



Application for Licence Amendment

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

| | |
|--------------------------|---|
| Licence Number | L6993/1997/12 |
| Licence Holder | Shire of Capel |
| ABN | 42 315 615 676 |
| File Number | 2011/005690-1 |
| Premises | Capel Transfer Station Range Road CAPEL WA 6271 Legal description – Being Lot 500 on Plan 66147 |
| Date of Report | 9 September 2022 |
| Proposed Decision | Revised licence granted |

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of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

Licence L6993/1997/12 is held by the Shire of Capel (Licence Holder) for the Capel Transfer Station (the Premises), located at Lot 500 on Plan 66147 Range Road, Capel.

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 L6993/1997/12 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises.

The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 Amendment summary

On 17 March 2022, the Licence Holder submitted an application to the department to amend Licence L6993/1997/12 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act).

The following amendments are being sought:

On-site mattresses shredding is proposed for recycling, separating the metal out and placing the textile into general waste bin.

The shredding would be undertaken on every fourth day, on a Monday and on a Thursday, before the site opens at 9:30am. At maximum up to 40 tonnes of mattresses would be shredded on the site per year. Mattresses received would be stored at the old location in piles, no higher than 2.5 metres and 5.0 metres apart.

The Delegated Officer considers that the amount of mattress material processed onsite (40 tonnes per year) does not trigger the 500 tonne-per-year threshold for Category 61A activities (which includes reprocessing of waste), and that it is therefore appropriate to assess this activity under existing Category 62 activities approved onsite.

No changes to other aspects of the existing Licence relating to Category 62 have been requested by the Licence Holder.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted schedule 2, schedule 3 decision document, as set out in the previous licence; revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 5.1. Previously issued Amendment Notices will remain on the department's website for future reference and will act as a record of the department's decision making.

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 Amendment Report are detailed in Table 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 1: Licence Holder controls

| Emission | Sources | Potential pathways | Proposed controls |
|---|--|---|--|
| Noise | Shredding, crushing and screening of material vehicle movements | Air/windborne pathway | <ul style="list-style-type: none"> Shredding to occur between hours 7:30 am to 9:00 am, on a Monday and a Thursday. The nearest residential is 360 metres away from the proposed shredding site. Noisiest side of plant will be oriented away from the residents. Regular inspection of plant will be undertaken to ensure its acoustic properties. Follow operation ongoing training and complaints documentation procedure. |
| Dust | | | <ul style="list-style-type: none"> Shredding will occur close to the steel and general waste hook lift bins to minimise distance between shredding and disposal location. Undertake regular patrol. |
| Odour | Wastes accepted, storage and processing. | Direct discharge to land and seepage to groundwater | <ul style="list-style-type: none"> Mattresses stored for a maximum of four (4) days in line with current storage arrangements. |
| Windblown wastes, contaminated leachate from rainfall | | | <ul style="list-style-type: none"> Undertake assessment of wind conditions each day of shredding to ensure that winds are not blowing towards residential properties. Waste bins are removed every four (4) days |

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), 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 2 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 (*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 | The nearest residential is 360 metres away from the proposed shredding site |
| Environmental receptors | Distance from prescribed activity |
| Specified Ecosystems | Capel Nature Reserve EPP Lake Object 1129 – 2.12 hectares located on the site |
| TECs/PECs | Fauna - Calyptorhynchus latirostris - Carnaby's cockatoo Notamacropus Irma – Macropodidae Notamacropus - western brush wallaby Peramelidae Isoodon - quenda, southwestern brown bandicoot Threatened and priority flora -Surrounded by Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region |

3.2 Risk ratings

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

The Revised Licence L6993/1997/12 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. 62 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3. Risk assessment of potential emissions and discharges from the Premises operation

| Risk Event - Operation | | | | | 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 | | | | |
| Acceptance storage and handling of waste Vehicle movements | Waste: windblown waste | Air: Adverse impacts to the health and survival of fauna Amenity impacts | The nearest residential is 360 metres away from the proposed shredding site | Undertake assessment of wind conditions each day of shredding to ensure that winds are not blowing towards residential properties. General waste bins are removed every four days | C = Minor L= Possible Risk = Medium | Yes | Condition 5 & Condition 8 | The Delegated Officer considers that windblown or fugitive waste is a likely outcome of mattress shredding and has required that waste is collected after each shredding event. |
| | Noise: vehicle movement and waste management activities | Air: health and amenity impacts | The nearest residential is 360 metres away from the proposed shredding site | Shredding to be undertaken between hours 7:30 am to 9:00 am, on a Monday and a Thursday.. Noisiest side of plant will be oriented away from the residents. Regular inspection of plant will be undertaken to ensure its acoustic properties. | C = Minor L= Possible Risk = Medium | Yes | Condition 5 | The Delegated Officer has considered the SPL of equipment involved and the separation distance, timing and limited days of operation proposed and considers that the applicant should be able to meet the requirements for the Noise Regulations. The Noise Regulations are considered adequate regulatory control should noise issues arise. |
| | Spills: contaminated leachate from rainfall | Direct discharge to land and seepage to groundwater | Groundwater | Refer to Section 5.1 | C = Minor L =Unlikely Risk = Medium | Yes | Conditions 1, 2, 3 and 5 regulate fugitive leachate emissions | The Delegated Officer considers that leachate from interaction of rainfall with solid wastes may impact groundwater. Condition added to require that containment skips are either impervious or stored on an impervious hardstand |

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

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

Table 4: Consultation

| Consultation method | Comments received | Department response |
|--|---------------------|---------------------|
| Licence Holder was provided with draft amendment on 1 August 2022, however no comments were received | Refer to Appendix 1 | Refer to Appendix 1 |

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

Error! Reference source not found. provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 7: Consolidation of licence conditions in this amendment

| Existing condition | Condition summary | Revised licence condition | Conversion notes |
|----------------------|--|------------------------------|---|
| N/A | Introduction | N/A – Introduction section | Revised to current licensing format. |
| 1.1.1 1.1.2 | General interpretation | N/A - Interpretation section | Redundant condition. Revised to current licensing format. |
| 1.1.3 | Australian or other standard | N/A | Redundant condition. Revised to current licensing format. |
| 1.1.4 | Reference to code of practice | N/A | Redundant condition. Revised to current licensing format. |
| 1.1.5 | Prevention of contamination and containment of contaminated stormwater | N/A | Redundant condition. Adequately covered by alternative existing conditions and proposed new conditions. Deleted from licence. |
| 1.2.1 | General conditions | N/A | Redundant condition. Revised to current licensing format. |
| 1.2.2 | General conditions | Condition 1 | Revised to current licensing format. |
| 1.2.3 | General conditions | Condition 2 | Revised to current licensing format. |
| 1.3.1 Table 1.3.1 | Premises operations | Condition 3 Table 1 | Revised to current licensing format. |

| Existing condition | Condition summary | Revised licence condition | Conversion notes |
|--------------------------|----------------------------------|---------------------------|---|
| 1.3.2 | Waste acceptance | Condition 4 | New numbering |
| 1.3.3 Table 1.3.2 | Waste processing | Condition 5 Table 2 | New numbering |
| 1.3.4 | Access to the site | Condition 6 | New numbering |
| 1.3.5 – 1.3.8 | General conditions | Condition 7 - 10 | New numbering |
| 2.1.1 – 2.1.4 | Monitoring | Condition 11 - 14 | New numbering |
| 2.2.1 Table 2.2.1 | Monitoring | Condition 15 Table 3 | New numbering |
| 2.3.1 Table 2.3.1 | Monitoring | Condition 16 Table 4 | New numbering |
| 3.1.1 - 3.1.2 | Information Records | Condition 17 - 18 | Condition reworded |
| 3.1.3 | Compliance | Condition 19 | Condition reworded |
| N/A | Complaint | Condition 20 | Condition reworded |
| 3.2.1 - 3.2.2 Table 5 | Annual Environmental Report | N/A | Redundant conditions. |
| N/A | Records | Condition 21 | Condition reworded |
| 3.3.1 Table 6 | Notification | Condition 22 | New numbering |
| N/A | Definitions | N/A | Table 7 added |
| Schedule 1: Maps | Premises map | Schedule 1: Maps | No change to map |
| Schedule 2 | Prescribed Premises Categories | N/A | Moved to page 1 of licence |
| Schedule 3 | Original Licence Decision Report | N/A | Deleted – A separate Decision Report attached |

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Summary of Licence Holder’s comments on risk assessment and draft conditions

| Condition | Summary of Licence Holder’s comment | Department’s response |
|-----------|---|-----------------------|
| | No comments received from Licence holder - 22 August 2022 | |
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Appendix 2: Application validation summary

| SECTION 1: APPLICATION SUMMARY | | | | |
|--|-------------------------------------|---|--|------------------------------|
| Application type | | | | |
| Amendment to licence | <input checked="" type="checkbox"/> | Current licence number: | L6993/1997/12 | |
| | | Relevant works approval number: | | N/A <input type="checkbox"/> |
| Date application received | | 17/03/2022 | | |
| Applicant and Premises details | | | | |
| Applicant name/s (full legal name/s) | | Shire of Capel | | |
| Premises name | | Capel Transfer Station | | |
| Premises location | | Lot 500 on Plan 66147 Range Road, CAPEL WA 6271 | | |
| Local Government Authority | | Shire of Capel | | |
| Application documents | | | | |
| HPCM file reference number: | | 2011/005690-1 | | |
| Key application documents (additional to application form): | | Figure - 8A Site Layout 2022 – Capel Waste Transfer Station, 79 Range Road, Capel WA 6271 | | |
| Scope of application/assessment | | | | |
| Summary of proposed activities or changes to existing operations. | | <p>Mattresses received from Shire residents can no longer be taken to Stanley Road Waste Facility.</p> <p>Shire received over 18 tonnes of mattresses last year.</p> <p>Shredding on site is proposed using a Mini Excavator to separate the metal out for recycling and placing the remaining textile into the general waste bin.</p> <p>Shredding would be conducted every four days on a Monday and a Thursday before the site opens at 9:30am.</p> <p>Mattresses will continue to be stored at the same location in piles no higher than 2.5 metres and 5.0 metres apart.</p> <p>At maximum up to 40 tonnes of mattresses would be shredded on the site per year.</p> | | |
| Category number/s (activities that cause the premises to become prescribed premises) | | | | |
| Table 1: Prescribed premises categories | | | | |
| Prescribed premises category and description | | Assessed production or design capacity | Proposed changes to the production or design capacity (amendments only) | |
| Category 62 Solid waste depot – premises on which waste is stored or sorted pending final disposal or re-use | | 2,500 tonnes or more per year | None | |
| Legislative context and other approvals | | | | |

L6993/1997/12

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|--|--|--|
| 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 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? |
| 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: 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 checked="" type="checkbox"/> No <input type="checkbox"/> | Name: N/A Type: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office: South West |
| Is the Premises situated in a Public Drinking Water Source Area (PDWSA)? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

| | | |
|--|---|---|
| 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>) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Is the Premises within an Environmental Protection Policy (EPP) Area? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Is the Premises subject to any EPP requirements? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Classification: Contaminated – restricted use (C–RU) Date of classification: 3 October 2017 – DMO 1263 |