# **Amendment Report**

## **Application for Licence Amendment**

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

Licence Number L7102/1997/8

Licence Holder City of Bayswater

File Number DEC6825/1~4

**Premises** Bayswater Transfer Station

271 Collier Road

**BAYSWATER WA 6053** 

Legal description -

Lot 102 on Diagram 55521

Certificate of Title Volume 1527 Folio 874

As defined by the Premises maps attached to the Revised

Licence

Date of Report 30 November 2023

**Decision** Revised licence granted

Abbie Crawford

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

Licence L7102/1997/8 is held by the City of Bayswater (licence holder) for the Bayswater Transfer Station (the premises), located at 271 Collier Road, Bayswater WA 6053.

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

### 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 <a href="https://dwer.wa.gov.au/regulatory-documents">https://dwer.wa.gov.au/regulatory-documents</a>.

## **Application summary**

On 29 May 2023, 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 City of Bayswater owns the Bayswater Transfer Station, and it is currently operated by the Eastern Metropolitan Regional Council (EMRC). The premises manages various waste streams for both recovery and disposal off-site, including recyclables, certain household hazardous wastes (HHW) and residual waste. Commercial wastes are accepted through the Commercial Transfer Shed on the eastern side of the site, and residential wastes are accepted at the Community Recycling Shed on the northern side of the site.

The licence holder is currently trying to determine the future direction of the site and is considering opportunities to provide an expanded set of community drop-off services to residents through modern facilities. This may involve upgrades to the site, a restructure of management or potentially relocating the operations of the Bayswater Transfer Station to a different location, such as the nearby Hazelmere Transfer Station. Therefore, the licence holder is currently assessing a variety of these options and considering the environmental, social and financial implications of each.

It is anticipated that a council meeting held in late November 2023, to discuss the findings of these works, will determine the future of the site. Following the decision, the licence holder will notify the Department, and will need several years to implement the preferred outcome, during which time the premises will need to continue to provide its existing recycling and waste management services to the local community.

To maintain the existing services at the best value for ratepayer, the following amendments are being sought by the licence holder:

- Change the location of a pre-approved 5m x 7m HHW shed and a 7m x 4m open-sided roofed shed to a central location on the premises;
- construct a permanent firewater retention wall at the northern boundary of the premises;

- rename the Material Recycling Facility (MRF) to the Community Recycling Shed, and rename the Putrescible Shed to the Commercial Transfer Shed;
- change the timeframe for storage of HHW from one month to three months;
- allow the northern doors of the Community Recycling Shed to be opened for airflow during the day;
- remove requirement 3 of Table 1, Condition 1, as the licence holder no longer intends to construct a new waste oil hardstand pad at the site;
- modify Table 3, Condition 6 to allow for paint to be stored in the Community Recycling Shed, in suitable weatherproof containers in a segregated area with 3m of separation from other stored waste materials;
- amend Condition 12 to allow for operational flexibility in the method used to manage leachate at the premises. The licence holder proposes to use woodchips to cover leachate generating waste piles and remove the soaked woodchips along with the waste to a suitable licenced offsite management facility;
- change the requirement in part 2 (d) of Table 4 Condition 15 to allow for either manual or automatic closing of proposed drains and discharge points, the valves can be closed in the event of a fire to prevent firewater being released into the environment; and
- remove the requirement in part 3 (a) of Table 4 Condition 15 of the licence that
  requires all waste stockpiles to be separated by non-combustible walls that extend a
  minimum of 1m above the height of the waste stockpiles and 2m beyond the outermost
  edge of waste stockpiles.

A condition was placed on a previous licence amendment that required the licence holder to provide the department with an updated Fire and Emergency Management Plan (FEMP) by 30 September 2022. The FEMP was provided on 29 September 2023.

The department met with officers from the City of Bayswater at the premises on 20 October 2023 to inspect the site and further discuss the latest updates to the infrastructure and fire management systems proposed in the amendment. The licence holder stated the Commercial Transfer Shed is likely to cease operations on or before the 30 June 2024, which will decrease the total throughput of the premises to approximately 5,000 tonnes per annum, and significantly reduce the risk of fire at the premises.

On 15 November 2023 the applicant's consultant requested to extend the duration of the licence by 10 years, noting that it is due to expire on 6 August 2024.

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 at the premises.

### 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.

## 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 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** 

Emission	Sources	Potential pathways	Proposed controls
		Seepage to soils and groundwater	Cover leachate generating waste with woodchips and remove the soaked woodchips to a licensed offsite management facility.
Contaminated stormwater/firewater	Interaction of stormwater/firewater with waste	Runoff into soils and groundwater	Permanent retention wall on northern side of the premises and manual shut-off valves.
Dust	Waste stockpiles with open shed doors	Airborne/windborne	Limited size of waste stockpiles.
Noise Deliveries and machinery movement with open shed doors		Airborne	Site operations limited to business hours and small volumes of waste acceptance in the Community Recycling Shed.
Fire/smoke	Storage of HHW for a longer period of time	Airborne/windborne	Fire management systems and processes in FEMP implemented across the premises.

#### 3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer (DO) 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

SECTION 2: RECEPTORS	
The nearest town of Bayswater	Is approximately 0 km of the premises.
Human receptors	Distance from activity / prescribed premises
Residential Premises	130m north of the premises
Industrial	Immediately adjacent to the east 180m west and 225m south of the premises
Environmental receptors	Distance from activity / prescribed premises
Public Open Space – Joan Rycroft Reserve	Immediately north of the premises
Groundwater	11-12mbgl
Compensation basin	192m south south-east of the premises
Multiple use wetland	330m east of the premises

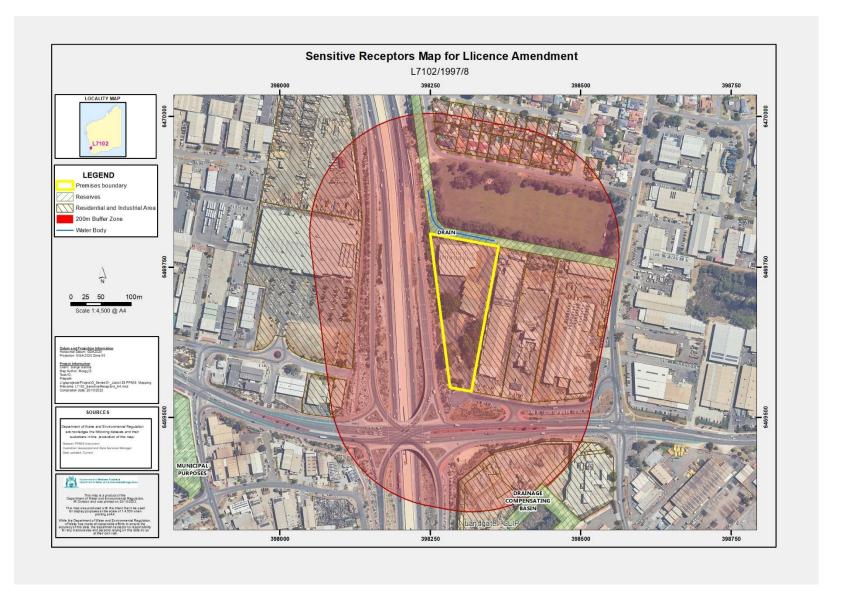


Figure 1: Distance to sensitive receptors within 200 metres of the premises

## 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 3.1.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the licence holder has proposed mitigation measures/controls, 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. Category 62 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 Event					Licence		Justification for	
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls	C = consequence L = likelihood	holder's controls sufficient?	Conditions <sup>2</sup> of licence	additional regulatory controls	
Construction									
Construction of retention wall, sheds, and associated equipment including vehicle	Dust	Air/windborne pathway causing		Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A	
movements (reversing beepers).	Noise		130m north	30m north	C = Slight L = Unlikely Low Risk	Y	N/A	N/A	
Operation	Operation								
	Dust	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	Risk posed by dust reduced due to the small quantities of waste accepted in the Community Recycling Shed.	
Community Recycling Shed doors open during operational hours	Noise	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Υ	N/A	Risk posed by noise reduced due to the small quantities of waste accepted in the Community Recycling Shed and designated operational hours.	
	Odour	Air/windborne pathway causing impacts to health and amenity	Residences 130m north	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	Risk posed by odour reduced due to the small quantities of waste accepted in the Community Recycling Shed.	

Risk Event	« Event				Risk rating <sup>1</sup>	Licence		Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls	C = consequence L = likelihood	holder's controls sufficient?	Conditions <sup>2</sup> of licence	additional regulatory controls
Requirement for bunded hardstand removed	Leachate	Seepage to soils and groundwater	Groundwater Public Open Space – Joan Rycroft Reserve	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Condition 11	Due to the small amount of leachate generating waste accepted at the premises the Delegated Officer determined that leachate can be managed by alternate means.

Risk Event					Risk rating <sup>1</sup>	Licence		Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence holder's controls	C = consequence L = likelihood	holder's controls sufficient?	Conditions <sup>2</sup> of licence	additional regulatory controls
	Fire	Air/windborne pathway causing impacts to health and amenity.  Containment of contaminated fire water.	Residences 130m north	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Conditions 14 & 15	Fire management condition updated to reflect that the FEMP has been provided. Condition 15 was added to require upgrads to the fire management system if the premises continues to operate post June 2025.
Increased storage time of HHW in Community Recycling Shed	Contaminated firefighting water	Overland runoff potentially causing ecosystem disturbance or impacting surface water and groundwater quality	Surface and groundwater	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Condition 1,  Conditions 14 & 15	If operations continue past 30 June 2025 the licence holder must upgrade fire management equipment and systems at the premises to adequately manage potential fires, as outlined in the updated FEMP.
	Leachate	Seepage to soils and groundwater	Groundwater Public Open Space – Joan Rycroft Reserve	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Υ	Condition 1 and 6	N/A

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
Licence holder was provided with draft amendment on 21/11/2023.	In an email dated 29 November 2023 the City requested that Condition 12 be amended to reflect that there is currently only one weighbridge on site.  The City also noted that Condition 23 in the draft Licence states the Annual Audit Compliance Report is required no later than 28 January in each year, however the draft Amendment Report states the due date as 28 February. The City requested that the date in the draft Licence to be updated to 28 February as per the draft Amendment Report.  It was also requested to remove redundant definitions.	Comments noted and updated.  The 28 January date came from Notice of amendment and schedule of licences with amended reporting conditions (2022). The February date was written in error, however the Delegated Officer agrees to change the reporting date to 28 February.

### 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.

## **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
Condition 1 Table 1 Part 1	Construction of a 7m x 4m open-sided roofed shed built in a central location on the premises.  Updated infrastructure name.
Condition 1 Table 1 Part 2	Updated name of Putrescible Shed to Community Recycling Shed.
Condition 1 Table 1 Part 3	Waste oil hardstand requirements deleted from the infrastructure table, as the licence holder no longer needs it.
Condition 1 Table 1	Construction requirement added for a permanent retention wall on northern side of the premises boundary made of precast concrete and 270mm high that is able to contain

Part 3	approximately 349.5m³ of water in the case of a fire.
Condition 1 Table 1 Part 4	Construction requirement added for manual shut off valves.
Condition 4	Updated wording to current licencing format.
Condition 4 Table 2	E-waste added to waste types accepted on the premises.
Condition 5	Condition updated to require non conforming waste types are removed from the premises within 30 days
Condition 6 Table 3	Increase the timeframe for the storage of HHW on the premises from one month to three months.
Condition 6 Table 3	Allow for paint to be stored on the premises in a separate area to the Community Recycling Shed, in suitable weatherproof container in a segregated area, with 3m of separation from other stored waste materials.  E-waste added.
Condition 11	Condition deleted which required northern shed doors of the Community Recycling Shed to be closed during operational hours.
Condition 11	New numbering.  Updated wording.  Renamed the Material Recycling Facility (MRF) to the Community Recycling Shed.  Renamed the Putrescible Shed/Transfer Station to the Commercial Transfer Station.  Requirement for leachate to be stored on impervious bunded compound replaced with requirement for leachate emissions to be effectively retained within the sheds.
Condition 12 Condition 13	New numbering.  Updated wording to current licencing format.  Addition of requirement that any stormwater that comes into contact with contaminated areas must be treated or disposed of at a suitably licenced facility.
Condition 15	Condition deleted as FEMP submission has now been provided.
Condition 14	Fire management condition added that outlines the requirements for fire management at the premises.
Condition 15	Condition added that requires licence holder to install upgraded fire management equipment and infrastructure if operations continue past 30 June 2025.
Condition 16	New numbering.
Condition 17 Condition 18	Updated wording to current licencing format.
Condition 19	Updated wording to current licencing format.  Condition updated to ensure each load that arrives or is rejected at the premises is accounted for.

Condition 20	Removed old complaints condition and updated to current licencing format.
Condition 21	Condition added for the licence holder to maintain accurate and auditable books. Old condition removed.
Condition 22	Add requirement for licence holder to provide information and records to an inspector or the CEO as required.
Condition 23	Removed old condition. Updated to current licence format and updated due date of the reporting period of the Annual Audit Compliance Report to 28 February.
Condition 24	Removed old condition and updated to current licencing format.
Condition 25	Removed old condition. Reduced reporting requirement as per Notice of Amendment of Licence Reporting Requirements, issued on 16 May 2022.
Definitions	Updated to reflect most recent definitions and waste classifications. Definitions no longer used in licence removed.
Schedule 1: Maps Figure 1	Redundant premises map. Updated with the locations of new infrastructure.
Schedule 1: Figure 2	Firewater containment infrastructure figure added.
Schedule 1: Table 6	Table outlining firefighting equipment and systems added.
Schedule 3	Updated to reflect the latest classifications for HHW.

## 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. Environmental Protection Authority (EPA) 2018, Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual, Environmental Protection Authority, Perth, WA.
- 5. Snooks & Co 2002, Style Manual for Authors, 6th Edn, John Wiley & Sons Australia Ltd, Brisbane.

# **Appendix 1: Application validation summary**

SECTION 1: APPLICATION SUMMARY						
Application type						
Works approval						
		Relevant works approval number:		None		
		Has the works approvith?	oval been complied	Yes 🗆	No □	
Licence		Has time limited ope works approval dem acceptable operatio	onstrated	Yes □	No □ N/A □	
		Environmental Com Critical Containmen Report submitted?		Yes □	No □	
		Date Report receive	ed:			
Renewal		Current licence number:				
Amendment to works approval		Current works approval number:				
Amendment to licence	$\boxtimes$	Current licence number:	L7102/1997/8			
Amendment to licence		Relevant works approval number:		N/A		
Registration		Current works approval number:		None		
Date application received		29/05/2023				
Applicant and Premises details						
Applicant name/s (full legal name/s)		City of Baywater				
Premises name		Bayswater Transfer Station				
Premises location	271 Collier Road, Bayswater, WA, 6053					
Local Government Authority	City of Bayswater					
Application documents						
HPCM file reference number:		DEC6825/1				
Key application documents (additional to application form):		EMRC Fire and Emergency Management Plan – October 2022 Talis Consultants Licence Amendment Supporting Information				
Scope of application/assessment						

Licence amendment.

Operation of Category 62 Transfer Station.

Works include the proposed construction of a  $5m \times 7m$  hazardous household waste (HHW) shed and a  $4m \times 7m$  open sided shed (already approved by DWER), and a retention wall at the northern boundary of the site.

The construction activities are estimated to take approximately 4-6 weeks once they commence.

The Holder also wishes to make the following amendments and changes to the Licence:

- Rename the Material Recycling Facility (MRF) to the "Community Recycling Shed", and rename the Putrescible Shed to the "Commercial Transfer Shed".
- Change the timeframe for storage of HHW on the Premises from one month to three months.
- An amendment to allow the northern doors of the Community Recycling Shed to be opened for airflow during the day, as higher temperatures within the building, particularly in summer, can become a health and safety hazard for staff and visitors.
- Remove requirement 3 of Table 1 Condition 1, as the Holder is no longer intends to construct a new waste oil hardstand pad at the site.
- Modify Table 3 Condition 6 to allow for paint to be stored in a separate area to the Recycling Shed, in suitable weatherproof containers in a segregated area, with 3m of separation from other stored waste materials.
- Interim changes to Fire Management Licence Conditions, which include an extension from 30 September 2022 to 30 September 2023 to comply with Condition 15 of the Licence.
- Change the requirement in part 2 (d) of Table 4 Condition 15 to allow for either manual or automatic closing of relevant drains and discharge points. The manual-closing valves can be closed in the event of a fire to prevent firewater being released into the environment.
- Remove the requirement in part 3 (a) of Table 4 Condition 15 of the Licence that requires all waste stockpiles to be separated by non-combustible walls that extend a minimum of 1m above the height of the waste stockpiles and 2m beyond the outermost edge of waste stockpiles.

Summary of proposed activities or changes to existing operations.

## 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.		No changes request

#### 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 □	No ⊠	
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes □	No ⊠	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes □	No ⊠	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes ⊠	No □	Certificate of title ⊠  General lease □ Expiry:  Mining lease / tenement □ Expiry:  Other evidence □ Expiry:
Has the applicant obtained all relevant planning approvals?	Yes ⊠	No □ N/A □	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 □	No ⊠	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 □	No ⊠	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 □	No ⊠	Application reference No: Licence/permit No: Licence not required.

	I	
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes □ No ⊠	Name: N/A  Type: Proclaimed Groundwater Area/Surface Water Area  Has Regulatory Services (Water) been consulted?  Yes □ No □ N/A ☒  Regional office: N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes □ No ⊠	Name: N/A  Priority: P1 / P2 / P3 / N/A  Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)?  Yes □ No □ N/A ☒
Is the Premises subject to any other Acts or subsidiary regulations (e.g. Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx)	Yes □ No ⊠	
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes □ No ⊠	
Is the Premises subject to any EPP requirements?	Yes □ No ⊠	
Is the Premises a known or suspected contaminated site under the Contaminated Sites Act 2003?	Yes ⊠ No □	If Yes include details here.  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  Premises accepts hazardous waste (including HHW) that may include dangerous goods such as aerosols, paints, and batteries. The site is possibly contaminated. No investigation required at this stage.