



Attachments

Ordinary Council Meeting
Tuesday, 6 February 2024

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Agenda Item 8.1 - Attachment 1

DWER Prescribed Premises Licence



Government of Western Australia
Department of Water and Environmental Regulation

Licence

Licence number	L9388/2023/1
Licence holder	Onslow Port Services Pty Ltd
ACN	657 345 385
Registered business address	Suite 3, 105 Forrest Street COTTESLOE WA 6011
DWER file number	DER2022/000713
Duration	15/09/2023 to 14/09/2032
Date of issue	15/09/2023
Premises details	Port of Onslow, Beadon Creek Part of Lot 561 Beadon Creek ONSLOW WA 6710 Legal description – Part of Reserve 30711, being a part of Lot 561 Deposited Plan 174170. As defined by the premises map and GPS coordinates provided in Schedule 1

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed design capacity
<i>Category 47: Scrap metal recovery: premises (other than premises within category 45) on which metal scrap is fragmented or melted, including premises on which lead acid batteries are reprocessed.</i>	10,000 tonnes per annum
<i>Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.</i>	3,500 tonnes per annum

This licence is granted to the licence holder, subject to the attached conditions, on 15 September 2023, by:

**Steve
Checker**

Digitally signed by
Steve Checker
Date: 2023.09.15
14:43:09 +08'00'

Steve Checker

MANAGER WASTE INDUSTRIES

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

Environmental Protection Act 1986

Licence number: L9388/2023/1 (15 September 2023)

File number: DER2022/000713

Department of Water and Environmental Regulation

Licence history

Date	Reference number	Summary of changes
15/09/2023	L9388/2023/1	New licence granted.

Interpretation

In this licence:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this licence:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

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Licence conditions

The licence holder must ensure that the following conditions are complied with:

Infrastructure and equipment

1. The licence holder must ensure that the site infrastructure and equipment listed in Table 1 and located at the corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 1.

Table 1: Infrastructure and equipment requirements

Site infrastructure and equipment	Operational requirement	Infrastructure location
Hardstand	Constructed on a compacted graded basecourse to 98% MDD and compacted sub-grade to 94% MDD.	Premises footprint
Mobile plant (Cranes, forklifts, vehicles)	Vehicles fitted with reversing squelchers.	Premises footprint
Washdown bay	Equipped with filtration system which includes a collection sump collected to a coalescing plate oil water separator, a 5,000L sediment tank and a 5,000L wastewater tank. All sediment, wastewater and oil/water mixtures captured within the wash bay sumps must be pumped out by a licensed third-party contractor for offsite disposal at a suitably licensed liquid waste facility. No discharge from the washdown bay to the environment is permitted.	As depicted in Figure 1
Temporary storage containment bund	On a campaign specific basis, a bunded laydown area will be constructed to contain any potentially contaminated runoff from the stockpiling and/or sorting/processing of waste materials. The containment bund shall be constructed in accordance with the requirements set out in Schedule 2. The laydown areas must be installed such that all water is contained and pumped to the existing wash bay for treatment and eventual disposal.	Within the delineated laydown/stockpile /processing area depicted in Figure 1

2. The licence holder must:
 - (a) maintain suitable fencing to prevent unauthorised access to the site;
 - (b) ensure that any entrance gates to the premises are securely locked when the premises is unattended; and
 - (c) undertake regular inspections of all security measures and repair damage as soon as practicable.

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Operations

3. The licence holder must by 14 November 2023, retain the services of a person qualified and experienced in environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
 - (a) investigate the nature and extent of noise emissions from the premises;
 - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the primary activities regulated under this licence, against the relevant assigned levels specified in those Regulations; and
 - (c) compile and submit to the licence holder within 3 months of the commencement date of this licence a report in accordance with condition 4.
4. A report prepared pursuant to condition 3(c) is to include:
 - (a) a description of the methods used for monitoring and/or modelling of noise emissions from the premises;
 - (b) Details and the results of the investigation undertaken pursuant to condition 3(a);
 - (c) details and results of the assessment of the noise emissions from the premises, against the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997* undertaken pursuant to condition 3(b).
 - (d) an assessment of noise levels against the most previous recent noise assessment.
5. The licence holder must submit to the CEO the report prepared pursuant to condition 3(c) within 14 days of receiving it.
6. Where an assessment pursuant to condition 3(b) indicates that noise emissions do not comply with the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997*, the license holder must:
 - (a) within 30 days of receiving an assessment report pursuant to condition 3(c) prepare a plan to ensure the undertaking of the licensed activity will no longer lead to any contravention of *the Environmental Protection (Noise) Regulations 1997*; and
 - (b) provide to the CEO a copy of the plan prepared pursuant to condition 6(a) within 30 days of its preparation.3(a)

Waste acceptance

7. All waste material received at the premises may only be stored within the delineated laydown/stockpile/processing area as depicted in Figure 1.
8. The licence holder must only accept onto the premises waste of a type that:
 - (a) does not exceed the rate at which that waste is received; and
 - (b) meets the relevant acceptance specification,
 - (c) as set out in Table 2.

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Table 2: Waste acceptance criteria

Waste type	Rate at which waste is received	Acceptance specifications
Scrap metal	Up to 10, 000 tonnes per annum.	N/A
General waste (Including crib waste, fabrics)	Up to a combined total of 3, 500 tonnes per annum.	Received in packages or containers for storage pending collection and disposal.
Hard and soft plastics		N/A
Fire extinguishers		
Electrical waste (air-conditioners, cables)		
Concrete		
Subsea infrastructure (Termination units, assemblies, umbilical end units)		
Hazardous waste (As defined in the Dangerous Goods and Radiation Management Plans)		
Medical waste (Clinical waste such as sharps, sanitary products, etc.)	Up to 1 tonne per annum.	Transported in sealed, clearly labeled containers or bins.
Packaged liquid wastes	Up to 100 tonnes per annum.	Transported in sealed, clearly labeled containers or bins.

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Waste processing

9. The licence holder must ensure that the waste types specified in Table 3 are only subjected to the corresponding process(es), subject to the corresponding process limits and/or specifications.

Table 3: Waste processing

Waste type	Process(es)	Process limits and/or specifications
Scrap metal	Receipt, handling and/or cutting prior to export.	Cutting and fragmenting using hydraulic shears and grinders. Fragmenting and cutting of metal to occur only between the hours of 0700 and 1900, Monday to Saturday (excluding public holidays).
General waste (Including crib waste, fabrics)	Receipt, handling, and storage only.	Putrescible wastes removed from premises within 72 hours of unloading.
Electrical waste (air-conditioners, cables)	Receipt, handling, and storage only.	Stored in suitable bins or containers.
Concrete	Receipt, handling, and storage only.	N/A
Hard and soft plastics	Receipt, handling, and storage only.	N/A
Fire extinguishers	Receipt, handling, and storage only.	N/A
Subsea infrastructure (Termination units, assemblies, umbilical end units)	Receipt, handling, and storage Unspooling, cutting, and bundling flexibles (containing steel and plastic).	Biofouled waste removed from premises within 72 hours of unloading.
Hazardous waste (as defined in the Dangerous Goods and Radiation Management Plans)	Receipt, handling and Storage only.	All NORM material will be stored in clearly labelled sealed UN rated drums or inside shipping containers. ALL drums, skips, SCOs items within sea containers shall only be moved onsite using a forklift or similar lifting devices.

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Waste type	Process(es)	Process limits and/or specifications
Medical waste (Clinical waste such as sharps, sanitary products etc.)	Receipt, handling, and storage only.	Clinical wastes removed from premises within 72 hours of unloading.
Packaged liquid wastes	Receipt, handling, and storage only.	Drums or material that contain liquid must be stored on plastic, banded pallets.

Emissions and discharges

- 10. The licence holder shall immediately recover, or remove and dispose of, spills of environmentally hazardous materials including hazardous waste, liquid waste, fuel, oil, or other hydrocarbons, whether inside or outside an engineered containment system.
- 11. The licence holder shall ensure that all material used for the recovery, removal, and/or disposal of environmentally hazardous materials is stored in an impermeable container prior to disposal at an appropriately licenced facility.
- 12. The licence holder shall ensure that odour emitted from the premises does not unreasonably interfere with the health, welfare, convenience, comfort, or amenity of any person who is not on the premises.

Dust emissions

- 13. The licence holder must ensure that:
 - (a) all temporary soil stockpiles; and
 - (b) all unsealed trafficable areas;
 are maintained in a damp state or otherwise treated to prevent dust lift-off.
- 14. The licence holder must ensure that any dust emitted from the premises does not unreasonably interfere with the health, welfare, convenience, comfort, or amenity of any person who is not on the premises.

Stormwater

- 15. The licence holder must take all practicable measures to prevent stormwater run-off becoming contaminated by the activities and operations undertaken at the premises.

Monitoring

- 16. The licence holder shall undertake the monitoring in Table 4 according to the specifications set out in that table.

Table 4: Waste monitoring

Waste type	Units	Frequency
Scrap metal	tonnes	Each waste consignment unloaded at the premises
General waste		
Electrical waste		
Concrete		

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Waste type	Units	Frequency
Hard and soft plastics		
Fire extinguishers		
Subsea infrastructure		
Hazardous waste		
Medical waste		
Oil/water mixtures removed from wash bay		
Sludge removed from wash bay		

Fire management

17. The licence holder must immediately notify the CEO of:
- any fire on the premises; and/or
 - any accident, malfunction, or emergency which results or could result in the discharge of fire-fighting washwater or other wastes from the premises.

Records and reporting

18. The licence holder must record the following information in relation to complaints received by the licence holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- the name and contact details of the complainant, (if provided);
 - the time and date of the complaint;
 - the complete details of the complaint and any other concerns or other issues raised; and
 - the complete details and dates of any action taken by the licence holder to investigate or respond to any complaint.
19. The licence holder must:
- undertake an audit of their compliance with the conditions of this licence during the preceding annual period; and
 - prepare and submit to the CEO an Annual Audit Compliance Report in the approved form by 30 January in each year.
20. The licence holder must maintain accurate and auditable books including the following records, information, reports, and data required by this licence:
- the calculation of fees payable in respect of this licence;
 - the works conducted in accordance with condition 1 of this licence;
 - any maintenance of infrastructure that is performed in the course of complying with condition 1 of this licence;
 - monitoring programmes undertaken in accordance with condition 16 of this licence; and
 - complaints received under condition 18 of this licence.

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- 21.** The books specified under condition 20 must:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
 - (c) be retained by the licence holder for the duration of the licence; and
 - (d) be available to be produced to an inspector or the CEO as required.
- 22.** The licence holder must:
- (a) prepare an environmental report that provides information in accordance with Table 5 for the preceding two annual periods, and
 - (b) submit the environmental report to the CEO by 30 January 2024 and biennially thereafter.

Table 5: Environmental Report

Condition	Requirement
10 and 11	Overview of spill cleanup and remediation activities, including but not limited to: <ul style="list-style-type: none"> • Volumes of material spilled. • Volumes of material recovered. • Disposal details (facilities and transport companies)
16	Summary of waste movements through the premises during the annual period.
17	Summary of all fire events within the premises, including details of cleanup and remediation actions.
18	Complaints summary.

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Definitions

In this licence, the terms in Table 6 have the meanings defined.

Table 6: Definitions

Term	Definition
ACN	Australian Company Number
Annual Audit Compliance Report (AACR)	means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department's website).
annual period	a 12-month period commencing from 1 January until 31 December of the immediately year.
biofouled	means materials colonized by marine organisms following prolonged submersion.
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer of the Department. "submit to / notify the CEO" (or similar), means either: <p style="margin-left: 40px;">Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919</p> or: info@dwer.wa.gov.au
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994 (WA)</i> and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
EP Act	<i>Environmental Protection Act 1986 (WA)</i> .
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i> .
licence	refers to this document, which evidences the grant of a licence by the CEO under section 57 of the EP Act, subject to the specified conditions contained within.
licence holder	refers to the occupier of the premises, being the person specified on the front of the licence as the person to whom this licence has been granted.
MMDD	means modified maximum dry density.

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Term	Definition
NORM	means naturally occurring radioactive materials; a term applied to any material that contains the radioactive elements uranium, thorium and potassium and their decay products that occurs naturally in the environment.
premises	refers to the premises to which this licence applies, as specified at the front of this licence and as shown on the premises map in Schedule 1 to this licence.
prescribed premises	has the same meaning given to that term under the EP Act.
primary activities	means activities related to the prescribed premises categories.
SCO	Means surface contaminated (with NORM) object.
waste	has the same meaning given to that term under the EP Act.

END OF CONDITIONS

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Schedule 1: Maps

Premises map

The boundary of the prescribed premises is shown in the map below (Figure 1).

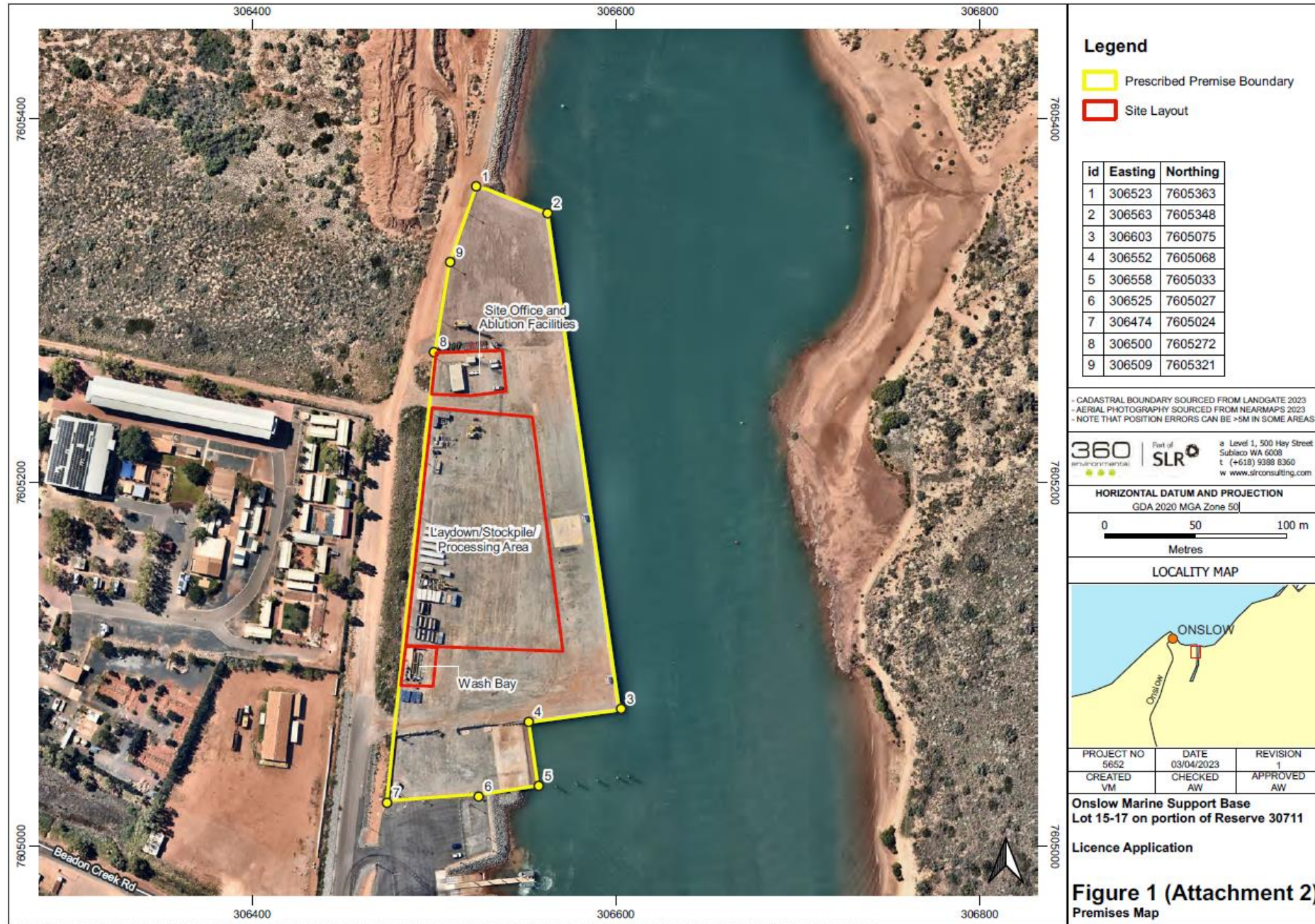


Figure 1: Map of the boundary of the prescribed premises.

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Schedule 2: Project-specific Containment System Requirements

- The identified laydown/stockpile/processing area shall have the top 200mm of hardstand material scraped back.
- The identified laydown/stockpile/processing area shall be graded and an impermeable, welded HDPE liner installed to divert surface water to a single collection sump.
- The sump shall be plumbed into the wash bay water treatment facilities.
- The original base material shall be in-filled and compacted to project requirements.
- A raised earthen bund shall be created around the perimeter of the contained area, with HDPE lining contained within the bund wall.
- The bund shall be sufficiently high to enable the capture of all rainwater (and associated fluid discharges) for a one-in-six-month average recurrence interval (ARI) rainfall event.
- The bund shall be designed on a project-by-project basis to allow for navigation via transport equipment.
- Once all activities are completed, the soil contained within the bunded area will be sampled, tested, and categorised in accordance with the *Landfill Waste Classification and Waste Definitions 1996* (as amended 2019) prior to offsite disposal.

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