



Application for Licence Amendment

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

Licence Number	L9055/2017/1
Licence Holder	City of Swan
File Number	DER2017/000668-1
Premises	Recovery Centre Bullsbrook 121 Stock Road, Bullsbrook Legal description – Lot 6 on Diagram 55166 Certificate of Title Volume 1584 Folio 502
Date of Report	23 September 2020
Proposed Decision	Revised licence granted

**MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

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1. Decision summary

Licence L9055/2017/1 is held by City of Swan (Licence Holder) for the Recovery Centre Bullsbrook (the Premises), located at 121 Stock Road, Bullsbrook.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises.

As a result of this assessment, Revised Licence 9055/2017/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment 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

On 11 August 2020 the Licence Holder submitted an application to the department to amend Licence L9055/2017/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendments being sought relate to an increase in throughput of 200 tonnes per annum for Category 62 to allow for the container deposit scheme (CDS) to operate at the Premises.

In accordance with section 53 of the EP Act, alterations to a prescribed premises must be done so in accordance with a works approval, licence, closure notice or environmental protection notice (or amendments thereof). In accordance with DWER's *Industry Regulation Guide to Licensing* (June 2019), the Delegated Officer has determined that alterations to the premises to include CDS operations are appropriately facilitated via a licence amendment (which is the subject of this amendment report).

Table 1 below outlines the proposed changes to the existing Licence.

Table 1: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
61A	7,000 tonnes per year	7,000 tonnes per year	No change
62	10,000 tonnes per year	10,200 tonnes per year	Increase of 200 tonnes per year

As part of this amendment package the department has updated the format and condition wording of the licence, in particular improving the descriptions of the waste types which can be accepted at the Premises. The obligations of the Licence Holder have not changed in updating the licence. The department has not undertaken any additional risk assessment of the Premises related to previously approved activities.

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 and controls

The key emissions and associated actual or likely pathway(s) during premises operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary as well as the current operational controls at the premises.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways/impact	Proposed controls
Dust	Vehicle movements	Air/windborne pathway causing impacts to health and amenity	Speeds limited at the site as per current arrangements (8 km/hr). Sealed roadway surfaces.
Noise	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Speeds limited at the site as per current arrangements (8 km/hr).
Residual liquids, contaminated stormwater.	Unloading, loading and storage of waste	Overland runoff and infiltration potentially causing soil and groundwater contamination	Dedicated CDS material collection facility. Hardstand to be constructed of compacted subgrade, 250 mm base course material and 30 mm asphalt over 7 mm primerseal with spillage containment. Residual liquids are manually deposited into a larger vessel for removal off-site. Stormwater will be collected and directed away from waste storage areas.
Smoke	Upset conditions (Fire)	Air/windborne pathway causing impacts to health and amenity	Fire extinguishes located within the CDS shed, and hydrants on the premises. Premises is secured when unattended. No burning of waste is permitted at the Premises.
Fire wash waters	Firefighting activities	Overland runoff and infiltration potentially causing soil and water contamination	No specific controls for containment of fire wash waters.

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 Licence Holder'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 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	Approximately 40 m east of the premises boundary. Approximately 210 m west of the premises boundary.
Beneficial users of groundwater	Nearest down-gradient drawpoint is approximately 550 m south-east of Premises boundary.
Environmental receptors	Distance from prescribed activity
Regional Park - Wally Jones Park	4.5 km north-east of premises boundary.
Green Growth – Vegetation Complex Commitments (Yanga Complex)	Complex mapped within premises boundary.
Underlying Groundwater	Depth to groundwater encountered at approximately 1.8 m – 2.9 metres below ground level (mbgl) (based on information within works approval W5969/2016/1 application).
Proclaimed surface water Area under the <i>Rights in Water Irrigation Act 1914</i>	Premises sited within this designated area.
Proclaimed groundwater Area under the <i>Rights in Water Irrigation Act 1914</i>	Premises sited within this designated area.

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for those emission sources which are proposed to change 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 Licence Holder 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 Licence Holder'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 Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L9055/2017/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. increased throughput and container deposit scheme activities.

The conditions in the Revised Licence 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	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Vehicle movements on gravel road unloading, loading, sorting and storage of CDS waste.	Noise	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 40 m east	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 12, 18	N/A
	Dust			Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 12, 13, 14, 18	N/A
unloading, loading, sorting and storage of CDS waste.	Odour	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 40 m east	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 12	N/A
	Liquid waste residues and contaminated stormwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Underlying groundwater approx. 1.8 m – 2.9 metres below ground level (mbgl)	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 1, 2, 3, 15	N/A
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 40 m east	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	Y	Condition 16, Condition 17 (a) and (b)	N/A
	Firefighting washwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Underlying groundwater approx. 1.8 m – 2.9 metres below ground level (mbgl)	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	N	Condition 17 <u>(c), (d) and (e)</u>	The Licence Holder has not specified how firefighting washwater would be managed to prevent discharge to the environment. Condition 17 specifies actions to be taken.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

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4. Consultation

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

Table 5: Consultation

Consultation method	Comments received	Department response
Licence Holder provided draft documents 1 September 2020	Licence Holder waived remainder of comment period on 17 September 2020.	None required.

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments and updates

Error! Reference source not found. provides a summary of the proposed amendments as well as formatting changes.

Table 6: Updated licence conditions in this amendment

Existing condition	Summary	Revised licence condition	Conversion notes
N/A	Explanatory Notes	N/A	Removed in line with current licensing format.
N/A	Definitions	N/A	Moved to end of licence in line with current licensing format. New definition added as required.
1	Authorised emissions	N/A	Removed in line with current licensing format.
N/A	Design and construction requirements	1	New condition added specifying construction requirements for the proposed CDS infrastructure.
N/A	Design and construction requirements	2	New condition requiring a report confirm the CDS infrastructure has been constructed prior to accepting CDS waste.
2	Infrastructure and equipment	3	Transferred to condition 3 and Table 2 Note: restructuring of requirements into separate sections to that of existing licence. Condition 9 of the existing licence (asbestos signage requirements) also relocated into condition 3.
3, 4	Throughput and storage restrictions	3	Transferred to condition 3 and Table 2.

Existing condition	Summary	Revised licence condition	Conversion notes
5	Waste storage	13	Transferred to condition 13 (waste processing requirements).
6	Monitoring of inputs and outputs	21	Transferred to condition 21.
7	Waste acceptance	4	Transferred to condition 4. Waste types updated to more accurately reflect the waste types that are approved, and the new CDS waste.
8	Waste not to be accepted	6 and 7	Transferred to conditions 6 and 7
9.	No asbestos signage	3	Transferred to condition 3.
10	Visually inspect loads	8 and 9	Transferred to condition 9, updated to clarify requirement applies to Inert Waste Type 1 loads and mixed waste loads (containing construction and demolition materials).
11.	Waste rejection	5	Transferred to condition 5.
12	Tyre storage requirements at any one time	12	Transferred to condition 12.
13, 14, 15, 17	Greenwaste processing requirements	12	Transferred to condition 12.
16	No waste is to be burnt	16	Transferred to condition 16.
18	Vermin nuisance	19	Transferred to condition 19.
19, 20, 21	Tyre storage	12	Transferred to condition 12.
22, 23	Fire requirements	17	Transferred to condition 17, parts (c),(d) and (e) specify actions to be taken to capture fire washwaters..
24	Retaining documentation	23	Transferred to condition 23.
25	No crushing or screening	12	Transferred to condition 12.
26, 27	Processing of greenwaste	12	Transferred to condition 12.
28 to 32	Asbestos inspection	8 to 11	Transferred to conditions 8 to 11.
33	Stockpile height	12	Transferred to condition 12.
34	Wetting down at all times	13	Transferred to condition 13, updated to clarify requirement applies to Inert Waste Type 1 loads and mixed waste.
35	Removed products are wetted down	14	Transferred to condition 14 (updated terminology to refer to 'materials' instead of 'products' for clarity).

Existing condition	Summary	Revised licence condition	Conversion notes
N/A	Spills to be recovered	15	New condition replicating Licence Holder's controls.
36	Vehicle speed	18	Transferred to condition 18.
37	Removal of timber shavings	12	Transferred to condition 12.
38-42	Reporting conditions	21-24	Requirements transferred to conditions 21-24.
43	Notification of fire	25	Transferred to condition 25.
N/A	Maps	N/A	Maps relating to CDS location included.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9055/2017/1	
		Relevant works approval number:	N/A	<input type="checkbox"/>
Date application received	11 August 2020			
Applicant and Premises details				
Applicant name/s (full legal name)	City of Swan			
Premises name	Recovery Centre Bullsbrook			
Premises location	121 Stock West Road Being Lot 6 on Diagram 55166 Certificate of Title Volume 1584 Folio 502 <u>Update to Stock Rd</u> from Stock Rd West.- street name has changed. In ILS and Licence.			
Local Government Authority	City of Swan			
Application documents				
HPCM file reference number:	DER2017/000668-1			
Key application documents (additional to application form):	<ol style="list-style-type: none"> Attachment 2 – transfer station layout/plan Attachment 3 – Drainage plan/site drawing Confirmation of key points (DWER Ref: A1925763) Shed drawing/dimensions (DWER Ref: A1925763) same email as above. 			
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.	Licence amendment to include CDS Operation of CDS activities Already licenced for 61A and 62 so increase throughput for cat 62 by 200 tonnes per annum for CDS.(based on design capacity over-estimated). Currently building shed and sealing roads for CDS.			
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		
Category 62: Solid Waste Depot (Already prescribed for this category so only additional throughput)		200 tonnes per year		
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 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 type="checkbox"/> No <input checked="" type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input checked="" type="checkbox"/> Expiry: Licence Holder is LGA
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: Scheme amendment in 2013 to include Waste Transfer Station in zoning approved in 2015. Expiry date:
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 Previous clearing was exempt based on NV guidance.
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 within a CAWS catchment
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 type="checkbox"/> No <input checked="" type="checkbox"/>	Name: Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:

<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 Priority: P1 / P2 / P3 Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Controlled Waste Regs Noise Regs</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>	