



Application for Licence Amendment

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

Licence Number	L9255/2020/1
Licence Holder	Cleanaway Pty Ltd
ACN	000 164 938
File Number	DER2020/000293
Premises	Webborton Cleanaway 12 Connolly Street WEBBERTON WA 6530 Legal description - Lot 55 on Deposited Plan 071581, the whole of the land in certificate of Title Volume 1880 Folio 739
Date of Report	16/09/2022
Decision	Revised licence granted

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SENIOR ENVIRONMENTAL OFFICER, INDUSTRY REGULATION

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

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1. Decision summary

Licence L9255/2020/1 is held by Cleanaway Pty Ltd (Licence Holder) for Webberton Cleanaway (the Premises), located at 12 Connolly Street, Webberton.

This Amendment Report documents the assessment of potential risks to the environment and to public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L9255/2020/1 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 20 June 2022, the Licence Holder submitted an application to the department to amend Licence L9255/2020/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The application sought the following amendments:

- Extension of operating hours from 0700 to 1700 Monday to Saturday, excluding Public Holidays, to 0700 to 1700 Monday to Sunday, including Public Holidays.
- Exclusion of the requirement for outdoor Container Deposit Scheme (CDS) glass storage to be covered.

The applicant has stated that the extension of operating hours is required due to difficulty in undertaking the processing requirements of the CDS under the current operating hours. This is due to the Containers for Change program being utilised the most by the public on weekends and public holidays, placing pressure on processing needs during this time.

The Licence Holder has stated that the glass stored outdoors is received via the CDS. CDS materials which do not meet the requirements of the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019* must be refused under Regulation 4C (5). Therefore, all stored glass containers should be empty and uncontaminated.

On 28 July 2022, the Licence Holder requested one additional item to be amended to increase the quantity limit for approved CDS materials from 2,000 tonnes per annual period to 4,000 tonnes per annual period. The amendment has been requested as the CDS uptake at the facility has been greater than expected.

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 below.

Table 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	Receipt, transport, and handling of CDS material 0700 to 1900 Monday to Sunday including Public Holidays	Air/windborne pathway	As per existing licence: <ul style="list-style-type: none"> Baling machine positioned and installed in accordance with manufacturer's specifications and maintained and serviced in accordance with manufacturer's specifications. CDS processing occurs in enclosed storage shed.
Odour			None proposed. As per existing licence
Dust			None proposed. As per existing licence
Windblown waste	Storage of glass outside in an uncovered container		None proposed.
Leachate	Storage of glass outside in an uncovered container	Infiltration through the soil profile to groundwater	None proposed.
Smoke	Upset conditions (fire)	Air/windborne pathway causing impacts to health and amenity	None proposed. As per existing licence

Emission	Sources	Potential pathways	Proposed controls
Firefighting washwater	Upset conditions (fire)	Overland runoff and infiltration potentially causing soil and groundwater contamination	None proposed. As per existing licence

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 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

Receptor number	Human receptors	Distance from prescribed activity
H1	Residential Premises, Bedford Street, Spalding	Approximately 300m north of Premises Boundary
H2	Light industrial premises on Connolly Street, Webberton	Directly adjacent to Premises Boundary
H3	St. Lawrence Primary School playing fields, 350 Chapman Road, Bluff Point (licensed groundwater user)	Approximately 560m Northwest of Premises boundary
H4	Bugara Park, Bugara Street, Spalding (licensed groundwater user)	Approximately 675m Northeast of Premises Boundary
H5	AMC Park, Mitchell Street, Spalding (licensed groundwater user)	Approximately 650m North of Premises Boundary
	Environmental receptors	Distance from prescribed activity
E1	Reserve number 28262 -Recreation, Conservation and Explosives, Koojara Street, Spalding	Approximately 745m Northeast of Premises Boundary
E2	Indian Ocean - Bluff Point Foreshore Reserve (reserve number 23177), Public Recreation, Kempton Street, Bluff Point	Approximately 980m west of Premises Boundary
E3	Chapman river	Approximately 1, 930m East of Premises Boundary
	Underlying groundwater	Within the <i>Rights in Water and</i>

	<p><i>Irrigation Act 1914 (RIWI Act)</i> Arrowsmith Groundwater Area Depth to groundwater not available</p>
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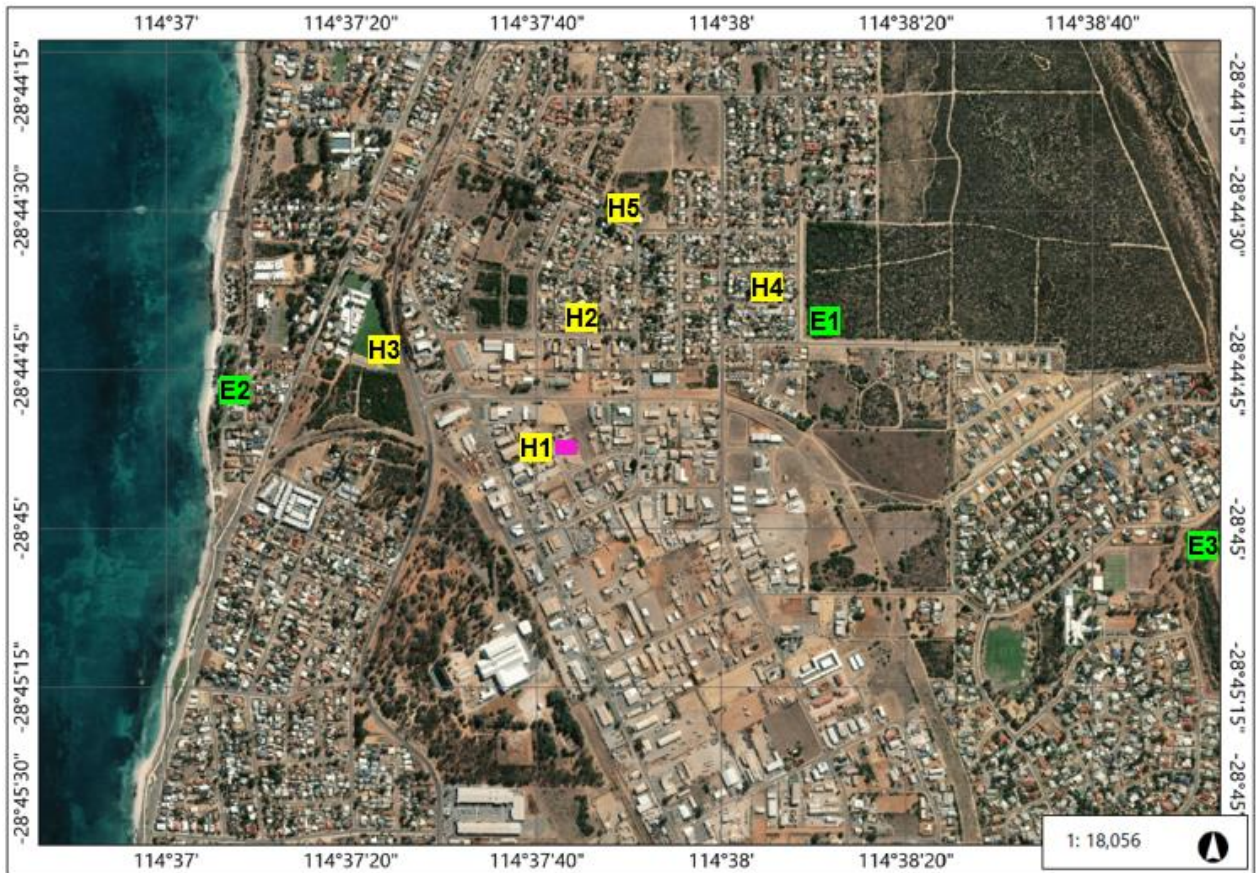


Figure 1: Distance to sensitive receptors (premises shown in pink)

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 L9255/2020/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises. 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 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				
Operation								
Upset conditions (Fire)	Smoke	Air/windborne pathway causing impacts to health and amenity	Spalding residents and public open space users Adjacent light industrial premises	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Conditions 10 and 17	The Licence Holder has advised that an increase in CDS material throughput from 2,000 to 4,000 tonnes per annual period will not change the amount of material stored currently. Therefore, the proposal should not significantly increase the risk of fire. The delegated officer considers the existing licence conditions to be
	Firefighting washwater	Overland runoff and infiltration potentially causing soil and groundwater contamination	Adjacent light industrial premises Licensed Groundwater users		C = Minor L = Unlikely Medium Risk			

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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				
			Reserve number 28262 - Koojara Street, Spalding Bluff Point Foreshore Reserve (reserve number 23177) Chapman River					sufficient to control the risks from smoke and firefighting washwater.
Receipt, transport, and handling of CDS material 0700 to 1900 Monday to Sunday including Public Holidays	Odour	Air/windborne pathway causing impacts to health and amenity	Spalding residents and public open space users Adjacent light industrial premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 1 and 5	CDS materials are required by Regulation 4C(5) of the <i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Scheme Regulations 2019</i> to be empty and uncontaminated. Therefore, there should be no residues in the containers which would cause odour. The delegated officer considers the existing licence conditions to be adequate to control odour emissions.

Risk Event					Risk rating ¹	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	C = consequence L = likelihood			
	Dust	Air/windborne pathway causing impacts to health and amenity	Spalding residents and public open space users Adjacent light industrial premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 1, 6	The delegated officer considers existing licence conditions to be sufficient to control dust emissions.
	Noise	Air/windborne pathway causing impacts to health and amenity	Spalding residents and public open space users Adjacent light industrial premises	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Condition 1, 7	The Acoustic Report prepared by Herring Storer Acoustics (2022) submitted for the proposed extension to operating hours determines that noise levels will be compliant with the <i>Environmental Protection (Noise) Regulations 1997</i> for the proposed operating times.
Storage of glass outside in an uncovered container	Windblown waste	Air/windborne pathway causing impacts to health and amenity, and ecosystem disturbance	Spalding residents and public open space users Adjacent light industrial premises Indian Ocean Chapman River Reserve number 28262 - Koojara Street,	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	N/A	Condition 11	The Licence Holder has not proposed any specific controls for windblown waste. Whilst all other CDS materials are stored and processed in an enclosed shed, the storage of glass uncovered outside may result in windblown waste from container labels. Therefore, The Delegated Officer considers an additional condition

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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				
			Spalding Bluff Point Foreshore Reserve (reserve number 23177)					to contain windblown waste on the premises appropriate.
	Leachate	Infiltration through the soil profile to groundwater, causing degradation to the beneficial use of groundwater	Arrowsmith groundwater area Groundwater users Reserve number 28262 - Koojara Street, Spalding Bluff Point Foreshore Reserve (reserve number 23177) Chapman River	Refer to Section 3.1	C = Slight L = Rare Low Risk	N/A	1, 2, 8 and 9	The glass storage hook-lift bin is located on a hardstand to the south of the CDS processing and storage shed. CDS materials are required by Regulation 4C(5) of the <i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019</i> to be empty and uncontaminated. Therefore, leachate/stormwater runoff from these materials would present a very low risk to the environment and the Delegated Officer considers that no additional regulatory controls are necessary.

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. **Underline text** depicts additional regulatory controls imposed by department.

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4. Consultation

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

Table 4: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal (5 July 2022)	The City of Greater Geraldton responded on 26 July 2022, advising that they had no objection to the proposed amendments and that no Development Approval is required.	N/A
Licence Holder was provided with draft amendment on 22 August 2022	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

Table 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 5: Summary of licence amendments

Condition no.	Proposed amendments
Licence details on first page	Design capacity changed from 2,000 tonnes per annual period to 4,000 tonnes per annual period
1	Removal of condition in Table 1 for <i>"Fork-lift bins to be fitted with tarps to prevent rainwater accumulation"</i> . Replaced with N/A.
2	Quantity limit in Table 2 amended to 4,000 tonnes per annual period. Removal of requirement in Table 2 for glass storage hook-lift bins to be tarped.
7	Change in operation hours from 0700 to 1900 Monday to Saturday (excluding public holidays) to 0700 to 1900 Monday to Sunday (including public holidays)
11	Addition of condition to control windblown waste. Monitoring condition now numbered 12.

Table 6: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
11	Monitoring	12	New numbering
12	Records and reporting – recording information	13	New numbering

Existing condition	Condition summary	Revised licence condition	Conversion notes
13	Records and reporting – audit of compliance with conditions	14	New numbering
14	Records and reporting – keeping of auditable books	15	New numbering
15	Records and reporting – requirements for auditable books	16	New numbering
16	Notifications	17	New numbering

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.
4. Herring Storer Acoustics 2022, *Cleanaway (Geraldton) Solid Waste Depot 11 Connolly Street Webberton, WA, Operating Hours Amendment Noise Monitoring Acoustic Assessment*, Como, 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
Number 7	The Licence Holder has requested that condition 7 be amended to allow operations at the premises (except baling activities) to occur between 0700 and 1900 Monday to Sunday, including public holidays, as flexibility is required for loading and unloading of materials during these times.	<p>The acoustic report submitted by the applicant (prepared by Herring Storer Acoustics, 2022) assesses noise from the premises for the period of 0700 to 1900 Monday to Sunday and noise emissions have been determined to be compliant with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Therefore, the Delegated Officer considers that the change in operating times should not alter the risk of noise emissions from the premises and the condition has been amended as requested.</p>

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:		None <input type="checkbox"/>
		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:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9255/2020/1	
		Relevant works approval number:		N/A <input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None <input type="checkbox"/>
Date application received	20 June 2022			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Cleanaway Pty Ltd			
Premises name	Webborton Cleanaway			
Premises location	Legal description - Lot 55 on Deposited Plan 071581, the whole of the land in certificate of Title Volume 1880 Folio 739			
Local Government Authority	City of Greater Geraldton			
Application documents				
HPCM file reference number:	DER2020/000293			
Key application documents (additional to application form):	<p><i>Consultation with City of Greater Geraldton Acoustic Assessment Additional amendment request received 28 July 2022</i></p>			

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<p><i>Amendment to Licence:</i></p> <p>Operating hours of the solid waste depot are proposed to be extended from 0700 to 1700 Monday to Saturday excluding Public Holidays to 0700 to 1700 Monday to Sunday including Public Holidays for the consolidation and baling of recyclables as part of the Container Deposit Scheme (CDS).</p> <p>Glass received is proposed to be stored outside in an uncovered container as opposed to a covered container as required by the current licence.</p> <p>Increase the quantity limit for approved CDS materials from 2,000 tonnes per annual period to 4,000 tonnes per annual period.</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 (500 tonnes or more per year)	up to 2,000 tonnes per annum.	Up to 4,000 tonnes per annum
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Not required for licence amendment

<p>Has the applicant obtained all relevant planning approvals?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	<p>Not required. Applicant contacted the Planning Department at the City of Greater Geraldton regarding the proposed changes to operating times on 22 March 2022 via email. A response was provided from the Planning Department on 25 March 2022 advising that there were no objections to the proposal. See Attachment 5 of the Application for Amendment to Licence.</p>
<p>Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>CPS No: N/A No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Application reference No: N/A Licence/permit No: N/A No clearing is proposed.</p>
<p>Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Application reference No: Licence/permit No: Licence / permit not required.</p>
<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<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>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 (Noise) Regulations 1997</i></p>

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 type="checkbox"/> No <input checked="" type="checkbox"/>	