



## Department initiated Amendment

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

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<b>Works Approval Number</b>	W6539/2021/1
<b>Works Approval Holder</b>	Veolia Recycling & Recovery (Perth) Pty Ltd
<b>File Number</b>	DER2021/000095
<b>Premises</b>	Bibra Lake Recycling and Recovery Park 65 Howson Way BIBRA LAKE WA 6163  Legal description Lot 27 on Plan 3699 Certificate of Title Volume 1168 Folio 380 As defined by the premises map attached to the issued works approval
<b>Date of Report</b>	26 July 2022
<b>Decision</b>	Revised works approval granted

**MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES**  
an officer delegated under section 20 of  
the *Environmental Protection Act 1986* (WA)

## Table of Contents

<b>1. Decision summary</b> .....	<b>3</b>
<b>2. Consultation</b> .....	<b>3</b>
<b>3. Conclusion</b> .....	<b>3</b>
3.1 Summary of amendments.....	3

## 1. Decision summary

On 7 June 2022, the Minister for Environment made a determination on a third-party appeal (Appeal number 55 of 2021) against works approval W6359/2021/1 which was issued on 24 November 2021. This works approval authorised the construction of infrastructure to facilitate the receipt, stockpiling and removal of up to 50,000 tonnes per annum (tpa) of food organics and garden organics (FOGO) material at the premises. The appeal was lodged in objection to the conditions of the works approval based on concerns that the facility currently does not adequately control odour and litter emissions.

In making the determination the Minister determined to allow the appeal to the extent that the works approval be amended as follows:

- Existing condition 12 (now condition 13) is amended to include sub-provision 13(g); summary of complaints received under condition 14 to be included in the time-limited operations report required by condition 12.
- GPS coordinates and the date to be included in existing condition 10 (now condition 11).
- Condition 6 (Table 2), which relates to operation of infrastructure at the building extension, is amended to include: Ensure that building doors remain closed at all times unless vehicles are entering or exiting the building to deliver or remove waste.
- The time period in Condition 8 (Table 4), is amended to: During time limited operations and at a frequency of each load arriving at the premises.
- New condition is added to record FOGO leaving the premises (condition 9).
- Existing condition 12 (now condition 13) is amended to also include a summary of the waste volumes removed.

Changes have been made to align works approval conditions with the Minister's recommendations in accordance with section 110 of the *Environmental Protection Act 1986* (EP Act). These changes are summarised in Table 1.

As the amendment is given effect to an appeal decision, no further risk assessment to justify these changes is required/provided within this Decision Report.

In giving effect to the Minister's Appeal Determination, there is no right of appeal as specified under section 105(a) of the EP Act.

## 2. Consultation

The Works Approval Holder was provided with the draft Works Approval and draft Decision Report on 17 June 2022. The Works Approval Holder provided a response on 18 July 2022, offering no comment on the draft documents.

## 3. Conclusion

Based on this Decision Report, the Delegated Officer has determined that an amended works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### 3.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

**Table 1: Summary of works approval amendments**

Condition no.	Proposed amendments
Condition 6 (Table 2)	Addition of the following operational requirement for the building extension:  Ensure that building doors remain closed at all times unless vehicles are entering or exiting the building to deliver or remove waste.
Condition 8 (Table 4)	The time period is amended to:  During time limited operations and at a frequency of each load arriving at the premises.
9	New condition added to record FOGO leaving the premises.
11	GPS coordinates and the date added to the details for each single odour field survey measurement.
13	Amended to require that the time limited operations compliance report include: <ul style="list-style-type: none"><li data-bbox="560 913 1358 981">• a summary of waste volumes removed under condition 9; and</li><li data-bbox="560 1003 1310 1039">• a summary of complaints received under condition 14.</li></ul>