



Application for Licence Amendment

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

Licence Number	L9167/2018/1
Licence Holder	City of Busselton
File Number	2011/007003-2
Premises	Vidler Rd Putrescibles Landfill Site Western Cape Drive, NATURALISTE WA 6281 Legal description - Lot 8 on Diagram 66799 As defined by the Premises maps attached to the Revised Licence
Date of Report	7 April 2022
Decision	Revised licence granted

Steve Checker

**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
2.3 Consolidation of Licence	1
3. Risk assessment	3
3.1 Source-pathways and receptors	3
3.1.1 Emissions and controls	3
3.1.2 Receptors	4
3.2 Risk ratings	3
4. Consultation	6
5. Conclusion	6
5.1 Summary of amendments	6
References	9
Appendix 2: Application validation summary	10
Table 1: Proposed [design or throughput capacity] changes	1
Table 2: Licences consolidated in this amendment	2
Table 3: Works Approval/Licence Holder controls	4
Table 4: Sensitive human and environmental receptors and distance from prescribed activity	4
Table 5. Risk assessment of potential emissions and discharges from the Premises during construction, commissioning and operation	4
Table 6: Consultation	6
Table 7: Summary of [works approval/licence] amendments	6
Table 8: Consolidation of licence conditions in this amendment (if required)	6
Figure 1: Distance to sensitive receptors	1

1. Decision summary

Licence L9167/2018/1 is held by the City of Busselton (Licence Holder) for the Vidler Rd Putrescibles Landfill Site (the Premises), located at Western Cape Drive, NATURALISTE, WA, 6281.

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 L9167/2018/1 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 Application summary

On 26 November 2021, the Licence Holder submitted an application to the department to amend Licence L9167/2018/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- the addition of Category 13 onto the licence to authorise the crushing of building materials, not more than 50,000 tonnes per year for use within City of Busselton works, namely 20-40mm drainage within Cell 2 of the landfill and roadworks. The crushed material will not be sold to the public; and
- to authorise the burial of asbestos waste into the lined cell.

This amendment is limited only to changes to Category 64 activities from the Existing Licence, and the addition of Category 13. No changes to the aspects of the existing Licence relating to Category 61 or 62 have been requested by the Licence Holder.

Table 1 below outlines the proposed changes to the existing Licence

Table 1: Proposed design or throughput capacity changes

Category	Current design/throughput capacity	Proposed design/throughput capacity	Description of proposed amendment
13	N/A	50,000 tonnes per annual period	The applicant wishes to include crushing and screening of building rubble onto the licence.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 2.

Table 2: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L7122/1997/3	20/06/2000	Licence Reissue
L7122/1997/4	05/06/2011	Licence Reissue
L7122/1997/5	04/06/2002	Licence Reissue
L7122/1997/6	09/06/2003	Licence Reissue
L7122/1997/7	08/06/2004	Licence Reissue
L7122/1997/8	20/06/2005	Licence Reissue
L7122/1997/9	08/06/2008	Licence Reissue
L7122/1997/10	08/06/2011	Licence Reissue
L7122/1997/11	08/06/2012	Licence Reissue
W5337/2012/1	25/02/2013	Works Approval- construction of new liquid waste ponds
L7122/1997/12	30/05/2013	Licence Reissue
L7122/1997/12	07/10/2013	Licence Amendment
W5621/2014/1	30/04/2015	Works Approval – construction of new Cell1 and leachate pond.
L7122/1997/12	25/02/2016	Licence Amendment to increase the Category 61 production and design capacity
L7122/1997/12	29/04/2016	Amendment Notice 1 to extend expiry date to 7 June 2030
L7122/1997/12	15/12/2016	Licence amendment – proponent initiated- for the addition of Cell 2 works and capping plan requirements. Category 62 added to authorise the existing solid waste facility.
L7122/1997/12	01/08/2017	Amendment Notice 2 to include a descriptor for hazardous waste and increase the acceptance limit for clean fill.
L7122/1997/12	02/05/2018	Amendment Notice 3 to extend the timeframe to accept waste into the unlined landfill cell.
L7122/1997/12	June 2018	This licence ceased to have effect
L9167/2018/1	02/11/2018	Replacement licence granted
L9167/2018/1	10/04/2019	Amendment Notice 1 to alter the location of the asbestos burial pit.
L9167/2018/1	7/04/2022	Licence Amendment for the addition of Category 13 onto the licence to authorise the crushing of building materials, not more than 50,000 tonnes per year; and to authorise the burial of asbestos waste into the lined cell

The obligations of the Licence Holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the 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 3 below. Table 3 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 3: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Crushing of material, lift-off from stockpiles and/or stored product, etc.	Air/windborne pathway	Dust suppression by water throughout crushing, Crushing to occur May – September (during the wet season), crushing to start after rain has commenced.
Noise	Crushing and screening of material	Air/windborne pathway	Bund wall (5m high and 30m long) of clean sand will be crushed first, crushing to take place between 7am and 4pm, Monday to Friday.
Asbestos	Burial of asbestos / Asbestos fibers	Air/windborne pathway causing impacts to health including asbestosis, mesothelioma and cancer	Specific burial location is referenced by GPS points.

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 4 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 4: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	From the crushing activities: ~546 m; 884 m; and 973 m south west; ~ 588 m west, south-west; ~ 780 m south east; ~ 835 m east; From the landfilling activities: ~189 m west; ~469 m; 528 m; 584 m; 598 m; 739 m; and 745 m south west ~698 m west, north-west; ~375 m; and 719 m north west; and ~ 774 m east.
Solitaire Homestead – Holiday accommodation and wedding venue	~ 1 km east, south-east of the proposed crushing activities

Environmental receptors	Distance from prescribed activity
Native Vegetation	Immediately to the north and west of the premises boundary
National Park	~ 900 m west of the premises boundary
Threatened Fauna - Forest red-tailed black cockatoo; - Baudin's Cockatoo; - Western Ringtail Possum; - Carnaby's Cockatoo; - South-western Brush-tailed Phascogale; and - Quenda	17 recorded sightings within 1.5 km of the premises boundary
Threatened and priority flora	5 recorded sightings within 1.5 km of the premises boundary
Threatened Ecological Communities (TEC) Buffer Zones - Melaleuca lanceolata forests (P2) - Meelup Granites (Vulnerable) - Swan Coastal Plain Paluslope Wetlands (P1) - Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region (P3)	~ 1.44 km south west of the premises boundary ~ 1.69 km east south-east of the premises boundary ~ 2.05 km south east of the premises boundary ~ 2.73 km east of the premises boundary
Surface water lines -minor	~ 1.01 km south east of the premises boundary; and ~ 1.6 km south of the premises boundary

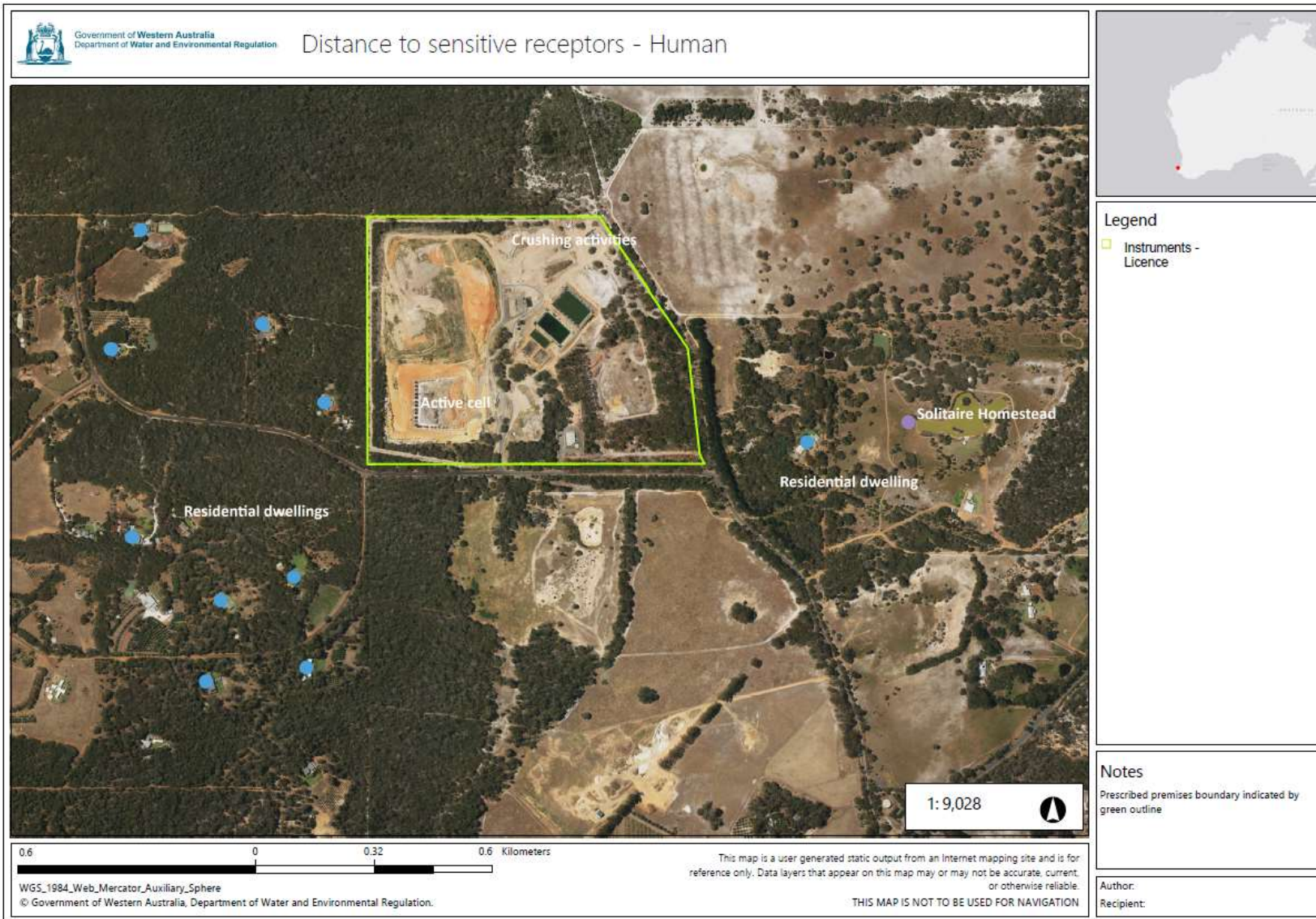


Figure 1: Distance to sensitive receptors - Human

Licence: L9167/2018/1

IR-T15 Amendment report template v3.0 (May 2021)

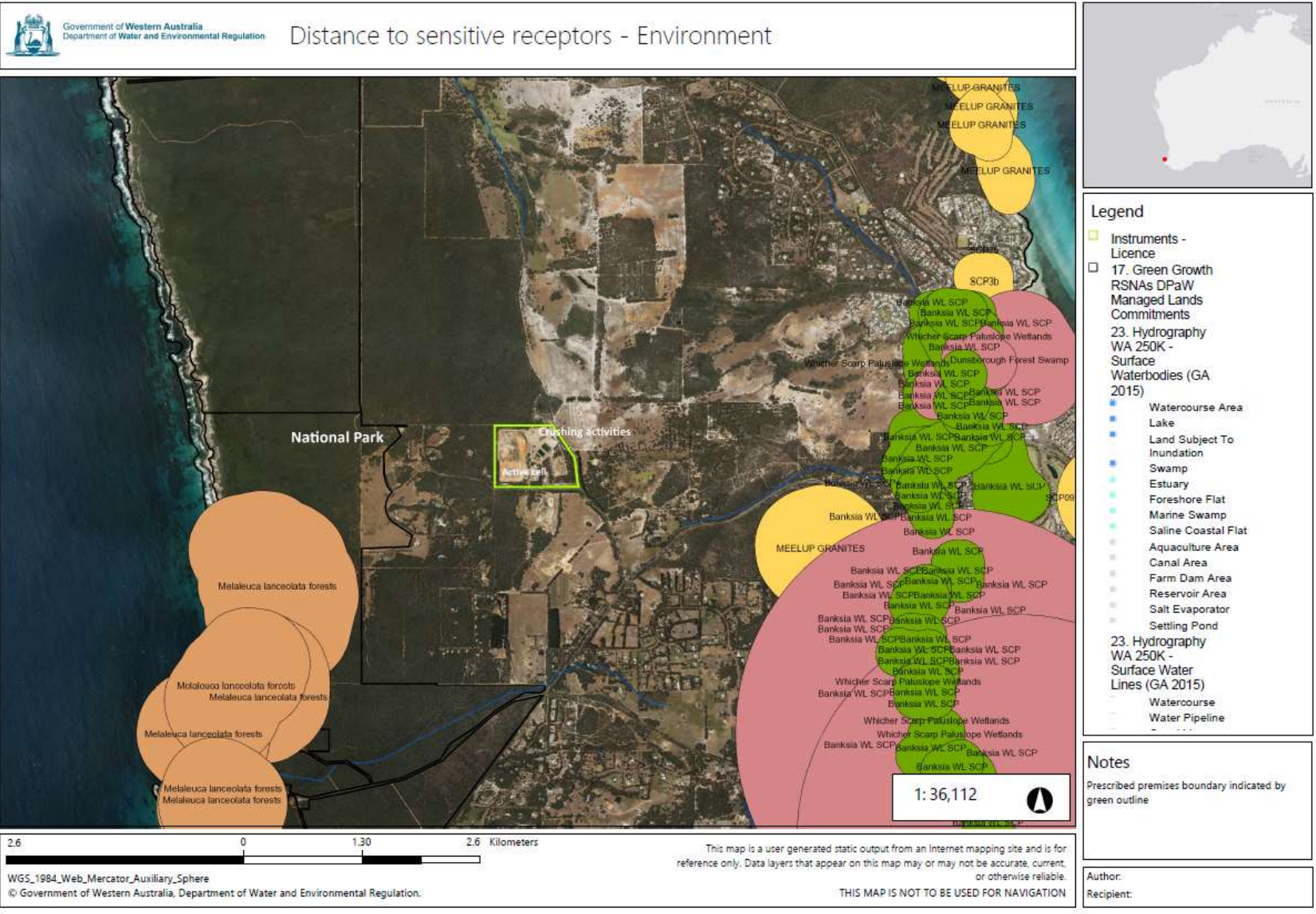


Figure 2: Distance to sensitive receptors – Environment

Licence: L9167/2018/1

IR-T15 Amendment report template v3.0 (May 2021)

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 5.

The Revised Licence L9167/2018/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. asbestos burial within the active landfill cell, and crushing activities.

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

Table 5. Risk assessment of potential emissions and discharges from the Premises during construction, and 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				
Construction								
<i>Placement of plant associated with crushing activities</i>	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 520m – 1km from the premises	Refer to Section 3.1	C = Slight L = Rare Low Risk	N/A	N/A	N/A
	Noise							
Operation								
Operation of crushing infrastructure and equipment	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 546m – 1km from the crushing activities	Refer to Section 3.1	C = Minor L = Unlikely Low Risk	Y	Condition 18, Table 6: (e) to (h)	The Delegated Officer considers the applicant controls is sufficient to mitigate the risk of dust emissions.
	Noise				C = Minor L = Unlikely Low Risk	Y	Condition 18, Table 6: (i) and (j)	The Delegated Officer considers the applicants controls and the Noise Regs sufficient to mitigate the risk of noise emissions.
	Asbestos fibers				C = Severe L = Rare High Risk	N	Conditions 23 – 40 Condition 18, Table 6 (e) to (i)	The Delegated Officer considers the addition of standard Category 13 asbestos management conditions and recycled product testing mitigates the risk of asbestos fibers.

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				
Burial of asbestos waste into the active lined cell	Asbestos fibers	Air/windborne pathway causing impacts to health	Residences 520m – 1km from the premises		C = Severe L = Rare High Risk	Y	Condition 18, Table 6: (t)	The Delegated Officer considers the applicants controls and the existing asbestos licence controls sufficient to mitigate the risk of asbestos burial within the active cell.

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

Table 6: Consultation

Consultation method	Comments received	Department response
Licence Holder was provided with draft amendment on 25/3/2022	Licence Holder responded on 28/3/2022 providing additional information the Department had requested and waived the remaining comment period.	N/A

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

Table 7 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: Summary of licence amendments

Condition no.	Proposed amendments
Table 6	Waste processing limits, Inert waste type 1: (e) authorisation of crushing building rubble in designated crushing and screening area. (f) ensuring crushing occurs during the wet season ; (g) must use the water cart to suppress dust during operations. (h) Bund wall for noise control; and (i) time limits for crushing and screening.
Table 6	Waste processing limits, Special waste type 1 (asbestos waste): (n) amended to allow asbestos waste to be disposed into the lined active cell; and (r) amended to include the use of GPS system to record burial location.

Table 8: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Cover page	N/A	Revised to current licensing format.
1.1.2 1.1.3	Interpretation and definitions	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.1.4	Australian or other standard	N/A	Redundant condition. Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
		Interpretation section, Definitions and Table 1	
1.1.5	Reference to code of practice	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.2.1	Stormwater	Condition 44	Updated numbering
1.2.2 – 1.2.12	Cell 2 works	Conditions 1 - 11	Updated numbering
1.2.13 - 1.2.14	Capping and closure plan	Conditions 12 and 13	Updated numbering
1.3.1	General operation	Condition 14	Updated numbering
1.3.2 Table 1.3.1	Waste acceptance	Condition 15 Table 5	Updated numbering
1.3.3	Non-conforming waste	Condition 16	Updated numbering
1.3.4	Contaminated waste	Condition 17	Updated numbering
1.3.5 Table 1.3.2	Waste processing	Condition 18 Table 6	Updated numbering
1.3.6 Table 1.3.3	Containment infrastructure	Condition 19 Table 7	Updated numbering
1.3.7	Waste levelling and compaction	Condition 20	Updated numbering
1.3.8 Table 1.3.4	Cover requirements	Condition 21 Table 8	Updated numbering
N/A	Dust and asbestos management	Condition 23 - 40	New conditions
1.3.9 – 1.3.11	Security	Condition 41 - 43	Updated numbering
1.3.12 – 1.3.13	Windblown litter	Condition 45 - 46	Updated numbering
1.3.14 – 1.3.15	Fire	Condition 47 - 48	Updated numbering
2.1.1 – 2.1.2	General monitoring	Condition 49 - 50	Updated numbering
2.2.1 Table 2.2.1	Ambient groundwater quality monitoring	Condition 51 Table 9	Updated numbering
3.1.1 – 3.1.3	Records	Condition 52 - 55	Revised to current licensing format.

Existing condition	Condition summary	Revised licence condition	Conversion notes
3.2.1 Table 3.2.1	Annual environmental report	Condition 56 Table 10	Updated numbering
3.3.1 Table 3.3.1	Notification requirements	Condition 57 Table 11	Updated numbering
Schedule 1: Maps	Premises map Map of groundwater monitoring points	Schedule 1: Maps	Update map, combine monitoring points and landfill activities onto the one map
Schedule 2 Reporting & notifications	Form N1 Notification	N/A	Redundant attachment. Deleted from Licence Forms accessed at www.dwer.wa.gov.au

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 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:	Licence	<input type="checkbox"/>	Relevant works approval number:	
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input type="checkbox"/>	Current licence number:	Renewal			
Amendment to works approval	<input type="checkbox"/>	Current works approval number:	Amendment to works approval			
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9167			
		Relevant works approval number:		N/A	Relevant works approval number:	
Registration	<input type="checkbox"/>	Current works approval number:	Registration	<input type="checkbox"/>	Current works approval number:	
Date application received		26/11/2021				
Applicant and Premises details						
Applicant name/s (full legal name/s)		City of Busselton				
Premises name		Dunsborough Waste Facility				
Premises location		Vidler Rd putrescibles landfill site Lot 8 on Diagram 66799 Certificate of Title Volume 1679 Folio 592 48 Western Cape Drive, NATURALISTE WA 6281				
Local Government Authority		City of Busselton				
Application documents						

HPCM file reference number:	2011/007003-2~5	
Key application documents (additional to application form):	Certificate of Title Attachment 2A – Premises map for Concrete Crushing Attachment 2B – Premises map for Asbestos burial	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Licence amendment Addition of Category 13 onto the licence to authorise the crushing of building materials, not more than 50,000 tonnes per year; and Authorise the burial of asbestos waste into the lined cell.	
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
Category 61: Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	Up to 6,000 tonnes per year	N/A
Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or reuse	10,000 tonnes per annual period	N/A
Category 64: Class II or III putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer, as amended from time to time) is accepted for burial.	Up to 35,000 tonnes per year	N/A
Category 13: Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned.	N/A	50,000 tonnes per annual period
Legislative context and other approvals		
Has the applicant referred, or do they	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?		
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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"/>
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"/>	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"/>	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"/>	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: Cape to Cape North Surface Water Area; and Busselton-Capel Groundwater Area Type: Proclaimed Groundwater Area and Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Regional office: South West

<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: N/A</p>
<p>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>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></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 checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Classification: Possible Contaminated – Investigation Required Date of classification: 21 October 2010</p>