



Application for Licence Amendment

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

Licence Number	L6845/1997/11
Licence Holder	Shire of Chittering
File Number	2011/002023-1
Premises	Muchea Landfill and Recycling Centre 536 Wandena Road Lower Chittering WA 6084 Legal description – Lot 300 on Plan 71254 As depicted in Schedule 1
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)

Table of Contents

1. Decision summary	1
2. Scope of assessment	1
2.1 Regulatory framework	1
2.2 Application summary	1
3. Risk assessment	2
3.1 Source-pathways and receptors	2
3.1.1 Emissions and controls	2
3.1.2 Receptors	3
3.2 Risk ratings	4
4. Consultation	6
5. Conclusion	6
5.1 Summary of amendments and updates	6
Appendix 1: Application validation summary	8

1. Decision summary

Licence L6845/1997/11 is held by the Shire of Chittering (Licence Holder) for the Muchea Landfill and Recycling Centre (the Premises), located at Lot 300 on Plan71254, Lower Chittering.

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 L6845/1997/11 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 25 August 2020 the Licence Holder submitted an application to the department to amend Licence L6845/1997/11 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendments being sought relate to new waste acceptance and processing to allow for the container deposit scheme (CDS) to operate at the Premises. The Licence Holder is intending to carry out CDS activities in an existing shed and therefore no construction of infrastructure is required.

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 permit CDS operations are appropriately facilitated via a licence amendment (which is the subject of this amendment report).

The Licence Holder intends to accept CDS materials within the throughput capacities currently authorised by the licence. Should the Licence Holder identify that a higher throughput is required to process the CDS material, a subsequent licence amendment should be sought.

Table 1 below outlines the proposed throughput capacity changes to the existing licence.

Table 1: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
62	2 000 tonnes per annual period	2 000 tonnes per annual period	No change
64	5 000 tonnes per annual period	5 000 tonnes per annual period	No change

As part of this amendment package the department has updated the format of the licence including condition numbering, however the wording and intent of the original conditions has not changed. 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.

The original licence contained Improvement conditions that are required to be completed by a specified date. DWER has not reviewed compliance with these conditions as part of this amendment, and they remain on the updated licence.

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	None specified.
Noise	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Acceptance and sorting will occur inside of an existing shed.
Odour	Unloading, loading and storage of waste	Air/windborne pathway causing impacts to health and amenity	Acceptance and sorting will occur inside of an existing shed.
Residual liquids, contaminated stormwater.	Unloading, loading and storage of waste	Overland runoff and infiltration potentially causing soil and groundwater contamination	Acceptance and sorting will occur inside of an existing shed. Under the CDS scheme only empty, approved containers are to be accepted at the premises. Non-eligible containers will be diverted to the general recycling collection streams or landfilled on-site in accordance with the licence conditions.
Smoke	Upset conditions (Fire)	Air/windborne pathway causing impacts to health and amenity	None specified.

Emission	Sources	Potential pathways/impact	Proposed controls
Fire wash waters	Firefighting activities	Overland runoff and infiltration potentially causing soil and water contamination	None specified.

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
The nearest town of Chittering	Approximately 5 km west
Residential Premises	Approximately 800 m west
Environmental receptors	Distance from prescribed activity
Underlying Groundwater	Approximately 30 metres below ground level (mbgl)
Bushforever Area	530 m south
Threatened Ecological Community Buffer (Banksia Woodland SCP)	Within Premises Boundary
<i>Rights in Water and Irrigation Act 1914</i> – Ground water Designated Area	Premises sited within this designated area.
<i>Rights in Water and Irrigation Act 1914</i> – Surface water Designated Area	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 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	Noise	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 800 m west	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
Unloading, loading, sorting and storage of CDS waste.	Dust			Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
Unloading, loading, sorting and storage of CDS waste.	Odour	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 800 m west	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
	Liquid waste residues and contaminated stormwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Underlying groundwater approx. 30 metres below ground level (mbgl)	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	<u>Conditions 8 and 9</u>	While only clean and empty containers are to be accepted as part of the CDS scheme, conditions 8 and 9 have been included on the licence as a contingency measure to maintain the low risk from residual spills.
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Residential Premises approximately 800 m west	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	N	<u>Condition 10</u>	The Licence Holder has not specified how potential smoke emissions will be controlled. Condition 10 specifies actions to be taken to mitigate this risk.
	Firefighting washwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Underlying groundwater approx. 30 (mbgl)	Refer to Section 3.1	C= Minor L = Unlikely Medium Risk	N	<u>Condition 10</u>	The Licence Holder has not specified how firefighting washwater would be managed to prevent discharge to the environment. Condition 10 specifies actions to be taken to mitigate this risk.

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.

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 on 7 September 2020	No comments were received, and the remaining draft period was waived on 22 September 2020.	Not 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

Table 6 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	Introduction	N/A	Removed as per current licence formatting and replaced with Interpretation section. Instrument log retained.
All	Reference to licensee	All	Replaced with 'Licence Holder'.
1.1.1-1.1.4	Interpretation and definitions	Definitions section/Interpretation	Specifications in these conditions have been replicated in the Definitions or Interpretation sections of the revised licence. New definitions relevant to the amendment added.
1.2.1 and Table 1.2.1	Waste acceptance	1 and Table 1	Change of condition number and inclusion of CDS material acceptance.
1.2.2	Non-conforming waste	2	Change of condition number.
1.2.3 and Table 1.2.2	Waste processing	3 and Table 2	Change of condition number and inclusion of CDS processing requirements.
1.2.4	Landfilling activities	4	Change of condition number.
1.2.5 and Table 1.2.3	Cover requirements	5 and Table 3	Change of condition number.
1.2.6	Security measures	6	Change of condition number.

Existing condition	Summary	Revised licence condition	Conversion notes
1.2.7	Windblown waste	7	Change of condition number.
N/A	Recover and dispose of spills	8	New condition as per risk assessment.
N/A	Containment of liquids prior to disposal	9	New condition as per risk assessment.
N/A	Firefighting requirements	10	Condition specifying fire fighting requirements as per risk assessment.
2.1.1 and Table 2.1.1	Monitoring of inputs and outputs	11 and Table 4	Change of condition number, change waste Input parameter to read "as specified in Table 1" for ease of reading and to capture new CDS waste type.
3.1.1 and Table 3.1.1	Improvement conditions	12 and Table 5	Change of condition number.
4.1.1-4.1.3	Records	13-15	Change of condition number.
4.2.1 and Table 4.2.1	Reporting	16 and Table 6	Change of condition number, Note in table amended to refer to DWER website instead of Schedule 2.
4.3.1 and Table 4.3.1	Notification	17 and Table 7	Change of condition number, Note 2 removed and format or forms changed to 'none specified' in line with current licensing format.
Schedule 1	Maps	Schedule 1	New Premises boundary map added, map showing the CDS sorting shed included.
Schedule 2	Reporting & Notification Forms	N/A	Forms removed from the licence as they are available on DWERs website or are no longer specified/required.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L6845/1997/11	
		Relevant works approval number:	N/A	<input type="checkbox"/>
Date application received	25 August 2020			
Applicant and Premises details				
Applicant name/s (full legal name)	Shire of Chittering			
Premises name	Mucnea Landfill and Recycling Centre			
Premises location	300 Wandena Road, Lower Chittering Lot 16 on Diagram 86166			
Local Government Authority	Shire of Chittering			
Application documents				
HPCM file reference number:	2011/002023-1			
Key application documents (additional to application form):	Attachment 1A – Mucnea Certificate of Title Attachment 2 – Premises Map Attachment 3B – CDS Application Attachment 5 – WARRRL refund point agreement (signed) IR-F09 – Application Form (pdf) IR-F09 – Application Form (word)			
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.	Licence amendment to include CDS Refund Point. (over the counter) It is unclear at this stage if an aggregation point will be included. Already licenced for category 62 2,000 tpa and cat 64 5,000 tpa.			
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)		Currently licensed for 2,000 tpa cat 62.		
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 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: 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
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 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: Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input checked="" 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</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 (Unauthorised Discharges) Regulations 2004</i> <i>Environmental Protection (Noise) Regulations 1997</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>	