



Application for Licence

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

Licence Number	L9281/2021/1
Applicant	City of Swan
File Number	DER2018/001042-5~6
Premises	Recycling Centre Malaga 7 Cogla Street MALAGA WA 6090 Legal description Lot 101 on Deposited Plan 417720 Certificate of Title Volume 2985 Folio 143 As defined by the Premises map attached to the issued licence
Date of Report	16 April 2021
Proposed Decision	Licence granted

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A/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES

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

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary and overview of Premises	1
3. Risk assessment	2
3.1 Source-pathways and receptors	3
3.1.1 Emissions, pathways and controls	3
3.1.2 Receptors	4
3.2 Risk ratings	7
4. Consultation	9
5. Conclusion	9
References	9
Appendix 1: Application validation summary	10

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 L9281/2021/1 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 18 February 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 the operation of a community recycling facility at the Premises. Wastes proposed for acceptance at the Premises and associated storage containment infrastructure is outlined in Table 1 below and illustrated in Figure 1. No processing of wastes is proposed at the Premises with the exception of the degassing of white goods, which the applicant will conduct using trained and certified staff who will capture the gasses to prevent emissions to the environment. Cardboard will also be compacted prior to transportation off site.

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 L9281/2021/1. 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 L9281/2021/1.

Table 1: Accepted wastes and storage infrastructure

Accepted waste types	Storage/Containment infrastructure
Greenwaste	Greenwaste three-sided shed
Construction and Demolition (C&D) waste	Construction rubble three-sided shed
White goods	White goods shed
Mattresses	Three-sided sheds
Tyres	
E-waste	
Used oil	
Batteries	Self-bunded storage containers within three-sided sheds
Globes/tubes	
Metal	
	Hook lift bins

Accepted waste types	Storage/Containment infrastructure
General municipal waste	
Timber	
Polystyrene	
Cardboard	

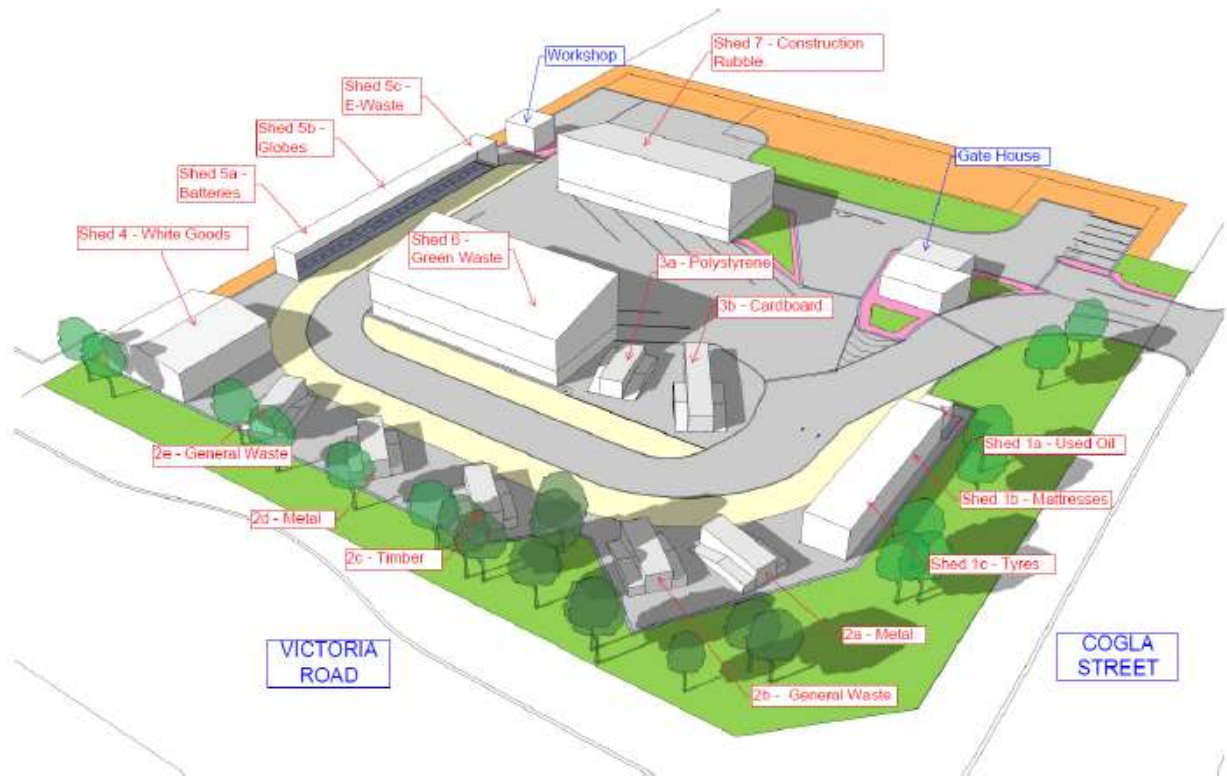


Figure 1: Site layout and waste storage locations

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, pathways 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 2 below. Table 2 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Lift-off from stockpiled C&D wastes	Air/windborne pathway causing impacts to health and amenity	Stockpiles will be a maximum height of 2m. Stockpiles to be located within a three-sided shed. Dust suppression sprinklers are mounted on the shed roof and can be manually controlled by staff. No processing of C&D wastes will occur.
Noise	Waste acceptance, handling and stockpiling Vehicle movements		Vehicle movements restricted to 8 km/hr. Premises is open from 8:30 am – 4:30 pm Thursday – Sunday. One-way system of traffic flow throughout premises.
Odour	Acceptance and storage of wastes		All accepted wastes are stored within impermeable containers, self bunded facilities or within three-sided sheds. Wastes are removed from the premises on at least a weekly basis.
Potentially contaminated stormwater	Contamination of stormwater with spills of environmentally hazardous material	Overland run-off and infiltration to land causing impacts to groundwater	All wastes will be stored on a concrete hardstand or a bitumen surface. All decanting of waste will occur within a secondary containment system. Wastes are removed from the premises on at least a weekly basis. Spill kits are located at strategic points throughout the premises. Prior to stormwater leaving the site via the underground soakwell network, stormwater will pass through a filter to remove hydrocarbons and fine suspended solids.

Emission	Sources	Potential pathways	Proposed controls
Leachate	Acceptance and storage of greenwaste		<p>Greenwaste to be stored on a concrete impermeable hardstand.</p> <p>Greenwaste to be located within a three-sided shed</p> <p>Stockpiles will be a maximum height of 2m.</p> <p>Greenwaste will be removed from the premises on at least a weekly basis.</p>
Fire and fire washwaters	Stockpiled wastes catching on fire	<p>Air/windborne pathway causing impacts to health and amenity</p> <p>Overland run-off and infiltration to land causing impacts to groundwater</p>	<p>Fire fighting equipment located at key points throughout the premises.</p> <p>No more than 100 tyres will be kept on site at any one time.</p> <p>Accepted materials are regularly removed from the premises.</p> <p>In the event of a fire, stormwater disposal drains within the premises will be covered with sandbags to prevent the infiltration of fire washwaters to ground.</p> <p>Washwater will be recovered from within the premises boundary where possible.</p>

As dust and noise are considered potential emissions, the prevailing wind direction has been considered in conducting DWER's risk assessment. Using data from the Bureau of Meteorology's Perth Metro station (no. 009225), the prevailing wind directions are east and north-easterly in the morning changing to south-westerly in the afternoon.

As potentially contaminated stormwater, leachate and fire washwaters are considered potential emissions which may infiltrate groundwater, soil geology and groundwater hydrology have also been considered. Using data from the Perth Groundwater Map (available on DWER's website) the Premises is located in an area mapped predominantly as Bassendean Sand which is considered to be a permeable soil profile. Groundwater flow is in a north-westerly direction with groundwater at the Premises being located approximately 4 metres below ground level (mbgl).

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 3 and Figure 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 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	773 m north of Premises and 1.4 km east of Premises
Environmental receptors	Distance from prescribed activity
Bushforever site 307 Lightning swamp bushland	670 m south of Premises
Threatened fauna <ul style="list-style-type: none"> • <i>Calyptorhynchus latirostris</i> – Carnaby's cockatoo • <i>Isodon fusciventer</i> – Southwestern brown bandicoot • <i>Calyptorhynchus sp.</i> – White tailed black cockatoo 	Recorded sightings within Bushforever site 670 m south of Premises
Public Drinking Water Source Area <ul style="list-style-type: none"> • Gnangara Underground Water Pollution Control Area – Priority 3 (P3) 	95 m north west of Premises down hydraulic gradient
Proclaimed Surface Water Areas (RIWI Act 1911) <ul style="list-style-type: none"> • Swan River System 	Premises mapped within area
Proclaimed Groundwater Areas <ul style="list-style-type: none"> • Perth Groundwater Area • Mirrabooka Groundwater Area 	Premises mapped within the Perth Groundwater Area Mirrabooka Groundwater Area located 100 m north of Premises

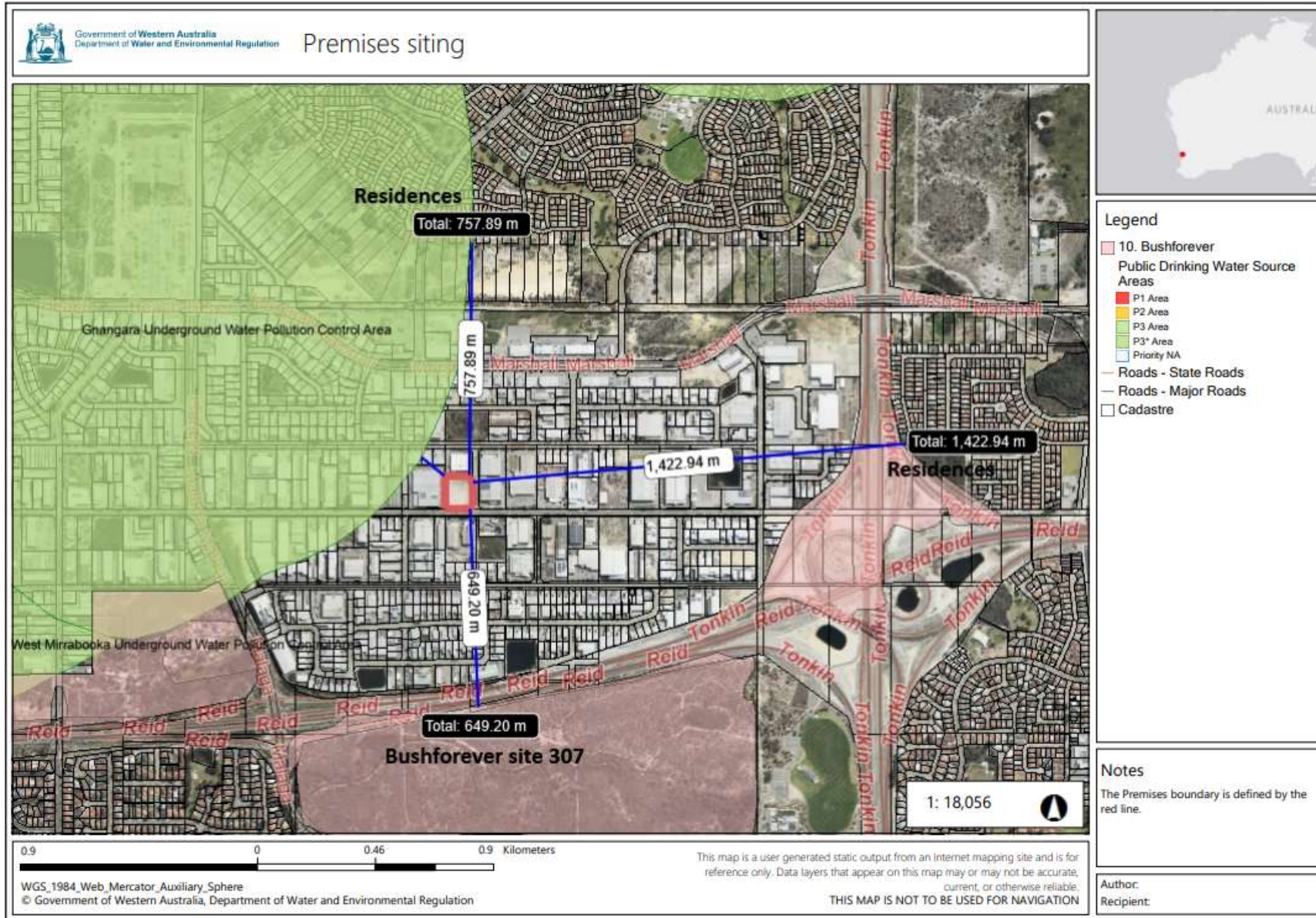


Figure 2: Distance to sensitive receptors

Licence: L9281/2021/1

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 4.

Licence L9281/2021/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. waste acceptance and storage prior to removal offsite.

The conditions in the issued Licence, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4: Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Acceptance and storage of wastes prior to removal from site	Noise	Air/windborne pathway causing impacts to health and amenity	Residential Premises 773 m north and 1.4 km east of the Premises	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Emission to be regulated under <i>Environmental Protection (Noise) Regulations 1997</i>	N/A
	Dust			Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 1, 4, 5, 6, 7 and 16	N/A
	Odour			Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 1, 2, 4, 5, 16	N/A
	Potentially contaminated stormwater	Overland run-off and infiltration to land causing impacts to underlying soil and groundwater	Public drinking water source area mapped 95 m north west down hydraulic gradient of Premises Proclaimed surface and groundwater areas – Premises situated within area	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 4, 5, 6, 9, 10, 11	N/A
	Leachate			Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Conditions 4, 5, 6, 9, 10, 11	N/A
	Fire and fire washwaters	Air/windborne pathway causing impacts to health and amenity Overland run-off and infiltration to land causing impacts to underlying soil and groundwater	Residential Premises 773 m north and 1.4 km east of the Premises Public drinking water source area mapped 95 m north west down hydraulic gradient of Premises Proclaimed surface and groundwater areas – Premises situated within area	Refer to Section 3.1	C = Major L = Rare Medium Risk	Y	Condition 4, 6, 12, 13	N/A

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. **Additional regulatory controls** depicts additional regulatory controls imposed by department.

Licence: L9281/2021/1

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website 8 March 2020	None received.	N/A
Applicant was provided with draft documents 9 April 2020	The Applicant has no comments on the draft documents and would like to waive the remainder of the review period and request the licence is issued as soon as possible.	Noted.

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.

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)					
Application type					
Licence	☒	Relevant works approval number:		None	<input type="checkbox"/>
		Has the works approval been complied with?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input 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:			
Date application received	18 February 2021				
Applicant and Premises details					
Applicant name/s (full legal name/s)	City of Swan				
Premises name	Recycling Centre Malaga				
Premises location	7 Cogla Street, Malaga WA 6090				
Local Government Authority	City of Swan				
Application documents					
HPCM file reference number:	DER2018/001042-5~6				
Key application documents (additional to application form):	Attachment 2 – Malaga Site Aerial and Plans Attachment 1A – Certificate of Title Attachment 1Ai – Landgate Plan Attachment 3B – Cover information Attachment 5A – DA Approval Attachment 5B – Building Permit Attachment 5C – Building Permit – Drawings set Attachment 8A – BAL Report Attachment 8B – Preliminary Site Investigation Attachment 8C – Geo Tech Report Attachment 8D – Decontamination testing				
Scope of application/assessment					
Summary of proposed activities or changes to existing operations.	Operation of a community recycling centre				
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 depot	Combined total of 13,000 tonnes per annual period				

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: DA-388/2020 Expiry date: 21 August 2022 if construction works have not commenced.
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.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Perth Groundwater Area/Swan River system Type: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: Swan Avon

<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: 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</i>, <i>Environmental Protection (Controlled Waste) Regulations 2004</i>, <i>State Agreement Act xxxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><i>Environmental Protection (Controlled Waste) Regulations 2004</i></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>