



Application to replace expiring licence

Division 3, Part V *Environmental Protection Act 1986*

Licence number	L9169/2018/2
Licence holder	Cleanaway Co Pty Ltd
ACN	127 853 561
File number	DER2018/001491~6
Premises	Cleanaway Henderson Lot 300 on Plan 23084 24 Stuart Drive HENDERSON WA 6166
	Legal description – Lot 300 on Plan 23084 Certificate of Title Volume 2202 Folio 933 As defined in Schedule 1 Maps - Map 1 Premises map
Date of report	6 December 2021
Status of report	FINAL

1. Decision summary

This decision report documents the Delegated Officer's decision to grant licence L9169/2018/2 to Cleanaway Co Pty Ltd (The Licence Holder) for Cleanaway Henderson liquid waste facility located at 24 Stuart Drive Henderson, Western Australia.

In determining to grant this licence, the Delegated Officer noted that no changes to the activities undertaken at the premises are proposed. 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 Overview of premises and application summary

The licence relates to prescribed premises category 61 – liquid waste facility. The facility accepts and treats a broad range of bulk liquid wastes produced by industry and commercial sectors. Accepted oily and non-oily wastewaters are treated through the onsite oily water separator treatment plant and then disposed of to the sewer network. The facility accepts PFAS contaminated water and undertakes treatment of this water on site prior to discharge to the sewer network. Under normal operations, there are no wastewater discharges to the environment at the premises. Liquid waste processing/treatment takes place within an enclosed system with odour and air emission controls.

A risk based review of the preceding licence (L9169/2018/1) was finalised and a revised licence was granted on 19 September 2017. A revised licence was granted on 9 March 2021.

On 13 October 2021 DWER received an application from the Licence Holder for renewal of licence L9169/2018/1. The application form indicates no changes to the activities within the premises.

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

DWER's assessment has not included a review of complaints/incidents in relation to licence L9169/2018/1. As a licence review was completed in 2017 and a further amendment to the licence was granted in March 2021, further assessment of the Licence Holder's competency and any complaints will be undertaken separate to the licence renewal process.

2.4 Other approvals

The City of Cockburn has issued planning approval for general industry – workshop and wastewater treatment facility in relation to the premises. The planning approval was issued on 7 September 2004.

The Licence Holder holds a Water Corporation Permit to Discharge Industrial Waste (number 21873) granted on 4 May 2007.

3. Consultation

Table 1 provides a summary of the consultation undertaken by DWER.

Table 1: Consultation

Consultation method	Summary of comments received	Department response
Application advertised on the department's website on 5/11/2021	No submissions received	Noted
City of Cockburn advised of proposal on 10/11/2021	A response was received from the City of Cockburn on 21 November 2021, confirming the City has no comment on the proposed licence renewal.	Noted
Water Corporation advised of proposal on 10/11/2021	No submissions received	Noted
Applicant was provided with draft documents on 18 November 2021	A response was received from the applicant on 25 November 2021. This confirmed the applicant had no comments other than provision of an updated site plan as requested.	Noted

4. Decision

The Delegated Officer has granted licence L9169/2018/2 with administrative changes only and without conducting any additional risk assessment.

The Delegated Officer notes that no changes to the activities undertaken at the premises are proposed. Therefore, the Delegated Officer determined the risks to public health and the environment, as previously assessed by the Delegated Officer, have not materially changed and are deemed acceptable. The licence is granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

The replacement licence will be issued for 5 years consistent with the *Guidance Statement on Licence Duration 2016*. Due to the number of complaints and compliance issues previously on the premises the Delegated Officer has agreed to renew the licence for 5 years.

In replacing the expiring licence, the Delegated Officer has determined to:

- update the format and appearance of the licence;
- update definitions as required;
- transfer all existing regulatory controls and conditions to the replacement licence;
- remove redundant conditions;
- revise licence conditions as necessary for the effective administration of the licence; and in accordance with current standards;
- correct clerical mistakes;
- update the site plan detail as noted below.

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.

Previous licence section/condition	Description of changes
Cover page	Updated cover page format. Updated licence number and reference to Schedule 1.
Explanatory notes	Removed in accordance with current DWER licence template.
Definitions	Updated definitions for CEO, Compliance Report and Department.
Interpretation section	Added clause (f) and additional note in accordance with current DWER licence template.
Condition 1	Condition removed in accordance with current DWER licence template.
Conditions 2 to 14	Due to removal of Condition 1, the numbering of Conditions 2 to 14 has been updated to Conditions 1 to 13.
Conditions 3, 4, 5, 6, 7	Revised wording of conditions in accordance with current standards.
Condition 7	Groundwater monitoring requirements previously detailed in Schedule 3 are now detailed in Condition 6 – Table 5.
Condition 10 (c)	Added reference to Condition 3 in relation to monitoring waste inputs and outputs.
Condition 10 (g)	Reference to Books to be retained for 3 years revised, in accordance with current standards.
Conditions 12 and 13	Conditions relating to Compliance Report updated in accordance with current standards.
Schedule 1 Maps	Premises map description updated.
Schedule 1 Map 2 site plan	Amended to include Cleanaway logo. Additional 5 kilolitre tank in tank farm area noted.
Schedule 2: General description	Minor change to general description text.

The Delegated Officer advises the Licence Holder that a licence amendment application will be required if the Licence Holder wishes to increase the Category 61 design capacity of 47,000 tonnes per annual period.

Jane Dalin

**SENIOR ENVIRONMENTAL OFFICER
INDUSTRY REGULATION**

Officer delegated under Section 20 of the Environmental Protection Act 1986.