New conditions added, consistent with current DWER licence template.
Definitions	Definitions updated consistent with current DWER licence template: 'CEO', 'environmentally hazardous material', 'licence', 'premises'.
	Definitions added: 'AACR', 'books', 'discharge', 'emission', 'EP Act', 'EP Regulations', 'licence holder' 'prescribed premises'.
	Definitions removed: 'code of practice for the storage and handling of dangerous goods', 'dangerous goods', 'fugitive emissions'.
Schedule 1	Included new premises boundary map
Schedule 2	Removed 'Notification Form' to be consistent with current DWER template

SENIOR INDUSTRY REGULATION OFFICER

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Summary of licence holder's comments on draft licence and decision report

The licence holder was provided with the Draft Licence and Draft Decision Report on 16/04/2021 for review and comment. The licence holder responded via email on 5/05/2021. The following comment/s were received on the Draft Licence.

Condition/Table	Summary of Licence Holder comment	DWER response
Table 2	The licence holder commented on the treated timber fixation process in the new licence	DWER contacted the licence holder on 6/05/2021 and explained that the treated timber fixation process is a replica of the old licence. The licence holder withdrew the comment. No changes were made.