



Department initiated Amendment

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

Licence Number	L8798/2013/1
Licence Holder	Veolia Recycling & Recovery (Perth) Pty Ltd
ACN	118 828 872
File Number	APP-0027502
Premises	Bibra Lake Resource Recovery Park 65 Howson Way BIBRA LAKE WA 6163 Legal description – Lot 27 on Plan 3699 As defined by the Premises map attached to the Revised Licence
Date of Report	17 March 2025
Decision	Revised licence granted

Melissa Chamberlain

MANAGER WASTE INDUSTRIES

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

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1. Decision summary

On 16 October 2024, the Minister for Environment made a determination on a third party appeal (Appeal number 029 of 2023) against a licence amendment dated 21 July 2023, which authorised an increase in the acceptance, sorting and storage of waste with approval to accept up to 50,000 tonnes per year of food organic and garden organic (FOGO) waste. The appellant's key concern related to odour emissions from FOGO waste and municipal solid waste (MSW).

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

- administrative amendments to correct an error and address consistency in operational requirements;
- require the development and implementation of a comprehensive odour management plan that addresses operations, monitoring and emission controls, and incorporates an odour monitoring plan;
- require an operational odour analysis to inform the odour management plan process;
- additional controls for the operation of rapid closing doors;
- additional monitoring, including short-term monitoring, consistent with the purposes of, and to inform development of, the odour management plan;
- reinstate annual environmental reporting consistent with the scope and risk of the streamline initiative;
- require quarterly updates to DWER on odour emission management for two years to support greater transparency.

Changes have been made to align licence 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 Amendment Report.

2. Consultation

The Licence Holder was provided with the draft Amendment Report on 14 February 2025. Comments received from the Licence Holder on 10 March 2025 have been considered by the Delegated Officer as detailed in Appendix 1.

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
Condition 1, Table 1, Items 7 and 8	Amended to reflect the intent for how many external doors across the FOGO and MSW sheds may be open at one time.
Condition 7, Table 3	All vehicles transporting wastes to be covered prior to exiting buildings.
Condition 17	Added requirements in the event that any external rapid closing door cannot close.
Condition 18	Added requirements for vehicle entry through door 1.
Condition 19	Added condition relating to the opening of door 1.
Condition 20	Added condition for the plan and implementation of odour field assessments.
Condition 21	Requirements for the odour field assessment report specified in condition 20.
Condition 22	Added condition for the preparation and submission of an Odour Management Plan (OMP).
Condition 23	Added condition for the undertaking of an operational odour analysis.
Condition 24	Added requirements for the OMP.
Condition 25	Added requirements for the odour monitoring plan specified in condition 24(i).
Condition 26	Added condition relating to the implementation of the OMP.
Condition 32	Added requirements for complaints records.
Condition 34	Added condition for the submission of a quarterly report.
Condition 35	Added condition for the submission of an annual environmental report.
Definitions	Updated to include terminology used in amended conditions.
Schedule 1, Figure 3	Figure added to depict door locations.

Appendix 1: Summary of Licence Holder's comments on draft amendment

Condition	Summary of Licence Holder's comment	Department's response
1 (Table 1, Item 7 and Item 8)	<p>The Waste Transfer Station Building and FOGO Building operate as independent transfer stations, and there is no evidence that having one door open in each separate building simultaneously would negatively impact odour management. Veolia believes the intention of this condition is to prevent 'air flushing' between two open doors which can still be achieved if a door on each transfer station is open as long as Door 2 is closed. Requiring only one door open across both transfer stations would also create significant operational inefficiencies and traffic congestion along Howson Way.</p> <p>Veolia requests that the interlocking of the Doors within the Waste Transfer Station shed be determined as an outcome of the OMP implementation and not be detailed as an initial condition. Veolia notes that the majority of kerbside putrescible waste previously received will soon be directed to WtE facility, and therefore the odour profile of the Waste Transfer Station will change.</p>	<p>The Minister's determination required an administrative amendment to amend condition 1, table 1, items 7 and 8, to reflect DWER's original intent for how many external doors across the FOGO and MSW sheds may be open at one time.</p> <p>In accordance with section 110 of the EP Act, the condition has been amended to reflect the original intent of the condition, being no more than one door is open at a time across the Waste Transfer Station Building and FOGO Building.</p> <p>Following the outcomes of the Odour Management Plan (OMP) specified in condition 22, amendment to the condition may be considered if the OMP demonstrates impacts from odour can be odour can be mitigated with multiple doors open.</p>
17	<p>In the event that any external rapid closing door cannot close, the licence holder must immediately:</p> <p>(a) cover the doorway; or</p> <p>(b) remove odorous waste from the premises; or</p> <p>(c) take measures to effectively mitigate odour.</p>	<p>The condition has been amended to reflect the Minister's determination.</p>
19	<p>Veolia accepts this condition, however in order for Veolia to remove the odorous waste from the facility it requires a bulk haulage truck to enter through Door 1 so the material can be loaded out. Not enabling this action, will result in the odorous waste remaining onsite for a prolonged period of time. Therefore Veolia requests that Door 1 may be able to be opened in order to allow a truck to enter in order to load the waste out.</p>	<p>The condition has been amended to allow the opening of Door 1 to remove waste in accordance with condition 17(b).</p>

Condition	Summary of Licence Holder's comment	Department's response
20(a)(iii)	<p>Veolia has received external feedback from an odour management consultant who has queried whether the Victoria EPA 3 level scale (Table 6 of the VIC EPA Guidance for assessing odour – Publication 1883, June 2022) is acceptable and has an “equivalent sensitivity to German standard VDI 3940”?</p>	<p>The department's Guideline: Odour emissions details the odour field survey standards of relevance for the department.</p>
20(a)(iv)	<p>We acknowledge the requirement for OFAs to be conducted at least 2 weeks apart over a three-month period.</p> <p>However, coordinating OFAs presents practical challenges due to multiple variables including the need to align site operations, suitable weather conditions, and consultant availability, which may impact our ability to strictly meet the 2-week interval requirement. Veolia will work with an external odour consultant to make best efforts to comply with this timing, and will notify DWER if it can not be achieved.</p> <p>Veolia understands that the requirement for a 2-week interval was added to the Works Approval because it was particularly relevant during initial operations when routine operations had not been established.</p> <p>Clarification is sought from DWER that 3 OFA's (in total) is required over a 3 month period and not 3 OFA's each quarter.</p>	<p>The condition has been amended to allow for the 3 OFA's to be conducted over a 6 month period, with at least 4 weeks apart between each OFA.</p> <p>The department confirms that a total of 3 OFA's are to be undertaken in a 6 month period, and does not require 3 OFA's in each 6 month period.</p>
22	<p>The licence holder must prepare and submit an Odour Management Plan (OMP) for the premises to the CEO by 31 October 2025.</p> <p>This time extension request to submit the OMP is based on feedback from an external odour consultant on the work required for a thorough operational review, the need to consider findings from multiple OFAs and to allow adequate time for the drafting and review process.</p>	<p>The department accepts the proposal and has amended the condition.</p>
24	<p>Veolia suggests removing condition 24(h) or revising it to exclude developing specific design requirements before they are required by the OMP.</p> <p>It is our understanding that the purpose of an OMP should be to evaluate the effectiveness of current operational controls in mitigating odours. If these are not sufficiently effective, then additional or alternate controls may be required by the OMP. If infrastructure such as negative pressure air extraction systems are required, then it is Veolia's belief that it should then be</p>	<p>Item 3 in the attachment of the Minister's determination specifies the requirements for the OMP.</p> <p>The Appeals Committee Report to the Minister for Environment (September 2024) stated that “a <i>negative pressure air extraction system is almost certainly required to prevent odour emissions causing unreasonable impacts from the MSW shed. The specifications to install such a system should be confirmed in the short-term to support future decision making on the OMP.</i>”</p>

Condition	Summary of Licence Holder's comment	Department's response
	required to develop design specifications.	Condition 24 reflects the above specifications, and has not been amended.
25(f)(ii)	Veolia requests clarification on the term 'acceptability of odour levels' as external advice from our odour management consultant is that while odour intensity can be measured, there is no established methodology or criteria to determine what constitutes an 'acceptable' level of odour intensity.	The condition has been amended to be consistent with terminology in the Guideline: Odour emissions .
25(f)(iv)	As described above, can DWER confirm that the Victoria EPA 3 level scale (Table 6 of the VIC EPA Guidance for assessing odour – Publication 1883, June 2022) is acceptable and has an “equivalent sensitivity to German standard VDI 3940”?	The department's Guideline: Odour emissions details the odour field survey standards of relevance for the department.
32	<p>(d) Veolia accepts this condition, but notes that frequency and duration of door openings times will be derived from CCTV footage. This footage is saved for 60 days so this cannot be recorded if historic complaints are received.</p> <p>(e) Veolia has received external feedback from an odour management consultant who suggests that the VDI 3940 odour intensity scale requires explanation and practice to use correctly.</p> <p>The Duration, Offensiveness, and Location of an odour event can be reported by a complainant. However, it is not reasonable to expect complainants to provide an odour intensity rating using this scale. Additionally, complaints lodged through the DWER odour report webpage do not use the VDI 3940 scale but the VIC EPA scale, which categorises odour as either subtle or obvious.</p> <p>Frequency of an odour refers to how often a complainant experiences odour impacts over a given period. This information cannot be determined from a single complaint but rather from multiple complaints over time.</p>	<p>The department notes the 60 day timeframe in relation to clause (d) of the condition.</p> <p>The also department notes the matter raised in relation to clause (e). However, the condition requires only the best available information to be recorded by the licence holder from the information received in relation to an odour complaint. The licence holder must record the details, or lack thereof, of complaints from the available information received from the complainant or the department.</p>
34	We request a revision of this date to 30 June 2026, by which time the outcomes of the OMP implementation will be well established. While Veolia will continue to implement the OMP beyond this date, we propose adjusting the odour monitoring frequency and reporting requirements to a biannual basis.	Item 8 in the attachment of the Minister's determination specifies that quarterly updates are to be provided to the department for the next two years. To reflect the date of this amendment, the cessation date for the quarterly updates has been amended to 31 March 2027.