



Application for Works Approval

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

Works Approval Number W6829/2023/1

Applicant Eastern Metropolitan Regional Council

ABN 89 631 866 056

File number DER2023/000429

Premises Red Hill Waste Management Facility
1094 Toodyay Road
RED HILL WA 6056

Lot 1 on Diagram 15239, Lot 2 on Diagram 68630, Lot 11 on Diagram 69105 and Lot 12 on Deposited Plan 26468

As defined by the premises map attached to the issued works approval

Date of report 10 November 2023

Decision Works approval granted

A/MANAGER WASTE INDUSTRIES REGULATORY SERVICES

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

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the premises. As a result of this assessment, works approval W6829/2023/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) 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 29 June 2023, the applicant submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction and installation works relating to the deepening of an existing leachate evaporation pond (L10-B) to increase landfill leachate holding capacity at the premises. The premises is approximately 12 km north-east of Midland, on the south side of Toodyay Road and east of the Darling escarpment.

The premises relates to the category and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6829/2023/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in works approval W6829/2023/1.

2.3 Background

The applicant operates the premises on behalf of five member Councils – Town of Bassendean, City of Bayswater, Shire of Mundaring and City of Swan.

In 2018, the applicant undertook the construction of a centralised landfill leachate evaporation pond system at the premises, consisting of one 7m deep holding pond and two 2m deep evaporation ponds. Since its construction, the pond system has managed all existing leachate generated at the premises from landfill operations. Following two consecutive wet winters at the premises and the anticipated expansion of Class III landfill operations, the applicant intends to deepen one of the shallow evaporation ponds into a holding pond, lowering its depth from 2m to 7m, to increase the overall operational capacity of the premises centralised leachate pond system as per Table 1. This will provide the applicant with greater operational flexibility in the management of leachate generated at the premises.

Table 1: Class III pond system sizing details

Class III Pond	Length (m)	Width (m)	Height (m)	Internal pond side slope (V:H)	Catchment area (m ²)	Approved operational capacity (m ³)	Proposed operational capacity (m ³)
Pond L10-A: Holding Pond	127.8	100	7.0	1:2.5	12,780	59,416	59,416
Pond L10-B: Holding Pond			2.0 (current) 7.0 (proposed)	1:2.5	15,053	20,363	63,540
Pond L10-C: Evaporation Pond			2.0	1:2.5	6,420	7,847	7,847
Total capacity of system					34,253	87,626	130,803

Note: Operation capacity assumes that a 500 mm freeboard is maintained within the capacity of the pond. Due to their irregular shape, Ponds 2 and 3 do not have standard lengths and widths.

2.3.1 Scope of works

The works approval scope of works for the leachate pond redevelopment includes the following:

- Removal of existing leachate in pond L10-B through:
 - An increase in operating times of the mechanical evaporators on pond L10-B in accordance with L8889/2015/2 where required;
 - Relocating leachate into existing Ponds L10-A and L-10C; and
 - Recirculating leachate to the active Class III landfill cell in accordance with L8889/2015/2 as a conservative measure where required.
- Disconnection and removal of the existing primary mechanical leachate evaporator and 11 secondary floating mechanical leachate evaporators on pond L10-B;
- Decommissioning of pond L10-B to include removal of existing geosynthetic clay liner, 2mm double-textured high-density polyethylene (HDPE) geomembrane liner and temporary capping of inflow pipework;
- Earthworks to excavate to design formation levels and geometry with a permanent access ramp to be built into the pond;
- Preparation of the pond sub-grade with suitable soil materials;
- Installation of a 500mm thick engineered clay attenuation layer;
- Installation of a geosynthetic composite lining system:
 - Geosynthetic clay liner; and
 - 2mm double-textured HDPE geomembrane liner.
- Construction Quality Assurance (CQA) inspections throughout surface preparations and liner installation; and
- Reinstallation of pipework, primary mechanical evaporator and 11 secondary floating

mechanical leachate evaporators onto the pond.

2.3.2 Water balance

A water balance using a Hydrologic Evaluation of Landfill Performance (HELP) model for the Class III pond system was undertaken by the applicant to ensure the existing leachate pond system has the appropriate capacity during the redevelopment of pond L10-B which will be offline during this time. The construction timeframe is expected to commence from November 2023 and conclude as a worst-case assumption in May 2024. The water balance considers a peak leachate generation scenario during the construction phase for climate conditions for a 50th and 90th percentile rainfall year with the following leachate generating inputs and outputs:

Leachate inputs

- Existing leachate in pond L10-B
- Rainfall capture in the following activity areas:
 - Lot 11 North and South and Stages 1-13 have been fully capped, and Stage 15 has been partially capped, and leachate continues to be extracted from all these stages;
 - Stage 14 and 16 are fully operational; and
 - FOGO Facility Stage 1 and 2 are fully operational.

Leachate outputs

- Natural evaporation; and
- Mechanical evaporation using both a primary mechanical evaporator and 26 smaller floating evaporators (with an additional 6 to be installed) which will be operable for a higher number of hours to help offset the evaporative loss without pond L10-B in operation.

The following additional factors were also considered in the water balance modelling:

- 500mm operational freeboard;
- The actual evaporation rate was assumed to be 70% of the potential pan evaporation rate;
- No leachate is recirculated into the landfill; therefore all leachate is required to be extracted and treated in the evaporation pond system;
- No rainfall within an evaporation pond's catchment area was lost to run-off; and
- For the purpose of the calculations, the evaporation area was set at half the pond depth for each evaporation pond.

The applicant has used Australian climate data from the Queensland Department of Environment and Science SILO database as it provides more site-specific data for rainfall, temperature, solar radiation and pan evaporation from 1889 to the present. The database uses observational data from BOM weather stations using mathematical interpolation techniques to infill gaps in time series and construct spatial grids. The spatial grid selected (Latitude: -31.85, Longitude: 116.10) encompasses the premises in its entirety. A 50-year data period was selected to gain a large range of rainfall scenarios whilst maintaining the quality of the data, as the SILO model indicates there are significant limitations on data pre-1957.

The mean annual rainfall for the premises is calculated as 851 millimetres (mm) with the highest recorded annual rainfall at 1,138mm, which occurred in 1991. The 50th and 90th percentile rainfall years recorded a rainfall of 845mm (in 1971) and 1,022mm (in 1981), respectively. The annual average pan evaporation rate was reported as 1,850mm.

Water balance during construction

During a 50th percentile rainfall year, the modelling shows that the pond system can handle all leachate generated during the construction period without any ponds exceeding their freeboard.

During a 90th percentile rainfall year, the modelling shows that leachate recirculation across the active landfill cell area will be required to manage leachate levels within their freeboards over the construction period. Though the amount of recirculation will vary over the construction months, a peak monthly recirculation volume of approximately 29,000m³ will be required, equivalent to irrigating 400mm of leachate across the active cell area in that month in accordance with the conditions of the premises licence L8889/2015/2.

Water balance following construction

A water balance was also undertaken for a 5-year period post construction comprising of a 90th percentile rainfall year followed by four 50th percentile rainfall years. The applicant intends to also install and operate 6 additional floating evaporators within the leachate pond system which was also considered in this modelling. The final pond levels achieved in the construction period assessment were assumed to be the starting levels for the ponds within the post-construction model.

The water balance indicates that the pond system can manage all generated leachate without exceeding the freeboard in any of the ponds.

2.3.3 Stability assessment

In August 2018, a stability risk assessment was undertaken for the proposed leachate pond system design to present the considered stability scenarios for the different modelled phases of the pond lifecycle for both confined and unconfined conditions (where appropriate).

Pond L10-A was the critical slope analysed within the original Stability Risk Assessment with a 7m high side-slope and an external engineered embankment with a maximum proposed leachate level within the pond of 6.5m. The proposed deepening of pond L10-B to 7m with a maximum operating leachate level of 6.5m within the pond with same underlying geology and groundwater table, does not change the critical analysed slope of the original assessment. The works and subsequent results from the previous assessment are therefore considered applicable and valid for the pond redevelopment works. No further analysis is deemed to be required for the pond deepening as the factor of safety for pond L10-B would be higher for the same material parameters and conditions than the critical slope originally assessed.

A review of the applicant's stability risk assessment is presented in Amendment Notice 5 and will not be duplicated in this assessment.

2.4 Part IV of the EP Act

The premises is currently subject to six Ministerial Statements (MS) under Part IV of the EP Act. In regulating the premises under Part V, Division 3 of EP Act, DWER will seek to avoid duplication of requirements imposed under Part IV. Pursuant to section 59B(7) of the EP Act, DWER will also not amend a Part V licence to be contrary to, or otherwise than in accordance with, an implementation agreement or decision.

A summary of the respective Ministerial Statements is provided below:

- MS 274 (15 July 1992) – Relates to the Red Hill Waste Management Facility Extension;
- MS 462 (21 November 1997) – Relates to the establishment of Class IV waste disposal cells at the existing Red Hill Waste Management Facility;
- MS 976 (9 July 2014) – Relates to the proposal to construct and operate a resource recovery facility within the existing Red Hill Waste Management Facility, for the processing of waste to produce energy, using either anaerobic digestion or gasification technology;

- MS 1092 (5 March 2019) – Implements modifications to MS 976 to add a definition for ‘residual waste’, develop, submit and implement a Waste Acceptance System Plan and Waste Acceptance Monitoring and Management Plan and include development envelope coordinates;
- MS 1122 (20 January 2020) – Implements modifications to MS 976 to extend the time limit for proposal implementation for a further 5 years being from 9 July 2019 to 9 July 2024; and
- MS 1140 (1 July 2020) – Implements modifications to frequency of groundwater monitoring required by MS 274 in accordance with an approved surface and groundwater management plan.

MS274 and MS462 are the main Statements that relate to the construction, operation and post closure management of waste handling and landfilling aspects at the Red Hill Waste Management Facility. The scope of this works approval is not considered to impact the outcome of these Ministerial Statements.

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 decommissioning, construction and operation which have been considered in this decision report are detailed in Table 2 below.

Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 2: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Decommissioning and construction			
Dust	Earthworks and lift-off from earthen material stockpiles Vehicle movements on unsealed ground.	Air / windborne pathway	<ul style="list-style-type: none"> • Frequent watering of disturbed areas to minimise formation and accumulation of dust where required. • Not carrying out operations with dust creating potential at times of high winds. • Vehicles to maintain minimum speed limits.
Odour	Handling of existing pond leachate		<ul style="list-style-type: none"> • Regular maintenance and monitoring of the leachate treatment system. • Complaints management system in accordance with existing licence L8889/2015/2. • Use of mechanical evaporators in accordance with existing licence L8889/2015/2.

Emission	Sources	Potential pathways	Proposed controls
Noise	Operation of machinery equipment Vehicle movements		<ul style="list-style-type: none"> • Normal working hours for construction will be between 7.00am to 5.00pm. Required application and consultation will be conducted prior to work outside of these hours. • Employ best practical means to minimise noise in accordance with AS 2436 - Guide to noise and vibration control on construction, demolition and maintenance sites. • Mobile machinery using broadband reversing alarms. • Regular maintenance of mobile machinery. • Complaints management system in accordance with existing licence L8889/2015/2.
Leachate	Landfill leachate generation Handling of existing pond leachate Loss of ponds integrity Overtopping of leachate in existing ponds Contaminated stormwater	Seepage to soil and groundwater	<ul style="list-style-type: none"> • Composite lining system designed using criteria within Victoria's <i>Environmental Protection Authority (EPA) Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of Landfills 2015</i> (BPEM Guidelines) and New South Wales' (NSW) EPA <i>Environmental Guidelines Solid Waste Landfills</i> (NSW EPA Guidelines). • Maintain an undisturbed separation distance of at least three metres below the base of the deepest excavation point and the highest recorded static groundwater level - lowest point in the redeveloped pond L10-B is approximately 4.74m to groundwater. • Construction quality assurance plan and inspections prior to use. • Shallow V-shaped surface water drains have been constructed around each pond's perimeter to divert uncontaminated stormwater. • The crest of the pond is designed to slope away from the pond perimeter to divert run-off away from the pond's footprint. • Immediate reporting to site superintendent and remedying leak/discharge. • Ponds L10-A and L10-C to remain in use during decommissioning and construction phase. • Maintain 500mm freeboard on all ponds. • Use of mechanical evaporators in accordance with existing licence L8889/2015/2. • Recirculation of leachate onto operational landfill cells in accordance with existing licence L8889/2015/2 where required. • Ongoing monitoring in accordance with leachate management procedure.

Emission	Sources	Potential pathways	Proposed controls
Operation			
Noise	Operation of machinery equipment Vehicle movements	Air / windborne pathway	<ul style="list-style-type: none"> • Mobile machinery using broadband reversing alarms. • Regular maintenance of mobile machinery. • Complaints management system in accordance with existing licence L8889/2015/2.
Leachate	Landfill leachate generation Loss of ponds integrity Overtopping of leachate Contaminated stormwater	Seepage to soil and groundwater	<ul style="list-style-type: none"> • Composite lining system designed using criteria within Victoria's <i>Environmental Protection Authority (EPA) Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of Landfills 2015</i> (BPEM Guidelines) and New South Wales' (NSW) EPA <i>Environmental Guidelines Solid Waste Landfills</i> (NSW EPA Guidelines) – Landfill guidelines. • Geosynthetic liner layers secured with anchor trenching 0.6m deep. • Pond basal and side slopes comply with landfill guidelines. • Site specific engineering controls for the pond subgrade developed with consideration of the local groundwater and geology in accordance with AS3798 and AS1289. • Assessment of the landfill design through a Stability Risk Assessment with modelling indicating that the factors of safety calculated are acceptable for all scenarios considered. • Construction quality assurance plan and inspections prior to use. • Shallow V-shaped surface water drains around pond perimeter to divert uncontaminated stormwater. • The crest of the pond is designed to slope away from the pond perimeter to divert run-off away from the pond's footprint. • Use of mechanical evaporators in accordance with existing licence L8889/2015/2. • Maintain 500mm freeboard on all ponds. • Recirculation of leachate onto operational landfill cells in accordance with existing licence L8889/2015/2 where required. • Ongoing monitoring in accordance with leachate management procedure.
Odour	Mechanical evaporation of leachate		<ul style="list-style-type: none"> • Use of mechanical evaporators in accordance with existing licence L8889/2015/2. • Regular maintenance and monitoring of the leachate treatment system. • Complaints management system in accordance with existing licence L8889/2015/2.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks, prevention strategies and is provided for under other state legislation.

Table 3 and Figure 1 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 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Semi-rural residential areas and farms	<p>Approximately 38 semi-rural residences bordering the prescribed premises boundary on the north, east (Barbarich Estate) and southern sides. The separation distance from the boundary of pond L10-B (subject to works) to the nearest sensitive receptor (semi-rural residence) is approximately 700m south.</p> <p>Lots are separated from the Premises by a vegetation buffer (approximately 260m to 400m wide) located on Lot 82 on Diagram 18309 and Lot 501 on Plan 40105, Parkerville (owned by EMRC), followed by a drainage/public recreation reserve (approximately 50m to 125m wide) on Lot 62 on Plan 23731 and Lot 15403 on Plan 40033, Parkerville (vested in the Shire of Mundaring).</p>
Environmental receptors	Distance from prescribed activity
Parks and Wildlife Management Lands and Waters	John Forrest National Park: adjacent to the southern boundary of the premises.
Threatened/Priority Fauna	<p>The following species were identified within 2km of the premises boundary:</p> <ul style="list-style-type: none"> • Two endangered species (Baudin's cockatoo and Carnaby's cockatoo). • One vulnerable species (forest red-tailed black cockatoo). • One species of migratory bird protected under an international agreement (fork-tailed swift). • One Priority 4 species (quenda). • One species of special conservation interest (south-western brush-tailed phascogale).
Groundwater	<p>There is a groundwater divide extending across the northern part of the premises trending west-northwest parallel with the premises surface water catchment divide. Due to this divide, there is a generally southerly to south-westerly groundwater flow across most of the premises, largely within the catchment for Christmas Tree Creek to the south.</p> <p>A total of 49 groundwater monitoring bores are active across the premises, of which eight bores are located near the pond L10-B redevelopment area. The highest static water level recorded within the pond L10-B redevelopment footprint ranges from 275-270mAHD or approximately 15mbgl at a minimum. From the lowest point in the redeveloped pond to the groundwater is approximately 4.74m. The applicant intends to maintain an undisturbed separation distance of at least 3m below the base of the deepest excavation point to the highest recorded static groundwater level in line with best practice landfill infrastructure design standards.</p>
Surface water	<p>Susannah Brook (minor, non-perennial watercourse)</p> <ul style="list-style-type: none"> • Approximately 2km to the north of the leachate pond redevelopment area. <p>Christmas Tree Creek (minor, non-perennial watercourse)</p> <ul style="list-style-type: none"> • Approximately 650m to the south of the leachate pond redevelopment area.

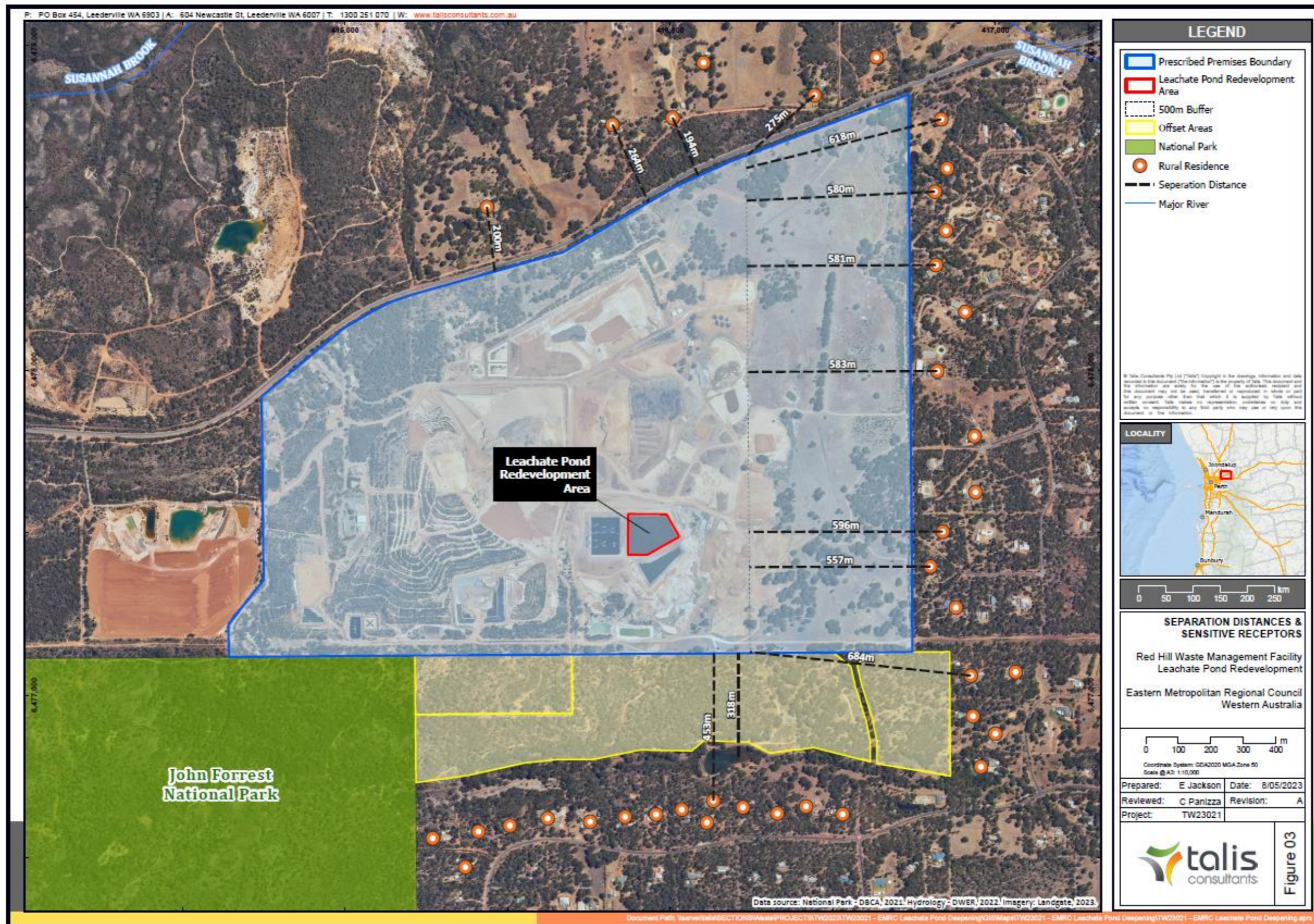


Figure 1: Distance to sensitive receptors

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IR-T13 Decision report template (short) v3.0 (May 2021)

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant 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 applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4. Works approval W6829/2023/1 that accompanies this decision report authorises construction. The conditions in the issued works approval, as outlined in Table 4 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Operations are permitted in accordance with the applicant's existing licence (L8889/2015/2), following the applicant's submission and subsequent DWER CEO approval of the Critical Containment Infrastructure Report required by works approval W6829/2023/1. The Delegated Officer notes that the premises licence requires updating to reflect the current specification and capacities of all leachate ponds and the floating mechanical evaporators being utilised. As the applicant currently has other works approval applications with the Department that will require licence amendments, this information will be added onto the licence during this time.

A risk assessment for the operational phase has been included in this decision report in accordance with existing licence conditions contained within L8889/2015/2.

Table 4: Risk assessment of potential emissions and discharges from the premises during decommissioning, construction and operation

Risk events					Risk rating ¹	Applicant controls sufficient?	Conditions ² of works approval	Reasoning and justification for additional regulatory controls (where required)
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
Decommissioning and Construction								
Placement of construction equipment including vehicle movements	Dust	Air / windborne pathway causing impacts to health and amenity	Surrounding human residences as identified in Section 3.1.2	Refer to Table 1	C = Slight L = Possible Low Risk	Y	The provisions of section 49 of the EP Act (causing pollution and unreasonable emissions) apply. Condition 5 (complaints management and recordkeeping)	The Delegated Officer considers the applicant's controls sufficient in managing dust emissions from the redevelopment of leachate pond L10-B.
Earth excavation	Noise				C = Minor L = Possible Medium Risk	Y	The Environmental Protection (Noise) Regulations 1997 apply. Condition 5 (complaints management and recordkeeping)	The Delegated Officer considers the applicant's controls sufficient in managing noise emissions from the redevelopment of leachate pond L10-B.
Emptying of existing leachate prior to construction works	Odour				C = Moderate L = Possible Medium Risk	Y	Condition 5 (complaints management and recordkeeping)	The Delegated Officer considers the applicant's controls and existing controls in Licence L8889/2015/2 sufficient in managing odour emissions from the redevelopment of leachate pond L10-B.
Excavation resulting in instability of adjacent ponds and potential release of leachate	Leachate	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality Seepage to soil and groundwater resulting in disturbance of groundwater quality	Surrounding environmental receptors as identified in Section 3.1.2		C = Major L = Unlikely Medium Risk	Y	Condition 1, Table 1, (g), (h), (n)	The applicant has completed a stability risk assessment for the leachate pond system with modelling indicating that the factors of safety calculated are acceptable for all scenarios considered.
Operation								
Storage of leachate - leaks from liner failure or conveyance infrastructure	Leachate	Contamination of surface waters or deterioration of local/regional groundwater quality	Surrounding human and environmental receptors identified in Section 3.1.2	Refer to Table 1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1, Table 1, (c), (d), (e), (f), (g), (h) (p), (q)	The applicant proposes to implement a series of quality assurance and quality control measures associated with general earthworks and liner installation for the leachate pond liner. These measures are considered by the Delegated Officer to be consistent with industry practice and standards. Regulatory controls are included as conditions of the works approval, to ensure construction of the leachate pond adheres to the proposed earthworks, lining specification and construction quality assurance protocols. These measures will ensure that containment infrastructure will be constructed appropriately and thus mitigate against a contaminant pathway being present; thus, reducing the potential risk.
Storage of leachate - overtopping of pond		Amenity and health impacts to users (potential potable, non-potable water uses)			C = Moderate L = Unlikely Medium Risk	Y	Condition 1, Table 1, (i), (j), (k), (m), (o)	The Delegated Officer considers the applicant's proposed controls and the existing controls in L8889/2015/2 acceptable in ensuring leachate does not overtop the leachate pond system.
Potentially contaminated stormwater					C = Minor L = Unlikely Medium Risk	Y	Condition 1, Table 1, (l)	The Delegated Officer considers the applicant's pond construction design will satisfactorily divert uncontaminated stormwater away and contain contaminated stormwater within the pond system.

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

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
<p>Application advertised on the department's website on 04/08/2023</p>	<p>The Gidgegannup Progress Association provided comments on 15/08/2023:</p> <ol style="list-style-type: none"> 1. The expectation is that the existing leachate within the pond subject to works is kept onsite without contaminating the entire site and internal roads accessible to the public. 2. The preference is that the EMRC deepen the existing ponds rather than expand their footprint. 3. There is concern that the deeper ponds will reduce evaporation and contribute to a prolonged odour issue from the wet material. The neighbours on Old Toodyay Road to the north-east continue to suffer appalling windborne odour when the sea-breeze blows. It is hoped that this will substantially reduce once the FOGO processing plant is built and in use. EMRC need to work harder to contain downwind odour impact as this was the first year the odours were detected as far as the top of Red Hill. 	<p>The Delegated Officer advises that the existing leachate within the pond subject to the works will be retained onsite and will be removed in accordance with existing controls within the applicant's existing licence L8889/2015/2.</p> <p>The Delegated Officer notes that whilst a deeper pond will reduce the level of evaporation, the use of mechanical evaporators in accordance with applicable odour controls in licence L8889/2015/2 will assist in the removal of leachate. DWER encourages nearby residents to report unreasonable or offensive odours directly to the EMRC or to the Department's Pollution Watch: https://www.wa.gov.au/service/natural-resources/pollution-emission-control/how-report-odour</p>
<p>Local Government Authority City of Swan advised of proposal on 04/08/2023.</p>	<p>The City of Swan provided comment on 23/08/2023 and then revised their comments on 27/10/2023 confirming that the subject proposal is exempt from requiring planning approval. The City recommends that the proposal have regard to the interface with John Forrest National Park, surface and groundwater quality, vegetative buffers from surrounding land, existing remnant vegetation on site and fire management.</p>	<p>The delegated officer notes that environmental and human receptors have been considered in this assessment of this application and determined an acceptable level of risk to allow these works to be completed. The applicant is to ensure they adhere to the requirements of both the works approval and existing licence L8889/2015/2.</p>
<p>Applicant was provided with draft documents on 07/11/2023</p>	<p>The applicant responded on 08/11/2023 and confirmed there were no comments to add on the draft documents.</p>	<p>Noted.</p>

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. Department of Environmental Regulation (DER), July 2015. *Guidance Statement: Regulatory principles*. Perth, Western Australia. Accessed at: www.wa.gov.au
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