



# Amendment Report

## Application for Licence Amendment

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

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<b>Licence Number</b>	L7102/1997/8
<b>Licence Holder</b>	City of Bayswater
<b>File Number</b>	DEC6825/1
<b>Premises</b>	<p>Bayswater Transfer Station</p> <p>271 Collier Road</p> <p>BAYSWATER WA 6053</p> <p>Legal description –</p> <p>Lot 102 on Diagram 55521</p> <p>Certificate of Title Volume 1527 Folio 874</p> <p>As defined by the coordinates in Schedule 2 of the Revised Licence</p>
<b>Date of Report</b>	27 February 2022
<b>Proposed Decision</b>	Revised licence granted

**Stephen Checker**  
**MANAGER WASTE INDUSTRIES**

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

Licence: L7102/1997/8

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## 1. Decision summary

Licence L7102/1997/8 is held by City of Bayswater (Licence Holder) for the Bayswater Transfer Station (the Premises), located at 271 Collier Road Bayswater WA 6062.

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 construction and operation of the Premises. As a result of this assessment, Revised Licence L7102/1997/8 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

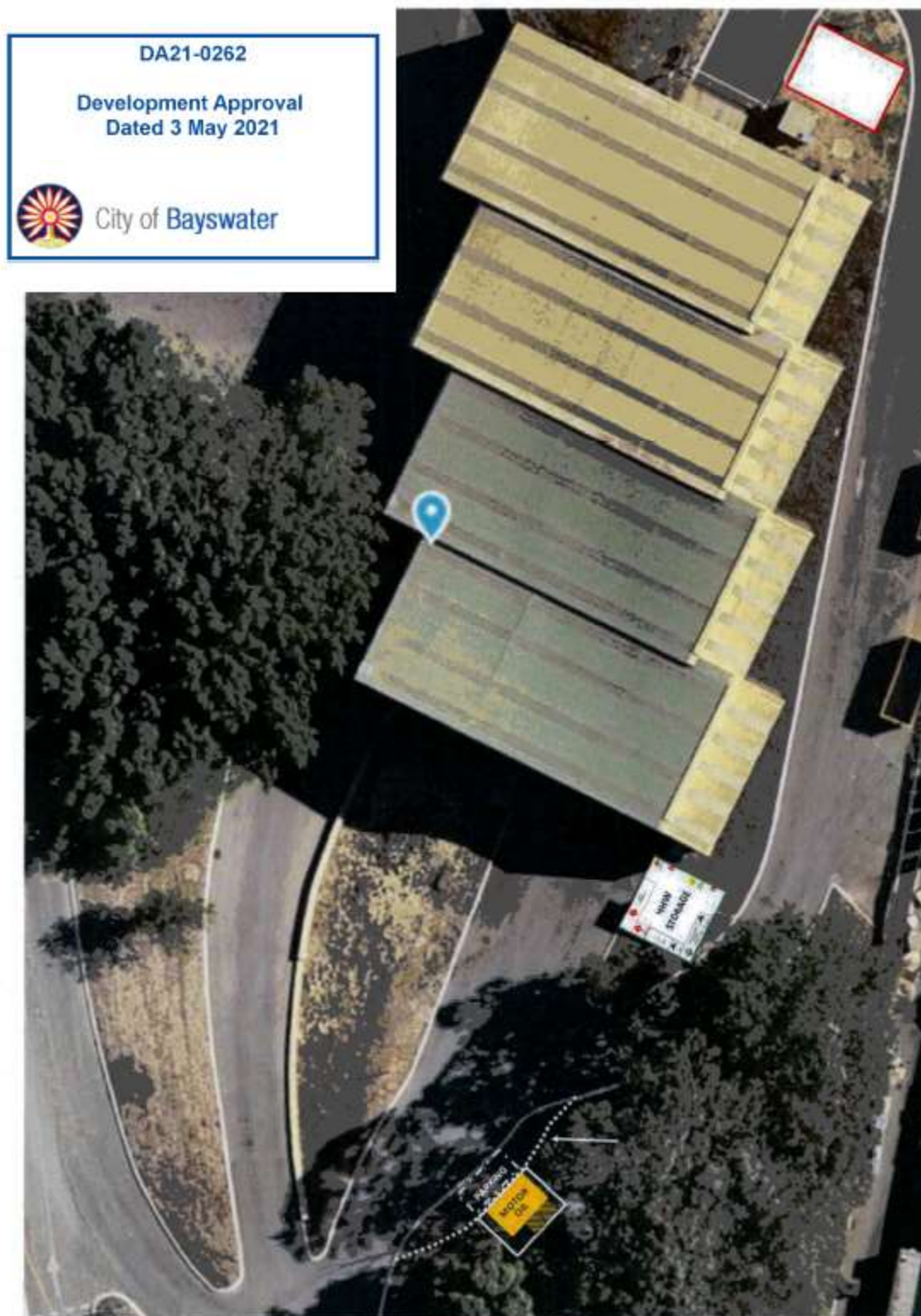
On 13 October 2021, the Licence Holder submitted an application to the department to amend Licence L7102/1997/8 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Construct a caged area for the storage of gas cylinders, aerosols and batteries;
- Construct an open sided roofed storage area (shed) on a concrete hardstand to cover the caged storage area for gas cylinders, aerosols and batteries;
- Construction of a Household Hazardous Waste (HHW) enclosed shed on a concrete hardstand to accept HHW waste in accordance with the *Guidelines for the design and operations of facilities for the acceptance and storage of household hazardous waste* (HHW Guidelines); and
- Relocation of current motor oil storage area including new concrete hardstand pad.

This amendment is limited only to changes to Category 62 storage and handling infrastructure at the Existing Licence Premises. There will be no changes to the Existing Licence Production and Design Capacity and operations at the Premises. The acceptance and temporary storage of HHW waste is new to the premises and accordingly will be risk assessed under this amendment. Figure 1 below outlines the location of the new gas cylinders, aerosols and batteries shed, HHW shed and motor oil area.

### 2.3 Consolidation of Licence

The department consolidated the Existing Licence under the Licence Amendment granted on 4 August 2020.



**Figure 1 Location of new sheds and motor oil area**

### 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.

#### 3.1.1 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 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 1: Licence Holder controls**

<b>Emission</b>	<b>Sources</b>	<b>Potential pathways</b>	<b>Proposed controls</b>
<i>Dust</i>	<i>Construction of concrete hardstands, cage and sheds including vehicle movements (reversing beepers).</i>	<i>Air/windborne pathway</i>	<i>Speed is limited due to layout and size of premises. Storage is temporary. Majority of premises is paved/covered.</i>
<i>Noise</i>	<i>Construction of concrete hardstands, cage and sheds including vehicle movements (reversing beepers).</i>	<i>Air/windborne pathway</i>	<i>Speed restricted due to layout and size of premises. Shed. Compliance with Environmental Protection (Noise) Regulations 1997. Normal business hours are 0700 – 2200 hours Monday to Saturday and 1000 – 1600 Sunday. Building permit stipulates construction activity timeframes.</i>
<i>Odour</i>	<i>Waste oil / gas cylinders /aerosol cans</i>	<i>Air/windborne pathway</i>	<i>Shed. Storage is temporary.</i>
<i>Leachate</i>	<i>Storage of waste material</i>	<i>Seepage to soils and groundwater</i>	<i>Concrete Hardstand constructed with bunds surrounding hardstand constructed of concrete. Enclosed HWW shed. Spill kits available at the premises. Stormwater Management Plan.</i>
<i>Potentially contaminated</i>	<i>Storage of waste material processed</i>	<i>Seepage to soils and</i>	<i>Sheds will divert water away from waste. Concrete Hardstand constructed with</i>

<b>Emission</b>	<b>Sources</b>	<b>Potential pathways</b>	<b>Proposed controls</b>
<i>stormwater</i>	<i>and unprocessed</i>	<i>groundwater</i>	<i>bunds surrounding hardstand constructed of concrete.</i> <i>Stormwater drains which discharge to a stormwater drainage system and local compensation basin.</i> <i>Stormwater Management Plan.</i>
<i>Fire</i>	<i>Storage of waste material processed and unprocessed</i>	<i>Air/windborne pathway</i>	<i>Sheds.</i> <i>Separate storage areas.</i> <i>Fire extinguisher / hose reels on the premises.</i> <i>Fire and Emergency Management Plan.</i>

### 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 2 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**

<b>Human receptors</b>	<b>Distance from prescribed activity</b>
<i>Closest residential receptor</i>	<i>130m from northern edge of the premises boundary</i>
<i>Industrial</i>	<i>Immediately adjacent to the east</i> <i>180m west and 225m south of the Premises</i>
<b>Environmental receptors</b>	<b>Distance from prescribed activity</b>
<i>Public Open Space</i>	<i>Immediately north of the Premises</i>
<i>Groundwater</i>	<i>11-12mbgl</i>
<i>Compensation basin</i>	<i>192m south south-east of the Premises</i>

## 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 3.2. 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 L7102/1997/8 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Transfer Station activities.

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 construction and operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Construction								
Construction of concrete hardstands, cage and sheds including vehicle movements (reversing beepers).	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A	N/A
	Noise			Refer to Section 3.1.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	N/A	N/A
Operation								
Accepting, unloading, loading and storage of material	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1.1	C = Slight L = Rare <b>Low Risk</b>	Y	Condition 4	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1.1	C = Minor L = Possible <b>Medium Risk</b>	Y	Condition 4, 11	N/A
	Odour	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Condition 4	N/A
	Leachate	Seepage to soils and groundwater	groundwater	Refer to Section 3.1.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Condition 4, 12	No new conditions have been added to the Proposed Licence. Condition 4, 6, 7 and 19 have been amended to include HHW at the premises. The Application does not stipulate how the Premises will comply with the

Licence: L7102/1997/8



Risk Event					Risk rating <sup>1</sup>  C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
								Guidelines for the design and operations of facilities for the acceptance and storage of household hazardous waste. New Definitions have been added to the Proposed Licence regarding HHW. Schedule 3 has been added to the Proposed Licence to define HHW accepted at the Premises.
	Fire	Air/windborne pathway causing impacts to health and amenity  Containment of contaminated fire water.	Residences 130m north	Refer to Section 3.1.1	C = Major L = Possible <b>High Risk</b>	N	Condition 4, 10  <b>Condition 1 and 15</b>	Condition 1 includes construction of a Fire alarm system for the HHW shed in accordance with the requirements of the HHW Guidelines.  The department has reviewed the existing Fire and Emergency Management Plan (FEMP) for the premises and found that it does not contain sufficient detail to inform the risk of fire at the premises.  The Application does not sufficiently detail fire management infrastructure nor stipulate how the Premises will comply with fire management requirements such as the HHW Guidelines and DFES GN 04 Fire Prevention and Management in a Recycling Facility.  Condition 15 is a new licence condition which requires the submission of a detailed Fire and Emergency Management Plan by 31 March 2022 by a suitably qualified Consultant.

Risk Event					Risk rating <sup>1</sup>  C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
								<i>New definitions in the Licence per new licence condition.</i>
	Contaminated firefighting water	Overland runoff potentially causing ecosystem disturbance or impacting surface water and groundwater quality	Surface and groundwater	Refer to Section 3.1.1	C = Moderate L = Possible <b>Medium Risk</b>	N	Condition 4, 13 and 14 <b><u>Condition 15</u></b>	<i>The department has reviewed the existing Fire and Emergency Management Plan (FEMP) for the premises and found that it does not contain sufficient detail to inform the risk of fire at the premises. Condition 15 is a new licence condition which requires the submission of a FEMP by 31 September 2022 by a suitably qualified Consultant. The Management Plan details contaminated stormwater / fire water requirements. New definitions in the Licence per new licence condition</i>

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

**Table 4: Consultation**

Consultation method	Comments received	Department response
<i>Other Stakeholders (MLA) advised of proposal (25/11/2021)</i>	<i>Stakeholder responded to DWER request for comment on 26/11/2021 and formally requested to be removed as a Stakeholder</i>	<i>Noted and removed.</i>
<i>Licence Holder was provided with draft amendment on 15/12/2021 and the Licence Holder requested an extension and submitted comments on 31/1/2022</i>	<i>Refer to Appendix 1</i>	<i>Refer to Appendix 1</i>

## 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 5 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 5: Summary of licence amendments**

Condition no.	Proposed amendments
1	<i>Inclusion of new works approval construction condition to construct the hardstand pads, sheds and HHW shed.</i> <i>New Schedule 1 Construction map as referenced in Table 1.</i> <i>New Schedule 3 HHW waste types as referenced new Definition of HHW (and in Table 1 of the Guidelines).</i>
2	<i>Works approval compliance reporting condition</i>
3	<i>Works approval compliance reporting condition</i>
numbering	<i>The Proposed Licence has new numbering for conditions and Tables consistent to new conditions for works approval construction.</i>
4	<i>Existing Licence condition 1 Table 1 has changed to new Proposed Licence condition 4 Table 2. Condition 4 includes amendments to allow acceptance of HHW at the Premises.</i>

6	<i>Existing Licence condition 3 Table 2 has changed to new Proposed Licence condition 6 Table 3. Condition 6 includes amendments to allow waste processing of HHW at the Premises.</i>
7	<i>Existing Licence condition 4 has changed to new Proposed Licence condition 7. Condition 7 includes amendments to ensure HHW shed is locked at the Premises parallel to HHW Guideline requirements.</i>
15	<i>New licence condition for submission of Fire and Emergency Management Plan</i>
19	<i>Existing Licence condition 15 has changed to new Proposed Licence condition 19. Condition 19 includes amendments to monitor waste input and outputs for HHW waste.</i>
<i>Definitions</i>	<i>New definitions consistent with new licence conditions.</i>

## 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 1: Summary of Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comment	Department's response
1(a)	For condition 1(a) - the word 'bundled' should be removed from the draft licence condition 1(a) as this area required for a gas bottle enclosure not subject to leaks or liquid emissions.	Agreed. Changed as requested
2(a) and (b)	Condition 2(a) remove the word 'bundled' and from condition 2(b) the requirement to have a '150mm bund with a coating extending up the walls'. Suggest reword 'that all chemicals will be on either self-bundled pallets, stored in self bundled chemical cabinet and/or in chemical grade storage tubs'. The plans do not show bunding in the shed footing/slab detail.	Agreed that risks will be adequately managed through alternative proposal. Changed as requested
15	For condition 15 - date for the Fire and Emergency Management Plan review amended from the 31 March 2022 to the 31 September 2022. This is due to the time it will take for the construction of the facility and to procure a consultant to prepare a plan and then implement the plan. Note the City of Bayswater has agreed for the EMRC to source a qualified consultant to complete a plan.	Agreed. Changed as requested

## Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
<b>Application type</b>					
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:	L7102/1997/8		
		Relevant works approval number:		N/A	<input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>
Date application received					
<b>Applicant and Premises details</b>					
Applicant name/s (full legal name/s)		City of Bayswater			
Premises name		Bayswater Transfer Station			
Premises location		271 Collier Rd Bayswater			
Local Government Authority		City of Bayswater			
<b>Application documents</b>					
HPCM file reference number:		DEC6825/1			
Key application documents (additional to application form):		Application Form			
<b>Scope of application/assessment</b>					

Summary of proposed activities or changes to existing operations.	Licence amendment Construction and Operation of <ul style="list-style-type: none"> <li>Construct a caged area for the storage of gas cylinders, aerosols and batteries;</li> <li>Construct a shed on a concrete hardstand to cover the caged storage area for gas cylinders, aerosols and batteries;</li> <li>Construction of a Household Hazardous Waste (HHW) shed on a concrete hardstand to accept HHW; and</li> <li>Relocation of current motor oil storage area including new concrete hardstand pad.</li> </ul>	
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	Not more than 110,000 tonnes per annual period	No changes
<b>Legislative context and other approvals</b>		
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 checked="" type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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"/>	CPS No: N/A Clearing is exempt



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"/>	Clearing is exempt
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"/>	Application reference No: Licence/permit No: 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 type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office: Swan Avon / Mid-West Gascoyne / Kwinana Peel / North West / South West / Goldfields / South Coast
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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> )	Yes <input type="checkbox"/> No <input type="checkbox"/>	
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"/>	Classification: N/A / possibly contaminated – investigation required (PC-IR) / not contaminated – unrestricted use (NC-UU) / contaminated – restricted use (C-RU) / remediated for restricted use (RRU) / contaminated – remediation required (C-RR) / decontaminated (Decon) Date of classification: N/A