



## Application for Licence

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

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<b>Licence Number</b>	L9361/2022/1
<b>Applicant</b>	Western Metropolitan Regional Council
<b>ACN</b>	870 276 543
<b>File number</b>	DER2022/000610
<b>Premises</b>	WMRC Green Waste Facility John XXIII Avenue MOUNT CLAREMONT WA 6010  Legal description - Lot 1500 on Deposited Plan 419082 As defined by the Premises Map in Schedule 1 of the Licence
<b>Date of report</b>	11 January 2023
<b>Decision</b>	Licence granted

**Abbie Crawford**

**A/MANAGER, WASTE INDUSTRIES**

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

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## 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 L9361/2022/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 3 November 2022, 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 Category 62 Solid Waste Depot for the storage (pending final disposal or re-use) of up to 20,000 tonnes of green waste per year at the premises. The green waste will be pre-sorted at the West Metro Recycling Centre before arriving at the premises. If any remaining non-conforming wastes are present in the green waste, then these will be removed through sorting and decontamination processes at the final disposal site. The green waste will not be sorted or decontaminated at the WMRC Green Waste Facility. The Green Waste received at the facility will be piled and loaded into a walking floor trailer for transfer offsite. It will take approximately 4-6 walking floor trailer loadings per week to remove all green waste received at the premises.

The premises is located in the suburb of Mount Claremont, within the City of Nedlands, and immediately adjacent to the City of Nedlands Work Depot. The premises was licensed previously for the above activities (L8981/2016/2). However, L8981/2016/2 lapsed on 30 June 2022 and was not extended in time, resulting in a new licence application. There are no changes to the activities and operations being applied for under the new licence.

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 L9361/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in licence L9361/2022/1.

## 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 *Guideline: Risk Assessments* (DWER 2020).

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 during premises operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Operation</b>			
Leachate	Storage of stockpiles of green waste	Seepage to groundwater	<ul style="list-style-type: none"> <li>Green waste is stored unprocessed (not shredded or mulched)</li> <li>Green waste is removed within 7 days</li> <li>Green waste stored on compacted road base</li> <li>The premises is on a raised ridge which does not get impacted by stormwater runoff</li> </ul>
Dust	Vehicle movements Loading and unloading of green waste	Air/windborne pathway	<ul style="list-style-type: none"> <li>On site speed limit 8km/h</li> <li>Water sprayer pump trailer used to water the traffic area during summer/whenever dust emissions arise</li> <li>Site will be sprayed down during loading in the case of excessive dust emissions</li> </ul>
Noise			<ul style="list-style-type: none"> <li>Noise emissions should only occur during semi-trailer loading,</li> <li>Only 5 semi-trailers loaded per week. It takes between 30-40 minutes to load a semi-trailer</li> <li>Nearest sensitive residential receptor is greater than 450m from the premises</li> </ul>
Smoke	Upset conditions (fire)		<ul style="list-style-type: none"> <li>No general public allowed on site</li> <li>60,000L onsite supply of water in a storage tank accessible with sprayer pump trailer</li> <li>Only a small quantity (2,400m<sup>3</sup>) of green waste is stored on site</li> <li>Green waste only stored for up to 7 days</li> <li>Trained fire wardens are rostered every day.</li> </ul>

Emission	Sources	Potential pathways	Proposed controls
Contaminated fire-fighting wash-water generated from extinguishing a fire		Overland runoff and seepage to groundwater	<ul style="list-style-type: none"> <li>Green waste stored on compacted road base</li> </ul>
Odour	Storage of green waste	Air/windborne pathway	<ul style="list-style-type: none"> <li>Green waste removed within 7 days</li> <li>Green waste is unprocessed and not shredded. Therefore, stockpiles are aerobic and not anaerobic</li> <li>Waste is pre-sorted before coming on site and therefore, contamination levels should be low. Storage of unprocessed green waste on its own does not generally cause odour emissions.</li> </ul>

### 3.1.2 Receptors

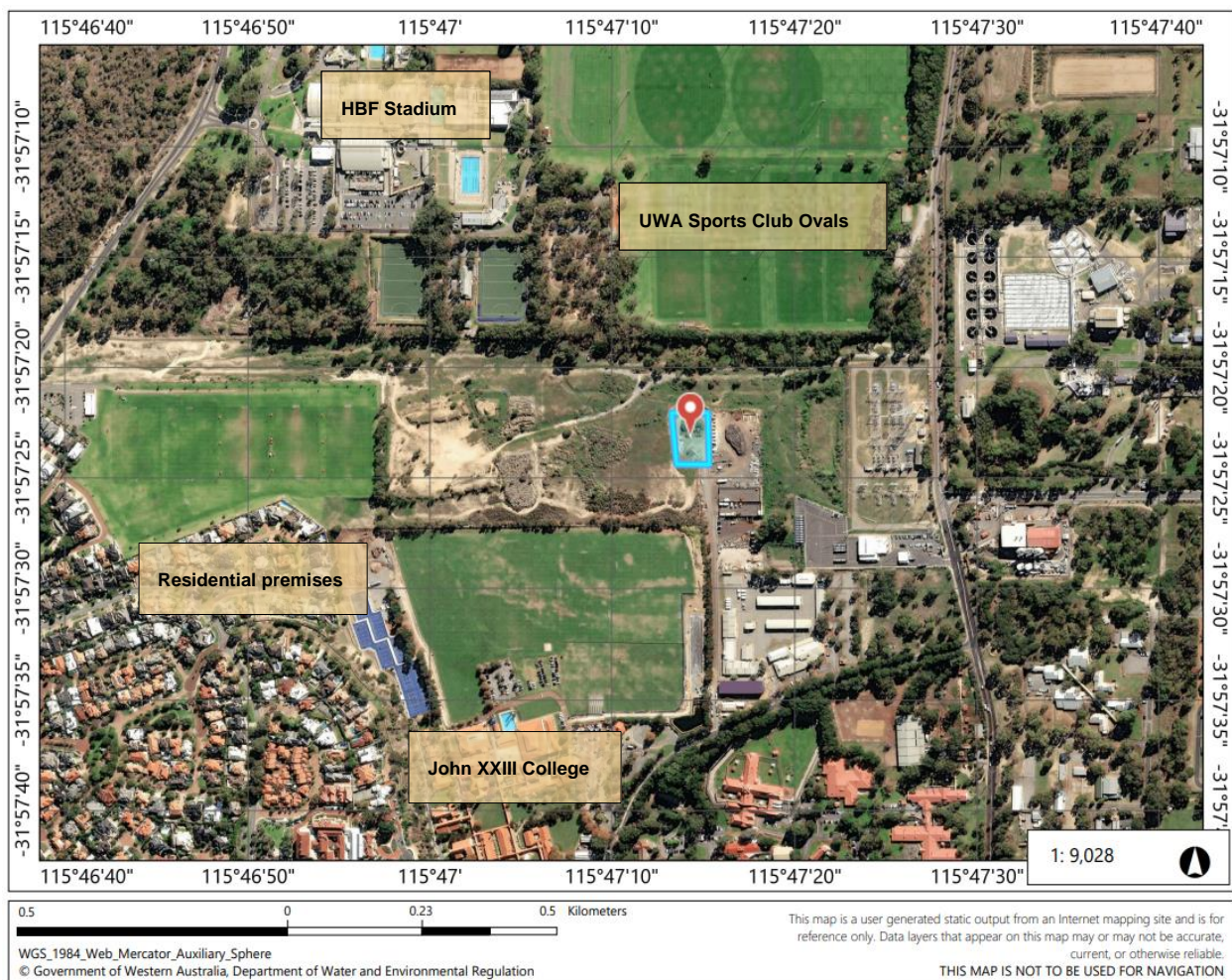
In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 and Figure 1 below provide 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 (*Guideline: Environmental Siting* (DWER 2020)).

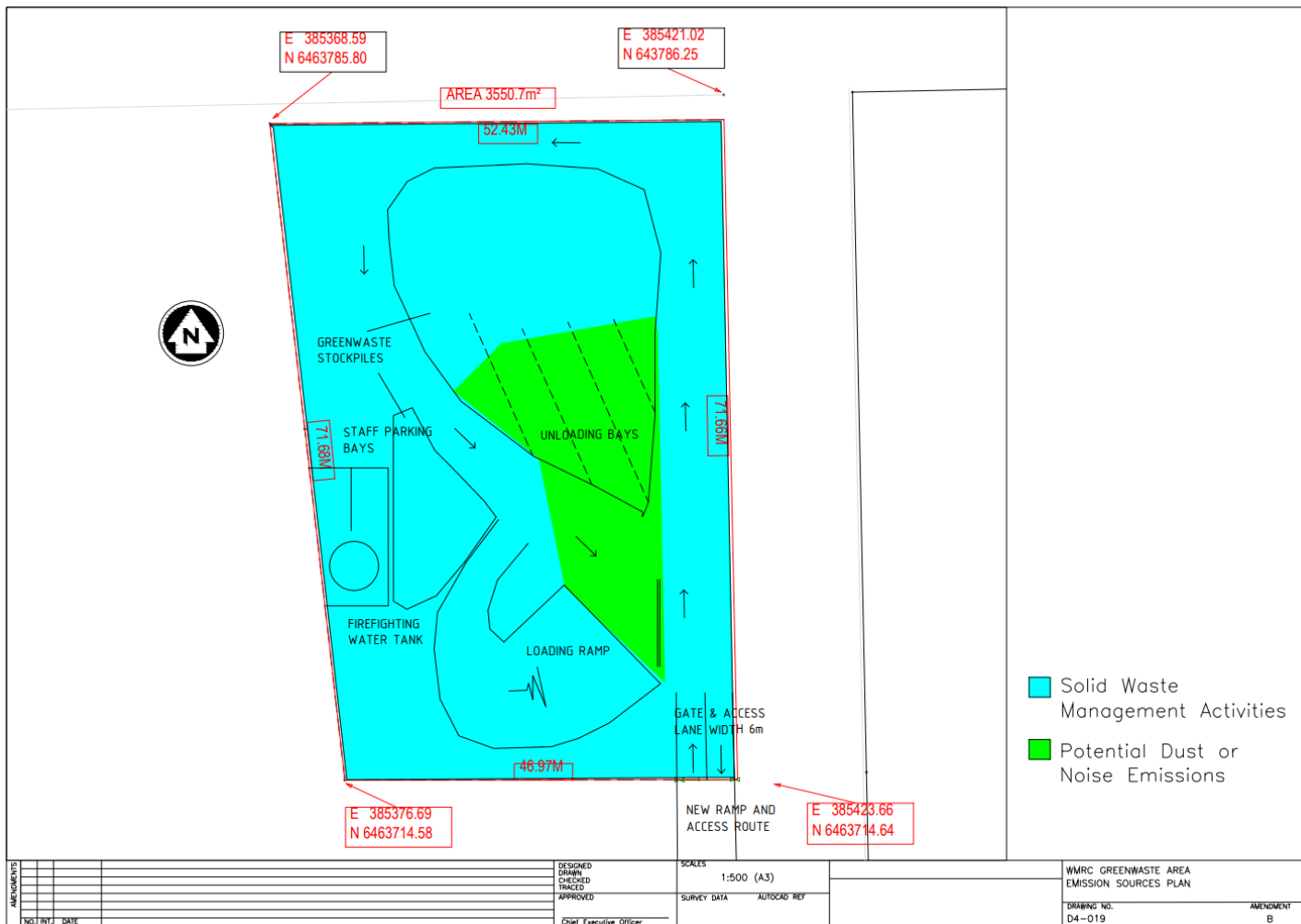
**Table 2: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Residential Premises	Appx. 510m south-west of the prescribed premises boundary
Commercial Premises City of Nedlands Work Depot Mount Claremont Bus Depot Western Power Mount Claremont Depot	Immediately adjacent to prescribed premises Appx. 130m south-east of prescribed premises Appx. 150m south-south-east of prescribed premises
Hospital Department (groundwater user)	Appx. 370m south south-east of prescribed premises
HBF Stadium and surrounding UWA Sports Clubs (groundwater users)	Sports ovals approximately 120m north of the site
John XXII College (groundwater user)	350m south-south-west of the prescribed premises boundary with the school sports oval located adjacent to the premises.

Environmental receptors	Distance from prescribed activity
Threatened Fauna Carnaby Cockatoo Roosting Area Forest red-tailed black cockatoo	350m east of the site 400m north-east of the site
Underlying Groundwater	Within the RIWI Act Perth Groundwater Area 3 groundwater bores within 300m of the site (to the north, east and south) Depth to groundwater is appx. 13mbgl Groundwater salinity is 1000-1500 mg/L
Threatened Ecological Communities Tuart ( <i>Eucalyptus gomphocephala</i> ) woodlands and forests of the Swan Coastal Plain Banksia Dominated Woodlands of the Swan Coastal Plain	Within 500m north west and south east of the site



**Figure 1: Distance to sensitive human receptors (premises boundary shown in blue)**



## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) 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 3.

Licence L9361/2022/1 that accompanies this decision report authorises emissions associated with the operation of the premises.

The conditions in the issued licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).



**Table 3: Risk assessment of potential emissions and discharges from the premises during operation**

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
<b>Operation</b>								
Storage of stockpiles of green waste	Leachate	Seepage to groundwater causing degradation to the beneficial uses of groundwater and ecosystem disturbance	Groundwater users Groundwater dependent ecosystems	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 3, 4, 5	The Delegated Officer considers the applicant controls to be adequate to manage leachate emissions. These controls have been included as conditions in the licence.
Vehicle movements Loading and unloading of green waste	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 510m south west of premises Commercial premises Hospital John XXIII College Threatened Fauna	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Conditions 3, 4, 5	The Delegated Officer considers the applicant controls to be adequate to manage dust emissions. These controls have been included as conditions in the licence.
	Noise			Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A	Specific noise control conditions have not been included in the licence as noise emissions can be managed under the <i>Environmental Protection (Noise) Regulations 1997</i>
Upset conditions (fire)	Smoke			Overland runoff and seepage to groundwater causing degradation to the beneficial uses of groundwater and ecosystem	Groundwater users Groundwater dependent ecosystems	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	N
	Contaminated fire-fighting wash-water generated from extinguishing a fire	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>					

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Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
		disturbance						<p>as licence conditions. Maximum pile length and width have been determined in accordance with DFES (2014).</p> <p>Based on a maximum of 2,400m<sup>3</sup> of green waste being stored onsite at any one time and 2.5L of water per cubic meter generally being required for firefighting an external green waste fire (DFES, 2014), the Delegated Officer considers a minimum of 10,000L of water shall be maintained in the onsite water tank at all times to ensure that a sufficient quantity is available for firefighting purposes alone and this has also been included as a condition in the licence.</p>
Storage of green waste	Odour	Air/windborne pathway causing impacts to health and amenity	Residences 510m south west of premises Commercial premises Hospital John XXIII College	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Condition 3	Storage of green waste is not expected to cause odour emissions. The Delegated Officer considers the controls proposed by the applicant suitable to control odour emissions and these have been added as conditions in the licence.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

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

## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Application advertised on the Department's website on 8 December 2022	None received	N/A
Local Government Authority advised of proposal on 7 December 2022	None received	N/A
Applicant was provided with draft documents on 3 January 2023	Email received from applicant on 9 January 2023 requesting for the 21-day review period to be waived and for the licence to be issued as soon as possible.	N/A

## 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.

**It is the Licence Holder's responsibility to ensure that they have legal access to the land defined by the premises map in Schedule 1 and that a current lease is maintained throughout the duration of the licence.**

## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Fire and Emergency Services (DFES) 2014, *Information Note: Bulk Green Waste Storage Fires*, Perth, Western Australia
3. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Western Australia.
4. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input type="checkbox"/>			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:		None <input type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input 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:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:	N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:	None	<input type="checkbox"/>
Date application received		3 November 2022		
Applicant and Premises details				
Applicant name/s (full legal name/s)		Western Metropolitan Regional Council		
Premises name		WMRC Green Waste Facility		
Premises location		Reserve 41504, Lot 12970, Deposited Plan 219939, Volume LR 3111		
Local Government Authority		City of Nedlands		
Application documents				
HPCM file reference number:		DER2022/000610		
Key application documents (additional to application form):		<i>Attachment 1A Lease Agreement</i> <i>Attachment 1B</i> <i>Attachment 2 Emission Discharge Map</i> <i>Attachment 2 Premises Map Site Boundaries</i>		

	<i>Attachment 3B Proposed activities</i> <i>Attachment 8A Amendment Report for previously held licence</i>	
<b>Scope of application/assessment</b>		
Summary of proposed activities or changes to existing operations.	<p><i>Licence</i></p> <p>The Western Metropolitan Regional Council previously held licence L8981/2016/2 for the WMRC Green Waste Facility which expired on 30 June 2022.</p> <p>Therefore, this application is for a new licence for the premises for a Category 62 Solid Waste Depot for the storage of 20,000 tonnes of green waste on site per year. The facility is solely a drop off point for green waste. The green waste is loaded into larger vehicles, weighed at the adjacent WMRC transfer station then transported offsite for recycling.</p>	
<b>Category number/s (activities that cause the premises to become prescribed premises)</b>		
<b>Table 1: Prescribed premises categories</b>		
<b>Prescribed premises category and description</b>	<b>Proposed production or design capacity</b>	<b>Proposed changes to the production or design capacity (amendments only)</b>
<p>Category 62: Solid Waste Depot: premises on which waste is stored or sorted, pending final disposal or re-use, other than in the course of operating –</p> <p>(a) a refund point (as defined in the <i>Waste Avoidance and Resource Recovery Act 2007</i> section 47C(1)) (a refund point); or</p> <p>(b) a facility or other place (an aggregation point) for the aggregation of containers that have been returned to refund points until those containers are accepted for processing or disposal.</p>	20,000 tonnes per year	N/A
<b>Legislative context and other approvals</b>		
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: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input checked="" type="checkbox"/> Expiry: 30 June 2023 Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why? Planning Approvals should already have been obtained for previous licence.
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: N/A Licence/permit No: N/A 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 Type: Proclaimed Groundwater 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: P1 / P2 / P3 / N/A  Are the proposed activities/landuse compatible with the PDWSA (refer to <a href="#">WQPN 25</a>)?  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 type="checkbox"/> No <input checked="" type="checkbox"/></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 checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Classification: contaminated – remediation required (C–RR)  Date of classification: 31 December 2014</p>