



Application for Licence Amendment

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

Licence Number	L7060/1997/13
Licence Holder	Peel Resource Recovery Pty Ltd
ACN	149 428 697
File Number	DER2014/001334-1
Premises	Cross Resource Management 70 Stanley Road WELLESLEY WA 6233 Part of Lot 601 on Deposited Plan 417253 As defined by the coordinates in Schedule 2
Date of Report	7 December 2023
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 L7060/1997/13 is held by Peel Resource Recovery Pty Ltd (Licence Holder) for Cross Resource Management (the Premises), located at 70 Stanley Road Wellesley WA.

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 L7060/1997/13 has been granted.

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 1 September 2023, the Licence Holder submitted an application to the department to amend Licence L7060/1997/13 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Construct a new tyre monofill landfill cell and change the approved clean fill area to an inert landfill cell.

The current tyre monofill area has approximately 6 months remaining void space. Therefore, the Licence Holder proposes a new tyre disposal cell (the Cell) through this amendment. The proposed cell footprint will be approximately 0.5 hectares, to be located within the existing approved inert waste landfill area. In addition to that, the Licence Holder proposes to use recently approved 0.8 hectares clean fill area as an inert landfill cell. These changes make the future inert landfill area equal to 3.8 ha. However, clean fill and uncontaminated fill will be accepted to premises as landfill cover material and no changes for the 3.5 ha of active landfill phase 3.

This amendment is limited only to changes to Category 63 activities from the Existing Licence. No changes to the aspects of the existing Licence relating to Category 13 and 62 have been requested by the Licence Holder.

Table 1 below outlines the proposed changes to the existing Licence.

Table 1: Proposed design/throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
63	115,000 tonnes per annual period	No change	Amendment to construct a new tyre monofill and change the existing approved clean fill area to an inert landfill cell.

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

Table 2: Licence Holder controls

Sources	Emission	Potential pathways	Proposed controls
Operation of new tyre monofill Operation of 0.8 ha of inert waste landfill cell Vehicle and equipment movements	Dust	Air/windborne pathway	No additional controls were proposed. The existing Licence includes various controls: <ul style="list-style-type: none"> preventing visible dust emissions being discharged from the Premises, wetting down unsealed roads and exposed areas with a water truck, limiting vehicle speeds to less than 10 km/hr, ceasing operations during strong wind conditions
	Noise	Air / wind dispersion and ground vibrations	<ul style="list-style-type: none"> No change to current operational activities, throughputs and landfilling quantities. Operations only take place Monday to Friday within regular working hours
Operation of new tyre monofill Operation of 0.8 ha of inert waste landfill cell	Fire /smoke	Air/windborne pathway	No additional controls were proposed. The existing Licence includes various controls: <ul style="list-style-type: none"> No more than 100 tyres can be stored on the premises at any time
	Contaminated firewater / stormwater	Overland runoff	No additional controls were proposed. All runoff from the Premises is presently managed with a series of existing open surface drains and soak ponds.
	Leachate	Subsurface	No change to current operational activities,

Sources	Emission	Potential pathways	Proposed controls
		leachate	throughputs and landfilling quantities. The existing licence includes various controls including monitoring of ambient groundwater quality
Operation of 0.8 ha of inert waste landfill cell	Windblown waste	Air/wind dispersion	No additional controls were proposed. The existing Licence includes various controls: <ul style="list-style-type: none"> ensuring that no wind-blown waste escapes from the Premises and that wind-blown waste is collected on at least a weekly basis and returned to the tipping area.
	Asbestos fibers from non-conforming wastes	Air/wind dispersion	No change to current operational activities, throughputs and landfilling quantities. The existing Licence includes various controls: <ul style="list-style-type: none"> Waste acceptance criteria including inert waste type 1 containing visible asbestos or ACM shall not be accepted. No works to occur on the landfill that could lead to a release of asbestos fibres.

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 3 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
Residential Premises	Approximately 380 m south-west from the Premises boundary
Kemerton Industry buffer	Premises located within the Kemerton Industrial buffer
Industry- Stanley Road Class II Putrescible Landfill site	Immediately adjacent and to the north of the Premises boundary
Industry – Agspread Haulage	Immediately adjacent and to the west of the Premises

Trucking company	boundary
Environmental receptors	Distance from prescribed activity
Brunswick River	Approximately 180.m south of the Premises boundary
Geomorphic Wetlands -Swan Coastal Plain – Dampland	Approximately 95 m east of the Premises boundary
Geomorphic Wetlands -Swan Coastal Plain – Floodplain	Approximately 115 m south of the Premises boundary
Waterways Conservation Act Management Areas	Premises located within Leschenault Inlet Management Area
Rights in water and Irrigation Act 1914 Proclaimed Surface Water Area	Premises located within the Brunswick River and Tributaries
Rights in water and Irrigation Act 1914 Proclaimed Groundwater Area	Premises located within the Bunbury Groundwater Area
Department of Biodiversity Conservation and Attractions Legislated Land, conservation of flora and fauna and or historical features.	PIN – 11413209- approximately 575 m north-west of the Premises boundary
Priority Ecological Community	Priority 3 - Banksia Woodlands of the Swan Coastal Plain ecological community within and surrounding the Premises boundary.
Threatened and Priority Flora	<i>Caladenia speciosa</i> and <i>Drakaea elastica</i> of flora species located within 1 km radius from the Premises boundary
Threatened Fauna	<p>Following species identified within 1 km radius from the Premises boundary.</p> <ul style="list-style-type: none"> • Endangered species - <i>Botaurus poiciloptilus</i>, <i>Calidris canutus</i>, <i>Calyptorhynchus</i> sp. 'white-tailed black cockatoo', <i>Charadrius mongolus</i> • Critically Endangered species - <i>Pseudocheirus occidentalis</i> - • Priority species- <i>Oxyura australis</i>, <i>Hydromys chrysogaster</i>, <i>Falsistrellus mackenziei</i> • Specially Protected – Migratory species - <i>Limosa lapponica</i>, <i>Limosa limosa</i>, <i>Limicola falcinellus</i>, <i>Tringa nebularia</i>, <i>Thalasseus bergii</i>, <i>Tringa stagnatilis</i>, <i>Pluvialis fulva</i>, <i>Calidris ruficollis</i>, <i>Arenaria interpres</i>, <i>Calidris acuminata</i>, <i>Phascogale tapoatafa wambenger</i>, <i>Numenius phaeopus</i> and <i>Tringa glareola</i>

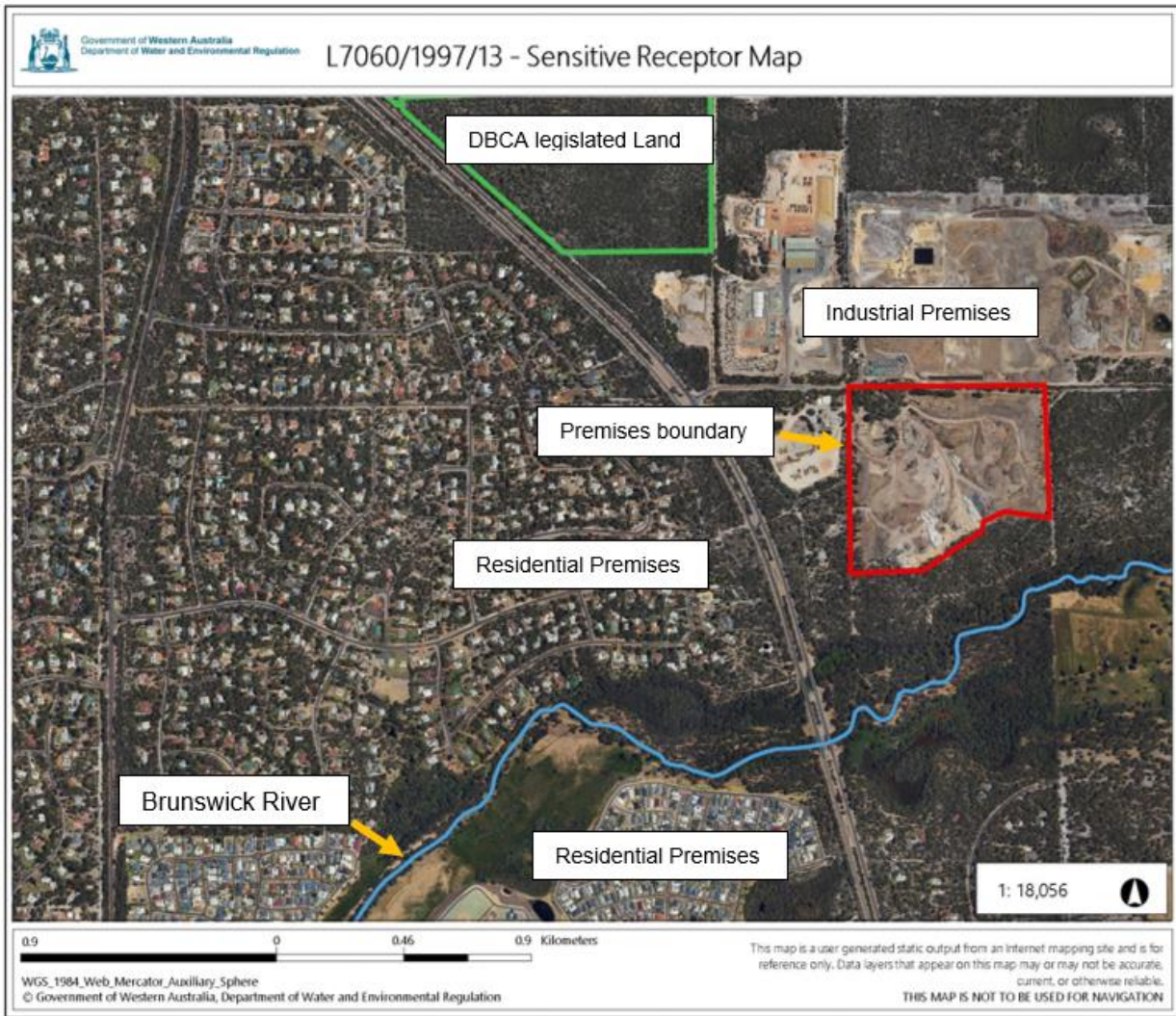


Figure 1: Distance to sensitive receptors

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 4.

The Revised Licence L7060/1997/13 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 4. 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								
Operation of new tyre monofill Operation of 0.8 ha of inert waste landfill cell Vehicle and equipment movements	Dust	Air/windborne pathway causing impacts to health and amenity	Residential premises approximately 380 m south-west of the Premises boundary	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 15,22, 23	The Delegated Officer considers dust and noise emissions associated with the operation of new tyre monofill and inert waste landfill area can be adequately regulated by the general provisions of the EP Act.
	Noise	Air/windborne pathway causing impacts to health and amenity	Industrial areas immediately adjacent to the north and west of the Premises boundary	Refer to Section 3.11	C = Minor L = Unlikely Medium Risk	N	Condition 15	

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			
Operation of new tyre monofill Operation of 0.8 ha of inert waste landfill cell	Fire /smoke	Air/windborne pathway causing impacts to health and amenity	Residential premises approximately 380 m south-west of the Premises boundary Industrial areas immediately adjacent to the north and west of the Premises boundary Priority Ecological Community within the Premises DBCA Legislated Lands and Waters approximately 575 m north-west of the Premises boundary	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	Condition 15, 19	The Delegated Officer considers fire/smoke emissions associated with the operation of new tyre monofill and inert waste landfill area can be adequately regulated by the general provisions of the EP Act.
	Contaminated firewater / stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Premises located within proclaimed RIWI Groundwater Area and Surface water Area. Brunswick River approximately 180.m south of the Premises boundary Geomorphic Wetlands -Swan Coastal Plain – Dampland approximately 95 m east of the Premises boundary	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 21	The Delegated Officer considers contaminated firewater / stormwater emissions associated with the operation of new tyre monofill and inert waste landfill area can be adequately regulated by the general provisions of the EP Act.
	Leachate	Infiltration impacting on surface water and ground water	Priority Ecological Community within the Premises DBCA Legislated Lands and Waters approximately 575 m north-west of the Premises boundary	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 31	The Delegated Officer considers leachate emissions associated with the operation of new tyre monofill and inert waste landfill area can be adequately regulated by the general provisions of the EP Act.

Licence: L7060/1997/13

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			
Operation of 0.8 ha of inert waste landfill cell	Windblown waste	Air/windborne pathway causing impacts to health and amenity	Residential premises approximately 380 m south-west of the Premises boundary	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Condition 16,18,20	The Delegated Officer considers contaminated windblown waste and asbestos fibre emissions associated with the operation of new tyre monofill and inert waste landfill area can be adequately regulated by the general provisions of the EP Act.
	Asbestos fibers from non-conforming wastes	Air/windborne pathway causing impacts to health and amenity	Industrial areas immediately adjacent to the north and west of the Premises boundary	Refer to Section 3.1	C = Major L = Unlikely Medium Risk	Y	Condition 1,3,4,5,6,7,8,9,10,11,12,13, 14, 17	

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

Table 5: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal 13/10/2023	No comments received	N/A
Licence Holder was provided with draft amendment on (23/11/2023)	Licence Holder made a request to waive the consultation period	Noted

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 6 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 6: Summary of licence amendments

Condition no.	Proposed amendments
Throughout the licence	Throughout Condition wording updated to current template format: "shall" replaced
Condition 1	Updated the waste acceptance specification for clean fill and uncontaminated fill
Condition 15	Updated the waste processing specification for clean fill and uncontaminated fill
Condition 35	Condition wording updated to current format
Condition 36	Condition wording updated to current format
Condition 37	Condition wording updated to current format
Schedule 1 Figure 2	Replaced the figure 2 with an updated site layout map
Schedule 3	Deleted from the Licence and replaced with Schedules 4, 5 and 6 for risk classification and monitoring for asbestos
Condition 39	Redundant conditions and therefore removed to reflect current licence template
Table 9	
Schedule 7	

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				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L7060/1997/13	
		Relevant works approval number:		N/A
Date application received	01/09/2023			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Peel Resource Recovery Pty Ltd			
Premises name	Cross Resource Management			
Premises location	A part of Lot 601 on Deposited Plan 417253; Volume 2976; Folio 938 70 Stanley Road, Wellesley WA 6233			
Local Government Authority	Shire of Harvey			
Application documents				
HPCM file reference number:	DER2014/001334-1			
Key application documents (additional to application form):	Letter of Authority Planning Approval			
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.	Licence amendment to use 0.5ha within the recently approved inert waste landfill area for a new tyre monofill. It is also proposed to change the approved 0.8ha clean fill premises area to an inert waste landfill cell. There will be no difference in operations to the adjacent recently approved 3.5ha inert waste landfill. No changes to estimated tyre throughput.			

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 production or design capacity (amendment only)
Category 13: Crushing of building material: premises on which waste building or demolition material	65,000 tonnes per annual period	No changes
Category 62: Solid waste depot: premises on which waste is stored or sorted, pending final disposal or re-use, other than in the course of operating — (a) a refund point (as defined in the Waste Avoidance and Resource Recovery Act 2007 section 47C(1)) (a refund point); or (b) a facility or other place (an aggregation point) for the aggregation of containers that have been returned to refund points until those containers are accepted for processing or disposal.	300,000 tonnes per annual period	No changes
Category 63: Class I inert landfill site: premises (other than clean fill premises) on which waste of a type permitted for disposal for this category of prescribed premises, in accordance with the Landfill Waste Classification and Waste Definitions 1996, is accepted for burial.	115,000 tonnes per annual period	No changes

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: N/A	
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: N/A EPA Report No: N/A	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A	
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input checked="" type="checkbox"/>	
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Approval: FILE NO: A16607 DOC NO: 22/11073 APPLIC NO: P235/22 Planning Approval issued from Shire of Harvey	

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 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"/>	Application reference No: N/A Licence/permit No: N/A 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"/>	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 checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Brunswick River and Tributaries Bunbury Groundwater Area Type: RIWI Act - Proclaimed Surface water Areas and irrigation Districts RIWI Act – Proclaimed Groundwater Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: South West	
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: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
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 xxx</i>)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A	
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Classification: possibly contaminated – investigation required (PC–IR) Date of classification: Sep 22, 2021 12:00 AM	