



Department initiated Amendment

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

Licence Number	L6993/1997/12
Licence Holder	Shire of Capel
File Number	APP - 0027099
Premises	Capel Transfer Station 31 Forrest Road CAPEL WA 6271 Legal description – Lot 500 on Plan 66147 As defined by the Premises maps attached to the Revised Licence
Date of Report	17 February 2025
Proposed Decision	Revised licence granted

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

Table of Contents

1. Decision summary	3
2. Consultation	3
3. Conclusion	3
3.1 Summary of amendments.....	3

1. Decision summary

On 7 March 2023, the Minister for Environment; Climate Action (the Minister) made a determination on a third party appeal (Appeal number 036 of 2022) against the amendment of Licence L6993/1997/12 dated 9 September 2022. The licence was amended to allow the shredding of mattresses at the Capel Transfer Station, located at 31 Forrest Road, Capel (the premises).

The Minister received an appeal from Mr William Biggins (appellant) objecting to the conditions within the amended licence. The appellant's key concern was that DWER did not identify his property as a sensitive receptor in its assessment. The appellant sought for additional licence controls to manage windblown waste and noise emissions from mattress shredding activities.

In making the determination, the Minister allowed in part the appeal to the extent that condition 5 of the licence be amended as follows:

- To remove the wind direction triggers for ceasing activities.
- To insert a requirement for fencing or screening to be installed to contain windblown waste from mattress shredding activities.

The Minister otherwise dismissed the appeal.

The Delegated Officer has determined to initiate an amendment to Licence L6993/1997/12 to implement all amendments determined by the Minister in accordance with Section 59(1)(j) of the *Environmental Protection Act 1986 (EP Act)*.

A copy of the Minister's Appeal Determination and Appeals Convenor's report can be obtained from the Appeals Convenor's website at www.appealsconvenor.wa.gov.au.

The Delegated Officer has also taken the opportunity to revise licence reporting conditions 19 and 20 to correct errors and provide clarification on licensing reporting requirements.

The changes to L6993/1997/12 are summarised in Table 1.

As the amendment is to give effect to an appeal decision and correct errors in licence reporting conditions, no further risk assessment to justify these changes is required or provided within this Amendment Report.

2. Consultation

The Licence Holder was provided with the draft Amendment Report on 14 January 2025. The Licence Holder advised on 17 February 2025 that they had no comments in relation to the licence amendment.

3. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended licence 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 licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	Additional file number related to the amendment added.
Condition 5, Table 2	The condition requiring the licence holder to ensure that mattresses shredding is not undertaken when the winds are blowing northeast, east and southeast towards residential areas has been deleted and replaced with <i>“a fence or litter control screening must be installed to prevent windblown waste from leaving the mattress shredding area”</i> .
Condition 17	Internal condition reference corrected.
Condition 19	The condition has been updated to clarify that an Annual Audit Compliance Report is required to be submitted annually and must be submitted by 1 March each year.
Condition 20	<p>A separate condition has been included requiring the submission of an environmental report biennially. The environmental report is to be submitted by 1 March 2024 and biennially thereafter.</p> <p>Table 5 has been added to specify reporting requirements for the environmental report.</p>
Schedule 1 Maps	<p>Figure 2 and Figure 3 captions have been moved to the bottom of the map and renamed to be consistent with current licensing formats.</p> <p>Figure 3 has been rotated for ease of reading.</p>